

Appendix J

Ernest McGill, *amicus curiae*

US Court of Appeals, DC Circuit, Case no. 04-7041

OpinionJournal - AMERICAN CONSERVATISM



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AMERICAN CONSERVATISM

The Burke Habit

Prudence, skepticism and "unbought grace."

BY JEFFREY HART

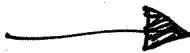
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In "The Conservative Mind" (1953), a founding document of the American conservative movement, Russell Kirk assembled an array of major thinkers beginning with Edmund Burke and made a major statement. He proved that conservative thought in America existed, and even that such thought was highly intelligent--a demonstration very much needed at the time.

Today we are in a very different and more complicated situation. Nevertheless, a synthesis is possible, based on what American conservatism has achieved and left unachieved since Kirk's volume. Any political position is only as important as the thought by which it is derived; the political philosopher presiding will be Burke, but a Burke interpreted for a new constitutional republic and for modern life. Here, then, is my assessment of the ideas held in balance in the American Conservative Mind today.

Hard utopianism. During the 20th century, socialism and communism tried to effect versions of their Perfect Man in the Perfect Society. But as Pascal had written, "Man is neither angel nor brute, and the misfortune is that he who would act the angel acts the brute." In abstract theory was born the Gulag. One of conservatism's most noble enterprises from its beginning was its informed anti-communism.

Soft utopianism. Both hard and soft utopianism ignore flawed human nature. Soft utopianism believes in benevolent illusions, most abstractly stated in the proposition that all goals are reconcilable, as in such dreams as the Family of Man, World Peace, multiculturalism, pacifism and Wilsonian global democracy. To all of these the Conservative Mind objects. Men do not all desire the same things: Domination is a powerful desire. The phrase about the lion lying down with the lamb is commonly quoted; but Isaiah knew his vision of peace would take divine intervention, not at all to be counted on. Without such intervention, the lion dines well.



The nation. Soft utopianism speaks of the "nation-state" as if it were a passing nuisance. But the Conservative Mind knows that there must be much that is valid in the idea of the nation, because nations are rooted in history. Arising out of tribes, ancient cosmological empires, theocracies, city-states, imperial systems and feudal organization, we now have the nation. Imperfect as the nation may be, it alone--as far as we know--can protect many of the basic elements of civilized existence.

It follows that national defense remains a necessity, threatened almost always by "lie-down-with-the-lambism," as well as by recurrent, and more obviously hostile, hard utopianisms. In the earliest narratives of the West, both the Greek "Iliad" and the Hebrew Pentateuch, wars are central. Soft utopianism often has encouraged more frequent wars, as it is irresistibly tempting to the lion's claws and teeth. The Conservative Mind, most of the time, has shown a healthy resistance to utopianism and its various informing ideologies. Ideology is always **wrong** because it edits reality and paralyzes thought.

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