The Journal of Contemporary Legal Issues

Volume 24 | Issue 1 Article 10

1-19-2024

Conservatism, Ideology, Skepticism

Brandon Turner

Conservatism, Ideology, Skepticism

BRANDON TURNER*

The occasion for this essay concerns the prospects of modern conservative political philosophy; more directly, it calls for the provision of "a systematic and comprehensive account of conservatism." Given our present moment, at which the political parties and institutions of the political right seem increasingly unmoored from any philosophical anchor, such an occasion appears altogether appropriate. Yet there is good reason to think that accounts of conservatism will *not* be systematic in the way desired and will in fact tend to rule out entirely systematic approaches—at least according to the commonplace understanding of "systematic"—to government or political philosophy. The belief—often unexpressed—that more systematic, more universal, more *complete* theories of politics are the mark of serious political thinking is a thoroughly (though not uniquely) modern phenomenon; it is the characteristic of a politics suited for the age of nation–states and of mass political culture, the age of ideology. It is, in other words, a style of political thinking—as dominant as it is confused—for which a certain species of conservatism offers a curative.

I. IDEOLOGICAL CONSERVATISM

From its beginnings, the body of literature we regard as the "conservative tradition" has contained two species of conservative thinking. These frequently appear simultaneously, working in tandem; nonetheless, they are and must remain, I argue, distinct. The first species of conservatism is what I will call for the purposes of this discussion *ideological conservatism*. By this

 Associate Professor in Clemson University, Department of Political Science. B.A. 2004, Miami University of Ohio; M.A., Ph.D. 2008, University of Wisconsin-Madison.

term, I have nothing more subtle in mind than a conservatism that finds its most natural expression in the identification, articulation, and embrace of a more or less discrete stable of moral, social, political, and historical ideas that can be recognized by most observers as "conservative." In calling this style of political thinking "ideological," I mean to suggest nothing pejorative or normatively loaded. What I mean is that there is a way of developing a "conservative" body of thought that ought to be understood as an attempt to fashion something that performs *like an ideology*: as an enduring set of ideas that is both capable of finding widespread support in a mass society and capable of *competing* with identifiable alternatives (in this case, with liberalism, progressivism, or some other element of the political left).[1]

Ideology plays a crucial role in organizing the political life of modern democratic nation-states. Even setting aside the idea that nation-states require ideology along the lines of a "national faith" or "creed" to encourage widespread fidelity to the law, the following can be said: first, democratic politics is a politics involving previously-unimaginable numbers of voters and political associations; second, that such a politics encourages (perhaps requires) parties and factions to construct and integrate a set of "values" in order to marshal support from voters and to direct elites in the fashioning of policy; and third, that, with the decline and eventual death of older forms of social and political authority—forms such as throne and altar, for example—ideologies developed, whether consciously or unconsciously, as a means of supplying the authoritative mortar needed to construct modern political formations. Such a formulation does not require that we assume an utterly materialist posture with regards to political action; it requires only that we acknowledge that "conservatism" developed and continues to develop within a set of social and political conditions—conditions it seeks, in turn, to shape.

Given these considerations, what has been the character of conservative political philosophy? To put this another way: what has been the character of the efforts undertaken by conservative "intellectuals" within this ideological formation? Theirs has been—at least since the end of World War II—an effort to articulate, justify, and circulate a collection of something like conservative "values" or "principles" and, relatedly, to generate recommendations regarding policies that might bring about the realization of these values. This undertaking has been sometimes more and sometimes less openly "ideological." Robert Nisbet's 1986 book *Conservatism: Dream and Reality* represents an unusually straightforward

1. For this conceptual view of ideology, see MICHAEL FREEDEN, IDEOLOGIES AND POLITICAL THEORY: A CONCEPTUAL APPROACH (1996), at chs. I-II.

illustration of ideological conservatism. Ideology, Nisbet argues, is nothing for conservatives to fear; it merely serves to distinguish a "reasonably coherent body of moral, economic, social and cultural ideas . . . [with] a well known reference to politics and political power" from a "mere passing configuration of opinion." Conservatism *is* an ideology and, as such, it requires its "dogmatics," those "coherent and persistent bodies of belief and value" that guide its adherents. These dogmatics include conservative commonplaces like an emphasis on religiosity and the foundational role of the church, the fundamental importance of private property and community, and the like.[2]

A similar sort of project can be found, hiding in plain sight, in the work of Russell Kirk. Kirk openly disdains ideology—what he calls "political fanaticism . . . the belief that this world of ours may be converted into the Terrestrial Paradise through the operation of power, law and . . . planning"—he sought nonetheless to produce something akin to Nisbet's "dogmatics": a "pre-political" set of commitments whose purpose is to guide political thinking and policy-formation. The American conservative, he wrote in 1963, hopes to "conserve" a number of things: man's spiritual capabilities, the "heritage of civilization," and the protection of "the elaborate civil social edifice which, under Providence, has developed in America." Without suggesting that Kirk's thought was fanatical or utopian in character, it was nonetheless thoroughly ideological in its *function*; Kirk was, in fact, deeply invested in the assembling of a programmatic conservatism capable of being circulated and passed on to new generations of students.[3]

To these more-or-less philosophical efforts to construct conservative ideology one might add the efforts of figures like William F. Buckley and Frank Meyer. From its inception in 1955, *National Review* endeavored to construct a conservative ideology capable of gathering and fastening together the sundry leftovers of the post-war liberal order. In its Mission Statement, Buckley builds a new (and, in retrospect, surprisingly durable) "radical conservative" ideology from a handful of "yeas"—yes to small

2. ROBERT NISBET, CONSERVATISM: DREAM AND REALITY 15, ch. 2 (1986).

3. Russell Kirk, *The Drug of Ideology, in* ENEMIES OF THE PERMANENT THINGS: OBSERVATIONS OF ABNORMITY IN LITERATURE AND POLITICS 160 (2016 [1969]); *Why I Am a Conservative*, in THE ESSENTIAL RUSSELL KIRK: SELECTED ESSAYS 44-45 (George A. Panichas ed. 2007). For Kirk's unusually programmatic approach, see, e.g., KIRK, A PROGRAM FOR CONSERVATIVES (1954); THE INTELLIGENT WOMAN'S GUIDE TO CONSERVATISM (1955).

government, intellectual "excellence," the two-party system, and the "competitive price system"—and an equal number of "nays"—no to globalist political orders, unions, "Social Engineers," and communism.[4] Buckley and Kirk cultivated different audiences, and the evolution of their commitments over time reflect that. Where their labors overlap, however, is with respect to their self-conscious efforts to construct an ideological alternative to liberalism and, alternately, to communism. To these efforts can be added again those of a remarkably robust list of notable intellectual figures: Southern Agrarians like Donald Davidson and Richard Weaver; libertarians like Ayn Rand and Friedrich Hayek; neoconservatives like Irving Kristol and Michael Novak; and a host of political conservatives arriving from academic paths—figures like Eric Voegelin, Peter Viereck, and of course Leo Strauss and his followers.

The various commitments of ideological conservatives are beyond the scope of this discussion. What I want to point to here is a tension that rests at the center of the ideological conservative project: that, on the one hand, it has been marked even from its 19th-century inception by the considerable weight it places on conceptual stability—on the value of tradition, for example, or the need to recognize and orient social and political arrangements on the basis of certain eternal and unchanging truths about human nature or the moral universe—and, on the other hand, that conservative ideology in practice has been nonetheless characterized by *ideological instability* and even outright contradiction. On the role and size of the state; on the nature and proper extent of the market; on the question of elites and their relation to the "people"; on the need for foreign interventions and the ends of war more generally; on the place of religion in public life and political reasoning: on these questions and many more besides, conservatives have taken wide-ranging and even contrary positions. Things have not been any more consistent on the political side of things: in the past sixty years, the party of common sense and enduring truths has undergone no fewer than four eras or "revolutions": Goldwater conservatives, Reaganites, neoconservatives, and now Trumpist populists.

Now, to be sure, ideological configurations—even those based, for example, on very strong claims regarding natural rights or the historical progress of Western civilization—are susceptible to both disagreements among partisans and change over time.[5] In this, conservatives are not alone. But, I think, ideological conservatism has several additional features

4. William F. Buckley, *Our Mission Statement,* in NATIONAL REVIEW, Nov. 19, 1955.

5. On the instability of the major ideologies of the modern period, see Duncan Bell, *What Is Liberalism?*, 42 POLITICAL THEORY 682 (2014); Richard Bourke, *What Is Conservatism? History, Ideology, and Party*, 17 EUROPEAN JOURNAL OF POLITICAL THEORY 449 (2018); Gareth Stedman Jones, KARL MARX: GREATNESS AND ILLUSION (2016).

that bring about this extraordinary instability. In the first place, there is the emphasis within conservatism on the idea of *principled resistance to change*: the idea that to *be* conservative is to prefer things as they are and to act so as to conserve them. Yet—somewhat counterintuitively—this concern for stability means that the specific commitments of a given set of conservative "dogmatics" will vary across time and space. A movement conservative in the pre-Reagan era probably *should* develop a set of values and policy positions distinct from those of, say, Burke or Ortega y Gasset or, for that matter, conservatives in other parts of the world. Secondly, ideological conservatives have—at least for the last half–century—worked to combat not *merely* change considered abstractly; they have opposed more specifically a set of ideological rivals. These have included assorted political and ideological "isms"—liberalism, progressivism, socialism, communism, secularism, and now "wokeism," to name a prominent few—all of which fall within the spectrum of the ideological "left." Considering then that the political left is not and has never been monolithic, it is unsurprising that efforts to oppose it will themselves be subject to a similar indeterminacy.

Yet emphasizing these elements of conservatism—its putatively pro-conservation, anti-leftist character—serves to obscure rather than sharpen the nature of the issue facing conservatives today. The plain truth is that the most cursory glance at the various movements within contemporary conservatism quickly belies the notion that conservatism seeks to *conserve* anything at all. Mere "conservation" is for today's movement conservatives far too ineffectual; our conservatives look to abolish, overturn, dismantle, and destroy. We are witnesses to the era of "radical conservatism" in all its blustering effusion.

Perhaps this fever will subside, and conservatism will find more moderate, more sensible footing; perhaps one among an array of new and refurbished ideological offerings—integralism, nationalism, institutionalized Trumpism, alt-right reaction, to name a few—will emerge as the guiding light of the movement. Whatever emerges out of the fray, however, will almost certainly *not* be any more recognizably "conservative" in the sense of being rooted in tradition, moored to eternal truths, or humbly dedicated to conserving. So long as conservatism aspires to become *ideology*—so long as it aspires to be more or less *universal* in its scope, to animate large swaths of the electorate, and to compete with ideological opponents like "liberalism" on the national and world stage—it will fall ineluctably away from its more modest self-understanding as the sensible, realist offspring

of modern political philosophy. To put this another way: conservatives today can choose from an expanding number of *right-wing* and sometimes *reactionary ideologies*, but they must choose between them according to reasons that have little to do with conservatism. *Which* traditions shall we preserve? *Which* eternal truths shall we build upon, and with what forms of governance? *Which* elements of common life ought to be conserved? Competing right-wing ideologies will answer these questions with different visions of social and political life, but there are no criteria endogenous to "conservatism" to point one way or another.

II. Skeptical Conservatism

The second species of conservative thinking is what I will call *skeptical conservatism*. Though many figures within the conservative tradition have made use of both approaches—and many have even described their ideological projects as being rooted in a certain kind of skepticism regarding human reason, political change, or even ideology itself—I want to draw the distinctions between them as sharply as possible. They are not two sides of the same coin; they are not different complementary systems within a larger conservative cosmos. Most importantly, those sympathetic to the skeptical approach have very strong reasons to reject most of, it not all, forms of ideological conservatism.

What is meant by a skeptical style of conservatism? It is, in the first place, a way of thinking about political life that is distinctly *modern* in both its character and its subject. By this I mean that skeptical conservatism is not a "timeless" doctrine, and it is not rooted fundamentally in a set of moral or political traditions, no matter how broadly or narrowly confined. It is modern in that its subject is the various ways of thinking about social and political life that emerged in modern Europe—in particular those ways of thinking characterized by talk of natural rights, natural law, and other essentially universalist political conceptions meant to evaluate social and political arrangements in terms of their legitimacy. Against this emergent modern political style, skeptical conservatives have insisted on the importance to social and political life of the particular over the universal, the concrete over the abstract, the incomplete and messy nature of political life against the temptation of a comprehensive and tidy political philosophy.

This skepticism towards an increasingly universalist political discourse makes a memorable appearance in one of the most well-known passages from conservatism's ur-text, Burke's *Reflections* of 1790. There, in its opening pages, Burke presents the problem clearly, objecting to those who would see him praise the French revolutionaries for reclaiming their natural liberty that he "cannot stand forward, and give praise or blame to anything which relates to human actions, and human concerns, on a

simple view of the object, *as it stands stripped of every relation, in all the nakedness and solitude of metaphysical abstraction*."[6] Against a politics adrift in metaphysics—a politics conducted on the basis of abstractions—Burke describes a politics confined to "circumstances": it is *circumstances* that "give in reality to every political principle its distinguished colour and discriminating effect . . . [they] are what render every civil and political scheme beneficial or noxious to mankind." This critique of metaphysical politics sharpens in 1791's *Appeal*, where "nothing universal can be rationally affirmed on any moral or any political subject," he warns, for "metaphysical abstraction does not belong to these matters"; after all, "the lines of morality are not like the ideal lines of mathematics . . . they are broad and deep as well as long."[7]

In this passage of the *Appeal*, Burke attributes the politics of metaphysics to "sophisters"—an echo of his censure in the *Reflections* of the "sophisters, economists, and calculators" who stand to inherit the spoils of the revolutionary age. A more curious description of the new sophistical political thinking is his reference in the opening pages of the *Reflections* to Don Quixote—that confused creature he dubs the "metaphysic knight of the sorrowful countenance." Quixote is a "metaphysic" knight because he cannot see the world as it is, because he imposes upon reality a false web of relations that causes him to misinterpret fundamentally the character of people and events he encounters—in particular, the detail and texture that make a situation morally legible to its participants. Burke has in mind here the episode in which Quixote frees a chain-gang from their overseer. The prisoners and their guard are mere abstractions to him: "whatever the details may be," he tells Sancho, "these people, wherever they are going, are being forced to march there, and are not doing it of their own free will." The unadorned Sancho, low to the ground, reminds his master that "justice, and that means the King himself, isn't doing these people any outrages, only punishing them for their crimes."[8]

Conservative interpreters tend to emphasize other features of Burke's work—his objections to radical change and revolution especially—but his

6. EDMUND BURKE, REFLECTIONS ON THE REVOLUTION IN FRANCE 429 (Jesse Norman ed., 2015) (emphasis mine).

7. BURKE, AN APPEAL FROM THE NEW TO THE OLD WHIGS 695 (Jesse Norman ed., 2015). In a similar fashion, Burke in the *Reflections* compares "metaphysic rights" to "rays of light which pierce into a dense medium, [which] are, by the laws of nature, refracted from their straight line." REFLECTIONS, *supra* note 6, at 477.

8. CERVANTES, DON QUIXOTE 177 (John Rutherford trans., 2003).

antipathy to abstraction is fundamental to his thought in ways that his views on, for example, the importance of cohesive communities or the Anglican Church are not. The dreams of ideologists like Rousseau and his followers depend on their capacity to interpret and to redescribe social and political reality in terms that are susceptible to a modern style of analysis: one in which complex systems and the practices that sustain them can be dislodged from their circumstances, refashioned in abstract and manipulable terms, evaluated according to a fixed and universal moral order, and refashioned through acts of revolution or mass resistance. Burke circumscribes the power of reason with respect to understanding and acting within social and political contexts, and in so doing he opposes *not* "liberalism" or "socialism" or even political change *tout court*, but rather ideology of all kinds. Any political theory rooted *essentially* in historical narrative, or natural law and natural right, or abstract notions of nation, or any other attempt to reduce politics to a program or a set of principles: these are errors of kind and not of degree.

Burke is not the first to articulate a skeptical conservatism, and he was not the last—Montaigne and Hume anticipate him in important respects, and Friedrich Hayek and Michael Oakeshott develop political skepticism in new and more robust ways in the 20th century.[9] The most sophisticated statement of the skeptical critique of modern politics is probably the first four essays in the complete edition of Oakeshott's *Rationalism in Politics*. The rationalist as Oakeshott describes him is the modern political thinker in his ideal type: his activity "consists in bringing the social, political, legal and institutional inheritance of his society before the tribunal of his intellect . . . the rest is just rational administration, 'reason' exercising an uncontrolled jurisdiction over the circumstances of the case."[10] Rationalism is a "politics of perfection and . . . a politics of uniformity"; its preferred solutions are precise and complete, "the imposition of a uniform condition of perfection upon human conduct."[11] The most cursory reflection makes clear that rationalists of the kind Oakeshott identifies can hardly be said to reside only or even chiefly on today's "left"; ideological conservatives, despite talk of imperfectability and the fallen nature of man, embrace such a style of thinking with equal alacrity.

What might a conservative politics beyond skepticism look like? On this Burke and Oakeshott agree: it will be rooted conceptually in *practice*, in

---

9. *See, e.g.*, Michel de Montaigne, *On Vanity*, *in* ESSAYS; David Hume, *Of the Original Contract*, in ESSAYS, MORAL, POLITICAL, AND LITERARY; FRIEDRICH HAYEK, LAW, LEGISLATION, AND LIBERTY, VOL. I (1973); THE FATAL CONCEIT (1988); MICHAEL OAKESHOTT, RATIONALISM IN POLITICS AND OTHER ESSAYS (1991).

10. Oakeshott, *Rationalism in Politics*, *in* RATIONALISM IN POLITICS 8.

11. *Id.* at 10.

an understanding of political activity that privileges experience over ideological and technical "knowledge", and a continuity of practice over revolution or radical reform guided by "doctrine" of any kind. Burke, the career MP, objected to the usurpation of the activity of governing the French people by lawyers, writers, and other political novices. Oakeshott for his part finds the reduction of political activity to "technique" teachable in schools of administration and departments of social science as the great triumph of the modern style of politics. The skeptic does not deny the reality of political activity; governing and, at times, governing *well* are certainly observable phenomena. Rather than subject the practice of governing to an ideal technique—one that conforms to abstract notions of legitimacy or justice—the skeptic will turn to experience and seek to identify examples of government actors who have attended to political matters with talent and skill. This will be an inquiry characterized first and foremost by modesty—*good* politics will have to be identified without relying on abstract criteria of justice, legitimacy, and the like. It will be an inquiry characterized too by good judgment in political affairs—a kind of judgment whose closest analogy is in that judgment by which we determine good speech or good character. Political conservatism so conceived will be a perpetually going concern—unusually particular in its subjects and its pronouncements, comparatively narrow and potentially surprising in its judgments, and sensitive to context.