



Hazony, Traditional Conservatism, and the Problem of History

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Yoram Hazony's recent book, Conservatism: A Rediscovery, is the closest one gets to a political theory of national conservatism. Hazony recognizes many of the same political goods that traditional conservatives and Catholic thinkers do. However, Hazony's particular understanding of nationalism undermines these goods by advocating for a centralized state at the expense of healthy regionalism. Hazony overlooks the contribution made by the Catholic Church to restraining modern executive power.

National Conservatism” is a movement that combines explicit rejection of Enlightenment liberalism with an expansive inclusion of various conservative voices. The result is a new “fusionism” somewhat akin to that coalition of the right forged by William F. Buckley’s *National Review* in the immediate post-war era, with two significant differences. First, National Conservatism emphasizes the centrality of religion and community in any good life. Second, it rejects the globalism that has done so much to empower international elites hostile to the American republic and way of life.

Yoram Hazony, National Conservatism’s chief spokesman, sets forth political premises strikingly similar to those of traditional, often Catholic, thinkers like Russell Kirk. These premises include: man’s social nature, instantiated in links of family, tribe and nation; the inevitably competitive nature of relations among these associations, tempered and properly overcome to meet external threats and common endeavors; the hierarchical nature of life within and among these associations; and the role of history and circumstance in shaping language, religion, law, and government.¹ On these premises, Hazony builds a political philosophy prioritizing public honor for our Christian and Jewish religion, the traditional (multi-generational, economically active) family, and the nation as a coherent people sharing political, religious, linguistic, and social traditions that can be open to new members but must prioritize maintenance of its pre-existing, common culture.² Emphasizing the need for limitations on executive power, Hazony explicitly rejects the individualism of Enlightenment liberalism and its “natural rights” philosophy. And, despite his explicit rejection of natural law teaching, he comes close to restating the Catholic understand-

ing of the state as a community of communities in discussing the importance of each person's identity with the associations that make up the bulk of our lives.³

In classic, traditional conservative fashion, Hazony looks to post-war judicial activism as a prime cause of American cultural breakdown. Supreme Court decisions banning public support for religious schools and other means by which local governments honored their citizens' religion, have turned cultural amity into official anti-religious bigotry.⁴ In addition, the Court has linked civil rights to a nationalized school system run on liberal principles and Congress has radically restructured immigration law to prioritize diversity over common culture. The result has been "a bloodless revolution in which the old assumptions of a Christian nation rooted in the English legal tradition was replaced by a liberal state modeled on the social-contract theories of Enlightenment rationalist philosophers."⁵

Hazony responds to this revolution by calling on conservatives to work within localities where traditional values remain. The goal? To "restore the Christian and Jewish religion as the normative framework and standard determining public life in every setting in which this aim can be attained, along with suitable carve-outs creating spheres of legitimate non-compliance."⁶ This would entail challenging the ruling liberal orthodoxy in daily practice and in the courts. Coalitions of Christians and Jews (along with other religious minorities) must strengthen their ties to restore the American national culture.

Hazony's insistence on a single, national American culture raises issues for traditional conservatives. Hazony is not just for Anglo-American culture, he is against vigorous local culture (or if one insists "sub-cultures"). He criticizes Kirk as "a regionalist, defending the customs of the Midwest and South against American national conservatives." I address the character of these "national conservatives" below. My point here is that regionalism itself for Hazony fatally undermines the "independence, unity, and viability of America as an independent nation."⁷

It is important to emphasize commonalities of American culture as established through early settlers and the institutions, beliefs, and practices they instilled into the habits of the nation and law of the land.⁸ But local cultures were crucial in shaping the American republic. As David Hackett Fischer's *Albion's Seed* shows, different regional folkways, traceable to specific, local origins of groups of (British) settlers remain important shapers of local cultures today.⁹

Why, then, such emphasis on a unicultural nation? In part, Hazony seeks to defend the nation state from the liberal globalism currently at war with national sovereignty and the ability of peoples to tend to their own so-

cieties and cultures. Here he is on solid conservative, natural law ground. Universal principles are not a uniform code to be imposed on all peoples regardless of their differing circumstances and traditions. Thus, Francisco Vitoria argued for the rights of indigenous peoples by emphasizing the lack of any direct European (or Christian) jurisdiction in America as well as the need to respect the variety of political and cultural forms shaped by differing circumstances.¹⁰

Hazony argues against the globalist regime, rooted in the UN, the EU, and various conglomerations of capital and influence. This “liberal empire” is replacing national self-government with rule by insulated elites who claim to be serving universal human rights while pursuing their own interests. The result is increasing loss of meaningful national identity and self-government.¹¹

Hazony opposes, not just globalism, but what he terms “imperialism,” in which he implicates the Catholic Church. He adopts a strangely progressive reading of history according to which the (Protestant) territorial nation state is the sole, proper unit of political power. He thus mischaracterizes the relationship between the state and more natural, local associations. Using a few highly tendentious sources, he paints the Church as a source of medieval ignorance, poverty, and conflict as Emperors and Popes debated “how the international Catholic empire should be governed.”¹² He fails to note the slaughter of innocents under the “divine right” Protestant monarchs (especially Henry VIII)—monarchs whom Hazony applauds for breaking the supposed yoke of Rome. He praises Richard Hooker’s attempt to justify Henry VIII’s brutal and repressive system characterized by a quiescent, state-run religion and his castigation of Calvinist dissenters who, like Catholics, were punished, at times with death, for failing to worship when and where the state decreed.¹³

Hazony seems unaware of the significant work done by (Catholic and non-Catholic) historians alike on the development of non-liberal, associational rights during the medieval era through the canon law and competition among jurisdictions.¹⁴ And, while Hazony states his opposition to the same excessive executive power opposed by liberals, he fails to note that liberalism and its many excesses were spawned in part by a reasonable, courageous opposition to the tyranny of the absolute monarchs he praises for eliminating (Church) checks on their powers. The Church’s “empire” consisted of a legal jurisdiction regarding ecclesiastical matters that could, in certain circumstances, be appealed to Rome, the often-contested power of Popes to appoint their own bishops, and moral suasion rooted in common religious principles, traditions, and understandings; its elimination hardly served the cause of associational life.

Why is this mistaken, hostile, view of the Church and the rise of the nation-state important? Because it conditions Hazony's take on the nation with which he, and we, are most concerned, namely, the United States. Here Hazony finds a rather simple tale of good nationalists—essentially the Federalist Party led by Alexander Hamilton—and bad regionalists, led by Thomas Jefferson and supporting slavery and the French Revolution as they eventually formed the Democratic Party.

As to succeeding eras, Federalists and their successors in the Whig party are portrayed as broad-minded proponents of a flourishing commonwealth, opposed by narrow-minded regionalists deeply identified with slavery. The presence of slaveowners on the Union's side in the Civil War and of men, like Robert E. Lee, who held opinions on slavery akin to those of George Washington on the Southern side are glossed over. Hazony's point is that there must be one American culture, which must be defended against localists who supposedly fail to recognize the existence of injustice in their localities and to acquiesce in the highly dubious claim that national institutions can and will minimize such injustices without destroying the local associations that inculcate virtue in the people.¹⁵

Despite the Constitution's clear language establishing a federal government of enumerated, derivative powers, Hazony portrays local associations as properly subject to the authority of the national sovereign: "the government that sits at the top of the federal structure remains responsible for determining the appropriate degree of delegated authority at all times. And where the federal government comes to regard the degree of authority that has been delegated to be too extensive, it finds the appropriate rationale for circumscribing it, if not today then tomorrow."¹⁶ Local self-government is, then, a gift from the center, subject to limitation or revocation according to its own judgment and will.

Clearly inconsistent with his own emphasis on the state's plural structure, Hazony's statement, here, precisely bespeaks the vision behind the "revolution" he says he would like to undo, dooming his attempts in this area to failure. For example, Hazony wishes the Court would approach civil rights issues with more nuance, especially in distinguishing racial from more benign legal classifications. But to ask for such reasonable, prudent judgment is irrational under a nationalist regime. In a country of 330 million people with a wide variety of cultural institutions, beliefs, and practices, one cannot expect a single body to apply national, uniform standards in a prudent fashion. Such decisions will be local, or they will be rationalistic because local traditions vary so much.

Federalism is central to the American nation not just as a state but as a culture. The reason should be obvious, for it is one of diversity and

scale. Catholicism, Methodism, and Judaism, for example, share much in common—as Hazony recognizes. But when one adds to differences in religious beliefs and practices the differences in pre-existing traditions and circumstance between, say, urban New York City, rural Oklahoma, and suburban Atlanta, there must be greater room for local differentiation than in a nation that identifies as thoroughly with one Book, one history, and one destiny as is the case in Israel.

Hazony uses a passage from Washington’s Farewell Address to make his case for nationalism: “The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles.”¹⁷ The key phrase in this passage, for current purposes, is “national capacity.” Washington seeks to elevate that capacity above local attachments. But it remains only one capacity, and a more artificial one than the local, requiring constant reminders of similarities in “religion, manners, habits, and political principles” to solidify that measure of loyalty essential to national self-government. National self-government is derivative of local self-government and so is of a less natural, constitutive nature.

National culture, like the nation-state, is of great importance. But it is part of a continuum stretching from the most local to the universal. Hazony is right that the nation-state is the highest political source of legitimacy. To go higher is to foster the tyranny of insulated, hypocritical, self-interested elites. But the nation-state itself is often far too large not to succumb to the same tendencies. Better, then, to recognize, as our Constitution once did, the importance of local associations as having integrity and rights of their own, even as we recognize that beyond the nation-state there exist more universal principles rooted in nature, theology, and mutual agreement. The result is far messier than Hazony’s whiggish history would allow. But of such crooked stuff are built both human nature and the social order.

Notes

1. Yoram Hazony, *Conservatism: A Rediscovery* (Washington, DC: Regnery, 2022), 100–01. Compare Hazony’s list with the list of “canons” found in Russell Kirk, *The Conservative Mind: From Burke to Eliot* (Washington, DC: Regnery, 1986), 8–9.

2. Hazony, *Conservatism*, 207–11; 341–45.

3. *Ibid.*, 236.

4. *Ibid.*, 264–67.

5. *Ibid.*, 268.

6. Ibid., 245–46.
7. Ibid., 277.
8. Indeed, Kirk wrote a book titled *America's British Culture*, (New Brunswick, N.J.: 1993).
9. David Hackett Fischer, *Albion's Seed: Four British Folkways in America* (Oxford: Oxford University Press, 1989).
10. Francisco de Vitoria, *On the American Indians*, trans. Jeremy Lawrance and Antony Pagden (Cambridge: Cambridge University Press, 1991). The obvious limits of this expansive view can be seen most easily in C.S. Lewis's vision of the Tao in the appendix to *The Abolition of Man* (New York: Macmillan, 1965).
11. Yoram Hazony, *The Virtue of Nationalism* (New York: Basic Books, 2015), 7–9.
12. Ibid., 44.
13. Hazony, *Conservatism*, 9–11.
14. See for example, Brian Tierney, *Religion, Law, and the Growth of Constitutional Thought 1150–1650* (Cambridge: Cambridge University Press, 2008) (Tierney was explicitly Catholic) and Harold J. Berman, *Law and Revolution, the Formation of the Western Legal Tradition* (Cambridge: Harvard University Press, 1983) (Berman was an evangelical Christian).
15. Ibid., 220. Here Hazony notes the importance of local associations in teaching virtue and maintaining culture.
16. *Nationalism*, 148.
17. Quoted in *Conservatism*, 46.