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PIETAS

A Journal of Tradition, Place, and Things Divine

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A Founding not Liberal, but Conserving

F. Cooper Adamo

Many of those who celebrate the two hundred and fiftieth anniversary of American independence this year will be tempted to parade independence as a radical separation from the *antiquated*, but this sort of celebration is an unfortunate, entrenched obfuscation of the *Spirit of '76.* Recapturing that true spirit is all the more important as it faces undo criticism from not only the Left but also the Right in recent years. Among the Right is an accusatory sentiment against the American founding generation, replacing one of patrial homage. The spirit of this piece is to capture the substance of the American founding, the Spirit of '76, which was not a radical offshoot but a branch in continuity with the venerable.

Criticism of the American founding has always been present. Many have wondered how licit the events of 1776 were. Was it too bellicose? Were the societal forms that it preserved or established too strange? Skepticism did not start with Patrick Deneen's critical work, but since the publication of *Why Liberalism Failed,* it has become increasingly popular. Postliberalism and its fellow travelers, as a result, have gained much traction in the realm of intellectual conservatism. Liberalism is the usual object of ire for the postliberal, integralist, national conservative, common good constitutionalist, and East Coast Straussian. To be more specific, members of these loose-knit groups, in their attempts to understand wherein lies the fault of America's moral, governmental, societal, and economic problems, condemn the American founding for instituting a liberal order to the detriment of the American people.

The fundamental question for one reflecting on the Spirit of '76 is whether the American founding was *good*. The challenges of a growing reign of isolated individualism, libertine morals, majoritarian tyranny, harmful market practices, state-coerced markets, and engulfing centralization in America certainly did not materialize *ex nihilo*. Was the American founding at the root of today's difficulties, or were these Western and American trends, as some scholars have argued, the product of the more radical French Revolution? While this paper will not explore the plausible causes of these challenges, it does suggest that painting all Western revolutions with the same broad brush opaques the truth of the matter, and that it

is arguably more productive to trace certain revolutionary ideals (and their outcomes) in the West generally to the socialistic derivatives of the French Revolution or the statist codifications of Napoleonic jingoism. The causes of America's current difficulties may more likely be related to the rash majorities formed in colossal electorates, the turning of the Declaration of Independence into an ideological tract, and the erosion of federalism. As monarchies should be wary of tyrants, republics should worry about the tyranny of the majority, particularly when those majorities are captured by ideology and efface the spheres of sovereignty. In finding solutions, Americans should not sacrifice the republic for fear of mob rule, liberty for fear of ideology, nor federalism for fear of anarchy.

This paper forwards a *positive* approach for defining the founding that is simultaneously a *negation* of the liberal characterization expounded by postliberals. Their *positive* approach is also their direct definement of the causes of today's ills, but as previously stated, exploring plausible causes of these ills is not this paper's purpose. This paper will first give a brief overview of liberalism, conservatism, and ideology, before demonstrating the conservative aspects of the founding using a few key figures and secondary sources. After that, it will use the Declaration of Independence as a device for exploring the conservative character of the founding, as interpreted through both the minds of the drafters and the hearts of the delegates who represented their states' constituents. Indeed, the most contentious section of the Declaration reveals a fundamental conservatism (and an underestimated classical-scholastic pedigree) that extends far beyond the document to represent the broader mind of the founding. Next, this paper will demonstrate how the select liberal principles of the founding were not stricken by fatal philosophical implications. The paper concludes with an assessment of how the founding in essence is not only fundamentally conservative, but, through its conservatism, adopts the good of liberal philosophy and expels that which would make it erroneous or ideological.

LIBERALISM: SETTING THE STAGE

For postliberals and similar growing circles of the Right, liberalism is the overarching philosophy of the American founding, thus the founding is the progenitor of today's deep-seated problems. Patrick Deneen has perhaps the most accessible thoughts on the subject in his popular book, *Why Liberalism Failed*. Michael Hanby has provided extreme care and

detail on the subject from a more philosophical perspective in his 2021 critique in *New Polity*.[1] One may also look to Andrew Willard Jones and D.C. Schindler for considerate, thorough critiques of liberalism. The common, yet crucial, sub-argument for postliberals and those of similar circles is that if the scientific revolution fundamentally rejects certain cornerstones of Aristotelian metaphysics, which it did, then the liberal political thought that followed in the Enlightenment must be fundamentally flawed. If the metaphysical axioms of liberalism do not recognize forms, standards, purposes, and intentions inherent to man, society, and government, then everything is permissible—to the detriment of personal, social, and governmental life. If all is permissible, then collapse is a virtual mandate of society. Hanby states that liberalism, which "commenced in the seventeenth century and provided the intellectual underpinnings for the republican revolutions of the eighteenth," was part of "a radical *transformation* ... at every level—theological, metaphysical, natural, scientific, ecclesiastical, cultural and sociological."[2] Likewise, Deneen asserts that liberalism's "ascent and triumph required sustained efforts to undermine the classical and Christian understanding of liberty, the disassembling of widespread norms, traditions, and practices."[3] These general formulations of liberalism (and the general critique of it) are not entirely new; one can look to the works of Leo Strauss or to the earlier writings of Joseph de Maistre for similar definitions and arguments.[4]

A liberal order in this light must be a sociopolitical one that is freed from the dictates and demands of nature and God. Under this scheme, there is no essence or purpose beyond what the will of each individual fabricates in pursuit of his own wants; if the person cannot discover the natural law written in human nature, then relativistic morals manifest. Man is free to be whatever he desires in his newfound pride even if he is consumed by greed and loneliness. As a result, liberal society could only ever be a mass of faceless units packed together without any true sense of justice between them. In this society, the weight of

[1] Michael Hanby, "The Birth of Liberal Order and the Death of God: A Reply to Robert Reilly's *America on Trial*," *New Polity* (February 2021): 54–85.
[2] Hanby, "The Birth of the Liberal Order and the Death of God," 69.
[3] Patrick Deneen, *Why Liberalism Failed*, (New Haven: Yale University Press, 2018), 27.
[4] *Liberalism* is widely used in many negative and positive ways. Erik von Kuehnelt-Leddihn, a true polyglot (not to mention a true polymath), considered himself a *liberal*, despite the great overlap in his thought with conservatism. In "The Four Liberalisms", *Religion & Liberty* 2, no. 4 (July 20, 2010), he defined four types of liberalism since the late eighteenth century. This paper does not seek to rehabilitate the word *liberalism*, though such a quest could be worked. For more on Kuehnelt-Leddihn's political thought, see Erik von Kuehnelt-Leddihn, *Liberty or Equality: The Challenge of Our Time* (Caldwell, ID: The Caxton Printers Ltd., 1952).

government looms over all to force each to be totally free, totally leveled, and in conformity to the will of the state. With this denial of human nature in its personal, communal, and purposeful aspects, persons are treated as mere amorphous quanta to be used or discarded.

So many of the problems of the day fit this liberal profile, and this builds toward the postliberals' case that the American founding played a key role in the enshrinement of liberalism. But even if one generally agrees with how liberalism is defined, as this paper does, it does not necessarily mean that the founding is the progenitor of liberalism. It would benefit the Right to explore that generally dichotomous character of Enlightenment political thought, that chasm between the Anglo *John* and the Swiss *Jean*.[5] Roussellian echoes rang across the Continent since the end of the eighteenth century and it is not completely implausible that it made its way to the ears of America's more susceptible at some point—if one is still curious as to the causes of Western and American struggles.

CONSERVATISM: SETTING THE STAGE

Conservatism is best described by Russell Kirk, the father of post-World War II conservatism. His 1953 magnum opus, *The Conservative Mind*, describes conservatism in six observational canons.[6] Conservatism is essentially a disposition of life that embraces a transcendent order of natural law and morality, prudence over innovation, the recognition of mankind's natural variety and unfortunate imperfectability, a healthy adherence to an intertwining of freedom and property, and the wisdom of tradition, prescription, custom, convention, and continuity.[7] This disposition touches all aspects of life for a person, people, country, society, government, and church. A similar description also can be found in Kirk's ten conservative principles.[8] As a loose collection of thought and practice, conservatism is best exemplified by the likes of Edmund Burke, John Adams, Russell Kirk, and M.E. Bradford.

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[5] It would seem that Lockean liberalism in excess would tend toward anarchy, while Roussellian egalitarianism in excess tends toward centralization. The durations of time between Rousseau's work, the French Revolution, and the start of communist movements (i.e. League of the Just) are brief for a reason. There are two roads to go when one denies the sociopolitical form: anarchy or tyranny. The French Revolution and her offspring are decidedly of the latter, grandchildren of Roussellian equality.

[6] Russell Kirk, *The Politics of Prudence* (Wilmington, DE: ISI Books, 1993), 10–11. Kirk's description of the "politics of prudence" gives even more insight into the essence of conservatism.

[7] Russell Kirk, *The Conservative Mind: From Burke to Eliot*, 7th rev. ed. (Washington DC: Gateway Editions, 1985), 8–9.

[8] Kirk, *The Politics of Prudence*, 15–29.

A FOUNDING NOT LIBERAL, BUT CONSERVING

Kirk presents a concept of conservatism that is flexible, yet unwavering, but he is also known for his deep criticism of ideology.[9] Most people today use *ideology* to mean "a well-defined set of political ideas," but Kirk uses it with greater specificity. Ideology is a radical's manifesto for a secular utopia, characterized mostly by fanaticism for its set of abstract political principles that justify social revolution—violent if need be—, the absolute rejection of any deviation from the asserted absolute truth, and ferocious in-fighting marked by destructive purity tests.[10] Ideology is the inversion of religion and the negation of conservatism.

There are many standards flown among intellectual conservatives when it comes to interpreting the American founding. One enduring battle line is between those who praise the American founding as the embodiment of the liberal project and those horrified by this. Both mistake the underlying substance of the founding. The American founding is fundamentally conservative, not liberal.[11] One of the most formidable demonstrations of this comes from Kirk himself, while Michael Lucchese and Mark Henrie have authored fresh reintroductions to his work on the subject.[12] Henrie reminds the modern reader that the events of 1776 did not constitute a *founding*, but rather something uninventive and preserving.[13] In that precise mode, he is careful not to use the word *founding* as it can connote "undue, imprudent novelty" alongside simple "establishment." In concert with Henrie, Lucchese puts forth a conservative interpretation of the Declaration in the Kirkian tradition. This paper uses the term *founding* merely out of convention; still, one may use it to mean a *recovery* of something lost to its rightful owners—or seized through tyranny—but not a novel discovery by way of abstract innovation. In agreement with Kirk, Henrie, and Lucchese, this

[9] Kirk, *The Conservative Mind*, 9–10. Here is an excellent overview of what Kirk finds to be the general form of radicalism since 1790. One can see the ideological in those radical tenets.
[10] Kirk, *The Politics of Prudence*, 5–6.
[11] For a current example, see Jeffery Tyler Syck, "Towards A Conservative Liberalism: John Quincy Adams and the Abolitionist Cause," *Pietas* 2, no. 2 (Fall 2023): 24–50. The phrase "conservative liberalism" may apply to Burke's conserving of English liberty or to someone like Tocqueville—whom Kirk called a "liberal conservative"—, but it tends to muddy the waters because the founding was predominantly conservative, and only upon this basis may the effects of its few liberal principles be properly assessed. Only the recovery of this conservatism is necessary to rebut postliberal criticism.
[12] Russell Kirk, "A Revolution Not Made, but Prevented," in *Rights and Duties: Reflections on our Conservative Constitution* (Dallas, TX: Spence Publishing Company, 1997), 47–60.
[13] Mark Henrie, "Russell Kirk's Unfounded America," *Modern Age*, February 12, 2025; Michael Lucchese, "Russell Kirk's Revolution of Memory," *National Affairs* 67 (Summer 2025).

paper presents a conservative interpretation of the American founding, for it is a recovery of the founding, an inheritance of '76, that marks the modern intellectual conservative task.[14]

The American founding is conservative in two ways. It is conservative in that it was a reaction against the innovations of Great Britain, and that it sought to conserve a way of life with venerable characteristics—those captured in Kirk's six canons and ten principles. It is not the case that the founders either conserved radical liberation doctrine or established something new and radical.

CONSERVATISM OF THE FOUNDERS AND OF THE FOUNDING

In a brief treatment, it is impossible to provide a full scholarly assessment of the founders' way of life. But it is possible, through a swatch of broad strokes, to provide a glimpse into the period's conservatism alongside appeals to authoritative scholars. Proper interpretation of the founding is situated in the halls of history, not in oft-specious philosophical formulae. Through an initial historical approach, it is less likely that *une fausse idée claire* might supplant an accurate presentation of the ideas truly present and active surrounding 1776, implicit or explicit. All else is an imagined past. To use the language of analytic philosophy, these sorts of assertive illusions are formally valid, but ultimately unsound. And so this brief survey will focus on the conservative disposition of some of the American founders with respect to the first and most important canon of conservatism: "Belief in a transcendent order, or body of natural law, which rules society as well as conscience."[15] Pursuing the flourishing of ethics and politics, this canon invokes both holy dictates from on high and intimate whispers of the heart. It is fundamentally opposed to liberalism's *errors* and especially opposed to liberal *ideology*. While there is abundant evidence that *all* of the conservative canons and principles were present in the founding, this section will provide a focused demonstration of the first canon.

Kirk takes John Adams to be an exemplary figure in the conservative tradition because his home was just law, prudential government, and a transcendent order. A few years after the War of Independence, Adams wrote that the U.S. Constitution "was made only for a

[14] For a curated look at topics concerning America and the founding—from a conservative perspective—, see Russell Kirk, *On America: How to Understand the Legacy of 1776*, edited by Michael Lucchese.
[15] Kirk, *The Conservative Mind*, 8.

moral and religious people. It is wholly inadequate to the government of any other."[16] Likewise, John Dickinson from Pennsylvania, known for his prudent, even if miscalculated, stance against declaring independence—thinking it to be too hasty an action—, wrote regarding the 1766 Stamp Act that "[kings] or parliaments could not give the rights essential to happiness.... We claim them from a higher source—from the King of kings, and Lord of all the earth."[17] Looking to Virginia, the de facto leader of the colonies at the time, Patrick Henry, who famously but perhaps imprudently said, "Give me liberty or give me death," also said in 1799 that the "great pillars of government and social life [are] virtue, morality and religion": they are "the armor ... that renders us invincible."[18] Men like Adams, Dickinson, and Henry are more representative of the Founding than Jefferson, Paine, and Franklin. There is a plausible argument to be made that Jefferson and Franklin were not as radical as is often described. For example, while Jefferson could be very liberal philosophically, he "had half a mind to be a conservative—and sometimes more than half a mind for it."[19] Moreover, a correct interpretation of the Declaration of Independence must begin with the conservative character of the delegates to the Continental Congress of 1776. They were not outliers; most of them "had held public offices or at least had directed and led many of their fellow-citizens."[20] They were not ignorant of nor alien to those whom they represented. In the words of Kirk, "the members of the Continental Congress were a different breed from the members of revolutionary France's National Assembly."[21]

While the founders and founding certainly had a conservative character, thinkers like Kirk, Bradford, and Daniel J. Boorstin have shown that the founding was also a conservative response to preserve the American colonial societies' mores and moods. Kirk rightly sees that "the American Revolution was not an innovating upheaval, but a conservative restoration of colonial prerogatives.... [The] colonials felt that by inheritance they possessed the rights of Englishmen and by prescription certain rights peculiar to themselves."[22] In the same vein,

[16] John Adams to Massachusetts Militia, October 11, 1798.
[17] John Dickinson, *An Address to the Committee of Correspondence in Barbados* (Philadelphia: William Bradford, 1766), 4.
[18] Patrick Henry, *Patrick Henry in his Speeches and Writings and in the Words of his Contemporaries*, ed. James M. Elson Lynchburg, VA: Warwick House Publishers, 2007), 176.
[19] Kirk, *The Conservative Mind*, 73.
[20] Russell Kirk, *The Roots of the American Order*, 3rd ed. (Washington DC: Regnery Gateway, 1991), 414.
[21] Kirk, *The Roots of the American Order*, 414.
[22] Kirk, *The Conservative Mind*, 72.

when speaking of the American founding, Bradford states that the American War of Independence "was a revolution to conserve a known regime, not an attempt to create out of whole cloth an 'empire of reason.'"[23] Likewise Boorstin, who does not always conform to the general conservative mold, finds that the "most obvious peculiarity of our American Revolution is that, in the modern European sense of the word, it was hardly a revolution at all."[24] For all three minds and works, the American founding both enacts a conservative effort and lacks radical change. One might also look to the works of Willmoore Kendall, George W. Carey, Barry Alan Shain, Forrest McDonald, and H. Trevor Colbourn for additional sober analyses of the American founding period.

The Declaration of Independence should be viewed through the lens of conservative form—a reaction to preserve a way life. Whether in praise or condemnation, the Declaration is often treated more like a set of commandments than an important document. But praise for the Declaration need not be worship, and proper praise begins with proper understanding. Correctly interpreting the Declaration will both reveal where today's problems do *not* lie and open the door to where the real solutions wait. The true character of the founders, founding, and colonists generally will unveil the Declaration's conservative substance. It is not the case that liberalism masks itself with a conservative facade.

ON THE CONSERVATISM OF THE DECLARATION OF INDEPENDENCE

When critics, like some postliberals, condemn the American founding, they are quick to blame the Declaration of Independence. It either contains the seed of radicalism or is the first step toward total severance from the good. For them, it is the progenitor of today's radical equality, licentious liberty, and totalizing state. Though the Declaration is more than its pithy introduction, these critics treat its first seven sentences as a philosophical treatise. They find in certain words like *liberty*, *equality*, and *rights*, the tenets of radical ideology or the dormant curses of liberalism. But neither is the case.

The few liberal principles of the Declaration and founding are liberal insofar as they were prioritized in the Enlightenment. Yet postliberal critics miss two things with respect to this partial liberalism: the historical and philosophical context of those few principles, and the

[23] M.E. Bradford, *A Better Guide Than Reason: Studies in the American Revolution* (La Salle, IL: Sherwood Sugden & Company, 1979), xi.
[24] Daniel J. Boorstin, *The Genius of American Politics* (Chicago: The University of Chicago Press, 1958), 68.

relationship between those principles and conservatism (this latter concern will be explored later). As a correction, a careful reading of three phrases of the Declaration will reveal the conservative nature of the document, the founders, and American society. For each, the drafters' mind (usually that of Thomas Jefferson) and the hearts of the delegates (the representatives of the colonies-to-be-states) will be presented. While the aim is to demonstrate the founding's conservatism by way of the Declaration's introduction, that short text should not be confused with the whole of 1776; the scope and influence of the founding's conservatism reach far beyond mere words.

"LAWS OF NATURE AND OF NATURE'S GOD"

On its face, the phrase "the Laws of Nature and of Nature's God" appears to be Jefferson's deism on display. Critics argue that there is an unbridgeable gap between classical "natural law" and modernist "laws of nature," between "the Lord God" of Christianity and "Nature's God" of the Enlightenment. But if one considers that the Declaration was not only an address to Great Britain but also to the French court, one sees that this language was rhetorical: a way to entice French support by speaking the language of the *philosophe*. In another example, the word "Legislature" was used instead of "Parliament" in order to speak to a non-Anglo audience; a sympathetic listener beyond the commonwealth is a potential ally. This rhetoric was not lost on the delegates. Robert Henry Lee, who made the motion for a resolution to declare independence, also included in the motion to "take the most effectual measures for forming foreign Alliances" and this sort of language is in service of that aim.[25] The first two paragraphs of the Declaration did not constitute a radical philosophical divorce, but the practical use of language for tangible goals, especially the goal of attracting foreign allies.

In addition, those who accuse this phrasing of being deistic fail to mention that the Declaration of Independence ends with the phrase, "with a firm reliance on the protection of divine Providence." The god of deism does not provide, but the Lord does. Though drafts are not the final say, before the descriptor of "unalienable" was used to describe the colonists' rights, "sacred" was first used by the deistic Jefferson. The delegates were certainly more conservative in disposition and thought than Jefferson, so when they imparted their

[25] *Journals of the Continental Congress, 1776–1789,* ed. Worthington Chauncey Ford, 34 vols. (Washington, DC: Government Printing Office, 1906), 5:425.

legitimacy upon the phrasing as signing delegates, it is clear that "Laws of Nature" and "Nature's God" is closer to "classical natural law and the Lord God" than to "classical mechanics and a supreme being." This classical and Christian understanding is commonplace for the American founding and colonial societies.[26] Certainly then, this phrase is conservative in nature alongside the prudent and effective statesmanship that breathed life into it.

"ALL MEN ARE CREATED EQUAL"

Jefferson the drafter did not suppose all people are political equals or even equal in all respects. While his scope of suffrage was broad for the eighteenth century, it is considered limited by today's standards, revealing that he was not advocating for radical political equality.[27] While he abhorred the institution of slavery, Jefferson did not advocate for wide social equality precisely because he was a slaveowner. Contrary to today's anachronistic readings of "all men are created equal," Jefferson reveals his inegalitarian views when writing to John Adams in 1813, stating that the "natural aristocracy ... [is] the most precious gift of nature for the instruction, the trusts, and government of society."[28]

What equality is referenced? With respect to the mind of Jefferson, one must look to John Locke, whose *Second Treatise on Government* posits that "all men are naturally in ... [a] state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another."[29] At first glance, this statement seems individualistic or even anarchistic given it is placed in relation to sovereignty—not so much to physical, social, or moral equality. However, the idea finds its origins in the early sixth century works of St. Gregory the Great, who wrote that "nature has begotten all of us men equals, but, the order of merits varying, the secret appointment sets some above others."[30] This principle of human equality is also found in the Salamanca School of early modern Spanish scholastics, including Francisco de

[26] See Kody Cooper and Justin Dyer, *The Classical and Christian Origins of American Politics* (Cambridge: Cambridge University Press, 2023).

[27] There were contemporaries in the Netherlands, like Rousset de Missy, who did advocate for universal suffrage, notwithstanding the negative effects of imprudent broadening of suffrage at the time as seen in revolutionary France. See Margaret C. Jacob, *The Radical Enlightenment: Pantheists, Freemasons, and Republicans*, 2nd rev. ed. (Lafayette, IN: Cornerstone Book Publishers, 2006).

[28] Thomas Jefferson to John Adams, October 28, 1813.

[29] John Locke, *Second Treatise on Government*, Ch. II, Sect. 4.

[30] Gregory the Great, *Moralia*, Lib. XXI, Moral, Cap. 10, Nunc. N. 22. Note that equality in one respect does not negate natural inequality in another.

Vitoria and Francisco Suárez, who held to equality with respect to the authority of a political society.[31] It is also echoed by St. Robert Bellarmine in *De Laicis.*[32] The political thought of early modern scholastics like Suárez, Vitoria, Mariana, Soto, Medina, and Menchaca fundamentally shaped the ideas of Protestant thinkers like Locke, Hooker, Grotius, Pufendorf, and Sidney, who in turn had varying influence on American founders like Jefferson and Adams.[33]

By *equal* Jefferson did not suppose that all men are equal in all respects. More properly, "all men are created equal" is a terse admission of a political first principle for the establishment of a new governing form. It is not a unique principle to the peoples of the colonies as all societies form with this truth present. To follow the logic of St. Gregory the Great, St. Robert Bellarmine, and Vitoria, all men are similar in that they each possess a soul that is indistinguishable from the soul of any other. But certainly there exist different persons with their own respective bodies. So, while all men are equal in one respect, they are distinct in another. If all are equal, then no man or aggregate group has inherent power over another. Rather, sovereignty is found in the whole *People*, which is greater than its constituent parts, yet not a power to be lorded over those parts. Sovereignty arises from the real sociopolitical form. This formulation reveals the medieval understanding of "consent of the governed," even if the scholastics were neither democratic nor republican; the wise society transfers this power to some prudent form of government implicitly or explicitly. Sovereignty and consent are the resulting first principles of politics that come from the admission—or implicit acceptance—of natural human equality. The Declaration's equality phrase, through the mind of Jefferson, finds its origins in medieval Catholic scholasticism and Protestant legal thought instead of any idea sourced by later French revolutionaries. It is not a principle of radical

[31] Francisco de Vitoria, *Political Writings (On Civil Power* 1. 4. 1.*)*, ed. Anthony Pagden and Jeremy Lawrence (Cambridge: Cambridge University Press, 1991), 11; Francisco Suárez, *Selections From Three Works*, ed. Thomas Pink, trans. Gwladys Williams, Ammi Brown, John Waldron, Henry Davis S.J. (Indianapolis: Liberty Fund, 2015), 430.
[32] Robert Bellarmine, *De Laicis or The Treatise on Civil Government*, trans. Kathleen E. Murphy (New York: Fordham University Press, 1928), 35–36.
[33] Several works cover the influence of the Spanish Scholastics, particularly in the Protestant nations and colonies since the late sixteenth century. See Andrew Fitzmaurice, *Sovereignty, Property and Empire, 1500–2000* (Cambridge: Cambridge University Press, 2014), Alejandro A. Chafuen, *Faith and Liberty: The Economic Thought of the Late Scholastics* (Lanham, MD: Lexington Books, 2003), *Projections of Spanish Jesuit Scholasticism on British Thought: New Horizons in Politics, Law, and Rights*, Jesuit Studies 36, eds. Leopoldo J. Prieto López and José Luis Cendejas Bueno (Leiden: Brill, 2023).

liberalism which demands equality of condition and the relativization (equalization) of good and evil.

As for the delegates of the Continental Congress, the equality phrase was a political principle used to establish a logical, written justification for the purpose of independence, but its main substance had an even deeper meaning. While they believed in an equality under the law, more important to them was an equality in judgment before God and as English subjects of a common empire. Of course, the men of the commonweal are not the whole of humanity, but both meanings of the equality phrase—that *all Englishmen* are equal and that *all persons* are equal—are retained if one speaks to the English government *and* the French court. Delegates and the colonists they represented felt that their rights as Englishmen were not equally recognized by Parliament and the King. The equality phrase was an assertion that they were not inferior to Englishmen in Great Britain. Englishmen on the shores of Albion and in the new world had equal rights rooted in the consequential legal developments throughout Great Britain's history leading up to the events of 1776. The founders and colonists sought to preserve that same British tradition and inheritance.

"THEY ARE ENDOWED BY THEIR CREATOR WITH CERTAIN UNALIENABLE RIGHTS"

There is a strong argument that Jefferson, as drafter, wrote this phrase with respect to the theory of subjective natural rights, be it a concept somehow classically rooted, a liberal fantasy, or an abstract dogma. If the theory of subjective natural rights is one of the two latter, then one could expect conservative critics to assert that the theory as envisioned in the Declaration is both a rejection of the classical understanding of "natural right" and the progenitor of modern emotive "rights." But neither claim is true.

In the classical understanding, a "natural right" meant the good or just thing that a person in society had a duty to give to another. It was an objective right (a good or just thing as an "object"). For the critic, the modern understanding subverted this objective sense, taking "natural right" to be a personal power to be used against others instead of a gift of the good to one's neighbor. It is by the rooting of rights in the subject that selfish, relative claims can develop, for they are subjective and relative, not rooted in objective truth.

Conservatives critical of subjective natural rights theory, like Leo Strauss, Alasdair MacIntyre, Richard Tuck, and Michel Villey, have an incomplete understanding of modern

rights theory in their critiques. How does the conservative critic claim that destructive modern rights come from subjective natural rights? For example, an excessive right, like a "right" to a free college education, is subjective in that the claimant is the recipient subject, but it is obviously objective as well, in that the claimant is demanding an object from another in society. So, the critic blames subjective natural rights theory for modern "rights" because they are subjectively claimed, but, ironically, does not also blame objective natural right theory, even though many modern "rights" are typically about the claim to an object. This little clarification would seem to not extend to subjective rights as powers, however—unless one treats *capacity* as an object to be possessed.

While all that may be true, it does not address the origins of subjective natural rights theory, nor does it disassociate it from the modern rights theory of the liberal order. It would seem that if this theory was a concept specific to the Enlightenment, then it would more than likely lead to modern evils. However, scholarship in the late twentieth century has revealed that the origins of subjective natural rights theory lie not in liberalism but in the thought of the *Decretists* or twelfth-century canon jurists.[34] These thinkers explicitly defined *natural right* as a "faculty" or "power" held by the subject. The Decretists defined natural right in this way over a hundred years before Ockham's time, so the critic cannot say that subjective natural rights theory is derivative of nominalism. It should also be noted that decades before Ockham's intellectual adoption of right as "faculty" or "power," the Dominican Thomist Hervaeus Natalis had already been using *right* in the subjective manner.[35] One could argue for a logical connection between subjective natural right theory and nominalism, but history has shown that there is no necessary causal relationship between the two.[36] The subjective-power formulation is one of several uses of *natural right* that the Decretists explored, so one should not suppose that its subjective and objective formulations are mutually exclusive.

From the twelfth century to the eighteenth century by way of Hervaeus Natalis, William of Ockham, the Spanish Scholastics, and the early modern Protestant legal thinkers, natural

[34] Brian Tierney, *The Idea of Natural Rights: Studies on Natural Rights, Natural Law, and Church Law 1150–1625* (Grand Rapids: Wm. B. Eerdmans Publishing Co., 2001), 62–64.
[35] Tierney, *The Idea of Natural Rights*, 108.
[36] Nominalism as a metaphysical theory argues that universals (such as the transcendental predicates or genera) are merely names of utility and do not constitute any real aspect of the particular beings they describe. It has been argued that this sort of metaphysical premise fosters an unintelligibility of the world, thus inviting a dangerous subjectivity that can only be imposed on objects. Following this, "natural right" loses its sense of justice in favor of imposing one's own subjective powers upon others, for there is no nature or universal governing law to be followed.

rights were continually wedded to morality and duty. Brian Tierney confirms this relationship, arguing that like "most classical rights theorists down to Locke and Wolff they [the Decretists] envisaged a sphere of natural rights bounded by a natural moral law."[37]

If this is true, then postliberal and conservative critics who criticize the subjective natural rights phrase in the Declaration cannot say that they are modern or liberal inventions. The fact that twelfth century canon jurists, thomists, nominalists, second scholastics, protestants, and enlightenment thinkers adopted the language demonstrates that subjective natural rights theory is not necessarily animated by any one school of thought. Modern conceptions of *right* may abuse liberty for selfish evils, but this is not the logical conclusion of the "unalienable Rights" of the Declaration. More likely, excessive modern rights as such were the spawn of the French Revolution and the socialism that immediately developed from it.

The American founders were not speaking of abstract natural rights, but of the rights of Englishmen expounded by Sir William Blackstone and the lineage of the English law. Blackstone's *Commentaries* were standard texts for any lawyer or statesman at the time. The rights of Englishmen claimed by the colonists in 1776 find their origins in the subjective natural rights conceived in the twelfth century. They were situated in and proportionate to a conservative and Christian society informed by duty, justice, and the common good. Subjective natural rights, which have a strong philosophical lineage, were preserved insofar as they were seen as the rights of Englishmen first. Denied these rights as Englishmen, the American colonists lacked all further legal recourse. Thus, the founders in the Declaration appealed to Heaven to secure those innate rights, so that they may live as they had for generations. They conserved rights that were themselves conservative objects, and unlike the abstract rights that would come to haunt France during the French Revolution.

With these clarified ideas of rights in mind, a "right to liberty" is more conservative, Christian, and prudential than liberative, abstract, and unlimited. This critical pursuit of America's limited liberalism was not nurtured by error nor elevated to a radical form. The right to liberty, as the delegates understood, was a right of Englishmen, a very normal object of personal capacity and power.[38] The recitation of these English rights sounds more like a

[37] Tierney, *The Idea of Natural Rights*, 77.

[38] There are divisions of liberty which I can only address with a rough, underdeveloped point at this time. There is *moral* liberty, freedom to act virtuously. There is *operational* liberty, freedom to do things in accordance with the good, where such are not specifically objects of moral action. There is *permissive* liberty, freedom to commit certain sins, allowed out of prudence. Of the three, it seems *operational* liberty was on the forefront of the founders' minds; if one does not

stodgy tune than a novel opus. The delegates simply reiterated what Blackstone had already said decades prior in his commentaries. He refers to "Absolute Rights of Individuals," alongside "absolute duties," yet "absolute" must be read in its context of the *actual* practice in society free from the invocations of Lockean excesses.[39] In the English tradition, liberty was not without justice, duty, law, and the common good. Rights of a conserving character were that which the American founding sought to preserve.

CONCLUDING ON THE CONSERVATISM OF THE DECLARATION OF INDEPENDENCE

Looking to these three phrases of the first two paragraphs of the Declaration of Independence, one sees a strong resemblance between ancient and medieval ideas and a clear conservative effort by the founders to preserve the way of life that they knew for over one hundred and sixty years. This colonial tradition comes from British legacy. While it is true that the Declaration's conservative nature goes beyond that contentious section, one can see conservative characteristics in them as well.

The Declaration is not particularly philosophical. It is a practical document that is greater than its brief introduction. Those initial two paragraphs certainly express philosophical claims, but they are quite pithy, stating what is otherwise implied in the English context or enticing in a French one. The purpose of that section is to justify the colonies' act of secession—being in concert with the whole of the document—rather than conjure up a nation through philosophical incantations. In the end, the philosophical ideas in the Declaration are neither floating theory nor abstract vision, for the document strikes a great consonance with good, lived principles captured in the conservative canons.

Thus, the Declaration is first a conservative document that provides a window into the colonists' concerns, the minds of the founders, and the founding itself. Real people, places, traditions, history, and customs are the roots of the Declaration. It is incorrect to view it through the eyes of a Jeffersonian caricature or Jefferson at his worst. Towards the end of his life, Jefferson asserted that the Declaration's purpose was "not to find out new principles, or new arguments, never before thought of.... neither aiming at originality of principle or

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have that, then he cannot sustain his livelihood. The idea of *operational* liberty is sourced in the thought of twelfth century English glossators if one is willing to grant its convertibility with Rufinus's *demonstrations*. See Tierney, *The Idea of Natural Rights*, 67.

[39] William Blackstone, *Commentaries on the Laws of England*, ed. George Sharswood (Philadelphia: J.B. Lippincott Company, 1893), 121–122.

sentiment" for the ordinance "was intended to be an expression of the american mind."[40] This further confirms that a conservative interpretation of the Declaration is fitting. Along with the minds of the drafters, it must be viewed through the hearts of the delegates of the Continental Congress. Without their authoritative signatures, the Declaration would have been nothing more than mere parchment. Many of the assumptions, purposes, and forms of the Declaration come from "intensely practical lawyers and planters and merchants, none of them sheltered from the rough reality of colonial America."[41] The signing delegates were conservative men, not "abstracted *philosophes.*"[42] The American founding was fundamentally conservative and not the realization of liberalism.

THE LIBERALISM OF THE AMERICAN FOUNDING

Does not the American founding hold to certain liberal principles, though? Are not the ideas of "Laws of Nature," "Nature's God," "rights," "equality," and "a right to liberty" in the liberal tradition? They are *liberal* in that they received greater emphasis in the Enlightenment, yet they are *select* in that they were prudently adopted and set against other principles of liberalism, especially those from more dangerous thinkers like Jean-Jacques Rousseau—if one so chooses to paint all enlightened political thought with the same moniker. So, while the American founding is fundamentally conservative, it possesses a partial liberalism. This partial liberalism, however, does not operate as the postliberal might argue.

Instead of asking whether the founding was destined to be struck down by its own sword, one must first ask if the Declaration's partial liberalism gave way to the destructive developments. The liberty, equality, and rights conceived by the founders were not radical commitments or lingering flaws, but familiar prescriptions that were in danger of being snuffed out. To suppose these old, conserved principles eventually led to either their corrosive or radical counterparts is, in effect, to unknowingly make a patsy of the colonists' honorable traditions. The American founding did not contain the seeds of today's destruction in any *uniquely* effectual way. It did not endure liberalism's errors in any greater capacity than the endurance of error from any imperfect, fallible system comprised of fallen people. So, if one is to blame the founding and the verbiage in the Declaration, he must

[40] Thomas Jefferson to Henry Lee, May 8, 1825.
[41] Kirk, *The Roots of the American Order*, 414.
[42] Kirk, *The Roots of the American Order*, 414.

blame all longstanding institutions and ideas for their mutilation by self-interested or bad actors. Rather what is remarkable is how the founding was *spared* these errors and ideology.

Postliberals and critics on the Right have retorted that along with conserving good things in society, the founders also conserved the liberal ideals that they inherited. This still condemns the founding for leading America down the wrong path. The American founding was partially liberal insofar as it was an offshoot of early modern English society, whose legal developments since at least Magna Carta exercised influence on its political and governmental concepts. *Liberal* and *liberalism* in this instance have as their objects liberty, equality before the law, subjective natural rights, and the limiting of governmental action. It is a separate question whether this sort of liberalism is, by itself, sustainable. Moreover, Deneen and Hanby correctly argue that these liberal principles historically follow from the Scientific Revolution. The rejection or extinguishing of nature and purpose (at least the downplaying or denial of their intelligibility) by the new science was carried over into Enlightenment liberalism.

The liberalism of the Enlightenment was certainly incomplete because it was derived from a deficient metaphysics; it (and its adherents) denied essence and purpose, and this denial threatened to infect its political ideas. But there is wide variation in how, when, and where liberal philosophy, which is both complex and erroneous, was pursued or applied by thoughtful or thoughtless minds. A philosophy might be erroneous in one respect and correct in another. Concerning the American founding, one must speak of partial *error* because it contained none of the far worse liberal *ideology* which later infected the French Revolution. Moreover, errors and right ideas in a certain system of philosophy and politics may or may not be intrinsically related or dependent on one another. A thinker may explicitly hold an erroneous philosophical principle but act according to a contradictory laudable one that he holds implicitly. The deontologist or utilitarian may claim a good man acts according to a certain system, when good men might invariably act as if they were Aristotelians. If Peripatetics of an Anglo-Christian world arrived at fruitful social forms and practices, the colonial inheritant surely kept these refined prescriptions regardless of any contradictory assumptions tacitly held.

INTERPRETING THE SELECT LIBERAL PRINCIPLES OF THE FOUNDING

The select liberal principles of the American founding in the Declaration of Independence are not nascent monsters but concepts guided by a conservative structure. They are non-inventive inheritances that developed and flourished over centuries, objects worthy of preservation. But to the root of the issue: are these principles invariably flawed because of the faulty metaphysics underpinning liberalism?

It is true that the liberalism of the Enlightenment suffers insufficient metaphysics. Its metaphysics rejects the concepts of natural essence and inherent purpose of man, society, will, and government; however, the philosophical critic cannot argue that these metaphysical judgments were explicit drivers of the American founding because their cause for independence was more tangible than philosophical. One can only argue that these metaphysical principles were tacitly held. And while one could argue that they were gradually destructive or simply remained dormant, colonial life from the settlement of Jamestown to the events of 1776 seems to deny these characterizations. One may counter that the timeline for liberalism's destruction is longer, that the seeds of destruction sown in 1776 were the *beginning of the end*. But, what then of the French Revolution? In a matter of a *few years*, France immediately succumbed to the radical upheaval of liberal ideology—driven more by the ideas of Voltaire and Rousseau than Locke and Montesquieu.[43] The critic may reply that because France was under the spell of liberal *ideology*, it fell quickly, while because America adopted only liberal *error*, it would experience a gradual deconstruction. This argument depends greatly upon the presumption that the metaphysical errors of the founding's select liberal principles were *not* inactive *nor* superseded by a good metaphysical framework.

Why did the "united States" not immediately suffer by the hands of their select liberal principles?[44] It would seem that the faulty metaphysics of these principles would erode any present goods at the time or over time. The founding did not suffer by these principles for

[43] Conversely, colonial American politics was influenced more by Locke and Montesquieu than by Voltaire and Rousseau from a quantitative perspective. From 1760 to 1779, Locke and Montesquieu were the most cited authors in American colonial political writings. The Bible was referenced most frequently, however. See Donald S. Lutz, "The Relative Influence of European Writers on Late Eighteenth-Century American Political Thought," *The American Political Science Review, 78*, no. 1 (Mar 1984): 193–194.

[44] The "united States" at this time was a union of "free and independent" States, not a single nation, hence the use of the uncapitalized, "united." This is supported by the fact that "State" is capitalized and was convertible with "country" or "nation" in the 1700s. It is also supported by the fact that the Treaty of Paris was between Great Britain and thirteen "free sovereign and Independent States," each individually named.

two reasonings. The first reasoning demonstrates inactivity of flawed liberal metaphysics, while the second reasoning reveals the supersession of it by a sound metaphysical framework.

First, this specific group of founding principles—equality, liberty, natural rights, limited government, consent of the governed, and the right to abolish a government—was fruitful because its application was not energized by explicit denials of certain classical-scholastic metaphysical concepts. Rather these principles were adopted as if their underlying metaphysical assumptions were a specialized subset.[45] One finds an analogy between the new science of the Scientific Revolution and the liberalism of the Enlightenment.

The Scientific Revolution adopted a metaphysics that sought to study only matter and physical causality; it focused on material and efficient causality and had little to say about formal and final causality that was not condemnatory. While focusing exclusively on material and efficient causality, the new science has been incalculably successful, even though its metaphysical assumptions reject the ideas of essence and purpose as it experiments. Material blessings like the efficient movement of data and communication, medicine, transportation, food access, comfort, and longevity of life grow at exponential rates to the benefit of all. These can even afford consequent *spiritual* blessings. Yet there is also a *hidden fact* about the Scientific Revolution's assumptions and productions. The resolute good of the new science did not arise from a focus on formal and final causality, but it did not come from negating their existence either. The study of material and efficient causality does not necessarily deny essence and purpose. So, the new science thrived as a specialized analysis, the study of matter and agent as a subset of classical-scholastic metaphysics as a whole. One can apply the same metric of evaluating the Scientific Revolution and the new science to the Enlightenment and liberalism in the American founding. Both produced significant goods in their respective areas through a non-rejecting specialization of their metaphysics.[46]

With this first reasoning in mind, it becomes more plausible that the American founding did not succumb to the metaphysical errors of the few liberal ideas present; plausibility becomes practical certainty when the second reasoning is appended to the first. When practiced, those principles were successful in certain respects, despite their tacitly assumed

[45] There is something to be said about the possibility of unexpected effects from form and telos on an ethics and politics that does not recognize them, but this is a conjecture for future exploration.

[46] See Nathan W. Schlueter, "Postliberal Dogmatism and Determinism," *Law & Liberty*, June 29, 2021, in reply to Hanby's philosophical arguments regarding the effects of liberalism's tacit metaphysical assumptions on the founding.

and incomplete metaphysics. There were genuine goods to be gained from these concepts, even if they were insufficient and lacked guiding forms and standards. It is akin to discovering some truth of a poem when reading only the first of three stanzas. The critic may argue that while the first reasoning asserts inactivity of the flawed metaphysics, it does not prove that this inactivity is perpetual. Thus, he might say that this metaphysics is like a live ordnance, liable to explode at any moment. While this dormant threat hypothesis is disproven by the evidence of success in America both leading up to 1776 and in the following decades—especially considering the immediate collapse of French society at the end of the eighteenth century—, there is a more substantive explanation for the founding's real success, lack of swift failure, and absence of that which grows errors into failure with respect to adopted liberal principles.

This leads to a second reasoning in two parts. With respect to the first part, the American founding was a revolution not made but prevented. It conserved a society that valued good principles, good practices, and good beliefs. Even the Declaration's seemingly ambiguous principles were rooted in ancient and medieval sources that had been field-tested over centuries in the British Isles. The colonists and founders preserved a society that believed in the Christian God and His precepts, clung to sage prescription, held to tradition and custom, and submitted to the wisdom of prudence and experience as presented in the conservative canons and principles.

The second part of the second reasoning is that those select liberal principles were influenced and guided by the fundamentally conservative character of American society and American political thought. Through the American founding, the colonists preserved ordered liberty against total liberation, equality under the law and under God's judgement against relativization and levelling, and traditional rights against a wave of vast permissiveness. Those few principles of the founding were wedded to the sage prescriptions, wise temperaments, and conservative framework of American society. While liberal metaphysics provided the founding's select liberal principles no natures or purposes, it was the classical-scholastic natures and purposes implicit and inherent to the founding's conservatism that informed said principles. Conservatism was the chief factor of colonial life, orders of magnitude greater than the admirable sparse liberalism it informed, and it was by that abundance that a curated liberalism was supplemented well.

The critic may rebut that the combination of liberal and conservative principles with respect to their underlying metaphysics is a synthesis doomed to fail. This simply fails to address the second reasoning; there is not a synthesis of liberalism and conservatism in the American founding, but a supplementation and superseding by conservatism and its right metaphysical assumptions. Even then, that rebutting sentiment seems to both deny the strength of good metaphysics, ethics, and politics to then present only a fatalistic nihilism. Are conservatism and Christianity so weak that they can be overtaken by liberalism without question? This view is both an improbable view of good concepts and a seemingly hopeless one Those who see liberalism as an unstoppable force may find that Western civilization and Christendom are difficult to build but easy to destroy, like a fragile sculpture under threat of a sledgehammer. Instead, this dichotomy is better understood as siege warfare: an array of bombards against the bulwarks of a city. Either side may gain the advantage, but it is wrong to suppose conservatism and Christianity are too feeble to defend the good life. In the fullness of time, God wins the war, even if America loses battles.

As noted above, the mere existence of conservatism does not necessarily mean that the metaphysical errors of the founding's partial liberalism were inactive or superseded. The truth of inactivity and supersession comes from the realization that conservatism was able to supplement the roles of essence and purpose in a political theory and practice devoid of such concepts—a theory that achieved some truth of its own accord. Conservatism sustains social cohesion, justice, and duty where liberalism cannot. The innate conservatism of the founding serves as a healing concrete poured into the cracks of liberalism's faulty metaphysical foundation, but this conservatism itself is the cornerstone of the founding. Conservatism's substitutive forms and purposes rendered the metaphysical errors of the founding's select liberal principles practically inactive and replaced.

The successes of the American founding were brought about by that innate conservatism, its effects, and that which it affected. The actual and possible negative effects of liberalism's metaphysical shortcomings are no greater than what someone might expect from any other fallible, imperfect, or incomplete idea, institution, or people. Otherwise, to suppose that supremely detrimental effects are inevitable because of the mere happenstance of tacit belief, proven to be feeble, is to consequently hold an ideological standard for man and his creations. This sort of notion reveals an implicit assumption that man and earthly institutions

are perfectible through human device alone. According to the ideologue, if the founding had even a sliver of error, then it would have inevitably failed, never being able to produce the perfect society on earth he desperately desires.

Critics on the Right locate the origin of today's struggles in that deficient metaphysics tacitly assumed by the founding's sparse liberalism. Ironically, they overlook the tacit metaphysics of the founding's conservatism and its influences. Sage prescription is olden observation made perpetual for good reason, wise temperament is the experienced heart acting in accordance with its God given nature, and conservative framework is the sturdy home of the tried and true. A metaphysics of conserved things is one of a people that experienced, trialed, intuited, and intellected the successful goods for society. It recognizes the proper nature and purpose of man, society, and government.

This metaphysics of conserved things, canons, and principles is the root of the conservatism that informed both the American founding *as a whole* and its select liberal principles *as particulates*. These prescriptions, temperaments, and framework were not adopted through abstract reasoning, but first by the lamp of experience, a decidedly Aristotelian approach. The philosophical critic of the founding is often fine to fit Aristotle's pagan ideas by way of Islamic philosophers, but grows weary at the idea that a few good political developments came *through* Enlightenment liberalism and *in* Protestant colonies; the praiseworthy in either comes from good classical-scholastic ideas and good conservative traditions. Ultimately, a true philosophical account must address the conservative structures that *informed* and *gave purpose to* the founding's partial liberalism—which achieved some success by its own merits, especially with the help of conservatism's metaphysical assumptions.

In explaining why the American founding prospered with select liberal principles, the greater of the two reasonings presented is that the American founders sought to conserve something proper and familiar to themselves. What they conserved was successfully battle-tested and rooted in good metaphysics and the transcendent order as described by Kirk. Conversely, the French Revolution was a radical destruction of society, not just an alteration of government. Liberal principles without proper guidance will either become ideological commandments or deepen in error instead of being transformed well. Active error can corrupt a good people and ideologues can bring about great disaster: the radicalism in their

hearts animates swift destruction. Sadly, America seems to continue to lose the goods it once preserved. This is in part due to Americans'—and especially intellectual conservatives'—blindness towards the conservatism of the founding. Many Americans and many intellectual conservatives blindly confuse the American founding for a liberal enterprise, but liberalism, on further inspection, is more orthogonal to the founding than previously thought.

CONCLUSION

Returning to the original question, is the American founding at fault for the growing reign of isolated individualism, libertine morals, majoritarian tyranny, harmful market practices, state-coerced markets, and engulfing centralization in America today? Postliberals and their fellow travelers usually place the fault in the founding because they see it as the embodiment of liberalism. Disproving the contention that the founding is fundamentally liberal where liberalism can cause societal dissolution does not preclude the possibility that the founding was the root cause of societal collapse through different means. While this paper does not delve into other possible causes of today's problems, it does suggest that they are intimately connected to the development of rash majorities formed in colossal electorates, the turning of the Declaration of Independence into an ideological tract, and the erosion of federalism, none of which is integral to or present in the founding. In fact, these were all real fears that the founders took seriously.

Looking to the contents of the Declaration of Independence and thus the substance of the founders and founding, it is not the case that the events of 1776 are the cause of today's ills. On the contrary, the founding is perhaps where Americans ought to look for solutions. It was shown that the founding did not signify a liberal *project*, a *proposition* nation, or an *experiment* in self-government; it was a people's conservative reaction to the radical innovations of Great Britain. It was a pursuit to maintain the personal, societal, and governmental conditions familiar to themselves for over one hundred and sixty years. These ways of life were not errors conserved, but that which is captured in the six conservative canons and ten conservative principles: the loose collection of ways that make life beautiful, livable, and prosperous. In choosing intimacy over ideals, colonial Americans chose hearth over flames.

The American founding was partially liberal, but its select liberal principles were never divorced from the founding's interwoven conservatism. Rather, these curated liberal principles were truly good political advancements in the American context because their underlying metaphysical assumptions were not rejections of sound philosophy, but were, in practice and effect, a specialized subset of classical-scholastic philosophy. Additionally, these principles were significantly shaped and directed by a conservative framework of personhood, society, and politics. Conservatism's sage prescriptions, wise temperaments, and conservative framework all served as substitutes for the deficiencies present in liberalism's metaphysics, for they provided the essences and purposes necessary to sustain a people and their civil social order.

The American founding was spared a collapse like that of revolutionary France because it was a founding in conservatism. Indeed, the founding marked a milestone of success rather than the start of a gradual decline. Yet, because of the Fall, nothing is safe from error. One should expect no fault of the founding greater than any other imperfect system comprised of fallible people. In fact, with respect to political institutions, one should expect to find *less* fault in the American founding than in other modern foundings precisely because the erroneous metaphysics of liberalism was inactive and superseded by America's substantive conservatism.

The only institution that is free from any absolute error—not in prudential areas—is the Catholic Church divinely instituted.[47] All other institutions are fallible. If one ignores the good to focus solely on fallible systems and people, or ignores those who manipulate the good into evil, he instead makes the perfect the enemy of the good. This impossible standard errs on the side of ideology, which is to chase the perfection of heaven in earthly political schemes. Conservative Christians accept that man is imperfectible. The statesman is not called to make society perfect, only tolerable—perhaps even a little better. Weaving liberty and order in the trust of tradition and the knowledge of man's fallen nature, Edmund Burke wrote, "Liberty is a good to be improved, and not an evil to be lessened."[48] Similarly, the American founding is better viewed from a positive, where it has greatly succeeded for the goods of man, society,

[47] To reiterate, even if one believes the Catholic Church does not hold such a status, it is still true that manmade institutions like governments or universities are subject to mistakes and errors.
[48] Russell Kirk, *Edmund Burke: A Genius Reconsidered* (New Rochelle, NY: Arlington House, 1967), 73.

and government, than from a negative, where it falls short. Upon recognition and retrieval of the founding's conservatism does improvement open her doors.

As he edited Edmund Burke's writings on the events of 1688 and 1689 in England, E.J. Payne invoked Sir Joseph Jekyll, describing the Glorious "Revolution" of 1688 as "a revolution not made, but prevented." Kirk employed this phrase, correctly, to the American founding. The American founding is a founding not liberal, but conserving. It was a recovery of something that had been lost, seized once in the eighteenth century and something retrievable in the twenty-first century. To quarrel over an alleged liberal founding is to strike at the illusory, especially when the harbinger of liberal ideology in the West may be found in revolutionary France. To characterize the founding as such is to forego the true character of it and foster an unwarranted hostility toward it.

The American founding's conservatism was in service of a more holistic purpose, far exceeding the good achieved by its laudable amelioration of the founding's partial liberalism: the sustainment of order, "the first need of the soul" and "of the commonwealth."[49] Without the normative order of conservatism, the blessings of liberty would decay.[50] This underlying order points to the metaphysics of conserved things; one finds it in Kirk's adopted concepts of "the permanent things" and the "moral imagination," which profess the existence of right order in life and the sense and drive for such order.[51] Knowing these sorts of verities to have once permeated America, we can confidently say the founders "built surely and well."[52] By way of its conservatism, there is an inheritance in the American founding; we need only say yes to it. Only then can Americans wisely pursue the good of the realm following the two hundred and fiftieth anniversary of American independence.

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[49] Kirk, *Roots of the American Order*, 6.

[50] Conservatism, being a disposition of life, runs deeper than politics. It is the bedrock and guide of those adopted liberal tenets of the founding. It sustained those tenets insofar as they were successful principles in tradition and continuity. It contains that implicit metaphysics, the metaphysics of conserved things, which perpetuates right form and teleology of life. In all these ways, one cannot have ordered liberty without the order gifted by conservatism.

[51] Russell Kirk, "The Moral Imagination," *Kirkcenter.org*, May 31, 2007. The permanent things, borrowed from T.S. Eliot, are the venerable norms of human nature. The moral imagination, borrowed from Edmund Burke, is that innate sense for the order of the soul and society. Kirk's definition of norms is greatly related to the two aforementioned ideas. See Russell Kirk, *Enemies of the Permanent Things* (New Rochelle NY: Arlington House, 1969), 15–27.

[52] P.H. Ditchfield, *The Manor Houses of England* (London: Bracken Books, 1985), 6. Like the English manor house, America was built to last. In conservatism, there is confidence, hence the founders "built surely and well." With respect to the metaphysics of conserved things (and the remote influence of classical-scholastic thought), it rings true that the founders were "building wiser than they knew." One can say America was "built" in both ways. See The Archbishops and Bishops of the United States, *Pastoral Letter of the Third Plenary Council* (Baltimore: The Baltimore Publishing Company, 1885), 20.