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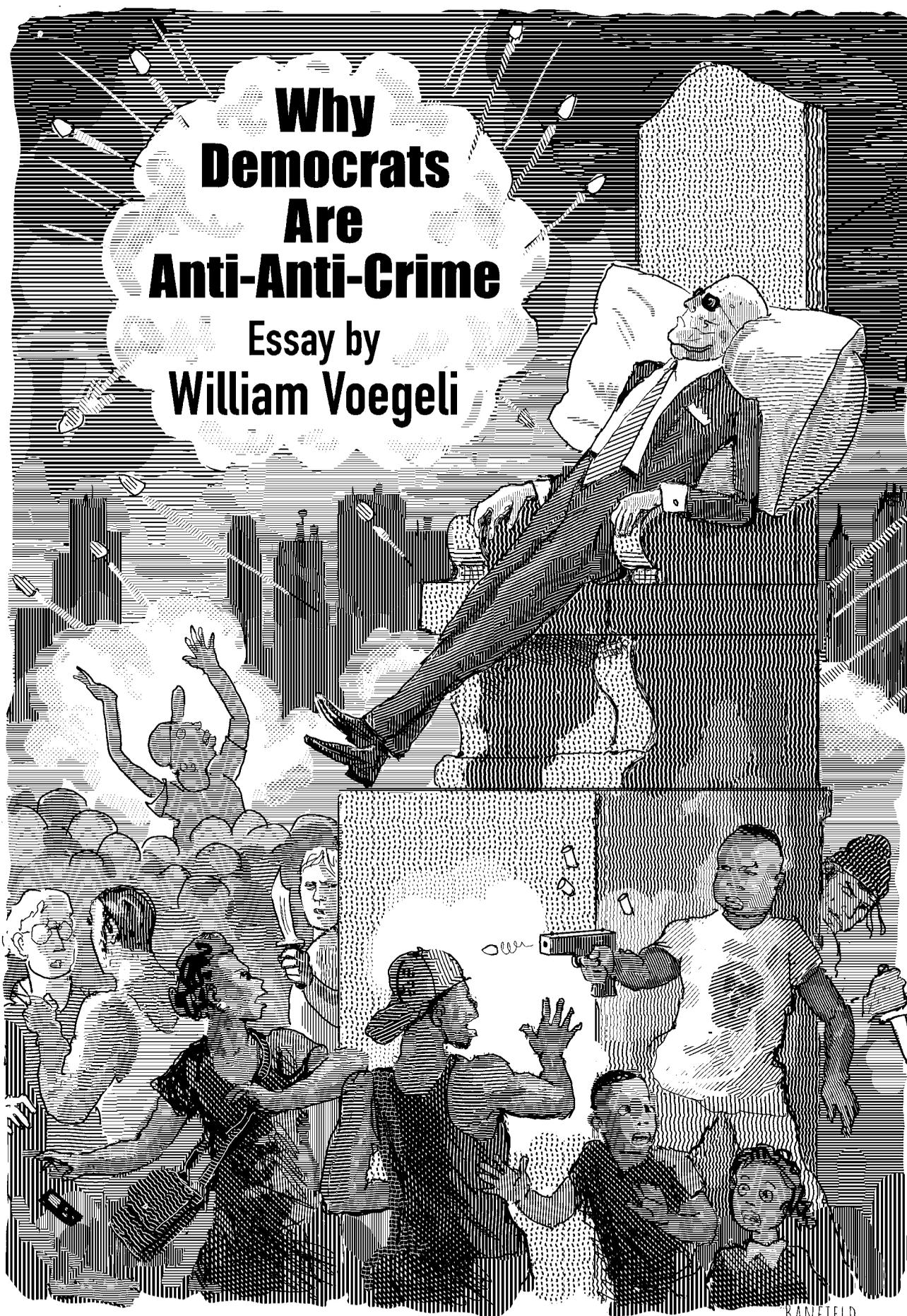
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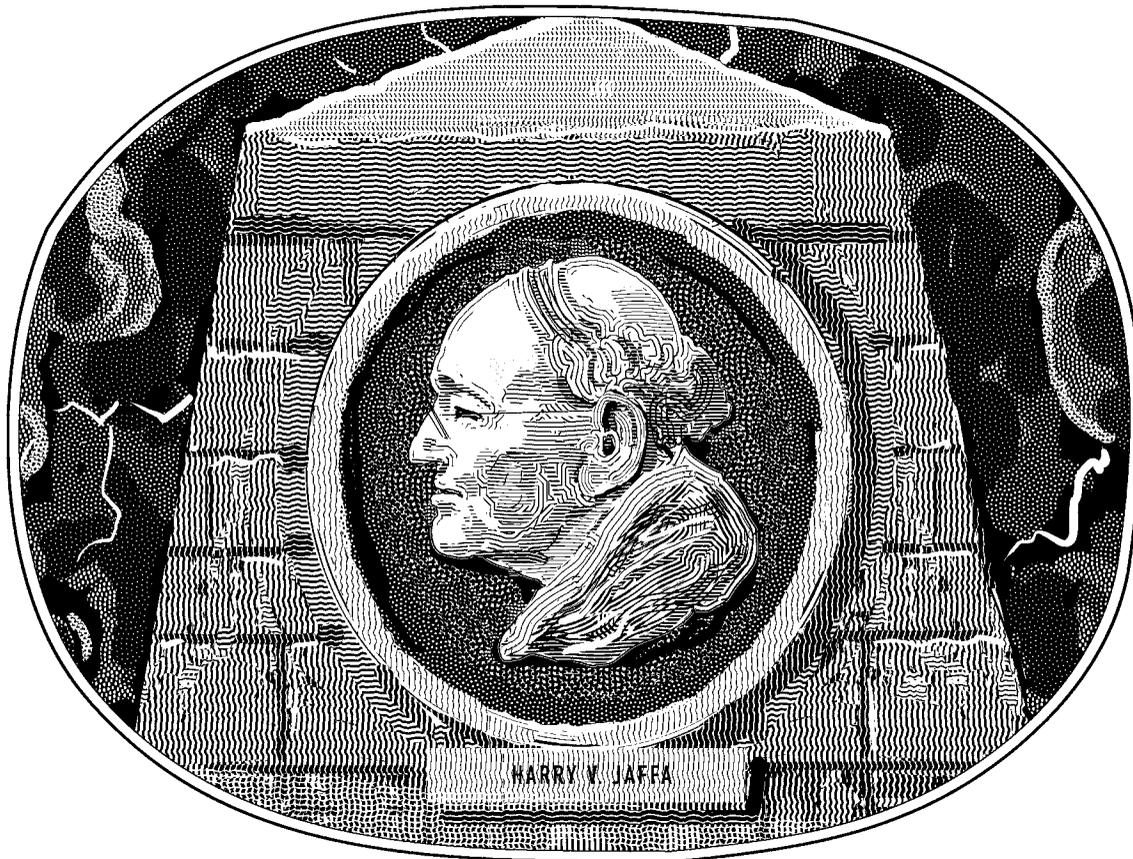
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Essay by Glenn Ellmers

WHY HARRY V. JAFFA MATTERS

He saw our house dividing once again.



[T]oday we are somewhere near a terminal process in the history of western civilization—not just in the history of this republic—in which a dark night of the soul could very well be the fate of the world if certain cataclysms with which we are threatened come to pass.

—Harry V. Jaffa, 1980

DURING THE COLD WAR THE DESTRUCTION of the American republic under a barrage of Soviet nuclear-tipped missiles was considered a remote but distinct possibility. Today, we again face the possible end of the American republic. This cataclysm, however—should it come to pass—would not be the result of a foreign military occupation, but of a division among our fellow citizens. Abraham Lincoln warned of this possibility in 1838. The greatest threat to American republicanism, he said in his Lyceum Address,

must spring up amongst us. It cannot come from abroad.... [We] must our-

selves be its author and finisher. As a nation of freemen, we must live through all time, or die by suicide.

Our current state of affairs would not have surprised Harry V. Jaffa (1918–2015), the intellectual founder of the Claremont Institute. When four Jaffa students—Larry P. Arnn, Christopher Flannery, Peter W. Schramm, and Thomas B. Silver—created the Institute in 1979, American conservatism was still finding its legs. It was not even clear what it was trying to conserve. The movement's flagship publication, *National Review*, oscillated between two peculiar forms of nostalgia—a Southern agrarianism that flirted with neo-Confederacy and a Catholic wistfulness for the medieval confessional state—and an easygoing form of libertarian anti-statism. Through lectures, debates, and essays, Jaffa undertook a decades-long effort to reorient the conservative movement around the Spirit of '76 and the American understanding of natural rights and social compact theory. His attempt to remedy conservatism's intellectual defects, and prevent

the calamity we now face, was the central purpose of his political project—a project carried on today by the Claremont Institute.

Sharp Edges

BORN IN 1918 TO A JEWISH FAMILY IN New York, Jaffa studied English at Yale, then earned a Ph.D. in political philosophy under Leo Strauss at the New School for Social Research. In 1963 he took temporary leave from academic life to advise the Barry Goldwater presidential campaign, for which he wrote Goldwater's famous acceptance speech proclaiming "extremism in the defense of liberty is no vice. And...moderation in the pursuit of justice is no virtue." Well known as a Lincoln scholar, Jaffa still has much to teach us because our current cold civil war turns on many of the same issues—especially race and equality—that the hot Civil War did. Yet Jaffa was primarily a student of Socratic rationalism, and never moved far from the permanent questions about justice, truth, and the good.



Over a scholarly career lasting more than six decades—first at Ohio State University, then at Claremont McKenna College and Claremont Graduate University—Jaffa produced groundbreaking insights in several disciplines. His first book, *Thomism and Aristotelianism: A Study of the Commentary by Thomas Aquinas on the Nicomachean Ethics* (1952; described by philosopher Alasdair MacIntyre as “an unduly neglected minor classic”), applied what Jaffa had learned about reason and revelation to Aquinas’s marriage of Aristotle and the Bible. Jaffa’s comprehensive essay on *King Lear*, “The Limits of Politics” (1957), was among the first to treat William Shakespeare as a political thinker and philosophical poet of the first rank. (The essay was reprinted in the 1964 book he produced with Allan Bloom, *Shakespeare’s Politics*.) Jaffa also wrote penetrating essays on *Macbeth* and *Measure for Measure* and a sweeping analysis of Shakespeare’s “moral universe.”

Jaffa’s best-known works, *Crisis of the House Divided* (1959) and *A New Birth of Freedom* (2000), offer profoundly rich and complex analyses not only of Lincoln and the Civil War but of the world-historical meaning inherent in the proposition of human equality. His penetrating criticism of American historiography in *Crisis* shifted the study of American history and the academic treatment of Lincoln, forcing scholars to acknowledge the intellectual depth of Lincoln’s statesmanship and the moral seriousness of his arguments. In *New Birth*, Jaffa conducted a multilayered philosophical excavation, going back to ancient Rome, of the American regime as a compound of theoretical truth and practical wisdom.

In between, he published several collections of essays, which were always polemical, sometimes incendiary, but never trivial. *How to Think About the American Revolution: A Bicentennial Cerebration* (1978) contains his major theoretical skirmishes over the meaning of the founding, mostly with fellow conservatives. Jaffa believed that “[t]he future of western civilization depends on the success of America,” which in turn depends on the success of the conservative movement. Yet many on the Right were (and remain) vague or confused about *what* in America they deem worth conserving. Jaffa addressed this deficiency in *American Conservatism and the American Founding* (1984)—the tenor of which is nicely captured in William F. Buckley’s Foreword: “If you think Harry Jaffa is hard to argue with, try agreeing with him.” It wasn’t enough to have the right answer, Jaffa thought, the reasoning and premises had to be correct, too. He objected to the amoral proceduralism of

conservatism’s leading judicial thinkers, including Robert Bork, William Rehnquist, and Antonin Scalia, who repudiated any judicial notice of moral principles outside the bare text of the Constitution. Relying on Lincoln’s jurisprudence, which made the Declaration of Independence the Constitution’s necessary moral anchor, Jaffa pioneered a natural-law critique of this conservative “positivism” in two books: *Original Intent and the Framers of the Constitution* (1994) and *Storm Over the Constitution* (1999).

Taken as a whole, Jaffa’s teaching is neither easy nor comforting. He sought to reveal how natural right remains a living force, pulsing with great power. Jaffa called on his readers to resist the dehumanizing expertise of a pseudo-scientific bureaucracy that seeks the end of both politics and philosophy. His critics sometimes portrayed him as a peddler of patriotic bromides—a potentially great scholar who frittered away the promise of his early work through a regrettable descent into mindless flag waving. This view cannot be entertained by anyone who has examined his writings with any care. Jaffa’s teaching—like his polemics—had sharp edges; he insisted that self-government placed strenuous demands on both the reason and virtue of citizens. A regime of human freedom, he showed, is beset at all times and on all sides by dangers, moral as well as intellectual.

Morality and Nature

CURRENT DEBATES ON THE AMERICAN Right are in many ways reenactments of the battles waged in the 1970s and ‘80s between Jaffa and such memorable Old Right personalities as Mel Bradford and Willmoore Kendall, and between Jaffa and pioneering Straussian scholars such as Martin Diamond and Walter Berns—often referred to as “Eastern” Straussians to differentiate them from Jaffa and his followers on the west coast. (A few of Jaffa’s original Straussian disputants, notably Thomas Pangle, are still teaching and writing, and Steven F. Hayward wrote a good book recently on the Jaffa-Berns dispute, *Patriotism Is Not Enough* [2017].)

These early fights were carried on in the pages of *Commentary*, *Modern Age*, *National Review*, and, not least, the *Claremont Review of Books*. Jaffa defended classical and modern rationalism against the paleoconservatives, who disdained the Enlightenment to the point of rejecting the self-evident truth of human equality. He argued that these traditionalists could not supply a theoretical defense of the American regime because they remained, in a certain sense, “pre-Socratic.” Though Jaffa agreed

with them that every decent society needs an authoritative tradition, he knew—as Socrates taught—that not all traditions are equal. Not only are many ancient practices barbaric, but traditions themselves often conflict.

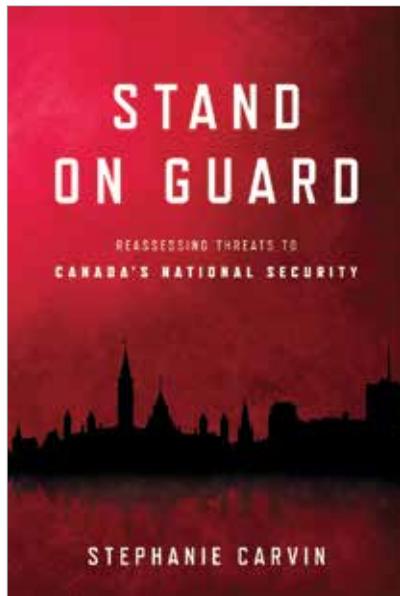
Socrates first articulated the principle of natural right in the 5th century B.C. in response to the inadequacy of conventionalism and positivism—doctrines which held (as with the legal positivists mentioned above) that law and justice lack any objective ground, existing only as the conventional preferences of a given society. Today’s paleoconservatives never absorbed the lesson. When confronted by people who adhere to different customs and values, the defenders of tradition have no objective ground on which to settle disputes—leaving only recourse to passionate assertion or force. This is one feature of the tribalism into which the United States is now descending.

Many paleoconservatives exhibit an almost willful animus toward the American Founding—or at least some key founders (especially Thomas Jefferson) and documents (especially the Declaration of Independence). Despite their admirable patriotism, they stubbornly resist embracing the political theory of the Revolution, even in the face of compelling evidence. Jaffa, who modified his views in some important ways in response to Willmoore Kendall’s arguments, showed that the framers were not abstract theoreticians but practical statesmen. Even the Declaration—which disqualifies savages and barbarians from self-government—is pragmatic about the moral and cultural conditions necessary for republicanism.

Yet rather than embrace scholarship that shows the founders to be friendly to traditional ideas about religion, family, and national character, many paleoconservatives adhere to a contrarianism both unreasonable and counterproductive. Wouldn’t their position be stronger and more influential if they could show that their views align with the founding’s natural rights philosophy, *properly understood*? As Claremont senior fellow Michael Anton has pointed out, the paleos’ romantic myths about the Old South, and disregard for the nation’s revolutionary origins, “give aid and comfort to those on the Left who hate America, hate the Right, and want to associate both with racism and slavery.” These traditionalists weaken their cause by distancing themselves from the attachment that ordinary Americans have for the nation’s founding charter.

If paleoconservatives could be said to want morality without nature, the so-called Eastern Straussians want nature without morality. They agree with the paleos that the Declara-

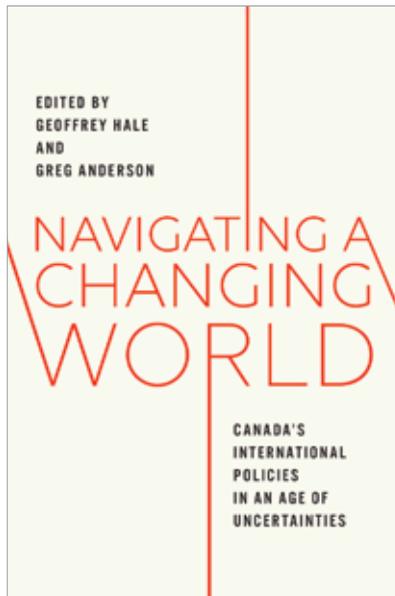
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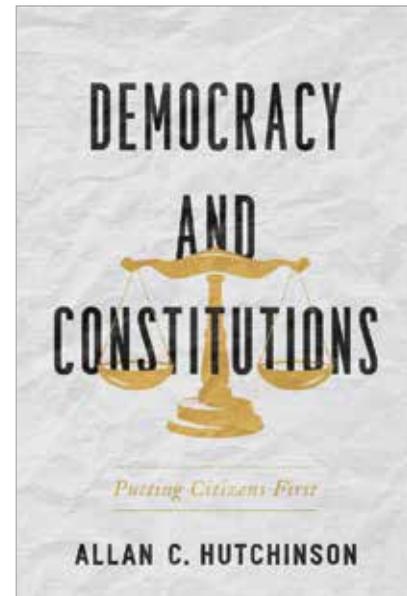
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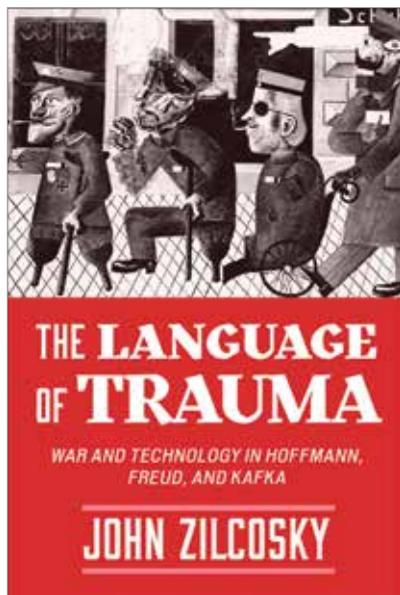
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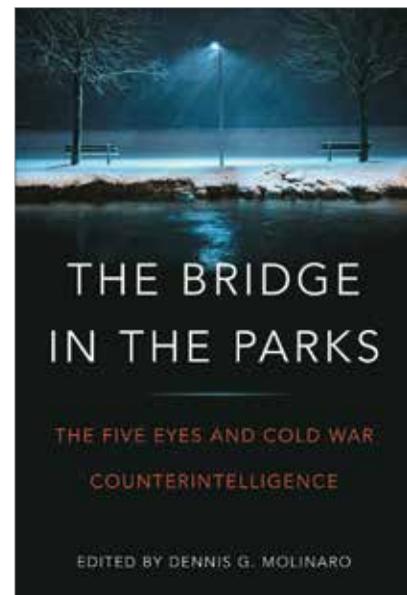
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tion is an effusion of the Enlightenment that reflected and encouraged modernity's leveling doctrines. Immersed in classical philosophy, they understand perfectly well the shortcomings of conventionalism and defend with great erudition and subtlety the philosophic discovery of natural right. But for many these studies are merely abstract theorizing and textual analysis. They interpret the permanent tension between philosophy and the city to mean that the philosopher should *always* transcend citizenship, standing above the city's crude moral-political disputes. Jaffa thought such a sterile conception of natural right provides no support for the vital spiritedness of actual citizens.

His criticism is reflected in a memorable vignette from his blistering review of Allan Bloom's *The Closing of the American Mind* (1987). In response to the violent protests that shut down many colleges in the 1960s, Bloom—a prominent Eastern Straussian teaching in those days at Cornell—describes in his book one of his “greatest satisfactions as a teacher.” Several of his students, who didn't want their philosophy seminar interrupted by the campus occupation, copied lines from Plato's *Republic* about the madness of crowds and the Athenian assembly and reproduced them on leaflets. With these in hand, they went down into the quad and handed them

out to the angry (and armed!) demonstrators. Their intent, according to Bloom, was to show that they were “more interested in the book than the revolution.”

Jaffa mocked this episode: “It is difficult to imagine what effect—other than inflammatory—Bloom thought this Platonic passage might have had on the rioters.” Bloom's misplaced pride in this gesture, Jaffa wrote, illustrated that he could not “comment instructively on the relationship between political life and the philosophic life” because he did not “know what political life is.” That life is always a mixture of reason and passion, justice and self-interest, persuasion and force. To mistake one for the other, or to fail to see the difference altogether, is feckless and dangerous.

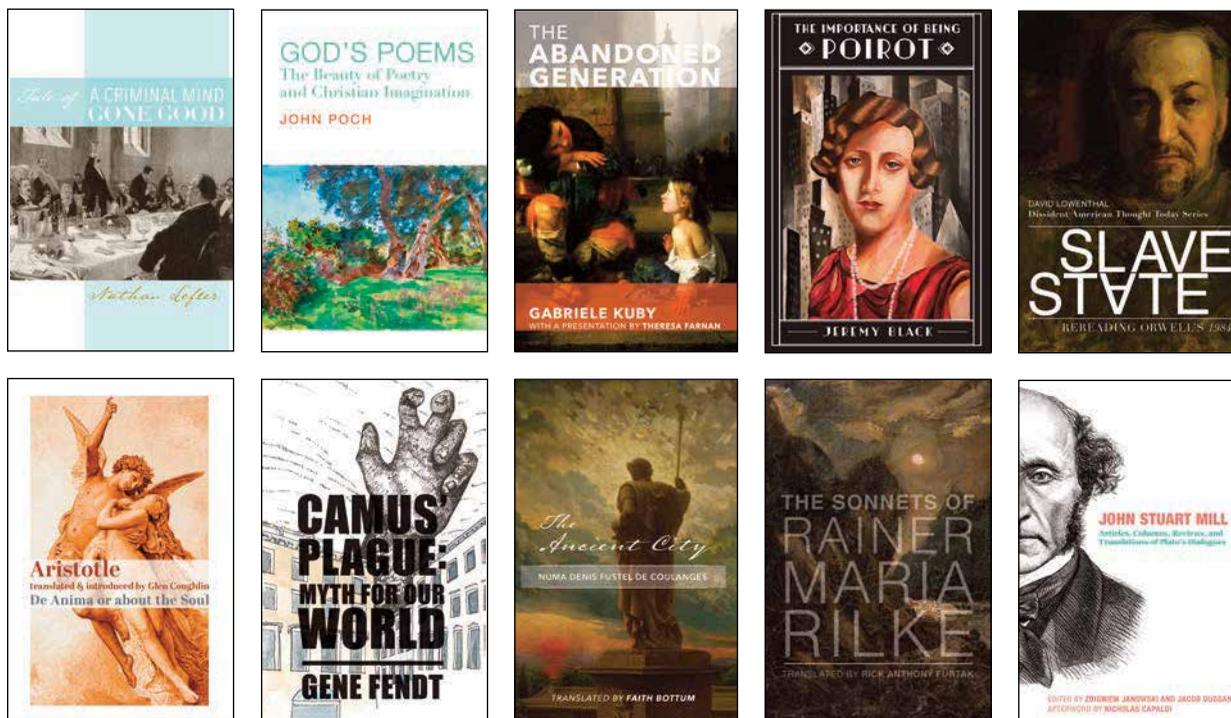
As these sketches make clear, Jaffa anticipated and answered, decades ago, many of the current criticisms of America. He showed that an effective defense of the American regime had to refute the stolid paleos and traditionalists who have no use for natural rights theory *and* the cloud-dwelling scholars who disdain political life on the ground. Even conservatives who don't consider themselves opposed to the Declaration tended (Jaffa thought) to be ignorant of or alienated from its ideas, and from the founding principles more generally. This failure remains a problem for virtually the entire conservative establishment.

In Pursuit of the Good Life

ONE MIGHT THINK JAFFA'S ELEVATION of America's principles—which seems to put the United States, or at least the founding, on a heroic pedestal—would lead to a romantic or idealized conception of the country. But this perspective actually allows the Claremont school to clearly recognize and evaluate the gravity of our political disintegration. One reason for this is Jaffa's emphasis on an important lesson from Aristotle: every political community must be understood from two points of view—the genetic (its origins) and the teleological (its ends).

The polis, Jaffa explained in his Aristotle chapter in the first edition of *History of Political Philosophy*, edited by Leo Strauss and Joseph Cropsey, originates as a collection of families who come together for the sake of safety or survival. It provides the necessities that individual families and villages cannot secure on their own. Its end, however, is not mere survival but the comprehensive human good: happiness. The political regime, Jaffa wrote elsewhere, “is the comprehensive form of human association, and its purposes ascend from the necessary conditions of human existence” to the higher end of “formation of good character in the citizens.” The polis is not a

COMING THIS FALL



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collection of atomized individuals but a partnership in pursuit of the good life.

Not only the ancient city but every healthy political regime aims at securing the happiness of its citizens. Many conservatives—both during the heyday of Jaffa’s fights and today—resist such public or political discussions of virtue and the good life. Some are wary (not without reason) of modern liberalism’s ability to make moral determinations, its eagerness to impose woke pseudo-virtue at the expense of religious liberty and our freedom of speech. But like nature itself, politics abhors a vacuum. If conservatives fail to supply a compelling narrative that makes civic life meaningful, others will.

How Jaffa understood that point helps us see his writings about American conservatism as part of a larger attempt to understand the crisis of the West. It is precisely this more comprehensive understanding of political life that allows his students to appraise and explain our present situation with candor, but without desperation or panic. The study of statesmanship and political philosophy is a bit like learning how to navigate by the stars: you are never entirely lost, even if you lose your map or events drive you into uncharted waters; even if, as seems probable, conservatism today is losing its fight to shore up civic responsibility and resist the administrative state’s flight from moral reality. Strauss memorably suggested that our blindness and delusions about human nature had placed us in a cave beneath the “natural” cave of ordinary politics. Strauss’s project was to revive an older form of political and philosophic thought that could escape the socially constructed reality that would transform politics into a nihilistic battle of wills or into a meaningless technical exercise. Jaffa expanded on this insight, noting

[p]urposeless politics is a human impossibility. All human beings act for the sake of ends. Action not for the sake of ends...is not possible.

One of the greatest challenges for the preservation of American republicanism has long been that the Left understands better than the Right this human longing for purposeful politics—for justice.

The Conditions of Freedom

CIRCUMSTANCES TODAY ARE PUSHING Americans to reconsider basic questions about justice and the regime: What is the implication of our political in-

stitutions becoming increasingly unmoored from the Constitution? What happens when people no longer believe government has their consent? What are the criteria for liberty and equality under law? Jaffa’s long meditations on the conditions of freedom provide several specific insights to help us grapple with these fundamental issues.

First, Jaffa sensed that the end of the Cold War merely cut off the exposed parts of Marxism, leaving the roots untouched. “The defeat of communism in the USSR and its satellite empires by no means assures its defeat in the world,” he wrote in the Introduction to Harry Neumann’s 1991 book, *Liberalism*. “Indeed, the release of the West from its conflict with the East emancipates utopian communism at home from the suspicion of its affinity with an external enemy.” Therefore, he predicted, the “struggle for the preservation of Western civilization has entered a new—and perhaps far more deadly and dangerous—phase.”

Second, Jaffa clearly understood the brutal nihilist core of progressive leftism. In his

Jaffa sensed that the end of the Cold War merely cut off the exposed parts of Marxism, leaving the roots untouched.

1989 essay, “The Reichstag Is Still Burning,” he explained how the soft relativism of the 1960s—with its apparently easy mixture of tolerance, diversity, and individuality—led directly to today’s militant aggressiveness. As liberalism gained power, it came to experience an inevitable tension between tolerance and “the uninhibited cultivation of individuality.” In the face of this alternative, the Left chose the passionate or willful resolve of the uninhibited self. “Once this step was taken, tolerance appeared as one value or ideal among many, and not intrinsically superior to its opposite.... But it is practically impossible to leave it at the equality of all preferences or choices.” Without any permanent standards in God or nature by which to rank our choices, the determination of the will becomes all that is meaningful, and liberalism descends into a “seminary of intolerance.”

Third, from his long study of America’s tumultuous history, Jaffa was clear-eyed about the dangers of democratic tyranny, the temptation to criminalize political differences, and

the possibility of a majoritarian police state. Alarmed when some conservatives in the 1980s called for dispensing with civil protections such as the exclusionary rule (which prohibited the use of illegally obtained evidence), Jaffa wrote to *National Review* publisher William Rusher that “the presumption of innocence...is not a fiction of the bleeding-heart liberals.” Rather, it is “one of the principal marks” by which American legal procedure “is distinguished from a totalitarian system like the USSR.”

Fourth, and most importantly, Jaffa saw the hollowness of the contemporary political establishment and warned that a Potemkin conservatism could never preserve constitutional self-government. The current fracturing of the republic is a great shock to many (and still not evident to some), but is probably least surprising to Jaffa’s readers and students.

His teaching reminds us that, regardless of how America’s current crisis unfolds, any future statesmanship—as the highest form of practical wisdom—must weigh the preference for reasonable rhetoric against the need for compulsion or force in defense of the rule of law. Militant tribalists, dogmatic ideologues, demagogic sophists—these are only some of the forms of aspiring tyranny and barbarism against which reason has limited effect.

In the introduction to a 1981 collection of essays honoring Winston Churchill, Jaffa wrote that “there is no metaphysical necessity dooming us to the loss of our freedom.” The courageous action demanded by our present crisis depends on prudence, for we must know what we hope to achieve through courageous action. Yet the very meaning of prudence presupposes that neither success nor failure is guaranteed. “Because human beings are free, there is a genuine indeterminacy in the nature of things,” Jaffa argued. “No one can be certain that a wise action will have a good result”—even a brave action may fail, “but that is no excuse to play the coward.” But because “we know we can think, we know we can think about right and wrong, good and evil,” Jaffa observed in his retirement speech from Claremont McKenna College. “We can understand what are our rights, and what are our duties. Understanding this, we understand that the fate of our civilization is yet in our hands, because it is in our minds.”

Glenn Ellmers is a senior fellow of the Claremont Institute. This essay is adapted from his new book, *The Soul of Politics: Harry V. Jaffa and the Fight for America* (Encounter Books).

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