

THE RIGHT'S AMERICAN PHILOSOPHERS

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“[J]ust as Machiavelli establishes intimacy with his readers by causing them to commit his blasphemies, you establish intimacy with your readers by causing them to commit the acts of piety to which you seek to lead them.”

—Willmoore Kendall, letter to Leo Strauss, January 24, 1960

In his thoughtful introduction to the welcome new edition of Willmoore Kendall's book *The Conservative Affirmation*, Daniel McCarthy argues that the populist right is “the keystone of American conservatism,” that Kendall is its philosopher, and that this book can “teach us how to help ourselves” by applying “his techniques and analyses to the battles today.” Willmoore Kendall may rightly be regarded as the prophet of today's populist conservatism. But is his teaching sufficient to guide us out of our present wilderness?

In considering this question, we notice immediately that on the basis of Kendall's own writings any thoughtful American conservative nowadays finds himself trapped in not one but several paradoxes. And to be a *traditional* conservative is even more of a conundrum.

The conservative, at least according to the most basic definition of the word, is one who holds on to what he has. Temperamentally inclined to believe things can always be worse, he considers it wisest, for the most part, to maintain the status quo. Better the devil you know than the devil you don't know. Yet the increasingly parlous condition of the United States forces many decent people to wonder how much worse things could get before the status quo becomes indefensible.

Of course conservatives, especially those of a traditionalist bent, can always appeal from our modern degradation to the noble traditions of the past, and invoke the wisdom of our forefathers. The status quo can, in fact, be judged and found wanting. For Americans, this appeal to the ancestral means recalling and (usually) celebrating the Founding. The American Founding, however, was the work of statesmen implementing a theoretical framework of political principles—even a *philosophy* of government. Moreover, this work of statesmanship emerged from a revolution.

Here we come to the additional dilemma confronting those conservatives who have an especially strong aversion to revolutions and are generally distrustful of abstract theories or philosophies. Obviously much vital work can be done to preserve, as Matthew Arnold said, “the best which has been thought and said.” But insofar as traditionalists wish to exert any political influence on the current scene, their skepticism about the explicit principles on which America itself was founded presents some difficulties. It is, in fact, an acute problem when the older idea of American identity is fighting for its very survival against the growing forces of left-wing despotism.

In light of these considerations, Willmoore Kendall does appear to be, as McCarthy argues, the best spokesman for paleo- and populist conservatives. What makes him superior to the available alternatives?

First, Kendall offers a thoughtful account of American politics and citizenship, although the details are sometimes hard to pin down. And that account is far more reasonable and publicly palatable than the other major option available to old-guard conservatives, namely the doctrines about man and society espoused by libertarianism. Especially during the early days of the conservative movement, libertarians and traditionalists were the two dominant (in some ways the only) camps, united and often intermingled in their disgust at the modern state. But libertarianism by its nature attracts quirky types, and its most vocal advocates have sometimes been a bit too idiosyncratic for comfort. Moreover, there is an amoral and even irreligious strain in libertarianism that sits uneasily with any traditional emphasis on the moral requirements of social order. Certainly, laissez-faire relativism is not the way to win over working-class and Christian populists. That

leaves the non-theoretical Southern traditionalists, most notably Mel Bradford, as the remaining possibility for carrying the Old Right banner. But any romanticizing of the Old Confederacy now seems impossibly awkward in terms of intellectual respectability and political influence.

Kendall was self-consciously and uproariously free from all these difficulties. An engaging writer and deeply thoughtful political scientist, he insisted that the only American conservatism worth talking about had to be, well, *American*. (And, with that, we can dispense with the last option for traditionalists, namely the European throne and altar nostalgia advocated by Russell Kirk.)

This is not to say that Kendall's take on America was uncontested. He contested it, exuberantly, with his longtime antagonist and friend Harry Jaffa. Energetically but cordially, they disputed the theory of the American Founding, the meaning of equality, the legacy of Abraham Lincoln, and all manner of subsidiary questions. These intellectual battles only strengthened their mutual admiration and friendship, which they carried on through many long-distance telephone conversations often lasting late into the night. Of course, disagreement on any subject is only possible on the basis of a more fundamental agreement about the possibility of reasonable dialogue.

On one very significant issue, the two friends were nearly perfectly aligned: the limits of free speech and the illusion of the completely "open society." In chapters three, four, and six of *The Conservative Affirmation* ("McCarthyism," "Freedom of Speech in America," and "Conservatism and the 'Open Society'") Kendall rejects the phony, "value-free" neutrality of the liberal establishment. From heavy-handed COVID Faucism to the increasing politicization of the Justice Department, the last several years have confirmed Kendall's insights by exploding the administrative state's claims about its "objective" proceduralism. The professional expertise of our bureaucracy has been revealed as principally a weapon of the nation's most powerful faction: the government behemoth itself, along with its network of academic, political, and financial codependents. This ruling faction is mostly indifferent, or even hostile, to the interests and opinions of the supposedly sovereign people. (That so many older "boomer" conservatives seem oblivious to this reality is one major cause of exasperation among younger people on the right.)

The pretense of bureaucratic neutrality is necessary to support one of liberalism's main self-justifying conceits: impartial tolerance for all points of view. Kendall—very much in agreement with Jaffa—shows that this notion is both false and absurd. Yet this liberal dogma, traceable to John Stuart Mill, persists in maintaining that “America is a society in which all questions are open questions, a society dedicated to the proposition that *no* truth in particular is true.” Kendall and Jaffa both understood that no democratic society can be so open that it facilitates its own self-destruction. No society is truly relativistic, *especially* when its strongly held “values” are merely passionate or willful—as in the case of today's left. As Kendall wrote, “he who would destroy a society must first destroy the public truth it conceives itself as embodying.” This became clear in 2016 when—in a way for the first time—liberalism's hidden but intransigent orthodoxy was seriously challenged by the election of Donald Trump. The tumult we are now experiencing is the result of each side in the red–blue dispute, “venting upon each other the fury reserved for heretics,” because, as Kendall observed percipiently, each side is “in the eyes of the other, *heretical*.”

John Stuart Mill may have originated this pernicious idea of absolute freedom of speech, but Kendall had learned from the great scholar of political philosophy Leo Strauss that Mill was merely a disciple of the true prince of modernity and originator of modern philosophy, Niccolò Machiavelli. “Hardly less than Machiavelli,” Kendall wrote, Mill is “a teacher of evil” because Mill follows Machiavelli in rebelling against the classical tradition of “Revelation and Authority”—the twin pillars of Western civilization that had, since ancient times, supplied the foundations for law and ruling opinion. Yet Kendall's use of the intentionally vague term *authority* contrasts markedly with the term Strauss invariably used: revelation and *reason*.

That distinction points to the critical question of where the older American orthodoxy had originated and how it could be reasonably defended, a matter on which the two did *not* agree. Jaffa saw the “laws of nature and nature's God” in the Declaration of Independence as consistent with the classical idea of natural right: there exists an objective moral order in the universe, accessible to human reason, which supplies a standard for political justice. Jaffa saw in the Founding a more or less straightforward application of John Locke's social compact theory (together with other influences such as English common law and Protestant Christianity).

Kendall's attitude toward this thesis was ... complicated. Setting aside the evolution of his thought (to which I will return below) much of his writing vigorously contested the influence of Locke in the Founding and questioned the equal, natural rights doctrine of the Declaration of Independence. On the question of who is to say what constitutes America's public truth, Kendall claimed that "the answer of the Founders here is crystal clear: the 'deliberate sense of the community' is to say." Madison's Constitution, according to Kendall, wanted "the majority to be articulated and counted in a certain way, and [Madison] had confidence that so long as it was it would produce just results." Jaffa emphatically denied that this was sufficient for securing legitimate governance, writing in one essay that "by allowing consent to stand alone," Kendall has "no basis for saying what it is to which men might reasonably consent." Kendall's response was that the foundation for deliberation was a "virtuous" people who recognized themselves as being "under God." But the key point here might be "reasonably," inasmuch as Kendall did not elaborate a clear, non-Lockean connection between virtue, consent, and higher law—at least not as clear as Jaffa would have liked.

Who is correct, Kendall or Jaffa? This question is inseparable from the question of how we understand the Founding more generally, and thus how (or whether) we can see Kendall as a source of practical guidance today.

Most traditional conservatives seem to be divided into two opinions on this matter: either the Founders didn't believe in Lockean social compact theory (i.e. equality, natural rights, and consent) or they *did* believe it, but this was a mistake on their part; in other words, their abstract theoretical ideas were misguided and "unconservative." Insofar as some paleoconservatives alienate themselves from the Founding in this latter way, they betray (it seems to me) their professed respect for tradition, and also shoot themselves in the foot politically and rhetorically. What kind of American conservatism honors the past by disdaining our forefathers as ignorant naïfs? Doesn't this leave those traditionalists intellectually and polemically weakened, if not defenseless, against the left's attempt to redefine America as a slavocracy founded in 1619? If the right won't defend 1776, why bother objecting to Nikole Hannah-Jones and her tendentious revisionism?

But all of this is putting the rhetorical cart before the historical horse. We first need to know what the Framers actually believed. Was their constitutional republicanism *predominantly* based on Lockean social compact theory? This is actually easy to show, since the documentary evidence is overwhelming. Non-academic readers may not be familiar with just how frequently and clearly the Founders explained themselves.

In addition to the Declaration of Independence, Lockean language and principles appear in the Northwest Ordinance, the *Federalist Papers* (“the people must cede to [the government] some of their natural rights”), and, as Jaffa showed years ago, many of the state constitutions. The Founders used and discussed social compact theory in numerous public documents, speeches, and letters. This includes not just Thomas Jefferson but also John Adams, Alexander Hamilton, James Madison, George Mason, and George Washington. An especially informative statement can be found in John Quincy Adams’s 1839 address “The Jubilee of the Constitution”:

The Declaration of Independence and the Constitution of the United States, are parts of one consistent whole, founded upon one and the same theory of government, then new, not as a theory, for it had been working itself into the mind of man for many ages, and been especially expounded in the writings of Locke, but had never before been adopted by a great nation in practice.

Some readers might respond to all this by asserting that the Founders may have been “correct in theory” but now we know that “rights” and “equality” are a Pandora’s box for liberal mischief. In practice, we are better off without these open-ended and troublesome concepts.

The problem with this response is that the Founders implemented what they regarded as a coherent political philosophy, an integrated whole. Social compact theory is not a buffet table from which one may pick and choose. It's more like a cake; if you take out the "flour" of equal, natural rights it simply doesn't work. And to emphasize a point that bears repeating, the "flour" of the Founders' political equality is *not* the social-engineering "equity" imposed by today's left.

Abraham Lincoln, however much he may be reviled by some on the right, could hardly have been clearer on the proper understanding of the Declaration:

I think the authors of that notable instrument intended to include all men, but they did not intend to declare all men equal in all respects. They did not mean to say all were equal in color, size, intellect, moral developments, or social capacity. They defined with tolerable distinctness, in what respects they did consider all men created equal—equal in "certain inalienable rights, among which are life, liberty, and the pursuit of happiness."

For Lincoln, no less than Jefferson, or Madison (or Jaffa), human inequalities are meaningful and necessary only because we are all members of the same human species, just as intelligible disagreement is only possible on the basis of a common language. Justice Ketanji Brown Jackson has claimed not to know what a woman is. Does she know what a human being is? Isn't such knowledge a requirement for American citizenship—let alone service as a Supreme Court justice? The right could follow this esteemed jurist into the murky waters of postmodernism, losing sight of our common-sense understanding of reality. But as the old sailing maps warned, "Here be monsters."

Jaffa argued that one can't defend the dignity and sanctity of human life without acknowledging that every person is more than a beast and less than a god. It is only for that reason that no man is entitled—by birth, color, or Harvard degree—to rule another without his consent. Isn't this the strongest ground on which to fight today's woke tyrants?

Kendall himself did not make the mistake of merely dismissing the Founders' political theory, largely because he was too good of a scholar to simply ignore the evidence. (Consider in particular his nuanced, *almost* Jaffa-esque, discussion of equality on page 23 of *The Conservative Affirmation*.) But maybe because he was so allergic to anything that might limit the people's deliberative authority, Kendall could be frustratingly vague. Moreover, as several of his students have noted, he was doggedly open-minded, and his opinions changed over time in response to what he learned from Leo Strauss as well as Eric Voegelin. Kendall's thought was probably still evolving when he died at the relatively young age of fifty-eight.

For that reason, one might at least consider whether some of Kendall's anti-Lockean disciples have made him more doctrinaire on certain matters than he actually was. In a carefully researched new biography, *Heaven Indeed Can Fail: The Life of Willmoore Kendall*, Christopher Owen notes that in 1957 Kendall wrote an unpublished article that showed him "transitioning away from his absolute majoritarianism. He rested this new stance on the Declaration of Independence. When inalienable rights and popular desires conflicted, Kendall argued that rights possessed a logically 'superordinate' position." Perhaps more remarkably, Owen offers in the conclusion of his book a fifteen-point list of "assertions" that "define what, at the end of his life, Kendall meant when calling himself a conservative." These principles include the following (all emphasis in the original):



- Despite great and indisputable natural inequalities among them, all men *are* created equal, and are entitled in some respects, but not in others, to equal treatment.
- Political power, no matter by whom it is exercised, is potentially tyrannical, capable of injustice and of invading natural rights....
- Men are endowed with natural rights but forfeit their rights by not performing their duties.
- There are principles of universal justice, which man discovers through reason, that is, through the principles of natural law speculation.

In that light, it is notable that Jaffa's most biting critiques were directed primarily against the work of Kendall's friends and students, who may have nailed down their teacher's writings in a way that went beyond his views. Thus it was George Carey's chapters, not Kendall's, in their co-authored book *The Basic Symbols of the American Political Tradition* (published by Carey after Kendall's death) that aroused Jaffa's most indignant rebuttals. Likewise, Jaffa's essay, "Willmoore Kendall: Philosopher of Consensus?" was a response to a 1978 article by Jeffrey Hart in *National Review* that purported to distill Kendall's thought. Hart wanted, in his own words, to survey Kendall's "extremely fragmentary production" and "pull the entire production into a coherent statement."

Hart's article attributed to Kendall the belief that under the Constitution "Nothing really serious could happen without due reflection and the formulation of a consensus." The people, "in their deliberate sense, on the basis of their lived experience, will, in Kendall's opinion and the opinion of the Founders, affirm what is true, valuable, and feasible." In his reply, Jaffa writes,

Before examining this alleged theory, I would like to say a few words about Willmoore Kendall, partly to absolve him of the odium which must attach to such a statement of his views.... In his love of paradox, Kendall was eminently Socratic. In his ability to catch people in the toils of paradox, he was something of a genius. That is why he was a superlative teacher. But his arguments were eminently *ad hominem*, and to confuse his paradoxes with sound doctrine is both foolish and dangerous.

At the end of his life Kendall became a disciple—more than he had ever been anyone's disciple—of Leo Strauss. In his recognition of Strauss's greatness he showed a largeness of soul that placed him head and shoulders above any American political scientist of his generation. There was about him none of the “envy with which mediocrity views genius,” because he was no mediocrity. Among Strauss's familiar sayings was that agreement—or consensus—may produce peace, but it cannot produce truth. And Kendall, whatever his failings, was a truth-seeker. He would have scorned attempts to patch up his fragments with pieces that did not fit.

What then ought we to learn from Willmoore Kendall?

The epigraph to this essay is taken from a marvelous letter Kendall wrote to Leo Strauss in 1960, while he was deep in absorbing Strauss's dense and magnificent work *Thoughts on Machiavelli*. Kendall was persuaded by Strauss that Machiavelli was the originator of the modern attempt “to destroy the Great Tradition (that is, the classical-biblical tradition)” by leading future generations “into a new way of thinking about politics and morals.” Part of Machiavelli's artful seductiveness, Strauss explains in his book, works through “concealing his blasphemy,” by which means “Machiavelli compels the reader to think the blasphemy by himself and thus to become Machiavelli's accomplice.” Kendall suspected, in his review of *Thoughts on Machiavelli*, that hidden in Strauss's own writing might be a suggestion, or more than a suggestion, for how “the mischief the Machiavellians have done can be undone.” This is the source of his beautiful remark in the 1960 letter about Strauss leading his own readers to commit acts, not of blasphemy, but of piety.

In the end, Kendall's writings are too zetetic and protean to be a definitive guide to populism or any other political movement. To the degree that his body of work could even be formed into a concrete platform, what would it offer as a rallying cry? "Give me consensus or give me death"? But, as Jaffa fondly noted, Kendall was (and is) an excellent teacher, provocatively challenging his readers' assumptions and forcing them to reflect on what they think they are conserving, and what is worth conserving. At his best, Kendall's love for both America and the Good draws the attentive student into the intimacy of his thoughts, where the reader may find that he too is compelled to commit acts of piety and wonder, both of which can serve as the beginning of wisdom.

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