

AN ABSTRACT OF THE THESIS OF

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in History presented on August 15, 1978

Title: JAMES JACKSON KILPATRICK: A STUDY IN CONTEMPORARY AMERICAN CONSERVATISM

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This thesis will examine the philosophy of James Jackson Kilpatrick. The views and analyses of his newspaper column are widely diffused throughout America. He is identified as a forceful exponent of contemporary American conservative thought.

The definition of the conservative philosophy is frequently elusive. There are definitions of conservative so broad that most liberals can easily accept them, and other definitions of conservatism are so narrow they exclude many of their self-professed followers. Not only are most definitions of conservatism too broad or too narrow to be of much value, some conservative principles change from era-to-era. Conservatism is not a monolithic or immutable philosophy.

The thesis is comprised of four chapters. The

first chapter will introduce the reader to Kilpatrick through a biographical sketch; Chapter Two is a conceptual chapter to place him in the conservative mainstream; the Third Chapter will examine his judgments and analyses of the major social, political and economic issues from mid-1966 through 1975 for consistency and to determine whether he stands up to the postulates of conservatism; and Chapter Four will present the analyses and conclusions of the thesis.

During the course of the thesis, several different definitions of conservatism will be drawn from various conservatives and will be examined. The conservative viewpoint toward the role of the American government and the nature of our economic system will also be examined. Kilpatrick will be placed in the conservative mainstream to determine how he compares to other conservatives and if he is consistent in his thinking.

JAMES JACKSON KILPATRICK:  
A STUDY IN CONTEMPORARY AMERICAN CONSERVATISM

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A Thesis  
Presented to  
the Division of Social Sciences  
Emporia State University

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In Partial Fulfillment  
of the Requirements for the Degree  
Master of Arts

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by  
John L. Heidrick  
August, 1978

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For my wife, Nancy,  
whose companionship and understanding  
have given me a sense of joy and consolation  
that words can never express.

Oh, it's so hard to write to you what I really  
feel when I think about you so much;  
you've gotten to mean to me a dream  
that I can't put on paper anymore.

F. Scott Fitzgerald

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## CHAPTER ONE -- JAMES JACKSON KILPATRICK

James Kilpatrick was born on November 1, 1920 in Oklahoma City, Oklahoma, to James Jackson and Alma Mia (Hawley) Kilpatrick. One of three children; he has an older sister, Mrs. Pearce S. Johnson; and a younger brother, Hawley. His father was a lumberman and president of the Big K Timber Company. Kilpatrick's midwest childhood could have played a major role in shaping his future philosophy.

Kilpatrick learned the value of money and practice of thrift at an early age. In 1932 he took a job, at the age of eleven, as an office boy in an insurance company. His father had suffered an economic setback in the crash of 1929 and money was scarce in the Kilpatrick household. Kilpatrick worked from 1933 through 1936 as a copy boy for the Oklahoma City Times.

In 1937 he was graduated from Classen High School in Oklahoma City. While a student at Classen, Kilpatrick was a member of the debating team and he also worked on the school newspaper. The summer after high school graduation he took a course in photography and purchased some camera equipment. He was able to put himself through the University of Missouri as a staff photographer and public relations man at Stephens College.

Kilpatrick was graduated from the University of Missouri in 1941. He was in the advanced R.O.T.C. program, but because of an asthma problem he was forced to sit out World War II in Richmond, Virginia, as a brigade leader in the local Fire Guard.

Kilpatrick married Marie Louise Pietri, a Virginia artist and sculptor, on September 21, 1942. The Kilpatricks have three children -- all boys -- Michael Sean, Christopher Hawley and Kevin Pietri. The Kilpatricks also have three grandchildren. James Kilpatrick is a member of the Episcopal Church. He lives in the Blue Ridge Mountains on a small farm named White Walnut Hill which is located near Woodville, Virginia.

Kilpatrick identifies himself as a "critic of ideas."<sup>1</sup> His professional career began in 1941 as a reporter for the Richmond News Leader. He specialized in politics and court coverage until 1949 when he succeeded Douglas Southall Freeman as editor of the Leader.

While editor, Kilpatrick began writing his syndicated column for Newsday in 1964. In 1965 he switched to the Washington Star Syndicate, which gave him a Washington outlet and placed his column in about 100 more newspapers to a total of approximately 370. His column is called "A Conservative View."

Kilpatrick became associated with the National Review in 1964, and in 1968 he began serving as a contributing editor



for the magazine. Kilpatrick also writes frequent essays for Nation's Business and is occasionally a TV commentator for CBA and its Washington TV affiliate.

Kilpatrick has authored and edited several books, including The Sovereign States. He is the co-editor of The Lasting South (1957), The Smut Peddlers (1960), and The Southern Case for School Segregation (1962), and he edited We the States in 1964. Presently he is writing another book.

Kilpatrick is also an extensive traveler. Logging more than 100,000 miles a year, he visits every state in the Union at least once a year, except Alaska. Two weeks of every year are devoted to travel abroad where he spends most of his time in Europe, Africa and South America. During the course of his travels Kilpatrick has interviewed, among others, Salazar and Caetano in Lisbon, Heath and Wilson in London, Vorster in Pretoria and Smith in Salisbury.<sup>2</sup>

Kilpatrick has been the recipient of numerous awards and honors including the medal of honor for distinguished service in journalism in 1953 and journalism's Sigma Delta Chi annual award for editorial writing in 1954. He has been a member of many organizations and commissions. From 1962 through 1968 Kilpatrick served as Vice-chairman of the Virginia Committee on Constitutional Government and in 1965 he was chairman of the Virginia Magna Carta Committee. In 1954 Kilpatrick helped organize and has been the only president of the Beadle Bumble Fund which exists to

demonstrate that the law can be "a (sic) ass, a idot (sic)." <sup>3</sup>  
Kilpatrick is also Recording Secretary for his own political party -- the Whigs. Finally, he is a member of the National Conference of Editorial Writers (chairman 1955-56), the White House Correspondent Association, the Virginia Ornithology Society and the Black-Eyed Pea Society of America.

An inquiry as to why he chose journalism as a career brought this reply from Kilpatrick, "I could no more tell you why I chose journalism as a career than a doctor could explain his choice of medicine, or a priest his vocation for the ministry. It is all I ever wanted to do. I have never wanted to do anything else." <sup>4</sup> As a member of the press, he has some very definite opinions and views on its role in America. His basic concepts are not entirely original and can be found solidly planted in the bedrock of our American society and Western heritage. Kilpatrick equates the survival of democratic institutions with a free and open press. He could not be more Jeffersonian than when he declares, "The one indispensable role of a free press is to tell the people what is going on. Then let them decide what to do." <sup>5</sup> Kilpatrick readily concedes, however, that the facts are often elusive and can be misleading -- they are never simple and one must be careful in their interpretation.

Although the United States is engrossed in difficult times, Kilpatrick is optimistic about its future. He points

out America survived at Jamestown, defeated the English, survived under the Alien and Sedition Acts, the War of 1812, the Civil War, the impeachment of President Andrew Johnson, the scandals of Grant and Harding administrations, the Great Depression, World Wars I and II. "These are not the best of times, but these are not the worst of times either," observes Kilpatrick. "It is absurd to suppose that having come through so much America will crumble now. Survive? Of course we will survive."<sup>6</sup> It is difficult to ascertain why Kilpatrick has been attracted to the conservative philosophy. Some reasons, however, are prevalent. Kilpatrick was born and raised in an area of the United States usually identified as conservative. As a boy during the depth of the Great Depression, he learned the value of money and of having a job by working at odd jobs to bring extra income into his home. After graduation from high school, Kilpatrick managed his finances well enough to put himself through college. He has supplemented his formal education by continuously reading. He is well versed in politics, history, literature and some law.

## CHAPTER TWO -- CONSERVATISM IN AMERICA

This chapter is a short survey of contemporary American conservatism. The premises of Edmund Burke provide the foundation of the chapter. Burke is important to this paper, not only because he is often referred to by Kilpatrick in his writings, but because he has played an important role in the development of modern conservatism. Burke, an English statesman who lived from 1729 to 1797, opposed the excessive taxation that Parliament levied on the American colonies, despised the destructive nature of the French Revolution and supported English concessions to Ireland. He has remained a steady influence in both Great Britain and American political thought for nearly two hundred years because he was an "Utilitarian and empiricist gifted with a keen sense of the actual and a profound awareness of history, tempered however by religious mysticism."<sup>7</sup> Burke based his philosophy on Christian humanism. He was not a political philosopher, rather a professional politician who interpreted British political life. He urged men to strive for political and moral perfection in order to assure the continuity of the Western democratic community.

One of the most significant contributions of Burke is that he believed order is the work of reason and that reason is both human and divine. He explained man is governed by

a natural moral order designed by God, and that all social and political institutions are only conveniences to achieve human perfection. In addition, Burke believed a natural aristocracy is necessary to insure the continuity of this never ending struggle. His argument for survival of Western culture rounds out his beliefs: preservation through moderate change.

Burke's postulates of moral order, continuity, reason and preservation through moderate change have greatly influenced the thinking of James Kilpatrick. This chapter also includes the thoughts of conservative commentators and practitioners in recent American history. Kilpatrick, too, will be referred to in this chapter so as to place him in the conservative mainstream.

#### "Part One -- The Philosophical Origins"

It is extremely difficult to formulate a simple definition of conservatism. Conservatism can be different principles to different individuals. Edmund Burke based his philosophy on human nature, freedom and Western religion. Burke accepted the Aristotelian-Thomist view of man as a political animal and he urged his fellow man to assert "a meaningful place . . . in the world."<sup>8</sup>

Burke believed moral law is the foundation and the framework of politics and requires the existence of an intelligible world order. He held the supremacy of the natural moral law over every human authority, but he saw the "natural

law as mediated to society through its traditions, its institutions, and its positive law."<sup>9</sup>

Democracy found a friend in Burke because he abhorred authoritarianism. He believed the law of Court Cabal could destroy a country whose being depends upon the certainty, clearness, and stability of institutions. Continuity was important to Burke, and he believed democracy would best provide a stable society.

Burke was also concerned with the practicality of ideas and of institutions. He believed political objectives should contribute toward the common good. What Burke considered practical for the common good was not always necessarily "right," but he believed the government should not delay in making timely changes.<sup>10</sup>

Burke "believed both in God's supreme dominion over history, and in a genuine, though limited, human freedom within history."<sup>11</sup> Man's first duty is to obey the divine law, government is to promote the divine law. Burke often spoke of "the commonwealth of Christian Europe" and the "great commonwealth of Christendom."<sup>12</sup> He believed nations, as well as men, are drawn together through their potential harmonies.

The overriding concern of most conservatives is to support, defend and preserve the established society. Burke had little use for grand theories of society; he was concerned only with those which involve man and his affairs. He remarked that "society is indeed a contract. It is a

partnership in all science; a partnership in all art; a partnership in every virtue; and in all perfection."<sup>13</sup>

In the same vein he realized a society could only move forward if it observed the successes and avoided the failures of its ancestors.<sup>14</sup>

Academician Peter Viereck explains in Conservatism Revisited that conservatism is a philosophy that provides a base for orderly change and improvement in society. One of the better definitions of conservatism is found in James MacGregor Burns' biography, Roosevelt: The Lion and the Fox. Not noted as a conservative himself in many circles, Burns skillfully elucidates conservatism with the statement that Franklin D. Roosevelt was:

A conservative acting in the great British conservative tradition. . . . (believing in) the organic view of society, compelling a national and social responsibility that overrides immediate class or group interest; a belief in the unity of the past, the present, and the future, and hence in the responsibility of one generation to another; a sense of the unknowable, involving a respect for the limits of man's knowledge and for the traditional forms of religious worship; a recognition of the importance of personal property as forming a foundation for stable human relationships; personal qualities of gentility, or gentlemenliness, that renounce vulgarity and conspicuous display and demand sensitivity to other person's needs and expectations; and an understanding of the fact that while not all change is reform, stability is not immobility.<sup>15</sup>

The late Senator Robert A. Taft described himself as a "liberal-conservative." The liberal side of his philosophy prescribed ordered freedom, the individual's right to his own thoughts and open-mindedness in the consideration of new ideas. He viewed the conservative element as the natural

preservation of existing legitimate institutions. James Kilpatrick conceives conservatism as allowing the greatest amount of personal freedom, limited government, fiscal responsibility, a strong defense, and respect for honest work, the family and the church.

Conservatives, for the most part, are highly critical of their fellow man. Man is seen as basically lazy and selfish. James Madison wrote in The Federalist Papers that:

The history of almost all the great councils and consultations held among mankind for reconciling their discordant opinions, assuaging their mutual jealousies and adjusting their respective interests, is a history of factions, contentions, and disappointments, and may be classed among the most dark and degrading pictures which display the infirmities and depravities of the human character.<sup>16</sup>

Burke adhered to the Aristotelian-Thomist doctrine of man. He viewed man as a political animal and the state, therefore, a natural institution. The family, church and school are the institutions utilized to civilize man. To civilize man is to impress upon him an appreciation of the values, arts and sciences of the society he is a member.

Morals are both an important and intricate cornerstone of the conservative philosophy. Once again, the family, church and school are the institutions employed to teach man morals to help civilize him. Clarence Manion, former Dean of Law at Notre Dame, shares this philosophy and writes:

The first basic American affirmation is the existence of Almighty God. We made this affirmation with the first breath of the new life of our Republic. In the American Declaration of Independence we proclaimed



that the existence of God is a self-evident truth. We said that God exists: not as a matter of faith but as a matter of fact.<sup>17</sup>

Conservatives believe that free government rests on a definite moral basis -- a virtuous people. Burke believed the natural moral law should be the foundation and framework of all government and that it demands the existence of an intelligible world order. The theory of natural or moral law was developed in the ancient world. Its basic concept was that certain principles of law were inherent in the nature of the universe and manmade law is only a profession of natural law.<sup>18</sup>

It can be well argued that the Constitution of our federal republic was conservative in purpose -- to establish a continuing democracy. Burke defined a constitution as "the engagement and pact of society" to enable man to govern himself.<sup>19</sup> He believed a constitution would provide for more stability and continuity in society than would an authoritarian type of government. The Federalist Papers espouse the belief man can govern himself, but there is no certainty that he will; and free government is possible, but far from inevitable. James Madison wrote:

It may be a reflection on human nature that such devices (restrictions imposed upon the government built into the Constitution) should be necessary to control the abuses of government. But what is government itself but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external or internal controls on government would be necessary. In framing a government which is to be administered by men over men, the greatest

difficulty lies in this; you must first enable the government to control the governed, and in the next place oblige it to control itself.<sup>20</sup>

Conservatives believe it is extremely important to define the purpose of the state to place government in proper perspective. Generally, the purpose of the state evolved from man's desire to secure both security and liberty. Burke described government as a "contrivance of human wisdom to provide for human wants."<sup>21</sup> A twentieth century libertarian, Murray Rothbard, claims the proper function of government is to prevent aggression. Aggression is defined as the initiation of the use of threat of physical violence against a person or property. He reasons every man is free to do whatever he wishes, except commit aggression. Robert Taft believed the purpose of government was "to serve the people and help them become a greater people in the best senses. We want a better people, people of a strong character -- God fearing, industrious, self-reliant, honorable and intelligent."<sup>22</sup> The founding fathers outlined in the preamble to the Constitution why they were establishing the American government: "To form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty."<sup>23</sup>

Conservatives generally agree that the national government has exceeded its constitutional boundaries: its large financial operations give it unprecedented powers, taxation is incredibly high and its activities touch every facet of

American society. Burke believed every political institution should have both a remedial and preventive operation and should dissuade unscrupulous men and women from government service.<sup>24</sup> Today many political leaders have outraged conservatives with the belief and practice that the government can and should do anything "necessary" to make life more comfortable for all. Kilpatrick contends the founding fathers never promised America utopia, all they promised was the right of "pursuit of happiness."

States' rights, the right of each state to void any act of Congress, is an important segment of the conservative interpretation of the Constitution. The Constitutional Convention did not clearly state that the national government did have an indisputable negative upon state laws. Statesmen and theorists debated for years about whether the Constitution was a compact or an instrument of government and it took the Civil War to answer the question.<sup>25</sup> Modern conservatives, however, still believe in states' rights, but believe that it has been destroyed by the federal government.

Arizona Senator Barry Goldwater contends that the Tenth Amendment permits the states to act or not to act in accordance to federal laws. The people of a state, he advocates, should decide if they want money spent in a certain program, not the federal government. Kilpatrick, a strong defender of the states' rights doctrine, sadly concludes this principle of our federal Constitution has been subjected to "constitutional

curiosities."<sup>26</sup>

Conservatives have historically laid the greatest possible stress on the necessity and sanctity of the law. The guarantee of due process of law dates back to England's Great Charter in 1215. The thirty-ninth article of the Great Charter pledged "no freeman shall be taken or (sic) imprisoned or disseised or exiled or in any way destroyed... except by the lawful judgment of his peers and by the law of the land."<sup>27</sup> In Conservatism Revisited, Viereck explains that to the conservative "the 'general laws' must be supreme over the particular ego of any individual of class or state."<sup>28</sup> Simply stated, Viereck is asserting government must be of laws, not of men.

The conservatives are not wholly enthusiastic over our present criminal justice system. William F. Buckley and Barry Goldwater, among others, are enraged because trials take too long, cost too much and can be easily manipulated by the defense. They adamantly claim the Bill of Rights has been "perversely" twisted and they level their charges at the so-called Warren Court of the latter 1950's and most of the 1960's. Conservatives argue law violaters must be punished, the Fifth Amendment placed in proper perspective and trials sped up.

The American way of life is accepted as fundamentally sound by most conservatives. The American dream does not guarantee equality of mental ability or social status. As Robert Taft explained: "It has only guaranteed that a man

who had the necessary qualities might rise in public life and acquire a greater influence, a greater fame, a greater power, than his fellows; that he might rise in material wealth and acquire a greater comfort and luxury, . . . ."29

The American public philosophy should be concerned not only with self-enrichment, but civil responsibility as well.

Burke expounded in Reflections on the French Revolution that all individual are obliged to cooperate and work together to enable the state to function properly. Self-involvement must prevail over the attitude of "let someone else do it," warned Burke, or the will of the people will be replaced by tyranny. In concurrence, Kilpatrick noted that the 1972 presidential election demonstrated Americans still cherish traditional values, the opportunity to get ahead on their own volition, and will not accept social reforms in terms divergent with American thought.

#### "Part Two -- Economic Thought"

In America, democracy and capitalism have uniquely meshed. John Locke, the seventeenth century English philosopher, presented one of the first acceptable syntheses legitimizing private property:

Every man has a property in his own Person. This no Body has any right to but himself. The Labour of his Body, and the work of his hands, we may say, are properly his. Whatsoever then he removes out of the State that Nature hath provided, and Left in it, he hath mixed his Labour with, and joynd it to something that is his own, and thereby makes it his Property.30

Freedom of property was for Burke a natural right existing only in a framework. He believed all men had a right to a fair portion of society if he had the skill and force to achieve it and did not trespass upon others. American colonists generally accepted the premise that private ownership was most efficient and rational in utilizing the land to provide for the best advantages and conveniences of life. In sum, private property leads to personal privacy and personal independence.

In Conservatism In America, Clinton Rossiter explains that conservatives have viewed the government as inherently inefficient. They believe private enterprise can do anything cheaper and faster than the government. The government is also seen as inadequate, because there are natural limitations to collective as opposed to individual action; and unintelligent, because it attracts men unwilling or unable to be successful in the business world. Finally, the government is condemned for being arbitrary, because politicians leave a corrupted effect; and undemocratic, because it is always bent on interfering with liberty, property and equality of opportunity. James J. Kilpatrick reminds us that "The system may not be perfect, but it has given America a reasonably prosperous economy."<sup>31</sup>

Agriculture, the life-line of any economic system, has been the subject of a political tug-of-war between exponents of laissez-faire capitalism and government intrusion. In the

late 1940's and early 1950's Robert Taft argued for restoration of the free farm market for farmers, but he also argued for easy credit to farmers, encouraged the use of irrigation and was a supporter of soil conservation programs. More recently, Barry Goldwater has expressed exhortations against soil conservation and acreage retirement programs. He asks Americans and the government to admit the failure of price-supports and to return to the practice of governmental non-involvement in the agricultural sector.

In theory, conservatives support the spirit of laissez-faire -- no government interference into the private sector. The "ideal" conservative American president, Calvin Coolidge, was reported to have once commented that "The business of America is business." Both conservatives and businessmen praise the government's continuous financial subsidies to business, favorable regulation of business, and legislation appropriate to business needs, interests, and wants. When subsidies to business are cut back, regulations unfavorable to business are enforced, or legislation is passed ignoring business demands, the conservative and business leaders accuse the government of usurping the free-enterprise system. It has also become increasingly true that many businesses, such as the railroads and airlines, do not want the government to completely deregulate business because they fear cut-throat competition. Pure laissez-faire is a delusion because there is an intimate connection between economics and politics.

The government must act as "rule maker and umpire."<sup>32</sup>

Labor does not share an exalted position alongside business in the conservative philosophy. Laissez-faire conservatives have always been especially concerned about the freedom of contract -- the right to buy and sell property or labor. Conservatives have traditionally opposed labor unions because they believed unions denied labor of equality of bargaining power in the market place. Conservatives generally agree, however, that the freedom of labor to strike is essential. Robert Taft declared in 1938 that "Strikes may be a bad thing, but the freedom to strike seems to me essential to the preservation of workmen's rights."<sup>33</sup>

Conservatives also tolerate unions because they are an expression of the freedom of association. Unions have been praised by conservatives for securing economic justice and thereby discouraging state socialism. Conservatives normally, however, castigate unions for encouraging inefficiency, lowering production and raising prices. Kilpatrick often sadly observes that contemporary unionism has acquired a militant spirit. He believes unions have become too powerful and, as a result, irresponsible to the welfare of the whole society.

Federal taxation and spending are two more areas of great concern to most conservatives. The standard conservative position is that taxation is theft -- often theft on



a grand scale! Conservatives point out that only the government acquires its revenues through coercion. Other institutions acquire income either through voluntary gifts or through the sale of goods or services. More recently, however, conservatives have modified their thinking to accept the position that government has a right to claim an equal percentage of every man's wealth. Indeed, Alexander Hamilton believed that a nation deprived of the right of taxation was destined to "sink into the degraded condition of a province."<sup>34</sup> The income tax system, however, is strongly indicted by William F. Buckley in Four Reforms as being unfair, ambiguous, inscrutable and dreadfully complicated. Among several other suggested reforms, Buckley proposes that the Congress eliminate the progressive features of the income tax, permit no exemptions, discard the corporate tax and levy an uniform tax of 15% on all income.<sup>35</sup>

Spending, particularly excessive spending, is seen as equally dangerous. Murray Rothbard points out, in For A New Liberty, that the government does not get its income from the consumer and it does not have to compete to produce a better and cheaper product. Government services are, therefore, inherently inefficient and expensive. Overspending by the national government is seen as a policy which inevitably will lead to bankruptcy, encourage inflation and pile up a tremendous debt for future generations to pay. In short, conservatives believe excessive spending will lead to a curtailment

and possible abolition of personal freedom and represents a threat to the very existence of the American Republic.

The overall economic question is how to maintain prosperity -- this is a perpetual problem. The extreme libertarian advocates pure laissez-faire capitalism, but most conservatives realize our complex and temperamental economy could never flourish under such a philosophy. Yet a planned economy is not the conservative answer because it substracts from self-initiative. The typical conservative offers the following suggestions to restore and maintain prosperity:

- (1) Expand private industry to absorb the labor force;
- (2) Adopt a sound government fiscal policy and balanced budget;
- (3) Encourage the establishment of new industry; and
- (4) Revise the entire tax system.<sup>36</sup>

Americans like to claim they have a free-enterprise economy, but the opposite is true. Kilpatrick indicates one of the greatest American myths is the belief the economy was and is a free-enterprise system.<sup>37</sup>

### "Part Three -- Society"

Edmund Burke viewed society as a contract to form a partnership of endeavor for the common good. In order that man may secure some liberty, he makes a surrender of part of it to society as a whole. To Burke, liberty was a virtue to treasure and to guard, it was not a vice to be misused or

abused. In the same vein, liberty had to be combined with discipline so that all would have some freedom and no one faction all of it.

Equality was not highly valued by Burke because he believed a nation could not exist without a natural aristocracy. A civilized society was to be made up of various orders each with its privileges and all of them represented in the government. "In all societies," Burke expounded, "consisting of various descriptions of citizens, some description must be uppermost."<sup>38</sup> He believed, however, that every man had a right to form and present his own opinion.

Throughout most of American history, the federal government interfered little with the affairs of the states or individual Americans. Recent years, however, have demonstrated a new trend in policy from Washington, D.C. The national government has become increasingly concerned about the welfare of society, and has assumed an almost paternalistic attitude toward the American populace. Such government practice is not novel in history. Edmund Burke warned in Reflections of the French Revolution to try such manipulating of mankind is foolish: "The nature of man is intricate; and therefore no simple disposition or direction of power can be suitable either to man's nature or to the quality of his affairs."<sup>39</sup> Contemporary American conservatives have become equally alarmed over the federal government's spreading power.

Education is deemed necessary for the proper upbringing

of youth, teaching of morals and preservation of civilization. Peter Viereck warns "Our civilization will break down if the school fails to teach the incoming generation that there are some things that are not done."<sup>40</sup> The Constitution left the handling of education to the discretion of the states, one of the reserved powers. In the past, the federal government encouraged public education by legislation such as the Northwest Ordinance and the several Homestead Acts. But in recent years the government has shifted from encouragement to direct involvement. The National Defense Education Act of 1958, and the Elementary and Secondary Education and the Higher Education Acts of 1965 stand as evidence of this activism of the national government in public education. Conservatives vehemently oppose its involvement as unconstitutional and warn that federal involvement has led to federal control.

Senator Goldwater epitomizes the conservative position. He charges federal aid for education is unconstitutional. The 1955 White House Conference on Education disclosed states do not lack the funds to build schools, too many states believed federal money is free money, and federal aid to education will result in federal control of education. Busing, too, has come under the close scrutiny and severe attack of conservatives. They believe busing has not enhanced the quality of education for black or white and that it has increased racial self-consciousness.

Late in 1951, Robert Taft attempted to discourage government tampering with the social relations of whites and blacks: "As long as states provide equal educational facilities for white and colored children in the primary schools, I do not think the Federal Government has the constitutional power to require a state to change its established system of education."<sup>41</sup> Kilpatrick supplements Taft's line of thought by further invoking the states' rights argument that the states have little obligation to the people outside of providing an adequate education to both blacks and whites.<sup>42</sup>

Libertarians, conservatives who advocate full civil liberties, believe that the mass of the population has been coerced by the government into spending a large portion of their lives in school. They reason each individual has unique abilities and aptitudes and it is, therefore, wrong to force children into an institution which may be unsuitable to them. Furthermore, parents who want to send their children to private schools have a double burden and unmarried people or childless couples are forced to help pay for the education of others. The libertarian position raises many points but their solution to the problem -- to abolish the public school system -- is unacceptable to most Americans because few families can afford to send their children to private institutions.

As Burke explained, all institutions must undergo change

to enable them to exist and schools are surely no exception. Conservatives in this country would like to see control of education pass back to the hands of the states, slowdown the rate of spending, prevent what they term "reverse discrimination," and instruct students to apply what they learn.

Another important cornerstone of society is civil rights. Barry Goldwater insists the issue is not civil rights, but human rights. In The Conscience of a Conservative, Goldwater maintains a civil right is a right that is asserted and is therefore protected by some valid law. Similarly, Burke explained that man's natural or human rights are abolished by society and are replaced by civil or conventional rights. Nevertheless, the continual struggle to secure, protect and enhance the opportunity of equality for all Americans has been conveniently grouped under the heading of "civil rights." The conservative response to most civil rights legislation is negative. The conservative belief is that human prejudices cannot be legislated out of existence. Conservatives, then, are saying civil rights involve the right to discriminate. But the dilemma that occurs is that those discriminated against have no civil rights. Nearly two hundred years ago James Madison expounded that "In a free government the security for civil rights must be the same as that for religious rights."<sup>43</sup> In other words, he believed that the multiplicity of interests must be so numerable that no one major faction can exist to dominate.

Conservatives oppose legislation to give any man who is refused employment the right to sue the prospective employer on the ground that he was influenced by some discriminatory motive or prejudice. Many conservatives, in fact, still have difficulty accepting the 1954 Supreme Court decision of Brown v. Board of Education of Topeka, Kansas. James Kilpatrick best illustrates the conservative belief:

The black man must make his own way. He must not be held back arbitrarily, but he cannot be pushed or shoved or hauled either. The best the white majority can do (and this the South understands) is to get out of his upward path, to give encouragement, to provide help when it is sought, but to stay detached from his intensely personal struggle.<sup>44</sup>

A violation of human rights can be seen in the welfare system of our country. Conservatives castigate taxes for welfare payments as a coercive levy upon the working people of America. Conservatives believe all government welfare and relief programs should be supplanted by private agencies. Conservatives believe it is wrong for the government to force its morals upon all citizens. Welfare recipients are seen as wards of the government who have aborted all self-responsibility. Moreover, the natural extension of the welfare state is seen as the complete regimentation of its people.

American conservatives have periodically supported federal aid for the construction of hospitals and low cost housing. National health insurance has been viewed as a curse, but some conservatives would be willing to grant it to low income families. William F. Buckley has proposed

Congress should appropriate welfare funds to those states with per capita income below the national average. An enduring question to most conservatives is whether the government can support individuals on welfare programs without reducing the standard-of-living of everyone else in the country. Burke cautioned that "all men have equal rights; but not to equal things."<sup>45</sup>

Not only a high standard of life, but a high standard of character is important for the happiness and success of man. The late Senator Taft elaborated on this thought many times:

People cannot be made happy by opportunity and education alone. We cannot legislate them into leadership and equality. They can only secure happiness through their own individual effort. We cannot make their work pleasant and agreeable, because nine-tenths of all work in this world is drudgery and can only be made agreeable by the person who is doing it teaching himself to enjoy the accomplishment of a task, no matter how uninteresting that task may appear to others.<sup>46</sup>

History must make men conscious of the fact that the poor have always been with us and probably always will be.

Perhaps the most precious ideals of a democratic community, as viewed by the conservative, are civil and personal liberties. Burke defined liberty as an equitable and impartial principle; at length he described the peculiar relationship liberty has with obedience and discipline. Liberty had to be combined:

with government; with public force; with the discipline and obedience of armies; with the collection of an effective and well-distributed



revenue; with morality and religion; with morality and religion; with solidity and property; with peace and order; with civil and social manners. . . . without them, liberty is not a benefit whilst it lasts, and it is not likely to continue long.<sup>47</sup>

In Conservatism in America, Clinton Rossiter relates the conservative definition of liberty as "the spirit of laissez-faire."<sup>48</sup> Rossiter explains that this definition is basically economic: the defense of property, other economic rights, and all the "great" liberties are indivisible and are also the ultimate expression of man's struggle to move toward the greatest of all rights -- the right to equal opportunity.

Conservatives believe equal opportunity has been erroneously interpreted as egalitarianism from time-to-time in history. John Stuart Mill, a nineteenth century philosopher, warned the tyranny of kings and nobles may be replaced by the tyranny of the mob if "the inevitable growth of social equality and of government of public opinion should impose on mankind an oppressive yoke of uniformity."<sup>49</sup> A self-defined function of recent American conservatives has been therefore, to test most policies on the touchstone of whether they increase or decrease the liberty of the American people.

Caroline Thomas Harnsberger indicates in her biography of Robert Taft (Man of Courage), that he expressed deep and sincere thoughts on the scope of personal liberty of citizens. To Taft, liberty includes not only the American "Bill of Rights", but the freedom of the individual to choose his own work,

spend his earnings as he sees fit and choose where he desires to live. Liberty is the freedom of thought in the university and in the street, and is the freedom of men engaged in industry to run their business as they think best as long as they do not infringe upon the rights of others. The only limitations on these freedoms should be the few that are deemed absolutely necessary.

Conservatives continuously remind Americans they have a historical tradition of personal initiative to preserve. This is simply the belief that political action must begin on the local level and gradually generate up to the national level. Americans are warned that to rely upon the federal government to do everything for them is to forfeit their liberties and subject themselves to an Orwellian "Big Brother." "Do Americans truly desire a society that is perfectly safe, a society purged of every trace of smog, germs, tough places and sharp edges?" asks James Kilpatrick. "Do we want to live in a beautiful cocoon padded in styrofoam layers of bureaucratic protection? I deny it absolutely."<sup>50</sup>

#### "Part Four -- Defense and Foreign Policy"

Edmund Burke often spoke of the "commonwealth of Christian Europe" and of the "great commonwealth of Christendom." Burke was attempting to lay out the groundwork of a military and diplomatic alliance of the West. He realized "men are not tied to one another by papers and seals. They

are led to associate by resemblances, by conformities, by sympathies."<sup>51</sup> Burke believed a stable international order would not be arrived at through ideological schemes, but through drawing out the harmonies that are potential in the real world of nations.

The central issue in the arena of defense and foreign policy objectives for conservatives is what America's responsibility should be toward the international community. An astute observer of foreign affairs might well know that the arguments are many and diverse. The overriding objective of American foreign policy for over two centuries has been to protect and advance American national interests. Yet America has meandered from policy to policy and principle to principle on how to accomplish this goal. In the midst of this confusion stands James Kilpatrick, who assures us that America is the principle trustee of democracy today.

Although a few conservatives still argue for complete isolationism, most conservatives accept internationalism. The United Nations, however, is seen as a dismal failure; leading figures such as Barry Goldwater have accused America of giving up her sovereignty to the U.N. Ideologies other than democracy have never been readily accepted by most Americans as well as by conservatives. One portion of the conservative element assures us it is our moral duty to destroy communism, while another segment warns us that peace in the world does not depend upon everybody having the same form of

government.

Shortly after World War II, Americans, including the late Senator Robert Taft, began to question the new rising role of the United States in world affairs. The Political Principles of Robert A. Taft, by Russell Kirk and James McClellan, concluded that the Senator feared America might make herself an imperial power with the best of intentions and the worst of results! The Senator foresaw the grim possibility of American garrisons scattered around the world, a complex military establishment, an attempt to force American democracy down the throats of alien peoples, neglect of domestic problems and the decay of liberty at home as America prepared to "guide" the world. Taft termed America, under such possibilities, the "garrison state."<sup>52</sup> He knew America's attempts to rule territories in the past had met with little success and he could hope for little better in the future. Most of Taft's fears were borne out after his death: the relentless purges of the "Red Scare" and McCarthyism, the growth of the so-called military-industrial establishment, the shambles created by the Vietnam War and the disaffection for America by the blacks, youth and poor during the 1960's concerning the long neglected domestic problems.

#### "Part Five -- Summary"

The conservative view is that man is hypocritical, irrational and aristocratic. How can the conservative justify

elevating himself above others; how does he know he is "right" and others misled? Robert Payne's biography of Sir Winston Churchill (Winston Churchill, The Great Man) discloses that one of the heartshattering phenomena Churchill faced in his retirement was to think that the aristocracy he had fought for so long and hard disappeared when the Labour Government came to power after the Second World War. American conservatives believe such has happened to America as she strives to be, for better or for worse, an "egalitarian" society.

Burkean conservatism is based on human nature, freedom and Western religion. He viewed moral law as the base of society and accepted practicality, ordered liberty and a natural aristocracy as necessary for the continuity of society. Government, a contract for the common good, was to allow ownership of property and freedom of religion. English historian David Thompson termed Burke's position as "a complex, balanced system, of politics, of morality of man, in its own right."<sup>53</sup>

American conservatives believe the significant end of government is to ensure that man obeys the law, defends the traditions of society and is able to function within a well regulated liberty. To the dismay of conservatives, the federal government has grown too large and regulative and is encroaching upon the traditional and constitutional rights of the states.

Clinton Rossiter describes three basic groups of conservatives in America today: ultra-conservatives, middling-conservatives and liberal-conservatives. Ultra-conservatives, for example, would prevent further social welfare legislation, dissolve T.V.A., and repeal the income tax amendment; middling-conservatives will consider proposed social welfare legislation, tolerate T.V.A. but cut its expenditures, and lower income taxes; and liberal-conservatives will propose some social welfare legislation, defend T.V.A., and maintain the present income tax level. There is some conservative agreement in the economic sector because basically they agree upon laissez-faire capitalism, but middling and liberal-conservatives accept some regulations on business, and all three groups propose to redress the balance between unions and management by stripping some powers from the unions. This cohesion quickly disappears, however, on defense and foreign policy. Ultra-conservatives want us out of the U.N., would cut off all foreign aid and sharply reduce the President's power of executive agreements; middling-conservatives are uneasy about but will stay in the U.N., reduce foreign spending, and set limitations on the President's executive agreement power; and liberal-conservatives generally support the U.N., support a high level of foreign aid, and do not want to limit the President's power of executive agreements.

James J. Kilpatrick sees the freedom of pursuit of one's own happiness as the overriding theme of the American

experience. Kilpatrick is a believer in keeping with tradition: honoring the family, church and school. He deplores irresponsibility. Kilpatrick is a strong states' righter and is proud of our successful capitalistic system. He would accept some carefully planned and fiscally responsible social welfare programs. He believes all minorities need a minimum of assistance, for they alone must determine their ultimate success or failure. Finally, Kilpatrick sees America as the principle trustee of democracy today. Generally speaking, James J. Kilpatrick can be placed within the conservative mainstream because he does see eye-to-eye with most conservatives on most issues. The next chapter, however, will consider specific issues, Kilpatrick's reactions to them in his newspaper column, and whether he stands up to the postulates of conservatism.

### CHAPTER THREE -- JAMES J. KILPATRICK: A STUDY IN CONTEMPORARY AMERICAN CONSERVATISM

This chapter will examine James Kilpatrick's position on the major social, political and economic issues from mid-1966 through 1975. The philosophic base of conservatism examined in the previous chapter will serve as the yardstick by which to measure Kilpatrick. Kilpatrick's views, as expressed through his newspaper column for this period, will be observed for consistency and whether he stands up to the postulates of conservatism.

#### "Part One -- Government"

As Chapter Two of this paper demonstrated, there is not a single simple definition of conservatism. Perhaps the best approximation of a concise definition of conservatism is Edmund Burke's maxim of preservation through moderate change. Burke believed for any institution to survive it must employ timely and needed changes. In a speech to Parliament in 1783 on the future of the East India Company, Burke exclaimed, "I feel an insuperable reluctance in giving my hand to destroy any established institution of government. . . !" <sup>54</sup>

The resulting problem is that individual conservatives offer different proposals to reform or modify an institution.



The question arises: How can conservatives, starting from the same general principles reach opposite conclusions?

James Kilpatrick explains:

It is part of the nature of conservatives not to be regimented, not to be bound. We are not subjects of King Caucus and were not meant to be. On most issues, we do indeed come out at the same point, but it would be a dull life if it happened every time. 55

The conservative impression of human nature, for example, is generally consistent from one circle of conservatives to another. Burke's Aristotelian-Thomist summation of man as a political animal is generally accepted by most conservatives. Kilpatrick believes most men are followers and they are attracted to each other for the sharing of ideas and for guidance. Kilpatrick has written that most men look for guidance on standards and values; whether they look to religion, academic or the government, most men are followers, not leaders.

Conservatives believe a strong moral law is the foundation of stable free government. To conservatives, this morality begins with God. Clarence Manion believes the existence of God is the first basic American affirmation. Burke, too, concluded the first duty of man is to obey the divine law. He believed man was naturally a religious animal, moral law should be the base of all politics and that God has a supreme dominion over history.

Although conservatives want religion to influence the wheels of democracy, they also want a definite dividing line

between church and state. Burke believed if church and state were combined, freedom of religion would disappear because the people would be compelled by the government to attend a state sanctioned church. Kilpatrick agrees with this line of reasoning. Citing the Supreme Court decision of Engel v. Vitale (1962), which outlawed prayer in school, Kilpatrick explains, "given the facts of the case, the Supreme Court was right, . . . the object was to preserve the great principle of religious freedom."<sup>56</sup>

Kilpatrick has witnessed a declining role of the church as a stabilizing force in society. He sees the reason as the church's insistence on taking controversial stands on such issues as civil rights, the Vietnam War, abortion and other emotional topics. Kilpatrick agrees with Burke when the latter states:

Supposing, however, that something like moderation were invisible in this political sermon: yet politics and the pulpit are terms that have little agreement. No sound ought to be heard in the church but the healing voice of Christian charity. . . . Surely the church is a place where one day's truce ought to be allowed to the dissensions and animosities of mankind.<sup>57</sup>

The eighteenth century English statesman's observation was appropriate for his time, asserts Kilpatrick, and it is appropriate for our time, too.

For a nation to be of laws, not men, a coherent constitution must exist. A constitution, explains Burke, is to prevent "the law of Court Cabal" and to insure "the certainty, clearness, and stability of institutions."<sup>58</sup> The American

Constitution is revered by Kilpatrick. "I have been reveling in the Constitution for 30-odd years," he relates, "and it is like listening to the music of Chopin or reading the plays of Shakespeare. One always finds a nuance, a turn of phrase, or a sudden insight never wholly perceived before."<sup>59</sup> Kilpatrick is well schooled in both the principles and mechanics of the Constitution. Federalism, limited government, separation of powers, states' rights, and justice and administration of the law have all passed under his probing eyes and analytical mind. Many of these virtues of our Constitution have been undermined, he believes, for the national government often grants the state governments no more than a right to go along or to be coerced -- federalism has been undermined!

Limited government and states' rights are two important cornerstones of Kilpatrick's political philosophy; possibly because he is a white Southern conservative. Thomas Jefferson was the earliest espouser of states' rights in American history and John C. Calhoun was the most proficient philosopher of the doctrine. "In theory," explains Kilpatrick, "the states are still individual members of a federal republic, entitled to exercise their reserved powers 'respectively.' The fact is something else."<sup>60</sup> Kilpatrick has assigned the decline in importance of states' rights to urbanization, technology, the Sixteenth Amendment, the natural negativism of mankind and the federal government's actions of giving the state no more

than a chance to go along with federal legislation.

The Constitution is the supreme law of our land because it defines the power of government and lists the rights of the American people. For all practical purposes this is limited government in its finest form and Kilpatrick would add another ingredient when he cries out for:

men (in government) of self-restraint, men of humility, men who understand that the Constitution belongs not to them but to the people. We want 10th Amendment men; who believe that the powers not delegated to the United States by the Constitution, or prohibited by it to the states, are reserved to the states respectively, or to the people.<sup>61</sup>

This strict-constructionist approach to the Constitution also stresses "intention" -- what were the framers intending to say or to accomplish? This is a dangerous position to assume because no two people agree upon the exact intentions of the framers. Indeed, the framers did not entirely agree among themselves. The two finest virtues of our Constitution, explains Kilpatrick, is that it is a written document and that it ensures us the right to be free. He believes the greatest virtue is the right to be free; the balance of powers must always tip toward freedom.

Kilpatrick wants the Constitution to be protected from violators. He believes the old concept of crime and punishment should be preserved in the United States. Punishment must be just, whether it is rehabilitation, treatment, or a prison sentence; it must be fair. Kilpatrick believes all offenses should be punished, but he does not want the punishment to be more harsh than the crime. He also believes

justice must be swift and impartial, and although rehabilitation is a fine goal, other forms of punishment must also be considered.

Despite all the attempts to deter crime and rehabilitate offenders, crime has increased dramatically over the past 25 years. William F. Buckley and Barry Goldwater have pointed out that trials take too long, cost too much and can easily be obstructed by the defense. They vehemently point at the U.S. Supreme Court, during the era of Chief Justice Earl Warren, as the culprit. Kilpatrick adds overpermissiveness of society, constant conditioning to crime through TV, the movies, books and magazines, and handicapped law enforcers as further reasons for the increasing disrespect for the law. Castigating "biased decisions" of the Warren Court in 1969, he said, "Members of the high tribunal are supposed to put their prejudices behind them when they sit down at the bench. They don't."<sup>62</sup> By 1973, Kilpatrick observed that under the guidance of Chief Justice Warren Burger, "We are getting opinions usually marked by stability, solid law, and old fashioned common sense."<sup>63</sup>

It is in the area of respect for and administration of the law that Kilpatrick first breaks away from the conservative mold. In 1973 he voiced strong support for the Neighborhood Legal Services Act, a product of the Office of Economic Opportunity. Although this is a federally sponsored and funded program and is another example of the growing national

bureaucracy, Kilpatrick is more concerned with the preservation of justice in our society than in limiting the growth of the federal government or protecting states' rights. He comments:

In supporting a legal services act, I have been guided by certain principles and observations that seem to me almost beyond dispute. The first is that the concept of equal justice under law is among the greatest ideals of our political system. The second is that our nation has served that concept poorly. Despite impressive improvements in recent years, especially in the appointment of public defenders in criminal cases, we still have two systems of law -- one for the rich, another for the poor.<sup>64</sup>

Kilpatrick contends that a federally subsidized legal aid program should be mainly concerned with redressing this imbalance.

Kilpatrick's impression is that the true meaning of America has somehow been perverted. He believes the most telling phrase in the Declaration of Independence is "the pursuit of happiness." This phrase, advocates Kilpatrick, means Americans have the right to pursue happiness; it does not mean they are guaranteed happiness. The late Senator Robert Taft often remarked that the American dream only promised us that if an individual had the necessary qualities he might attain greater wealth and fame, but nothing was guaranteed us. Kilpatrick sums up, "Those who today view public welfare as a 'right,' or Medicare as a 'right,' misconceive the nature of our Republic's magnificent conception. The great right is a right to be free."<sup>65</sup>

"Part Two -- Economic Thought"

According to conservative American concepts, the regulatory powers of government of the economy should be minimal. Edmund Burke said "Whatever each man can separately do, without trespassing upon others, he has a right to do for himself."<sup>66</sup> Although American free enterprise is often identified as a precept of American conservatism, it is actually an outgrowth of English liberalism. The major difference between the two can be found in Adam Smith's The Wealth of Nations. Smith explains that English laissez-faire calls for the government to erect and maintain certain public works and public institutions. Many conservatives in America, however, would prohibit any government intervention into the economy.<sup>67</sup> The state is to exercise its power only in cases of clear and present danger to the public health, safety, and welfare; any other regulation our society might need should come from the market place. The public and private sectors have worked together for two centuries and although "the system may not be perfect," admits Kilpatrick, "it has given America a reasonably free and a reasonably prosperous economy."<sup>68</sup>

Clinton Rossiter commented earlier that conservatives view government involvement into the economic sector as inefficient, inadequate, unintelligent, arbitrary and undemocratic. The private sector, explained Rossiter, can solve its own problems and correct its own weaknesses if left alone. But the government appears to be insistent on providing aid to the

market place whether it wants it or needs it. James Kilpatrick wholly agrees with Rossiter's summation. The merchant marine, points out Kilpatrick, once America's pride of the seas, is tangled up in federal regulations and featherbedded through federal subsidies. Kilpatrick once termed the proposed Consumer Protection Agency the "worst bill of the year." The bill rested upon the false assumption that all consumers have identical personal and economic interests. Perhaps the program most damaging to the economy set up by national government in recent years was that of wage-price controls. Kilpatrick, as well as other conservatives, criticized the Galbraithian policies of deficit spending and easy money for the predicament the economy was in during the early 1970's. Kilpatrick concluded that the Galbraithian cure, wage-price controls, would be worse than the Galbraithian disease. He comments:

Certainly the government must have the power, and use the power, to keep the liberties of the people secure. Law and order have to be maintained; power must be exerted to maintain them. . . . The objection goes to "excessive power," to the power that inhibits and stultifies and finally robs the people of all the uses of themselves.<sup>69</sup>

As most conservatives, Kilpatrick recognizes America does not have a true free-enterprise system. He readily admits that "beyond question, the five or six hundred largest corporations do constitute a dominant force in the economy," but he adds, "this should not be surprising because in the course of the last fifty or sixty years the American economy has moved from a nation of small towns and innumerable entrepreneurs to huge cities and



multinational corporations."<sup>70</sup> Although Kilpatrick is not completely enthusiastic about this shift in the American economy, he does believe multinational corporations have created thousands of domestic jobs.

Because of his adherence to freedom, Kilpatrick abhors organized labor. He believes unions today are irresponsible to the whole society. Union members place their self-interest above the common good and Kilpatrick believes eventually we will all pay for it. He agrees with Robert Taft that the freedom of labor to strike is essential because "the right to strike cannot be denied without imposing some degree of involuntary servitude upon free men."<sup>71</sup>

Taxation is another concern to conservatives. Typically conservative on this issue, Kilpatrick almost violently opposes any significant tax increase. In 1967, he castigated President Johnson for asking for nearly a 5.8 billion dollar increase in new revenues. To the further dismay of Kilpatrick, not only did Johnson ask for a raise in taxes, but nearly every nickel of it was appropriate for nondefense programs. The seventies failed to release Kilpatrick from his agony, for under President Nixon the income tax became larger and larger.

Kilpatrick joins ranks with William F. Buckley in criticizing progressive taxes. Kilpatrick points out that the rich and the poor pay the same tax on cigarettes, alcoholic beverages, gasoline and automobiles; but income is not taxed uniformly. He argues that unfair and high taxes "reduces the individual, and

the taxes he pays, to insignificance;" yet sadly acknowledges there is no easy path to reforming our tax system.<sup>72</sup>

Not only are taxes too high, but according to Kilpatrick, the government is also guilty of excessive spending. He agrees with Murray Rothbard that the government does not have to compete to produce better and cheaper products. Throughout his columns, Kilpatrick has attacked many government programs for costing too much. In a 1970 article he indicted the S.S.T. as too expensive, too noisy, that it would make fewer trips and carry fewer passengers than conventional jets, leaving its only virtue greater speed. In 1967 and again in 1971, he criticized the Congress for appropriating thousands of dollars for the arts and humanities. In addition to being costly, such spending is not even constitutionally sanctioned in his judgment.

The postal service is specifically delegated to the federal government in the Constitution. Although Kilpatrick is a strict-constructionist, he agreed with Postmaster General Lawrence O'Brien in 1967 that the debt ridden Post Office Department should be turned over to a non-profit corporation operated by a board of directors and managed by a professional executive appointed by the board. "The proposal makes so much sense," wrote Kilpatrick, "that it has no present prospect of ever being adopted."<sup>73</sup> In this instance, Kilpatrick has once again broken away from the conservative mold.

Kilpatrick has voiced concern about the wave of socialism that is slowly creeping over the country. He believes the lines

which once clearly divided private interests from public interests have eroded and the Fifth Amendment guarantee that no person can be deprived of his property without due process of law now has offers little in value any more. Writing four years later in a column entitled "Devaluation of Freedom," Kilpatrick addressed what he calls the "myth of free-enterprise:"

Men live by truths, when men can find them. But ordinarily we live by myths, and these we often cherish more than truths. No article of faith has been clutched more fiercely over these past 200 years than the doctrine of risk capitalism in a competitive market-place.<sup>74</sup>

### "Part Three -- Society"

The Preamble of the federal Constitution says the central government will "promote the general welfare." Exactly what this ambiguous phrase means has engrossed the minds of scores of scholars. Conservatives have traditionally argued the federal government was limited to those powers and responsibilities delegated to it by the Constitution. James J. Kilpatrick contends the national government's role in the society is limited: to sufficiently educate children so they will not be a burden on society, to protect children from serious hazards to their safety, to insure freedom of religion and to protect the rights of a free people to live freely. Conservatives today, however, have become increasingly concerned over the federal government's spreading power.

Education is a good example of the central government's intrusion into society. Kilpatrick agreed with Barry Goldwater when he claimed federal aid and involvement would lead to

federal control. In 1967, Kilpatrick acknowledged the Elementary and Secondary Education Act had accomplished some good, but it had also centralized control of education in Washington, D.C. Federal guidelines operate on the invalid thesis that schools were set up to integrate the races. The most damaging transgression, Kilpatrick states, is that these "proliferating new programs of federally subsidized education are made to fit into the molds created by the Department of Health, Education and Welfare."<sup>75</sup>

Busing is criticized by conservatives for failing to enhance the quality of education and increasing racial self-consciousness. Kilpatrick terms racial-balance busing as state-sanctioned racism. Such busing involves the assignment of children to public schools on one criterion only, the color of their skins. He believes this is exactly what the Supreme Court held unconstitutional in Brown v. Board of Education of Topeka, Kansas (1954). Kilpatrick explains there is something even more insulting about busing-- the assumption black children will be improved if they sit beside white children. He claims nothing in the Constitution demands desegregation as long as the states provide equal education facilities for both white and nonwhite children. Kilpatrick agrees with most conservatives that the states should resume control of education, repeal all compulsory education laws or at least lower them to twelve years of age, go back to the so-called "Three R's," prevent what conservatives term "reverse discrimination," and become conscious

of the fact that throwing money at the problems in education will not necessarily solve them.

Although the U.S. Supreme Court had ruled on earlier cases of racial discrimination in America, it is generally accepted that the so-called "Negro Civil Rights Revolution" was initially kicked off by the 1954 Brown case. The conservative response to most civil rights legislation is negative. In fact, many conservatives reluctantly accept the Brown decision; Kilpatrick calls it a perversion of the Fourteenth Amendment. He is more tolerant of the 1965 Voting Rights Act for he recognizes that hundreds of thousands of blacks have been added to the voting rolls and that blacks are running for and winning public office.

Kilpatrick also points at blacks for being partially responsible for their own plight. In response to the "long hot summers" of the mid-sixties, he comments: "misguided Negro hotheads . . . are burning the hopes and prospects of racial reconciliation; they are putting a torch to the structure of unity and understanding that was beginning to arise." He quickly adds "It may be the ultimate irony of the Negro tragedy that a relative handful of Negro malcontents should now be the undoing of their people."<sup>76</sup> A large portion of the problem was that the Negroes did not know how to handle all their recently acquired freedoms and privileges. Once the door to freedom had been cracked open blacks, curious to find out what lay beyond, forced their way through. Nearly two hundred years ago, in a

letter to Sir Hercules Longriske, Edmund Burke deemed it desirable to "prevent men, long under depression, from being intoxicated with a large draught of new power, which they always abuse with a licentious insolence."<sup>77</sup>

Kilpatrick asks Americans to recognize that blacks have made progress. The mere presence of black representatives in the Congress is evidence of change. He looks with pride at the South where the people are beginning to live in harmony with Negroes and accepting the federal mandates from Washington, D.C. In the final analysis, however, blacks must be independent. Agencies such as the Office of Minority Business Enterprise are useful today, but should be discarded tomorrow because the blacks must be free to pursue their intensely personal struggle.

Conservatives believe taxes for welfare payments are a punishment against the working people of America. Kilpatrick is equally vehement toward the welfare dole. Kilpatrick expounds that "the basic idea (of the welfare system) is . . . to prevent potentially employable persons from ever getting on welfare rolls in the first place."<sup>78</sup> He criticizes welfare programs because their costs are soaring instead of declining, rolls are climbing instead of dwindling, and the costs are imposing a heavy burden upon the working people of this country. In addition, most of these programs provide no incentive to get off of them -- just the opposite!

The terms "socialized medicine" and "national health

insurance" carry undesirable connotations to Kilpatrick as well as to most conservatives. In 1967, he acknowledged America's doctors were a long way from being controlled by the federal government, but four years later he lashed out at Senator Edward Kennedy and others of his banner as "ideologues in this sense -- that they tend to abhor the 'private sector' and exhalt the 'public sector,' and they fume with frustration that so much of medicine remains free of public control."<sup>79</sup> By the mid-seventies, Kilpatrick shored up his defenses and interpreted for the public, once again, the powers of the federal government. He explained that these powers are limited and that many problems in society are the personal responsibility of those directly affected. Kilpatrick reminds us that liberals have no monopoly on compassion: "I would hope the concern transcends ideological lines."<sup>80</sup> He agrees with Burke, however, that social inequality is natural and necessary. "It is," he said, "an inequality which the order of civil life establishes as much for the benefit of those whom it must leave in an humble state, as those whom it is able to exalt to a condition more splendid, but not more happy."<sup>81</sup>

There is one particular area of public welfare Kilpatrick supports -- mass transit. Not a popular stand for conservatives to assume, he declares our transportation priorities must be altered to place mass transit over private automobiles. The idea has gathered little support, and he knows it, but he advocates such service could be faster, more efficient and safer.

The first positive step in this area, and applauded by Kilpatrick, occurred with the 1966 creation of the Department of Transportation. He speculated on the great opportunities ahead, but he warned that the Cabinet-level agency could become another bureaucratic mess.

Civil and personal liberties are considered the most prized premium of democracy by conservatives. Burke revealed liberty as having a necessary relationship with obedience and discipline and Rossiter described it as man's ultimate expression to move toward the right of equal opportunity. Kilpatrick indicates that liberty lies:

within certain limitations, a free people should be just that: free. What are these limitations? They are the limitations fixed by the impact of my conduct on your rights. As a general proposition, conservatives hold that no human conduct should be prohibited by law unless that conduct causes positive harm to the innocent bystander or to society as a whole.<sup>82</sup>

Kilpatrick applied this philosophy throughout the late-sixties and early-seventies to the campus riots. He believed the rights of students who wanted to learn and teachers who wanted to teach should be defended against those who wanted to riot and demonstrate. The proper prosecution would expel rioting students, fire participating professors and prosecute those involved not enrolled as students or hired as teachers. Kilpatrick vehemently denies the young revolutionaries of today parallel the young revolutionaries of 1776. "These are not young Jeffersons," he states, "some of them are cradle Hitlers, whose sandaled feet are waiting to be shod."<sup>83</sup> In conclusion, Kilpatrick



explained that militants preach freedom of speech, but practice authoritarianism. As Karl Hess once said it is this authoritarianism that binds all leftist groups.

Other areas of civil and personal liberties that have drawn attention in recent years are pornography, gun control, decriminalization of marijuana, conscription, draft evasion and the right to privacy. Kilpatrick declares the First Amendment provides no protection for "hard-core pornography in the name of the free speech, any more than it has to tolerate heroine addiction in the name of personal liberty or noxious weeds in the name of property rights."<sup>84</sup> He argues obscenity dehumanizes the purpose of human beings and exploits passions and sensation; therefore, it is harmful to society. Reverting to states' rights, Kilpatrick whole-heartedly supports the Supreme Court decision of allowing each state to define their own guidelines for regulating pornography.

Kilpatrick adds credence to the proposal there should be gun control. Stepping out of the traditional character, he quickly rebuffs the Second Amendment argument by conservatives and gun lovers by pointing out the right to keep and bear arms applies only to the militia. Kilpatrick offers a list of reforms on this particular issue:

- (1) Prohibit mail order guns;
- (2) Limit the sale of concealable weapons;
- (3) Limit the importation of foreign-made guns;
- (4) Prohibit the sale of bazooka and anti-tank guns;
- (5) Protect gun collectors; and
- (6) Do not place cumbersome controls on the average hunter.<sup>85</sup>

Kilpatrick solemnly signals for a call to action and rests his

case on a set of figures sadly claiming the death of dozens of police officers and thousands of other additional homicides every year.

In a 1972 column entitled "A Conservative View of Pot," Kilpatrick abandoned the typical conservative position concerning marijuana. He argued marijuana laws "have to be justified in terms of the harm that marijuana causes, not to the individual, but to society."<sup>86</sup> Research has demonstrated that marijuana slows certain physical reactions and that it can possibly lead to harder drugs. But Kilpatrick believes no proof has been introduced that convincingly demonstrates marijuana constitutes a hazard to society; therefore, decriminalization of marijuana should be the first step toward reform of laws governing its use. "The right of men -- that is to say, the natural rights of mankind -- are indeed sacred things;" expounded Burke, "and if any public measure is proved mischievously to affect them, the objection ought to be fatal to that measure."<sup>87</sup>

Military conscription generated intense philosophical disputes in American society during the Vietnam War, and its critics denounced it as unconscionable violation of personal liberty. Kilpatrick sounded much like his liberal opponents when he castigated the present draft system (1970) for being unfair to youths who could not escape the risk of service by college deferments. He self-righteously would, however, punish all Vietnam draft evaders. His reasoning appears contradictory,

but Kilpatrick claims "the object is not to be vengeful, the object is simply to be just." For everyone who evaded, someone else had to take his place and many of them died or were wounded. "The most elementary justice demands that evasion and obedience not be regarded as equal at law."<sup>88</sup> Citizens cannot be allowed to choose the wars they will fight in, Kilpatrick remarks, for anarchy will result.

Finally, Kilpatrick discerns no real threat in safeguarding individual privacy, but he is lenient on the scale of "snooping" business and the government should be allowed. Schools and hospitals need to compile and maintain adequate records. The government should not be completely closed off from all private information, rather the government should be tightly restrained as to the use that can be made of such materials. Kilpatrick would allow the government -- within strict regulations -- to protect the citizen against fraud, mislabeling and serious danger. "But this function ought to be severely limited. Government was not meant to be the one Great Nannie of us all to hold our hands, blow our noses, and tie down our little mittens." He exclaims, "at some point responsibility has to be personal!"<sup>89</sup>

#### "Part Four -- Defense and Foreign Policy"

Conservatives are somewhat split as to the proper role of America in world affairs. All agree that the guiding principle should be to advance America's interests. The problem

lies in how this should be accomplished; whether those interests can be advanced through isolationism or internationalism. Since the close of the Second World War most conservatives have come around to accept American involvement in the world. James J. Kilpatrick has also accepted internationalism as the best possible alternative for America. He both clearly and boldly expressed America's "responsibility" in the realm of foreign policy when he wrote "Americans of the 20th century are the principle trustees of political concepts that date at least from the Magna Carta and in other forms from Ancient Greece."<sup>90</sup> He advocates a strong defense and an aggressive foreign policy designed to enhance freedom and to suppress Communism throughout the world. Kilpatrick described the Vietnam War as part of the perennial struggle to preserve Western values. In 1969 he castigated Vietnam War demonstrators for their irresponsible failure to assume the responsibility to protect the Western ideal of freedom. Kilpatrick called the Vietnam conflict, "the war without end," and warned that "freedom can never be finally 'won'. It must be eternally imperiled, externally defended. And the question we have to answer is whether this generation, at this point along the way, surrenders the field to the dark twin of communist aggression."<sup>91</sup> In the end, he concludes, Vietnam will be merely seen as one more step toward the preservation of freedom.

The United Nations was established after World War II to maintain international peace, provide a forum for international

debate, and to perform various international services. Kilpatrick agrees with Barry Goldwater that the U.N. has not kept the peace, has become a rostrum for Third World propaganda, and that the associated agencies could have functioned without the U.N. Kilpatrick protests against American insistence in financially buttressing the U.N. He discloses that within the General Assembly a two-thirds majority is possible by nations with less than 5 percent of the U.N. budget. Of 126 U.N. members, 77 fail to pay their dues and the U.S. now pays for one-third of the U.N.'s regular budget and about 70 percent of its spending overall.<sup>92</sup>

Kilpatrick characterizes the mass of U.N. resolutions as hypocritical. Kilpatrick writes: "A hundred flags, like captive butterflies, still beat their brilliant wings against a chill November wind. The U.N. Building is ablaze with lights. So much work! So much goodness! So much hypocrisy!"<sup>93</sup> He identified U.N. recognition of Taiwan as the representative of mainland China the most glaring hypocrisy of all. Kilpatrick attacks, too, the U.N.'s ostracism of Rhodesia. That country has been omitted from the U.N. because it seceded from the British Commonwealth on its own volition and, as a result, has been labeled a threat to peace. The U.N. is an example of Burke's warning against employing ideological schemes to reach a stable international order. Instead, the harmonies that are potential in the real world of nations should be drawn out. Kilpatrick has concluded that single nations can no longer solve international problems. He would preserve the service functions of the U.N.

The late Senator Robert Taft feared America might make herself an imperial power with the best of intentions and the worst of results. Kilpatrick, too, is alarmed. He fears the U.S., in trying to be everybody's "chum," has become everybody's "chump." He cites as examples America's growing reluctance to stand up to communism, the superficial "normalization" of relations with Red China, and the Helsinki Accords, which he summarizes as "a symbol of Eastern guile and Western innocence."<sup>94</sup> Kilpatrick reminds America that "there comes a time when great powers must behave as great powers."<sup>95</sup>

#### "Part Five -- Conservation and Ecology"

American conservatives historically have not been acutely concerned with ecology and the conservation of natural resources. The popular thought among conservatives was that private enterprise would conserve America's resources and use them in accordance to the economic law of supply and demand. Conservatives have become increasingly concerned with preserving our resources, cleaning up the environment and simply trying to understand the precepts of ecology.

But most conservatives refuse to participate in this movement and are even more belligerent toward involvement of the federal government. Kilpatrick believes the movement for ecology and conservation is a good idea. He warns Americans that even "modest goals will demand heavy sacrifices in money, convenience, and personal freedom; they will demand tough standards and tough

enforcement, higher taxes, higher prices, different priorities in public spending."<sup>96</sup> He breaks away from the traditional conservative mold speaking for public attention and support for the proposition that we clean up our country and conserve our resources. He claims Americans have inherited the house of their forefathers and turned it into a slum.

### "Part Six -- Summary"

This chapter examined specific social, political and economic issues in recent American history. Kilpatrick was observed for consistency and whether he stands up to the postulates of conservatism. Probably the best definition of conservatism is Edmund Burke's preservation through moderate change. Both Burke and James Kilpatrick view man as a political animal needing guidance. A sense of morality in the people is important for the success of free institutions. Kilpatrick, however, desires the separation of church and state. He adheres to the strict-constructionist interpretation of the Constitution. In addition, Kilpatrick is a states' righter and believes in limited government. He believes the "pursuit of happiness" is the ultimate American dream.

Kilpatrick recognizes America's free-enterprise economy is not truly laissez-faire. He is willing to grant the government some regulation of the economy and he believes the power of the unions should be tempered. Kilpatrick fears that the over taxation and excessive spending of the federal government can be the

doom of us all. Furthermore, he prefers the American economy of yesteryear's innumerable entrepreneurs to the present economy of multinational corporations.

Kilpatrick fears the federal government is too involved in the management of society. Education is almost controlled by Washington, D.C. He believes blacks should be left alone to work out their own problems. Welfare is bad because it taxes the working people to support the poor and it subjects all Americans to regimentation. Kilpatrick advocates as much personal freedom as possible within limited guidelines.

In foreign affairs, Kilpatrick sees Americans, to paraphrase the late President John F. Kennedy, as guardians on the walls of freedom. Kilpatrick is alarmed that Americans do not want to assume this role. He fears Americans are apparently withdrawing from the concerns of world affairs.



## CHAPTER FOUR -- CONCLUSIONS

The thesis has provided an examination of contemporary American conservative thought as expressed by one of the nation's leading conservative journalists. The thesis has shown conservatives do not follow a prescribed line of thought. James J. Kilpatrick is a conservative who wanders from the conservative thought in some instances and yet his philosophy is generally consistent.

The thesis demonstrates that conservatism is not a monolithic philosophy. The precise purpose of the state is one of the many areas in which conservatives clash. Government is proposed in its most limited form when Murray Rothbard claims its only function is to prevent aggression against life and property. James Kilpatrick believes the state's role is to ensure "the pursuit of happiness" for all Americans. Both Edmund Burke and Robert Taft view the government as a service agency to provide for human wants. Taft adds, in the vein much like his liberal critics, that the government is to help people improve themselves.

The proper nature of America's economic system is another area of dispute among conservatives. Conservatives have historically toed the line between a laissez-faire and a planned

economy. Conservatives have argued both for and against government regulation of the economy. They tend to support economic regulation of the economy if it is helpful to business, but if a particular piece of regulation is unfavorable to the business community, they declare the free-enterprise system has been usurped. The conservative position on agricultural policy is also nebulous. Robert Taft argued for and Barry Goldwater argued against soil conservation programs. Price supports, too, have intermittently been defended and opposed by conservatives. Kilpatrick considers one of the greatest popular myths is the belief the economy was and is a free-enterprise system.

A final example of conservative discord is over social welfare programs. Burke offered the classic reason why the government should not assist members of society at the bottom of the economic pyramid. He explained that society is complex because it is made up of individuals unique in their own way; every person has his own hierarchy of needs and desires. Burke reasoned, therefore, the best government can do to improve the welfare of society is to leave it alone. Robert Taft agreed wholeheartedly with Burke's argument. Although Taft supported some social welfare programs, he believed leadership, equality and happiness cannot be legislated into individuals; each person must secure those virtues on his own. William Buckley fails to concur with Burke and Taft. He believes the federal government should appropriate welfare funds to states with per

capita income below the national average. Most conservatives, however, generally view taxation for welfare programs as theft and believe welfare programs lower the standard of living for everyone not receiving their benefits.

Chapter Three of the thesis established James J. Kilpatrick as a conservative. Kilpatrick accepts one of the doctrines most prized by conservatives -- states' rights. He probably adheres to the doctrine because he is a white Southern conservative. States' rights has historically been a doctrine of the white South. Kilpatrick defends states' rights by explaining the states are individual members of a federal republic, with a right to exercise their reserved powers when they deem it necessary. As a states' righter, Kilpatrick believes control of education should be returned to the states and allow each state to define their own guidelines for regulating pornography. The importance of states' rights has been on the decline in recent years. Kilpatrick accredits this to urbanization, technology, the Sixteenth Amendment, the natural negativism of mankind and the federal government's actions of giving the states no more than a chance to go along with federal legislation.

Although Kilpatrick is well aware that America does not have a pure free-enterprise economy as many would like to believe, he is a confirmed capitalist. Kilpatrick points out that the five to six hundred largest corporations are a prevailing force in the economy. He prefers the economy of

innumerable entrepreneurs as once was the case in America. Kilpatrick is sure that unions and government involvement are two major drawbacks in the United States economy: unions because they are irresponsible to the economy as a whole; and the government because it had opened a Pandora's Box of ills afflicting the economy.

A final example demonstrating Kilpatrick as a conservative is that he accepts the precept of social inequality. Although he would like for all men to live in a world of equals, he knows it is impossible. Edmund Burke explained that social inequality is natural and necessary and he construed all men have equal rights, but not to equal things. Kilpatrick believes most men are followers, not leaders and men look to one another for guidance. He explains the American dream only guaranteed happiness or success, and some will never achieve it. Kilpatrick believes civil rights legislation is futile because one cannot legislate prejudice out of people and wrong because blacks must learn to help themselves. He also believes that the government's insistence of turning America into an egalitarian society will lead to the regimentation of all the people and John Stuart Mill's "yoke of uniformity." Finally, Kilpatrick, as well as most conservatives, is aware that the poor have always been with us throughout history and probably always will be.

There is not a prescribed line of conservative thought. Kilpatrick is not an exception to this argument; he does waver

from the typical conservative mold in some instances. His support for the Neighborhood Legal Services Act is an example. The program does expand the national bureaucracy, but Kilpatrick supported it because he believed America has poorly served the concept of equal justice under the law; there has been one system for the rich and another for the poor.

Kilpatrick was willing to support a proposal to turn the debt ridden Post Office Department over to a nonprofit corporation. A strict-constructionist, Kilpatrick realized implementing this proposal would abort the constitutional edict of delegating the postal service to the federal government.

Most conservatives have usually supported the contention that the Constitution allows the people to keep and bear arms. Kilpatrick's alarm over the increasing number of deaths of police officers and other homicides is the basis for his defense of gun control. He asserts the Second Amendment applies only to the militia and proposes Congress begin to regulate the personal possession of firearms.

A final example of Kilpatrick's incongruity with traditional conservatism is his concern for ecology and conservation. He wants Americans to regain their pride and help clean up America. He also urges for conservation of all of our natural resources because they cannot last forever. Kilpatrick literally challenges Americans to accept the sacrifices of ecology and conservation. For the most part, Kilpatrick is consistent on his stands and opinions. He constantly reminds the readers of his

columns that freedom is the greatest right of all. He believes Americans should be satisfied with the freedom of pursuing happiness. And Kilpatrick has always defended the idea that the laws should tip toward the freedom of the individual.

Kilpatrick is also consistent in his demands that the federal government keep out of the affairs of the states, economy and the people. He has made exceptions to this rule of thumb, such as supporting the Neighborhood Legal Services Act and gun control, but generally he opposes government intrusion. He vehemently opposes a national health insurance program. He castigated the federal government for making a shambles out of the merchant marine and Kilpatrick joins the angry chorus of conservatives demanding that the control of education be returned to the states.

A keen sense of justice is also a consistent philosophy of Kilpatrick. He disappointed many conservatives by supporting the Neighborhood Legal Services Act, but he believed the program was necessary to preserve the concept of equal justice under the law for all. He believes draft evaders should be punished because someone had to assume their place and many of these men were killed or wounded. Kilpatrick explains he did not wholeheartedly accept the draft system's practice of granting college deferments, but he could not condone draft evasion either. Finally, Kilpatrick believes America owes Western Europe the responsibility of preserving freedom. He believes the concept of democracy and freedom dates back to

the Magna Carta and in some forms to ancient Greece. Kilpatrick reasons, therefore, that America's historical duty is to preserve democratic institutions.

The thesis has demonstrated that James J. Kilpatrick can be identified as an exponent of contemporary American conservative thought. Kilpatrick has been placed in the conservative mainstream and analyzed in respect to the major contemporary political, economic, and social issues. Kilpatrick's views have been consistent; he has seldom wandered from the traditional conservative mold.

FOOTNOTES

<sup>1</sup>James Jackson Kilpatrick, personal letter to John L. Heidrick, September 27, 1976.

<sup>2</sup>Ibid.

<sup>3</sup>Ibid.

<sup>4</sup>Ibid., personal letter to John L. Heidrick, August 17, 1977.

<sup>5</sup>Ibid., "The Role of the Press," Emporia Gazette, May 27, 1975, p. 4.

<sup>6</sup>Ibid., "Not the Worst of Times," Emporia Gazette, April 30, 1974, p. 4.

<sup>7</sup>Francis P. Canavan, S.J., The Political Reason of Edmund Burke (Durham, North Carolina: The Duke University Press, 1960) p. ix.

<sup>8</sup>David Thompson (ed.), Political Ideas (London: C.A. Watts and Company LTD., 1966) p. 131.

<sup>9</sup>Canavan, p. 85.

<sup>10</sup>Ibid., p. 15.

<sup>11</sup>Ibid., p. 178.

<sup>12</sup>Ross J.S. Hoffman and Paul Levack (eds.), Burke's Politics (New York: Alfred A. Knopf, 1949) p. xxxvi.

<sup>13</sup>Canavan, p. 88.

<sup>14</sup>Edmund Burke, Essays (London: Ward, Lock and Company, date not available) pp. 19-23.

<sup>15</sup>James MacGregor Burns, Roosevelt: The Lion and the Fox (New York: Harcourt, Brace and Company, 1956) p. 235.



<sup>16</sup>Alexander Hamilton, James Madison and John Hay, The Federalist Papers (New York: Mentor Books, 1961) p. 231.

<sup>17</sup>Clarence Manion, The Conservative American (Shepherdsville, Kentucky: Victor Publishing Company, 1966) p. 197.

<sup>18</sup>Alfred H. Kelly and Winfred A. Harbison, The American Constitution, Its Origins and Development (New York: W. W. Norton and Company, Inc., 1970) p. 36.

<sup>19</sup>Burke, p. 19.

<sup>20</sup>Hamilton, Madison and Jay, p. 322.

<sup>21</sup>Burke, p. 35.

<sup>22</sup>Caroline Thomas Harnsberger, A Man of Courage, Robert A. Taft (New York: Wilcox and Follet Company, 1952) p. 133.

<sup>23</sup>Ibid., p. 1075.

<sup>24</sup>Hoffman and Levack, p. 20.

<sup>25</sup>Kelly and Harbison, p. 145.

<sup>26</sup>James Jackson Kilpatrick, "States Rights No More Than Constitutional Curiosities," Kansas City Times, April 9, 1970, p. 15D.

<sup>27</sup>Ibid., p. 504.

<sup>28</sup>Peter Viereck, Conservatism Revisited (New York: The Free Press, 1962) p. 35.

<sup>29</sup>Russell Kirk and James McClellan, The Political Principles of Robert A. Taft (New York: Fleet Press Corporation, 1967) p. 35.

<sup>30</sup>John Locke, Two Treatises of Government (New York: Mentor Books, 1965) p. 328-329.

<sup>31</sup>James Jackson Kilpatrick, "Getting Ourselves a Commissar," Emporia Gazette, August 15, 1974, p. 4.

<sup>32</sup>Milton Friedman, Capitalism and Freedom (Chicago: The University of Chicago Press, 1967) p. 25.

<sup>33</sup>Kirk and McClellan, pp. 30-31.

<sup>34</sup>Hamilton, Madison and Jay, p. 96.

<sup>35</sup>William F. Buckley, Four Reforms -- A Guide for the Seventies (New York: G.P. Putnam's Sons, 1973), pp. 56-57.

<sup>36</sup>Kirk and McClellan, p. 29.

<sup>37</sup>James Jackson Kilpatrick, "Devaluation of Freedom," Emporia Gazette, August 23, 1971.

<sup>38</sup>Canavan, p. 96.

<sup>39</sup>Hoffman and Levack, p. 305.

<sup>40</sup>Viereck, p. 29.

<sup>41</sup>Kirk and McClellan, p. 75.

<sup>42</sup>James Jackson Kilpatrick, "Freedom Challenged," Emporia Gazette, June 24, 1975, p. 4.

<sup>43</sup>Hamilton, Madison and Jay, p. 324.

<sup>44</sup>James Jackson Kilpatrick, "Riot-Torn North Might Learn From Derided South," Kansas City Star, August 16, 1966, p. 15B.

<sup>45</sup>Burke, p. 35.

<sup>46</sup>Harnsberger, pp. 135-137.

<sup>47</sup>Canavan, pp. 90-92.

<sup>48</sup>Rossiter, p. 186.

<sup>49</sup>Viereck, p. 40.

<sup>50</sup>James Jackson Kilpatrick, "One More Big Brother," Emporia Gazette, September 11, 1973, p. 4.

<sup>51</sup>Hoffman and Levack, p. xxxvi.

<sup>52</sup>Kirk and McClellan, p. 165.

<sup>53</sup>Thompson, p. 132.

<sup>54</sup>Canavan, p. 172.

<sup>55</sup>James Jackson Kilpatrick, "Conservative Disagreement," Emporia Gazette, November 29, 1971, p. 4.

<sup>56</sup>Ibid., "Saying Amen to a Vote in the House," Emporia Gazette, November 15, 1971, p. 4.

<sup>57</sup>Ibid., "Defining the Church's Realm," Kansas City Times, July 14, 1970, p. 11B.

<sup>58</sup>Burke, p. 13.

<sup>59</sup>James Jackson Kilpatrick, "The Enduring Constitution," Emporia Gazette, September 25, 1973, p. 4.

<sup>60</sup>Ibid., "States' Rights No More than Constitutional Curiosities," Kansas City Times, April 9, 1970, p. 15D.

<sup>61</sup>Ibid., "Constitution, Not Social Goals, Guides Strict-Constructionists," Kansas City Times, April 25, 1970, p. 17C.

<sup>62</sup>Ibid., "When Conservatives Take Over the News," Kansas City Star, November 18, 1969, p. 25.

<sup>63</sup>Ibid., "Sensible Court," Emporia Gazette, June 29, 1973, p. 4.

<sup>64</sup>Ibid., "Legal Services: A Good Idea Gone Bad," Emporia Gazette, March 23, 1974, p. 4.

<sup>65</sup>Ibid., "Demands of Freedom," Emporia Gazette, July 3, 1971, p. 4.

<sup>66</sup>Burke, p. 35.

<sup>67</sup>Jerome Blum, Rando Cameron and Thomas G. Barnes, The European World (Boston: Little Brown and Company, 1970) p. 596.

<sup>68</sup>James Jackson Kilpatrick, "Getting Ourselves a Commissar," Emporia Gazette, August 15, 1974, p. 4.

<sup>69</sup>Ibid., "No Tears Over Packaging Bill," Kansas City Star, September 19, 1966, p. 28.

<sup>70</sup>Ibid., "Galbraith's Myopic Economics," Kansas City Star, July 24, 1967, p. 25.

<sup>71</sup>Ibid., "Ancient Issues in Airlines Tieup," Kansas City Times, July 29, 1966, p. 31.

<sup>72</sup>Ibid., "So the Tax Take Goes Up and Up," Kansas City Times, January 28, 1967, p. 14C.

<sup>73</sup>Ibid., "Postal System Held in Web of Bureaucracy," Kansas City Times, April 11, 1967, p. 36.

<sup>74</sup>Ibid., "Devaluation of Freedom," Emporia Gazette, August 23, 1971, p. 4.

<sup>75</sup>Ibid., "Untruths Help Beat Federalism," Kansas City Star, May 27, 1967, p. 14.

<sup>76</sup>Ibid., "Woe in Extremism on Free Fronts," Kansas City Times, July 21, 1966, p. 16D.

<sup>77</sup>Canavan, p. 170-171.

<sup>78</sup>James Jackson Kilpatrick, "Better Idea in Welfare," Emporia Gazette, June 1, 1971, p. 4.

<sup>79</sup>Ibid., "A Kind Word for the Doctors," Emporia Gazette, September 2, 1971, p. 4.

<sup>80</sup>Ibid., "Why A 'Nutrition Policy'?", Emporia Gazette, July 5, 1974, p. 4.

<sup>81</sup>Canavan, p. 96.

<sup>82</sup>James Jackson Kilpatrick, "A Conservative View of Pot," Emporia Gazette, December 3, 1972, p. 4.

<sup>83</sup>Ibid., "Radical Youth -- Then and Now," Kansas City Times, May 2, 1970, p. 17C.

<sup>84</sup>Ibid., "Pornography and Common Sense," Emporia Gazette, July 7, 1973, p. 4.

<sup>85</sup>Ibid., "Gun Control Debate Is On Again," Kansas City Times, January 19, 1967, p. 14D.

<sup>86</sup>Ibid., "A Conservative View of Pot," Emporia Gazette, December 3, 1972, p. 4.

<sup>87</sup>Hoffman and Levack, p. xvi.

<sup>88</sup>Ibid., "Not to be Vengeful; to be Just," Emporia Gazette, February 13, 1973, p. 4.

<sup>89</sup>Ibid., "Farewell to the Bloopy Dog," Emporia Gazette, January 8, 1974, p. 4.

<sup>90</sup>Ibid., "Decline of the West," Emporia Gazette, March 8, 1975, p. 4.

<sup>91</sup>Ibid., "The War Without End," Emporia Gazette, February 16, 1971, p. 4.

<sup>92</sup>Ibid., "U.S. Money Bags Butress the U.N.," Kansas City Star, February 10, 1970, p. 25.

<sup>93</sup>Ibid., "Sound and Fury: Signifying What?," Emporia Gazette, November 20, 1971, p. 4.

<sup>94</sup>Ibid., "The Baskets of Helsinki," Emporia Gazette, August 1, 1975, p. 4.

<sup>95</sup>Ibid., "Give Up the Canal? No!," Emporia Gazette, January 8, 1975, p. 4.

<sup>96</sup>Ibid., "Putting a High Price Tag on the Better Life," Kansas City Times, February 2, 1970, p. 23.

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