

1
More and more I find myself thinking that a conservative is someone who regards this world with a basic affection, and wants to appreciate it as it is before he goes on to the always necessary work of making some rearrangements. Richard Weaver says we have no right to reform the world unless we cherish some aspects of it . . .

"He who is unaware of his ignorance," writes Richard Whately, "will only be misled by his knowledge." And that is the trouble with the liberal, the socialist, the Communist, and a dozen other species of political cranks who have achieved respectability in our time: they disregard so much of what is constant and latent in life. They fail to notice; they fail to appreciate. . . .

Law
It is Christianity, after all, that has formed our ideas of law. To accept this fact is not more to "establish religion" than writing the laws in English is to "discriminate against" people who don't speak English. Christianity is the basis of our moral idiom. . . . Rooting Christianity out of our political tradition is like rooting words derived from Latin out of our dictionaries . . .

The very existence of censorship in authoritarian systems is a sign that all is not lost. The liberal can only damn censorship in a moralistic way; it doesn't occur to him that art, literature, and journalism can only be censored when they are already being independently produced. The kind of censorship exercised by regimes intent only on preserving a monopoly at the level of politics is different in kind from Communism's attempt to commandeer all the general energies of a nation, and to decree what shall be produced. ~~It wasn't an~~ . . .

2
History and Liberty
One of the things most men are currently blind to is the total politicization of man. . . . The liberal has no specific objection to totalitarianism; or the simple reason that he is already operating on totalitarian premises. He may be less headlong and bloodthirsty than the Communist, but he has as little regard for the past, as little sense that there may be anything in the tradition he inherits that deserves the effort of appreciation or surpasses his understanding. He judges everything in terms of a few ready-made political categories, which are expressed in a monotonous cant of "equality", "discrimination", "freedom of expression," and the like. He never thinks of these as possibly inadequate to his situation, because he never thinks of himself as working in partnership with the past, let alone as the junior partner in the relationship. Patience and humility aren't marks of the malcontent. He is too busy making war on poverty to think of making his peace with prosperity. . . .

3
Liberalism undaunted
The chief objection to liberal moralism, in fact, is that it is immoral. This is equally true of all ideologies that dispense with realities they can't include in their visions. The economy, they think, has failed; the family has failed; the church has failed; the whole world has failed. But their visions have never failed, no matter what their cost in waste of human lives and possibilities. The dream itself is sovereign; to reject it is to be guilty of refusing to aspire; to embrace it is to lay claim to a moral blank check. As Burke said of the French revolutionaries: "In the manifest failure of their abilities, they take credit for their intentions."

But the conservative knows that the dream itself is guilty. It springs from a failure to appreciate the real, and to give thanks. . . .

The Soviet Union is not an evil to liberals; it is an embarrassment. Far more terrible in sheer scale than Nazi Germany ever was, it can't be allowed to become the focus of the kind of direct moral attention Reagan gave it. It is a "reality" that "we have to learn to live with," but its stupendous crimes are consigned by liberalism to unreality, and all liberal protest against South Africa and the like is a concerted distraction from history's supreme moral horror, liberalism's near relation in Moscow, which can neither be acknowledged nor completely disowned. p. 34

~~The native American has fallen for~~

The native lets the Alienist take his wallet, and doesn't even count the change. He grumbles a little every April 15, but he never makes a connection between liberal ideology, government spending, and his own tax rates. Least of all does he suspect how he is hated by these people whom he is constantly trying to assure of his good intentions. He takes for granted his assigned role as perennial defendant.

Liberalism has succeeded brilliantly in controlling the perspective from which public discussion is conducted. It speaks piously of "the extremes of Left and Right" - i.e., of Communism and Nazism, Alienism and Nativism - while in fact it equates these two extremes only for the tactical purpose of helping one of them; it conceals its own alignment with the "Left" while assigning its conservative critics to the "Right." . . .

The weary image of left and right wings (if you can even call it an image) conveys very little, and indirectly expresses the perspective of the "left" itself. What, after all, is the common denominator of constitutional conservatism, libertarianism, fascism, monarchism, and for that matter Shiite Islam, that they should all be lumped together as "right-wing"? Left to themselves, in a world without Alienism, they would have bitter differences. All they really have in common is that they oppose the "Left." But that is enough. We speak of right and left wings because it serves the purposes of the Left that we should do so. . . .

The moral prestige of socialism is such that we are still being warned about the excesses of capitalism, even after the extermination of tens of millions of people under socialist regimes. It makes no difference that socialism's actual record is terribly bloody; socialism is forever judged by its promises and supposed possibilities, while capitalism is judged by its worst cases. It makes no difference, either that immigration to America peaked during the period when capitalism was freest, its "robber barons" politically powerful and sometimes criminal, or that socialism not only attracts no immigrants but has to hold its native populations captive. Capitalism still has to justify itself before the socialist conscience. . . .

The ideological form of socialism in America has been liberalism; its political vehicle has been the Democratic Party. Unlike what we might call the "wholesale" (revolutionary or at least programmatic) forms of socialism, liberalism is a "retail" form: it brings us socialism piecemeal, dividing politics into discrete "issues" and choosing the collectivistic option at every turn. . . .

Socialism consistently attacks three basic social institutions that, by offering independent bases of action, loyalty, and authority, impede the state's monopoly of power: private property, the family, and religion. . . .

The socialist oversoul that governs today's liberalism may be discerned in the work of that most typical of liberal organizations, the American Civil Liberties Union. For all its rhetoric of resistance to state encroachment, the ACLU hasn't opposed collectivization in the slightest. Members of its national board, in fact, have been Communists, and

the ACLU was founded for the principal purpose of advancing the cause of Communists and socialists. Its founder, Roger Baldwin, once averred that "Communism is the goal." He said that the Soviet Union had no need of a civil-liberties organization, since the workers already ruled. . . .

In Good liberal fashion, the ACLU tries to present itself as conservative: it affects to be "defending our constitutional rights." But its concern for these rights has been purposefully uneven. Though it wants to "expand" certain rights - the "freedom of expression" of pornographers, for instance - it has shown no desire to expand the right to keep and bear arms, or even to defend it against gun-control laws. Nor is it interested in the Ninth and tenth Amendments as bulwarks against federal expansion. On the other hand, it vigorously supported the Equal Rights Amendment, though the ERA was of course never ratified: proving that the ACLU is not simply engaged in perserving the Constitution as it already exists, but is bent on filling selected provisions of the Constitution with socialist substance, regardless of the original meaning of those provisions. . . .

Liberalism is tactful. Its modus operandi is to anaesthetize its victims. It rarely seizes property that is already physically possessed; it prefers to intercept wealth at the transmission points, through such devices as withholding taxes, so that the owner's loss is regularized and made painless. It makes good use of inflation: in combination with the graduated tax system, inflation drives the entire population into higher tax brackets without the necessity of a sudden tax increase, "bracket creep" being liberalism's version of the INvisible Hand; and since inflation makes it hard for people to save for retirement, the elderly are made more and more dependent on SOcial Security, which can be adjusted upward to keep pace with inflation by the inflaters themselves. The whole system is just a little too complicated for everyone to comprehend at once, and those who penetrate the fraud, after all, are only a minority of the electorate. . . .

It is too seldom pointed out that a voter is a public official, and that the use of preferred entitlements to win votes amounts to bribery. For this reason John Stuart Mill pronounced it axiomatic that those who get relief from the state should be disenfranchised. But such a proposal would now be called inhuman, which helps account for the gargantuan increase in the size and scope of federal spending. Corrupt politicians make headlines; but no honest politician dares to refer to the problem of corrupt voters, who use the state as an instrument of gain.

And nobody identifies this sort of gain with "greed." To hear liberalism talk (largely uncontradicted by conservatism), greed is exclusively a vice of private people operating in an economy of free exchange. "Compassion" is identified with redistribution by the state. Greed, in short, means capitalism, and compassion means socialism. . . .

There are natural limits to our sympathies, limits liberalism can only condemn, never respect. And there is no reason to credit its attitude with "idealism." A robin that took worms to every nest in the forest would not be an ideal robin; it would be an odd only be an odd bird. And liberals are odd birds. They insist, in effect, that we should be ashamed of ourselves for being unable to feel pity for strangers who, as far as we are concerned, are strictly hypothetical. We don't even have any assurance that the wealth we lose in taxes is serving its alleged purposes. We are expected to trust politicians (who themselves are not to be confused with MOther Teresa of Calcutta) to act more compassionately than we ourselves would in the normal course of life. . . .

Nor has liberalism acknowledged any limitation on the taxing power. The good Lord

asks only 10 per cent, lacking as He does liberalism's ambition. Now, the taxing power is a serious power, since prison terms await tax evaders. Yet the daily press brings stories of the frivolous use of tax moneys, in reports of federally financed research on the love life of goldfish and the like, reports that amuse us, but that also intimate the anarchy of modern government. Anarchy, as Chesterton reminds us, consists not in doing something irregular, but in being unable to stop. And liberalism has no desire to stop. . . .

The question is not how much the state should tax us, but for what purposes; which is another way of raising the fundamental question of what government is for. Governing, says Oakeshott, is "a specific and limited activity." When the powers of the Federal Government were specific and limited - "few and defined," as James Madison put it - taxes were low. They were held down not so much quantitatively as constitutionally, even, so to speak, philosophically. When the power of government is unfocused and unlimited, its power of taxing will be correspondingly great.

Promiscuous taxation has turned us into a nation of defendants. Not only property rights but the right of privacy and the presumption of innocence have been casualties of the limitless state and its taxing power. Every adult citizen must give a full annual account of his finances to the government, with the burden of proof resting on him if any questions are raised.

This state of affairs ought to enrage us, but doesn't. It evokes no protest from leftist "civil libertarians" who see threats to our precious liberties in public-school prayer. We take for granted the materialist premises of the liberal regime so thoroughly that, although the idea of a religious inquisition horrifies us, the actuality of an economic inquisition, armed to extort highly personal information from us, is second nature. It may be that our ~~fe~~ horror of the Spanish Inquisition is due less to our love of liberty than to the simple fact that we have become an irreligious people. We accept the huge apparatus of economic surveillance and enforcement much as most Spaniards no doubt accepted their Inquisition, that is, as an unpleasant institution that is nonetheless entailed in a whole way of life. We acknowledge its right to do these things to us.

And yet we don't - not completely. The redistributive regime is at odds with our nature, which is why so much menace and power have to be mobilized against us. Tax evasion has become as common as drinking under Prohibition; one survey found that ~~the~~ three of every four people questioned would not turn in a tax cheat. . . .

It is perfectly normal for people to share, to take satisfaction in generosity, but they don't do so impersonally, anonomously, through the medium of the state. A man may give a million dollars to a specific child or charity, but he won't leave a single dollar in the street as a gesture of benevolence to the next person who happens to come along. Such undifferentiated bounty is not in our nature, because we are rational creatures (more or less) who like to know what we are doing.

Love makes the world go round, all right, but the love in question is not an boundless love of all mankind - which may be an ideal, of sorts, but is pretty useless as a social norm. In the long run the most reliable kind of love is family affection. This is neither altruistic nor selfish and therefore eludes the socialist's false dichotomy. A man regards his children as extensions of himself. It is hardly selfish of him to work long hours to provide for them, enduring hardships that would strike a carefree bachelor as an absurd waste of short life. On the other hand the father's sacrifice

is not what we would regard as philanthropy, because we understand that he has a certain emotional investment in his children. This common and intermediate kind of love makes up the fabric of society.

Since the sixties America has learned in the dear school of experience what it would not submit to learn from tradition: that the breakdown of the family means social disorder. We were told incessantly that "poverty causes crime," even as crime rates soared along with general prosperity and special anti-poverty measures. A more telling correlation occurred between crime and illegitimacy, as fatherless young men terrorized the cities.

George Gilder points out that young single men, who make up only 13 per cent of the population, commit 90 per cent of the violent crime. And even more disproportionate number of these men have grown up with their fathers absent. We shouldn't need careful statistical studies to confirm the intuition that children need parents to give them love and to initiate them into the traditions of the human race; anyone who has warm memories of his own parents will shudder with pity for those who miss the primal affections of childhood - surely a worse deprivation than mere relative poverty.

And yet the Alienist disposition is so preoccupied with the hard case that it will sacrifice the family in order to succor the orphan. It is as if the existence of families somehow constitutes an injustice to those who don't have them. Families create what socialism calls "privileges" and "accidents of birth", and result in what socialism sees as "gross inequities." Socialism (including liberalism) is always "correcting for" the family, finding fault with the family, monitoring the family for pathologies (wife beating, child abuse, incest) that can be invoked to warrant state intervention. . . .

But the real fault is not in the family itself. It lies in human pride, egotism, sloth, blindness, and all the other defects that can pervert our most intimate affections and make the home a hell even where there is nothing to provoke the attentions of Swedish social workers. . . .

The point is not that the family is perfect but that there is no substitute for it. If parents fail in the domestic virtues, if children choose to misbehave, there is not much anyone can do. No social program could have saved King Lear. . . .

Traditional sexual morality, Shafarevich says, makes the family a locus of loyalty and authority. Sexual freedom breaks down the sacred bonds of kinship and deprives sex of its sacramental character. It profanes. It reduces us to interchangeable units in a mass, and destroys the intricate social structure of particular ties that impedes state power. Every socialist movement has included a campaign for what is variously called sexually called sexual freedom, free love, or community of wives. Once in power, of course, a socialist regime may be prudish and puritanical, but this is only because it wants to regulate the populace's breeding habits and control its general behavior, not because it wants to restore the autonomy of the family. The Soviet regime has conducted an erratic population policy: legalizing, banning, and then again legalizing abortion; promoting birth control, then encouraging even illegitimate births. There is no real consistency inconsistency in these fluctuations: the very phrase "population policy" means that the birth rate has become a subject of state concern - one more production standard to be set by the authorities. . . .

Consider another apparent contradiction of liberal behavior. The liberal argues for state-subsidized abortion on the grounds that a woman who can't afford to exercise her

"right" to abortion is effectively denied that right. But when conservatives (and those maverick liberals who actually mean what they say) propose a system of educational vouchers that would enable poor parents to choose schools for their children, the liberal community abandons the logic it adopts for abortion. It condemns private education as a "privilege" (while helping to keep it so) or a subterfuge for racism. What emerges from this contradiction is the inference that liberals don't regard parental choice in education as a serious right. . . .

The secularized public school, ironically, now enjoys the status of an established church. Everyone has to support it. If a dissenter prefers a different school system, he must pay for that himself, and his doing so in no way diminishes his obligation to support the established system. He can expect no sympathy from the keepers of the establishment - only thinly veiled hostility.

It is instructive to notice when the liberal resorts to the rhetoric of "choice" and when he abruptly drops it. There is a consistency behind his inconsistency. His alleged neutrality about substance tactically serves a body of very positive commitments.

Not that all liberals are fully conscious of a hostility to the family. Far from it. But liberalism inexorably chips away at any preferred status for the family. Its method is not to abolish by the neglect and "redefine." It will say that our traditional concept of the family is "outmoded" and "unrealistic." It will broaden the concept to include, for example, households of homosexuals - again, professing to be value-free" when affirming the right of homosexuals to adopt children. (How can you be neutral about "values" when announcing a "right"?)

The combination of graduated tax rates, inflation, and redistributive programs has had a punitive effect on the family, reducing the personal exemption to a fraction of its original value (roughly one-fifth of what it was worth in 1948). This has made large families prohibitively expensive for many people; the number of working mothers has tripled since World War II

More and more parents see the public schools as threats to their children's safety, well-being, and even educational needs. Liberalism's response has been to tighten its own grip It may be, of course, that parents also fail in religious education, but here again liberalism switches its logic according to the issue at hand. Parents whose children are economically trapped in the public schools are denied any right to control the curriculum: their attempts to exercise even a veto power over materials selected by teachers is denounced as "censorship." The minds of the young must be kept under the liberal monopoly, no matter how egregiously the public schools themselves may be thought to fail.

Liberalism has of course had a serious impact on the general culture beyond the schools. The catch-phrase "freedom of expression" has been broadened to cover even the crudest pornography. What began as a campaign for "privacy" - consenting adults, plain brown wrappers, and all that - has become an open overthrow of traditional public morality. It is practically impossible to shield children from raw filth. What used to be called fornication is now a standard feature of popular entertainment, even on prime-time television. The degrees of explicitness vary; the denigration of chastity is nearly complete, however, even where the bodies remain clothed

And once again liberals take refuge in cliches of "choice" and "freedom" that are in flagrant contrast to their usual preference for government control. The liberal who is ordinarily hostile to commercialism and suspicious of the manipulative wiles of advertisers becomes an advocate of utter laissez-faire where the stimulation of sexual appetites is at stake. . . .

The enemy, for socialism, is any permanent authority, whether it is^a long-standing church or a holy scripture, whose tendency is to put a brake on political power. In fact power and authority are often confused nowadays: the thoroughly politicized man who seeks power can only experience and interpret authority as a rival form of power ~~can only experience and interpret authority as a rival form of power~~, because it impedes his ambition for a thoroughly politicized society. But authority is more nearly the opposite of power. It offers a standard of truth or morality that is indifferent and therefore often opposed to current desires and forces, standing in judgement over them. If God has revealed Himself to man, the ~~pro-~~ progressive agenda find itself seriously inconvenienced.

For this reason, religion is a source of deep anxiety to the liberal. He harps on its historical sins" Crusades, Inquisitions, witch burnings, wars. He never notices that the crimes of atheist regimes, in less than a century, have dwarfed those of all organized religions in recorded history. He sees Christianity's sporadic persecutions as being of its essence; he regards Communism's unbroken persecution as incidental to its potential for good. . . .

The liberal avoids a frontal assault on religion; he has no taste for persecution, even if he turns a blind eye to it when socialists inflict it on those believers he regards as reactionary. He typically expresses his objections to religion in procedural terms: he isn't against religion, he merely favors the "separation of church and state." But here his indifference to Communist persecution gives him away: the very idea of separating church and state presupposes firmly defined spheres for both. Without limited government, the sphere of the church is merely residual, and the state may crowd it out of any area of life the ruling power chooses to usurp, as when the Polish Communist regime invoked the principle of separation to demand the removal of crucifixes from all state classrooms . . .

As Chesterton wrote eighty years ago: "Earnest freethinkers need not worry themselves about the persecutions of the past. Before the liberal idea is dead or triumphant we shall see wars and persecutions the like of which the world has never seen." . . .

[Liberal clergy]- They speak hopefully of "Christian-Marxist dialogue" - diabolical fatuity best appreciated by imagining a "Christian-Nazi dialogue." Some Christians were afraid to speak out against Nazism; but at least there was not attempt to find in the Nazi program a fulfillment of Christian social ethics. . . .

It can be exalting to belong to a church that is fivehundreden years behind the times and sublimely indifferent to fashion; it is mortifying to belong to a church that is five minutes behind the times, huffing and puffing to catch up. . .

Let Chesterton have the last word: "We often read nowadays of the valor or audacity with which some rebel attacks a hoary tyranny or an antiquated superstition. There is not really any courage at all in attacking hoary or antiquated things, any more than in offering to fight one's grandmother. The really courageous man is he who defies tyrannies young as the morning and superstitions fresh as the first flowers."

REDS

The West needs not only weapons against Communism, but clarity about Communism. And it clarity that liberalism prevents. Liberals don't want an arms race: they say we must fight ideas with ideas. But when a conservative President uses even hard words about the Soviets, words that do no more than take Lenin at his word, he is guilty of "cold-war rhetoric," "stridency," "bellicosity" and "provocation."

His words themselves are taken as acts of aggression. Official Soviet vituperation against the West, meanwhile, is dismissed as harmless rhetoric . . .

Liberals have long since given up trying to idealize the Soviet system; their current preferred tactic is to speak of it as a "reality" we must learn to live with. But they are averse to realism about this reality. Even to speak realistically of the Soviet Union is to "provoke" the Soviets. . . .

All this is not to suggest that liberal like the Soviet system. Their attitude toward it is peculiar. They see it as a sort of death-god, a Moloch, that must be constantly appeased and propitiated, never angered. Moloch is beyond morality. He is a "reality" which it is not our place to censure. That only makes him mad. And a good roar from Moloch sends liberals scurrying, indignant not at him, of course, but at whoever "provoked" him. Death, for thoroughly secularized people, is the final reality - not heaven, not even honor = and a power that can inflict death on a huge scale becomes a sort of ultimate from which it is prudent and even imperative to take one's orientation. If the Soviet Union no longer offers paradise, at least it can threaten us with hell.

.. . .

Communism is not merely "another form of government." It is the first in modern history to have the ambition not only to govern society, but to change it to its roots, even to change the nature of man. This is what we mean by the clumsy word "totalitarianism."

MINORITY RULE - the Supreme Court

The Supreme Court has completely inverted the original role ~~fo~~ of the judicial branch. It has come to wield the sort of arbitrary power it was intended to check.

=One Roe v. Wade=

In Roe, as opposed to Brown, the Court virtually held that every state legislature in the nation had acted ~~in~~ violation of the Constitution. This had ~~acted~~ in a remarkable implication: it meant that none of the states had understood the original agreement among themselves. All had been acting inconsistently with the federal social contract, ~~the U.S. Supreme Court~~ without knowing it until, of course, the U.S. Supreme Court set them straight . . .

Apart from Roe, the Burger Court has generally avoided radical ~~o~~ innovations, but it has generally conserved the radical innovations of its predecessors, qualifying some of them without contradicting any of them. This practice has only confused the public's confusion about the Court's role, but it has been purposeful: ~~A~~ A Court that accused its predecessors of simple error would damage its own institutional authority, just as a pope who repealed a dogma defined by the previous pope would damage the authority of the papacy. From the Court's point of view, it is better strategy to pretend that the Court has maintained an overall consistency than to acknowledge that (to take the obvious example) the Warren Court bequeathed the nation a substantial body of bogus constitutional law.

What has made this mess possible? One factor is that the liberal community, so powerful in the academy and mass communications, has run interference for the Court as long as the Court has promoted the liberal agenda . . . Liberals in other branches of government have been happy to have the Court performing this service, thus sparing them the risks of advocating legal pornography and abortion before the voters. It is much easier for them to shrug that the "interpretation" of the Constitution is the Court's prerogative under the Constitution itself, and to tell angry constituents that it would be improper for the legislative branch to interfere with the independence of the ~~the~~ judiciary. . . .

Something else has happened to enlarge the Court's power which Publius could not have

~~imagined~~foresee. Since 1925, the Court has used a dubious interpretation of the Fourteenth Amendment to "incorporate" the Bill of Rights into state constitutions. In a progressive and piecemeal way, it has held that the states are bound as much as Congress to observe the separation of church and state (though this is not a personal right), the free exercise of religion, the freedom of speech, ~~the freedom of~~ the press, the privilege against self-incrimination, and so forth. (It is an interesting anomaly - and a tip-off to the ideological motivation of the "incorporation" process - that the Court has not required the states to respect the right to keep and bear arms.)

By means of the incorporation doctrine, the Court has assumed a wide power to strike down state and local legislation. And in fact it strikes ~~down~~ down state and local laws about a hundred times as often as federal legislation. (This another tip-off: the states, unlike Congress, have no ready means of striking back at the Court even if they want to.)

And so the Supreme Court, conceived originally as a check on federal expansion, has turned judicial review into an instrument of federal expansion. Since the New Deal especially, the Court has materially assisted the centralization of power and the weakening of the original federal system. Publius would be aghast. . . .

This has important practical consequences. The level of federal spending, our oppressive tax rates, and our constant budget crises all flow from the removal of effective limits on federal power. Most of the money spent by the ~~Be~~ Federal Government is appropriated for purposes ("Social programs," as they are called - a phrase incongruous with the language of the Framers) that have no positive authorization in Article I of the Constitution. Publius would say that Congress is constantly acting ultra vires. Having forsaken constitutional limitations on congressional power, we are forced to fight difficult battles against its greed and profligacy, most of which ~~are~~ we are doomed to lose. Our "budget crises" are really only an aspect of a protracted constitutional crisis.

What is worse than popular ignorance of the Constitution itself is the simple surrender of common sense. If people remembered what they were taught in school, they would realize that the Constitution is an instrument of popular self-government, and not the proper possession of technicians, specialists, and mystagogues. They would know, for instance, that the freedom ~~to~~ of speech was never supposed to include hard-core pornography and topless dancing. But we are so used to deferring to accredited experts in every walk of life that it is only natural, in a baneful way, that we should entrust our self-government to someone else. . . .

Liberalism has succeeded in pervertine the judiciary in order to impose its will on the majority. . . .

Roe v. Wade stands as an especially clear case of the Court's imposing a novel minority agenda, a liberal fad, under the pretense of pursuing the intimations of the Constitutional objections itself. I repeat: constitutional objections were practically never heard in America until the advocates of legal abortion decided on the strategy of smuggling their cause into law via the judicial judiciary. Then the Court ~~obligingly~~ obligingly "discovered" in the Constitution what had never before been suspected of residing ~~to~~ there: a right to abort. In order ~~to~~ to do this, the Court had to pretend that every legislature that had ever considered the issue had misunderstood the Constitution, and it had to be able to count on widespread passivity before its usurpations of power. It was able to do both.

By such devices the Court performs an innovative role while it affects to perform a conservative one. It enlists our reverence for the Constitution in order to make us indiscriminately deferential to the Constitution's current interpreters. . . .

§ Prospects

Most people are not disposed to rebel against their circumstances. They ~~do~~ tend to accept as legitimate whatever they are used to. The signers of the Declaration of Independence adopted an apologetic attitude not toward George III, but toward "mankind", whose "decent opinion" they respected and owed an explanation for a radical act; thereby showing that they were not, at bottom, radicals in the current sense.

People are naturally conservative . . . temperamental conservatism may or ~~may not~~ incline them to hold unreflectively to the status quo, even if, in the long run, the currently prevailing political forces are destructive of the permanent conditions of social health