Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

### Index

Abington v. Schempp (1962), 252, 284 Abolitionism and evangelical Christianity, 247 Christian sources of, 295 vicarious, 367-371, 374, 382 Abortion, 256, 260, 271, 291, 295, 353, 366, 367.371 analogies to genocide and chattel slavery, 272-277 Abrams, Elliot on Raoul Berger, 93-94 Academic freedom, 245 Ackerman, Bruce regime theory of, 90 Acton Institute, 307 Adams, Henry, 376 Adamson v. California (1947), 87 Adkins v. Children's Hospital (1923), 172 Adler v. Board of Education (1952), 233 Adler, Mortimer, 15, 41, 326 Administrative state. See Bureaucracy Affirmative Action, 25, 66 Agrarianism. See Nashville Agrarians Ahmanson Jr., Howard, 285 Alito, Samuel, 359 Allais, Maurice, 24 Al-Qaeda liberal resemblance to, 375 Alsop, Stewart, 135, 203 Amar, Akhil regime theory of, 90 America, 73, 343 America First Committee, 125, 344 American Anti-Boycott Association, 176 American Bar Association, 11, 31, 121, 135

American Bar Association Journal, 11 American Center for Law and Justice, 282 American Civil Liberties Union, 28, 37, 221 American Conservative Union, 14, 21 American Economic Foundation, 168, 188 American Enterprise Institute, 4, 139, 161, 351 Constitutional Studies Program, 192 American Exceptionalism, 157, 336 American Family Association Center for Law and Policy, 282 American Federation of Labor anticommunism of, 201 American First Committee (AFC), 18 American Foundrymen's Association, 176 American Journal of Jurisprudence, 343 American Legion, 202, 237 American Liberty League, 178 American Mercury, 9, 19, 298 American Principles Project, 261 American Public Philosophy Institute, 327 American Review, 207 American Revolution, 6 and slavery, 69 argument over meaning of, 70 as bourgeois revolution, 54, 71 Ayn Rand on, 126 Americans for Constitutional Action (ACA), 14, 30 Americans for Democratic Action, 30, 236 anticommunism of, 201 Anderson, Ryan T., 313 Anti-Federalists, 44, 194, 204 Anti-Semitism, xvi Anton, Michael, 375 "The Flight 93 Election," 374-376

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

### Index

385

Aristotle, 69, 317, 323, 336 Arkes, Hadley, 312, 369, 378, 381 opposition to chattel slavery, 370 Army-McCarthy hearings, 345 Arrow, Kenneth, 146 Article V, 32, 36, 90, 94, 124, 322 Article VII, 162 Articles of Confederation, 44, 108 Atheism, 249, 252, 274, 286, 308 Ayn Rand's, 127 communist, 202, 211, 239, 243, 345-347 of university faculties, 105 Athens (Reason) and Jerusalem (Revelation), 40, 74, 78, 265, 331 Austrian economics, 4, 11, 23, 28, 109–119, 142, 144, 156, 185, 285, 294 influence on Edmund Opitz, 158 Authoritarianism, 264-265 and Roe v. Wade, 271 as caused by secularism, 262 Ave Maria University, 161 Avins, Alfred, 171 Ayn Rand Institute, 129 Bacon, Francis, 312, 321 Baker, Robert C., 227 Balanced Budget Amendment, 123 Balkin, Jack living originalism, 34 Ball, William Bentley, 258, 351 Bannon, Steve, 304, 359 Barnes, Fred, 350 Barnett, Randy, 195 Barrett, Amy Coney, 261, 381 Barron, Bishop Robert, 319 Barton, Bruce The Man Nobody Knows (1925), 154 Barton, David, 284 Baude, William, 378 Bawert, Eugen Bohm von, 109 Beard, Charles, 43, 55, 108 Beat Generation, 10, 268 neoconservatives on, 237 Beck, Glenn, 309 "9-12 Project," 375 Beck, James, 203 Becker, Gary, 24 Beckwith, Francis, 284 Bell, Daniel, 316 Belz, Herman, 357 Bennett, William J., 62, 378 early opposition to originalism, 94

Bentley, Elizabeth, 299 Berger, Raoul, 47, 92, 98, 100, 102, 382 Government by Judiciary (1977), 93, 97 Bergson, Henri, 78-80 Berns, Walter, 39, 49, 95 Freedom, Virtue, and the First Amendment (1957), 49 on outlawing Communist Party USA, 215 The First Amendment and the Future of American Democracy (1976), 94 Bickel, Alexander, 91 countermajoritarian difficulty, 98 The Supreme Court and the Idea of Progress (1970), 92 Bill of Rights, 53, 133, 157, 180, 232, 356 as foundationally Christian, 332 Christian origins of, 75 incorporation of, 86, 191 Bioethics, 295, 366 Birth control, 258, 305, 354 and Cold War imperatives, 205 Bishop, Joseph, 37 Bismarck, Otto von, 18, 65 Black conservatism, 123 anticommunism, 209-210 Black Panthers, 118 Black Power, 5, 227 Black, Hugo, 55 liberal originalism of, 85 on Congress's investigations powers, 222 Blackstone, William, 292 as a Christian exiled from law school curriculums by secularists, 262 as Bible-believing Christian, 289, 292, 293 Blanshard, Paul, 335 Bloom, Allan, 39, 316 on the 1960s, 270 The Closing of the American Mind (1987), 41 Bob Jones University v. United States (1983), 284 Boehner, John, 351 Bolingbroke, Viscount, 197 on producers and non-producers, 194 Bolt, Robert A Man for All Seasons (1960/1966), 333-335 Bolton, John, 351 Bork, Mary Ellen, 335, 350 Bork, Robert, 3, 5, 47, 90, 93, 98, 100, 102, 152, 304, 335, 357, 359, 362, 363, 365, 374, 382

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

### 386

Index

Bork, Robert (cont.) adoption of Progressive constitutional theory, 29 and William Winslow Crosskey, 84 Boston College, 73, 95, 341 Bottum, Joseph, 313 Bozell Jr., L. Brent, 19, 36, 106, 303, 328, 343, 358 decampment to Fascist Spain, 356 support for Joseph McCarthy, 205 Bradford, M. E., 56, 101 on Abraham Lincoln, 61-66 support for George Wallace, 62 on Harry V. Jaffa, 66, 337 Bradley, Gerald V., 261, 327, 343 Bradley, Philip, 185 Brandeis, Louis, 176 Breitbart News, 304 Brennan Jr., William J., 97, 343, 344 Bricker Amendment, 36, 344 Brigham Young University, 303 Bright, Bill, 258, 351 British Constitution, 53 Broun, Heywood, 299 Brown v. Board of Education (1954), 5, 10, 87, 92, 250, 255, 296 massive resistance to, 171 Raoul Berger's opposition to, 92 Brown, Harold O.J., 258 Brownback, Sam, 357 Brownell, Herbert, 228 Brownson, Orestes, 346 as described by Russell Kirk, 309-311 Bruckberger, R.L. Images of America (1959), 131 Buchanan, James, 24, 144, 152 The Calculus of Consent (1962) (with Gordon Tullock), 146–151 Buchanan, Patrick, 118, 359 Buchfuehrer, Jim, 279 and Jack Kemp, 280 Buck v. Bell (1927) Walter Berns on, 49 Buckley Jr., William F., xvi, 4, 15, 25, 50, 105, 135, 303, 328, 346 and Whittaker Chambers, 211 anti-labor union activism of, 179 Firing Line, 21 God and Man at Yale (1951), 15, 16, 18, 105, 114, 115, 132, 136 McCarthy and His Enemies (1954), 19 support for Joseph McCarthy, 205

Buckley, Will, 346 Budenz, Louis, 299 Budget Deficits. See Federal Spending Bureaucracy, 58, 111, 112, 115, 120, 149, 150, 153, 203, 229, 363 Henry Hazlitt on, 117-118 Burger Court, 29, 93, 102 Burke, Edmund, 13, 29, 311 Burkeanism, 52, 70, 311 Burnham, James, 18, 206-208 on Fifth Amendment self-incrimination privilege, 224-225 Businessmen as "robber barons," 129, 131 as good Americans, and heroes, 124-137 in Ayn Rand's Atlas Shrugged, 138 virtues of, 116 Busing, 37, 58 Caddy, Douglas, 222 opposition to Korematsu v. U.S. (1944), 205 Calabresi, Steven, 378 Calvin College, 338 Campus Crusade for Christ, 258, 351 Care Net, 258 Carey, George, 33 Casey, William, 16, 21 Catholic Action Movement, 342 Catholic League for Religion and Civil Rights, 258 Catholic University of America, 299, 340, 358 Cato Institute, 136 Caxton Printers, 14 Censorship Evangelicals and Catholics Together advocacy of, 355 Roman Catholic support for, 341 Chafee Jr., Zechariah, 234 Chalcedon Institute, 163, 287 Chamberlain, John, 244, 357 The Roots of Capitalism (1959), 115–117 Chamberlin, William Henry, 118, 124, 206, 232 on "pleading the Fifth," 219 Chambers, Whittaker, 16, 206, 215, 243, 346 review of Ayn Rand's Atlas Shrugged, 137-139 Witness (1952), 79, 114, 210-212, 294 Charity, 157 Christian, 112 Chesterton, G.K., 50, 286, 319 Chiang Kai-shek, 240

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

### Index

387

Chiang Kai-shek, Madame Christian faith of, 240 China, 5, 16, 32, 130, 212, 240 Choate, Joseph, 203 Christian Action Network, 258 Christian Amendment, 213, 214, 254 Christian anticommunism, 238-242 Christian Broadcasting Network, 262, 282, 307 Christian Century, 248 Christian Crusade, 249 Christian Economics, 155, 156 Christian Freedom Foundation, 155, 168 Christian Legal Society, 258, 260 Christian nationalism, 213, 239–240, 241, 249, 254, 284, 288, 294, 295, 299, 302, 308, 344, 371, 372, 382 Mormon, 303 Christian Reconstructionism, 162, 251, 285 influence on John Whitehead, 287 Christianity adoption of free market capitalism, 154-163 and modern science, 267 and the industrial revolution, 267 and the redistribution of wealth, 267 betrayals of mainline Christianity, 159 Christian martyrdom, 272 Christians as rescuers of the Jews, 276 Christianity Today, 248 Chronicles, 258 Church of England, 348 Churchill, Winston, 246, 299 as symbol of right-wing moral superiority, 370 City Journal, 23 Civil disobedience, 250 Civil libertarianism Voegelin on, 79 Civil liberties, 87, 94, 201, 227, 245, 271, 328, 371 and anticommunism, 204, 216, 233–238 and Catholic Right, 340 James Burnham on, 225 refusal to testify re communist affiliations, 219 Civil rights, 35, 66, 87, 94, 143, 186, 238 and labor unions, 176 and southerners, 209 evangelical Christians and, 250 liberals as hostile to, 367 Civil Rights Act of 1964, 56, 178, 255, 296, 364 pivot from opposition to, 368 Civil Rights Cases (1883), 177

as seeking to enslave those who want to discriminate, 171 attack on private property rights, 170 Civil Rights movement, 10, 59, 92, 101, 296, 364 as undermining US in Cold War, 206 Civil War, xv, 6, 29, 65, 86, 368 meaning of, 59-61, 67 Civil War Amendments, 36, 86-88, 150, 171 Claremont Graduate University, 375 Claremont Institute, 285 John Marshall Fellows Program, 381 Claremont McKenna College, 19, 47, 53, 55 Claremont Review of Books, 19, 53, 55, 56, 375 Clark, Fred G., 168, 188 Classical music, 269 Clayton Antitrust Act, 182 Clemson Institute for the Study of Capitalism, 129 Clinton, Bill, viii, 282 Clinton, Hillary, 4, 375 Clor, Harry, 316 Closed shop, 175, 179 Coase, Ronald, 24, 152 Cold War, 26, 43, 112, 125, 130, 144, 146, 154, 299, 336, 358 and civil rights, 250 Christian revivalism, 239 end of, 246 Kitchen Debate, 132 patriotism, 297 Colson, Charles, 258, 351 Columbia University, 16 Commager, Henry Steele, 19, 234-235 Commentary, 4, 93, 160 Commerce Clause, 116, 121, 170, 178, 191 Commercial society, 108 Committee for Constitutional Government (NY), 125 Committee for Union Shop Abolition, 180 Committee to Re-Elect the President (CREEP), 222 Common law, 31, 33, 153, 162, 225, 292, 356 as foundationally Biblical, 290–291 as foundationally Christian, 162, 288, 289, 293, 373 Communism, 79 ban on serving as officers of labor unions, 217 ban on working in defense plants, 217 conspiracy/subversion, 215-230 registration requirements, 217 Communist Manifesto, 169, 260

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

#### 388

Index

Communist Party USA, 206, 241, 249 outlawing of, 215 Communitarianism, 186 Compulsory education, 183 Congress ACA rating system and, 30 as preeminent branch, 52 investigations powers of, 218-230 Congressional Prayer Foundation, 284 Connerly, Ward, 25 Conscience of a Conservative, The. See Barry Goldwater Conservative Political Action Conference (CPAC), 14, 21 Constitution as written document, 31, 94 Constitutional abandonment, ix Constitutional theory, 362 moral/aspirational readings, 37 strict construction, 35 Consumerism, 133, 320 Contract Clause, 134, 191 Cooley, Thomas, 32, 35 Constitutional Limitations (1868), 31 Cooper, James Fenimore, 309 Coors, Joseph, 24, 173 Coughlin, Father Charles, 298, 359 Coulter, Ann, 17 Counselman v. Hitchcock (1892), 227 Counterculture, 54, 139, 269, 320 Crédit Mobilier scandal, 224 Crime, 5 Crisis, 161 Crisis of the House Divided (1959). See Harry V. Jaffa Cromwell, Oliver, 62 Crosskey, William Winslow, 87 debate with Charles Fairman on incorporation, 87 liberal originalism of, 83-85 Crossway Books, 257, 259, 280 Crowley, Mary, 278 Cruz, Ted, 284 Cuban Missile Crisis, 245 Culture wars, 102, 248, 256, 295, 366 analogized to abolitionism, 367 grounding in vicarious abolitionism, 369-371 beginnings of, 369-371

D'Souza, Dinesh, 228 Daley, Richard J., 202 Dalin, Rabbi David, 350 Dallas Cowboys screening of Francis Schaeffer films, 279 Darwinism, 252, 305, 318, 320 and Fundamentalist Christianity, 251 Daugherty [Harry] corruption scandal, 222 Daughters of the American Revolution, 237 Davenport, John, 23 Davis, Forrest on Fifth Amendment self-incrimination privilege, 226 De Gaulle, Charles, 109 De Jouvenel, Bertrand, 112, 181 Debs, Eugene V., 347 Declaration of Independence, 13, 33, 44, 46, 47, 53, 56, 63, 67, 69, 101, 156, 159, 296, 318, 344 debate over relation to Constitution, 74-77 Fulton J. Sheen on, 301 Harry V. Jaffa on, 336 John Courtney Murray's reading of, 74, 371-373 Murrayist readings of, 373 Samuel Rutherford's foundational influence on Declaration's understanding of liberty and equality, 289 significance of John Witherspoon's signature on, 287 Willmoore Kendall and George Carey on, 67 Deism, 318 DeMille Foundation for Political Freedom, 179, 180 DeMille, Cecil B. right to work activism of, 178–180 Democracy, 44, 75, 76, 286, 333 and Roman Catholicism, 330 as theft, 148 concerns about, 312 direct, 51 John Courtney Murray on, 331 religion as indispensible to, 310 Richard Weaver's criticism of, 321 Roman Catholicism and, 348 suspicion of, 309 Democratic Party, vii, xviii, 10 1968 Convention, 201 contemporary nature, and dilemma of, 379-381 Fundamentalist Christian move away from, 254 organized labor and civil rights, 177

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

### Index

support for organized labor, 183 Deneen, Patrick, 357 Dennis v. United States (1951), 215, 241, 246 Dennis, Lane, 259 Dependency on state, 113 Devin-Adair Publishers, 14 DeVos, Betsy, 278 DeVos Jr., Richard, 278 DeVos, Rich, 278 Dewey, John, 176, 215, 216, 335 on Catholic thought, 340 Dewey, Thomas E., 119 Diamond, Martin, 37, 39, 49, 50, 90 anti-progressivism of, 43-47 constitutional theory of, 43-47 disagreement with Harry V. Jaffa, 56 on the American Revolution, 54, 70, 71 Dictatorship, 112 Director, Aaron, 23, 152 Dirksen, Everett call for court-curbing, 218 Disability rights, 273 Divine law, 1 Dobson, James, 258, See also Focus on the Family Donovan, Father John F., 358 Dos Passos, John, 206 Douglas, Stephen A. as progenitor of modern liberals and progressives, 77 as symbol of liberal moral inferiority, 370 on popular sovereignty, 71 Douglas, William O., 234 Douglass, Frederick, 60, 367, 369 as symbol of right-wing moral superiority, 370 Douthat, Ross, 376 Downs, Anthony, 146 Dr. Strangelove (1964), 245 Dred Scott v. Sandford (1857), 48 analogized to Roe v. Wade (1973), 274 and labor unions, 180 as originalist decision, 94 as symbol of liberal moral inferiority, 370 Dresser, Robert B., 169 Drug use, 269, 270 Due process substantive, 172 Due Process Clause. See Fourteenth Amendment or Fifth Amendment Duke, David, 118

Dulles, S.J., Father Avery, 258, 351 Dyer, Justin Buckley, 369 Eastern religions Hinduism, 269 inadequacy of, 276 Eastman, John C., 378 Eastman, Max, 206 anticommunism of, 216 on Congress's investigations powers, 229 Egalitarianism, 65, 66, 90, 92, 321 Einaudi, Luigi, 109 Eisenhower, Dwight David, viii, 9, 12, 104, 119, 122, 249, 299, 345 consideration of Clarence "Pat" Manion for Supreme Court, 344 Ely, John Hart, 92 Emerson, Ralph Waldo, 309 Engel v. Vitale (1962), 5, 82, 252, 284, 343 Enlightenment, 33, 48, 267, 315, 356, 357, 358 rationalism, 116 Environmental law common law of nuisance, 163 Epstein, Richard, 174, 195, 378 Equal Protection Clause. See Fourteenth Amendment Equal Rights Amendment, 25 Equality, 110, 112 as appeal to emotion, 121 constitutional, 58, 59, 63 Martin Diamond on, 47 Richard Weaver's criticism of, 321 Espionage Act, 216 Establishment Clause, 242, 249, 252, 288, 290, 353 strict separationism, 95 Ethically constitutive stories [R.M. Smith], xv-xvii Ethics and Public Policy Center, 258, 347, 351 Eugenics, 354 Euthanasia, 272, 274, 354 Evangelical Christianity, 247 "new evangelicals," 248-249 and civil rights, 250 anticommunism, 249 opposition to John F. Kennedy, 255 relations with Fundamentalist Christians and Roman Catholics, 253-256 Evangelicals and Catholics Together, 258, 350-355 Evans, M. Stanton opposition to Korematsu v. U.S. (1944), 205

389

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

#### 390

Index

Everingham, Harry T. We the People!, 207 Everson v. Board of Education (1947), 254 Executive power, 30, 63, 170 to fight communist subversion, 231-233 under New Deal, 183 Existentialism, 269, 270 Fabian socialism, 20 Fair Labor Standards Act, 181 Fairman, Charles debate with William Winslow Crosskey on incorporation, 87 Faith and Freedom, 157 Falwell, Jerry, 155, 252, 253 Family, "The," 355, 376 Farm subsidies, 120 Fascism, 78, 159, 235, 315, 357 and the Roman Catholic Church, 351 Eric Voegelin on the origins of, 315 Francis Schaeffer on Roman Catholic support for, 279 liberalism as, 227 New Deal as, 125 South as inherently antifascist, 208 Fast, Howard, 209 Federal Communications Commission and religious broadcasting, 251 Federal spending, 119-124 federal subsidies, 30 Federalism, 113 and civil rights, 230 anti-subversion and, 230-231 as a Biblical principle, 291 Federalist Society, xii, 30, 88, 97, 98, 100, 137, 304, 351, 361, 362, 363, 365, 366, 372, 381, 382 Federalist, The, 44, 46, 54, 197 Buchanan and Tullock on, 150 Federalist #10, 192, 197 Federalist #12, 197 Federalist #34, 197 Federalist #44, 193 Federalist #51, 45, 192 Federalist #56, 192 Federalist #63, 51 Federalist #71, 51 Federalist #78, 91 Feinstein, Dianne, 261 and Amy Coney Barrett, 381 Feminism Voegelin on, 79

Feudalism, 209, 321 Feulner Jr., Ed, 303 Field, Stephen J., 61, 203 Fifield Jr., James Spiritual Mobilization, 158 Fifth Amendment, 134, 166 Due Process Clause, 174, 180 self-incrimination and anticommunism, 204 self-incrimination privilege, 218-230 Finnis, John, 343, 358, 381 Firing Line, 179, See also William F. Buckley Jr. First Principles, 313 First Things, 313, 351 title as trope, 312 Fiscal policy, 143 Fisher, Antony, 22 Flanders, Ralph, 213 Fluor, J. Simon, 136 Flynn, John T., 9, 104, 125, 129 Focus on the Family, 4, 258 Folsom, Burton, 129 Ford Foundation support for civil liberties, 237 Ford II, Henry, 299 Ford, Henry, 131 Forrest, Nathan Bedford, 176 Fortas, Abe, 355 Fortin, Ernest L., 73 Fortune, 23 Foundation for Economic Education, 12, 23, 24, 155, 158, 168, 285, 307 Foundation for Foreign Affairs (FFA), 12 Foundations liberal, 104 Fourteenth Amendment, 36, 86, 92, 356 Due Process Clause, viii, 174, 180 Equal Protection Clause, 53 state action doctrine, 177, 180 Fourth Amendment, 134, 163, 166 Fox News, 4, 76, 234, 307 Franck, Matthew, 261 Franco, Francisco, 356 Frank, Jerome, 89 Frankfurter, Felix, 88, 335, 365 and Alger Hiss, 210 on Congress's investigations powers, 221 Franklin, Benjamin invocation of the deity, 240 Freda Utley The China Story (1951), 16 Free Exercise Clause, 249

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

#### Index

391

Free will, 156 John Chamberlain on, 115 Wilhelm Röpke on, 112 Freedom of Assembly, 216 Freedom of Association, 245 and labor unions, 185 and right to racially discriminate, 171 Freedom of Speech, 49, 94, 115, 216, 226, 245, 328 and labor unions, 180, 185 employer, 179 rights of communists, 235 Robert Bork on, 93, 98 Roman Catholic opposition to, 340 Freedom of the Press, 216 Freedom Summer, 5 Freeman, The, 9, 12, 19, 23, 155, 158, 285 Freemen Institute, 303 French Revolution, 121, 208, 262, 267, 268, 314, 315 as template for communist totalitarianism, 286 Jacobins, 62, 65, 75 Freud, Sigmund, 300 Freudianism Voegelin on, 79 Friedman, Milton, 23-24, 152, 197 A Monetary History of the United States (1963), 142 Capitalism and Freedom (1962), 117, 163, 185-186 Free to Choose (with Rose Friedman), 143 on labor unions, 185–186 Frohnen, Bruce, 378 Frum, David, 376 Fund for American Studies (1967), 21 Fundamentalist Christianity, 251 opposition to Brown v. Board of Education (1954), 255 opposition to civil rights/segregationism of, 253 opposition to John F. Kennedy, 255 relations with Evangelical Christians and Roman Catholics, 253-256 Fusionism. See also Frank Meyer Galantière, Lewis, 189 Game theory. See Public Choice economics Garnett, Richard, 284 Garret, Garet, 9

Roman Catholic understanding of civil liberties, 306 Gay rights, 256, 284, 366, 367, 371 incoherence as a concept, 291 General Welfare Clause, 30, 36, 120, 121, 145, 148 George Mason University and Public Choice economics, 144 George, Robert P., 55, 273, 293, 304, 312, 327, 340, 350, 358 efforts to bridge theological divides on Christian Right, 265 erection of John Witherspoon statue on Princeton University campus, 262 founding of Witherspoon Institute, 261 Murrayist Thomist nationalism of, 333, 371 on George Wiegel as "a giant" in service to humanity, 347 opposition to chattel slavery, 370 Roman Catholic understanding of civil liberties, 306 Gettysburg Address, 53, 69 Gibbons, James, 301 Gingrich, Newt, 304, 357, 378 Gitlow, Benjamin, 217 Glazer, Nathan on civil liberties and anticommunism, 236-238 Glendon, Mary Ann, 258, 313, 358 Gnosticism. See Eric Voegelin God and Man at Yale (1951). See William F. Buckley Jr. Godkin, E.L., 197 Gold standard, 110, 156 Goldberg, Bernard, 17 Goldberg, Jonah, 227 Goldwater, Barry, xii, 42, 245, 343, 360 civil liberties and anticommunism, 204 Clarence Manion's idea and support for The Conscience of a Conservative, 345 Clarence Manion's recruiting of, 345 Gerhart Niemeyer and, 208 opposition to New Deal labor legislation, 181 presidential campaign (1964), viii, 53 The Conscience of a Conservative (1960), xii, 11, 19, 36, 106, 303, 343, 345 Goldwin, Robert, 192 Goodman/Cheney/Schwerner murders, 5 Goodrich, Pierre, 24 Gorbachev, Mikhail, 246 Gorsuch, Neil, 343, 358, 381

Garvey, John H., 340

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

#### 392

#### Index

Government by Judiciary (1977). See Raoul Berger Graham, Billy, 239, 248 and abortion rights, 250 and civil rights, 250 support for civil rights, 296 Gramsci, Antonio, 188 Great Awakening, First, 247 Great Awakening, Second, 247 Great Books, 326, 375 Great Books Foundation, 14 Great Books movement, 14-16, 41 Great Depression, 198 Great Society, 37, 53, 122, 153, 364 Greaves, Percy, 157 Greece, ancient, 39 Greenawalt, Kent, 284 Greenspan, Alan and Ayn Rand, 126 Griswold, Erwin, 169, 227 on Fifth Amendment self-incrimination privilege, 218-221, 225, 227 Guelzo, Allan, 369 Gulf and Great Plains Legal Foundation, 173 Guthrie, William D., 203 Haley, J. Evetts A Texan Looks at Lyndon: A Study in Illegitimate Power (1964),17 Hamburger, Philip, 293 Hamilton, Alexander, 195 and broad construction of national powers, 120 Hand, Learned, 36, 89 Hanighen, Frank, 13 Hargis, Billy James, 249, 344 Christian anticommunism, 239 Hart, Henry

That, Tichly
The Legal Process (1958) [with Albert Sacks], 92
Hart, Jeffrey, 52–53, 57, 357
Hartz, Louis, 55
Harvard Law School, 88 and New Deal, 88 corruption of legal education by, 292 hypocrisy of faculty concerning Congress's investigations powers, 221
Harvey, Paul, 4, 344
Hatch Act, 233
Hayek, Friedrich, 11, 22–24, 109, 142, 152, 157, 181, 197

as against laissez faire economics, 139

Law, Legislation and Liberty, 144 on Samuel Rutherford as minor writer of polemical tracts, 289 The Constitution of Liberty (1960), 22, 144 The Road to Serfdom (1944), 22–24, 79, 143, 152, 159, 163 Hazlitt, Henry, 143, 181, 186 Economics in One Lesson (1946), 117–118 The Conquest of Poverty (1973), 190 Heart of Atlanta Motel, Inc. v. United States (1964), 171 Heidegger, Martin, 323, 324 Helms, Jesse, 32 Henry Luce, 16 Henry, Carl C.F., 248 Herberg, Will, 1-2, 25, 52, 206, 297, 308, 357 Heritage Foundation, 4, 17, 24, 136, 303 Policy Review, 25 Townhall.com, 25 Heritage Guide to the Constitution, 17 Heston, Charlton, 179 High, Stanley, 239, 241 Hillsdale College Allan P. Kirby Jr. Center for Constitutional Studies and Citizenship, 376 Hiss, Alger, 202, 210 Hiss-Chambers spy case, 5 Historicism, 40, 42, 67, 286, 300, 323, 324, 325, 370, 374 Hitler, Adolph, 121, 203, 207, 235, 275, 333, See also Nazism as a flawed but viable political alternative, 377 relationship to Roe v. Wade (1973), 271 secular humanists as following in the footsteps of, 295 Hitler-Stalin Pact, 206 Hobbes, Thomas, 71, 197, 315, 324 Holman, Frank, 121 Holmes Jr., Oliver Wendell, 20, 55, 89, 96, 191 as paladin of "sociological law," 263 clear and present danger test, 217 corruption of American law by, 292 Irving Kristol on, 234 responsibility for separating law from God, 271 Holocaust, 315 abortion and euthanasia analogized to, 274 inadequacy of Christian response to, 278 secularism as the cause of, 295 smears against Catholics concerning, 351

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

### Index

Homosexuality, 237, 265 as a moral choice, 210, 211 as sinful idolatry, 291 Hook, Sidney Heresy Yes - Conspiracy No (1952), 215 on civil liberties and anticommunism, 236 on Fifth Amendment self-incrimination privilege, 219 on Whittaker Chambers, 211 Hoover, Herbert, 157, 168 "fifth freedom," 103 "rugged individualism," 103 Hoover, J. Edgar, 226, 303 Horowitz, David, 207 House Un-American Activities Committee, 202, 210, 220, 222, 223 Howard, T.R.M., 123 Hubbard, Elbert A Message to Garcia (1899), 106–108, 130 Human Events, 4, 9, 13-14, 19, 23, 31 Human Events Political Action Conference, 14 Humanist Manifestos, 260 Human Life Review, 281 Hume, David, 197 Humphrey, Hubert anticommunism of, 201 Hunt, E. Howard, 18 Hunt, H.L., 344 Hunt, Nelson Bunker, William Herbert, and Lamar [Hunt brothers], 279 Hurston, Zora Neale, 123 Husserl, Edmund, 323 Hutchins, Robert Maynard, 15, 38, 41, 326 Illiative Sense. See Cardinal John Henry Newman In God We Trust motto, 213, 249 Income tax. See Taxation; tax resistance movement; Sixteenth Amendment, Incorporation. See Bill of Rights Individualism, 307 Catholic right's rejection of, 339 Industrial virtue, 108 Inequality, wealth Francis Schaeffer concern about, 296 Ingraham, Laura, 17 Institute for Advanced Study (Princeton), 146 Institute for Christian Economics, 155, 285 Institute for Economic Affairs (IEA), 22 Institute for Humane Studies (IHS), 24 Institute for Religion and Democracy, 350 Institute of Religion and Public Life, 313

Intellectuals "new class," 203 Intelligent Design, 285 Intercollegiate Society of Individualists, 168 Intercollegiate Studies Institute (ISI), 12, 22, 24, 33, 313 Internal Security Act (1950), 204 Irving, Washington, 309 Islam and chattel slavery, 267 Isolationism, 206 Jack Miller Center for Teaching America's Founding Principles and History, 14 Jackson, Andrew, 59, 204, 231 Lincoln's Jacksonianism, 64 Jackson, Henry "Scoop," 205, 244 Jackson, Robert, 89 anticommunism of, 215 Jaffa, Harry V., 39, 50, 101, 370 against neoconfederatism, 56 and Thomism, 336 and Walter Berns, 49 Charles Kesler on, 53-57 Crisis of the House Divided (1959), 68-72 Frank Meyer's criticism of, 59 M.E. Bradford criticism of, 66-68 messianic vision of, 58 On Abraham Lincoln, 68 on Leo Strauss, 57, 70 on Martin Diamond, 56 on natural rights, 47 on Willmoore Kendall, 56 teleological understandings of Declaration, as relates to Thomism, 72 James Madison Program in American Ideals and Institutions (Princeton University), 55, 261, 333, 358 James Wilson Institute on Natural Rights and the American Founding, 381 Jane Fonda, 5 Janus v. AFSCME (2018), 179 Jarvis, Howard, 168 Jefferson, Thomas, 33, 57, 62, 94, 127, 318 and Declaration of Independence, 71, 156, 216 and small freeholders, 164 and Thomas Aquinas, 72, 337 messianism concerning, 52, 58 **Iesus** Christ as upwardly mobile entrepreneur, 154 omission from Constitution of, 214

393

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

#### 394

### Index

Jesus Christ (cont.) teachings as foundation for free market economics, 156 Jews, 48, 275, 326, 351, 357 growing support for Religious Right, 308 Jewish conservatives, 42, 56, 72, 127, 312, 336, 350, 351, 366 migration toward neoconservatism, 96, 238 John Birch Society, xvi, 207, 303, 362 John Paul II, 246, 334, 347, 353 Johnson, Lyndon, 17, 364 anticommunism of, 201 Daisy Ad attack on Barry Goldwater, 245 war on poverty, 190 Johnson, M. Bruce The Attack on Corporate America (1978), 136Jones, Howard Mumford Primer on Intellectual Freedom (1949), 234 Jones, Paula, 282 Journal of Markets and Morality, 307 Iudges as ministers of God, 293 statesmanship, 49 virtue, 49 Judicial activism, 2, 29, 47, 89, 91, 96, 101, 102, 170, 195, 271, 335, 362, 365 Warren Court's, 88 Judicial restraint, 28, 29, 37, 47, 88, 100, 102, 147, 361, 366, 374 Crosskey on, 84 Judicial review, 29, 94, 98, 99, 100, 102, 147, 150, 362, 365 Alexander Bickel on, 91 Straussians on, 47 Juvenile delinquency, 183 Kappes Jr., Charles W., 133 Kavanaugh, Brett, 381 Kay, Richard, 378 Kellems, Vivien anti-tax campaign, 165-167 Kelsen, Hans, 77 Kemp, Jack and Francis Schaeffer, 280 Kemp, Joanne and Francis Schaeffer, 280 Kendall, Willmoore, 18, 33, 49-52, 57, 327 Basic Symbols of the American Political Tradition (1970), 56 Burkeanism of, 70

on inadequacy of conservative constitutional theory, 82 on school prayer decisions, 81 Voegelin influence on, 80 Kennedy, John F. anticommunism of, 201 Evangelical and Fundamentalist Christian opposition to, 255 messianism concerning, 52 Roman Catholicism of, 347-350 Speech to Greater Houston Ministerial Association, 255, 349, 371 Kennedy, Robert F., 160 anticommunism of, 201 Kenyon College, 327 Kesler, Charles, 39, 378 on Harry V. Jaffa, 53 Keynes, John Maynard General Theory of Employment, Interest and Money (1936), 142 Keynesian economics, 103, 117 Khruschev, Nikita secret speech, 245 Kilbourn v. Thompson (1881), 226 Kilpatrick, James Jackson, 35-36 and right to work, 184 King Jr., Martin Luther, 250, 296, 367 Letter from a Birmingham City Jail (1963), 55,334 Kirk, Russell, 40, 258 on Cardinal John Henry Newman, 311-314 on Lincoln, 62 on Orestes Brownson, 309-311 The Conservative Mind (1953), 16, 24, 308-314 Kirkpatrick, Jeanne, 202, 244 Kleinerman, Benjamin, 378 Kmiec, Douglas, 284 Knight, Frank, 23, 148, 152 Knights of Columbus support for Religious Right, 279 Koether, George, 157 Koop, C. Everett, 257, 279, 280 abortion as a return to Sodom and Gomorrah, and reenactment of the Holocaust, 273 Korean War, 130, 170, 212, 235 Korematsu v. U.S. (1944), 205 Kreeft, Peter, 258 Kristol, Irving, 11, 38, 54, 62, 205, 206, 320 on American Revolution, 71

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

#### Index

395

on civil liberties and anticommunism, 233-236 on the American Revolution, 70 support for religious orthodoxy, 308 Kristol, William, 234, 376 Ku Klux Klan, 118, 176 Kudlow, Lawrence, 357 Kurland, Philip, 88-90, 95 opposition to Bork appointment, 90 Labor regulation, 143 Labor unions, 237, See Right to Work LaFollette, Robert, 231 LaFollette, Suzanne, 12, 115 Laissez faire, 161, 189, 197 Richard Weaver on, 164 Land, Richard, 258, 351 Landis, James on Congress's investigations powers, 221 Landmark Legal Foundation, 173 Lane, Rose Wilder, 9, 104, 164 hostility toward religion, 308 on businessmen, 129 Langdell, Christopher Columbus corruption of legal education by, 292 Larson, Arthur Barry Goldwater's targeting of, 106 The Republican Looks at His Party (1956), 105-106 Law and Economics, 151-154, 195, 196 cost-benefit analysis, 153 Journal of Law and Economics, 152 Journal of Legal Studies, 152 Law Schools liberal faculty of, 27, 29, 32 Liberal faculty of, 27, 29, 32 Lawler, Peter Augustine, 350 on American Fouding as "accidental Thomism," 337 on Roman Catholic Americanism, 73, 330-331 on Roman Catholics as holding the deepest understandings of, and commitment to, America, 330-331 Lawrence v. Texas (2003), 284 Lawrence, David, 34, 183 on the Commerce Clause, 170 Lee, Rex, 173 Legal academics, 102 Legal mobilization conservative, 28 Legal Process School, 88-93, 102

Legal Realism, 15, 151, 263, 326 Legion of Decency, 341 Legislation as theft, 147 Legislative power, 116 delegation of, 115 Lemon v. Kurtzman (1971), 258 Lenin, Vladimir, 65, 121, 203 secular humanists as following in the footsteps of, 295 Leo Strauss Center. See University of Chicago Leo, Leonard, 304, 351 Lerner, Ralph, 90 Levinson, Sanford, 35 Lewis, C.S., 40 as proof that evangelicals aren't stupid, 257 Lewis Jr., Fulton, 9 Liberal Christianity, 260 Liberalism, ix, xiii anti-constitutionalism of, 1 Democratic Party, vii, viii Libertarianism, 9, 12, 28, 41, 58, 60, 105, 118, 158, 197, 203, 306, 382 and anticommunism, 204 commonalities with Religious Right, 281 opposition to Joseph McCarthy, 205 relationship to Christian traditionalism, 156 Liberty Amendment, 167 Liberty Amendment Committee, 168 Liberty Fund, 14, 24, 33 Liberty Lobby, 171 Liberty of contract, viii and labor unions, 185 Liberty University, 253 Limbaugh, Rush, 375 Lincoln, Abraham, 29, 54, 59, 296, 367, 369, See M.E. Bradford on Address Before a Young Men's Lyceum (1838), 71 appeals to God, 240 as a Thomist, 331 as constitution-wrecker, 56 as symbol of Right-Wing moral superiority, 370 Gettysburg Address, 47, 75 Harry V. Jaffa on, 56 messianism concerning, 52 on special Roman Catholic appreciation for, 74 on the Declaration of Independence, 162 opposition to Christian Amendment, 213 southern views on, 59, 62, 64 Will Herberg reservations concerning, 52

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

#### 396

Index

Lincoln-Douglas debates, 68, See also Abraham Lincoln, Stephen A. Douglas, and Harry V. Jaffa Lindbergh, Charles, 207 Lindsay, Gordon, 154 Lindsay, Hal The Late Great Planet Earth (1970), 285 Lindsay, John, 21 Living constitutionalism, 28, 35, 84, 96, 97, 99 Localism, 113 Lochner Era, x, 162, 180, 196 as "Constitution in Exile," 149 Lochner v. New York (1905), viii, 96, 172, 195 Lochnerism, 47, 88 Locke, John, 33, 44, 48, 57, 71, 127, 156, 283, 324 on property, 71 on rule of law, 114 Samuel Rutherford as more significant than, 289 Lodge, Sr., Henry Cabot, 44 Long, Huey, 298 Lord, Daniel, S.J., 341-343 Lott, John R., 378 Louisiana State University, 77, 315 Lowenthal, David, 95, 316 Loyalty oaths, 233 Lucas v. Carolina Coastal Commission (1992), 163 Luce, Clare Boothe, 140, 299 Luce, Henry, 16, 23, 140, 239, 301, 347 Ludwig von Mises Institute, 119, 125, 285 Luhnow, Harold, 15, 22 Lyons, Eugene, 223, 229 MacArthur, Douglas, 140, 212-213 Christian nationalist anticommunism of, 212 Machen, John Gresham, 256 Machiavelli, Niccolo, 42, 324 Discourses, 32, 41 The Prince, 34 MacIntyre, Alasdair, 308 MacLean, Nancy Democracy in Chains (2017), 146-147, 149 Madison, James, 45, 118, 283, 287, 289 as taught by the Godly John Witherspoon, 261 Memorial and Remonstrance on Religious Assessments (1785), 95 on capitalism and the Constitution, 190

Magill, Roswell, 165 Magna Carta, 225 Mahoney, Daniel, 131, 132 Mainline Protestantism. See Protestantism, mainline. Maistre, Joseph de, 311, 314 Malbin, Michael, 95 Malick, Charles, 326 Manhattan Institute, 22, 136 Veritas Fund, 14 Manion, Clarence "Pat," 4, 19, 106, 303, 326, 343-345 "Godless Communism," 202 Manion Forum, 4 on Christian foundations of Constitution, 214 Manne, Henry, 154 Mansfield Jr., Harvey C., 39 MANual Enterprises, Inc. v. Day (1962), 343 Marcuse, Herbert, 95 Maritain, Jacques, 300, 326 Mark, Daniel, 351 Marquette Charitable Organization, 12 Marshall, John, 109, 301 Marx, Karl, 115, 138, 300 advocacy of progressive income tax, 167, 169 on income distribution, 188 Marxism, 202 Masses Publishing Co. v. Patten (1917), 216 Masugi, Ken, 378 Materialism, 111, 138, 157, 270, 276, 315 McCarthy, Eugene, 160 McCarthy, Joseph, 10, 118, 205, 345, 359 Irving Kristol on, 234 McCarthyism, 50 McCarthy, Mary on American Irish Catholic sensibility, 304 McCloskey III, Father C. John, 335, 357 McCollum v. Board of Education (1948), 242 McCormick, Robert, 104 McCreary County v. American Civil Liberties Union (2005), 290 McCulloch v. Maryland (1819), 169 McDonald, Forrest, 43, 194-195 McDowell, Gary L., 192, 193 McGovern, George, 160, 202 McGrain v. Daugherty (1927), 222 McInerny, Ralph, 161 McIntire, Carl, 155, 344 support for labor unions, 187 McKinley, William, 106

on factions, 197

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

### Index

397

McWilliams, Wilson Carey, 308 support for labor unions, 186 Medina, Harold R. testimony of role of Christian faith in judging, 241 Meese III, Edwin, 17, 88, 97, 98, 192, 361, 365, 374, 382 Mellon, Paul, 15 Mencken, H.L., 9 Menger, Carl, 109 Methvin, Eugene, 123, 227 Mexican Revolution, 346 Meyer, Frank, xvi, 118 argument against Harry V. Jaffa, 58–59 on Congress's investigations powers, 229 Mill, John Stuart, 33 Hayek criticism of, 139 Miller, Arthur, 32 The Crucible (1953), 245 Miller, Loren, 22 Miller, Stephen, 196 Milliken, Roger, 19 Mindszenty, Cardinal, 358 Minimum wage laws, 118, 186 Mises, Ludwig von, 23, 109, 110-111, 142, 152, 157 Human Action (1949), 111, 158 Socialism (1922), 110, 159 Theory of Money and Credit (1912), 110 Missouri Compromise (1820), 62 Modern Age, 4, 12-13 Modern art, 269 Modernity, 263, 314, 318, 324, 326, 371, 376 and Roman Catholicism, 330 Roman Catholic Church as a bulwark against, 327 Roman Catholic opposition to, 305, 357 Moley, Raymond, 202 Monarchy Roman Catholic, 348 Monetary policy, 143, 156 Mont Pelerin Society, 14, 23-24, 111, 144, 152, 185, 186, 307 Montesquieu, 193 Moody, Dwight, 249 Moore, Roy, 290 Moral Majority, 252, 253, 367 Moralism opposition to, 62 Morals legislation, 140 More, Thomas, 333-335

Moreell, Ben. See Americans for Constitutional Action (ACA) Morel, Lucas, 369 Morgenstern, Oskar, 146 Morley, Felix, 13-14, 23, 33-34, 162, 204 on labor unions, 182-185 Mormons (LDS), 48, 302, 366 Moscow Trials, 206 Motion Picture Alliance for the Preservation of American Ideals, 179 Mountain States Legal Foundation, 173 Movie Production ("Hays") Code, 341 Moynihan, Daniel Patrick, 48, 95-96 Munn v. Illinois (1877), 61 Muñoz, Vincent Phillip, 357 Murray, Charles, 23 Murray, John Courtney, 81, 101, 140, 300, 339, 350, 359, 371 friendship with Henry Luce, 301 on Christian foundations of Constitution, 214 We Hold These Truths (1960), 334, 371-373 Mussolini, Benito, 121 Myrdal, Gunnar An American Dilemma (1944), 30 NAACP [National Association for the Advancement of Colored People], 28 Nader, Ralph, 135, 172 Nash, John, 146, 150 Nashville Agrarians, 9, 61, 209, 316 Nathanson, Bernard, 357 National Association of Evangelicals, 248 support for Christian Amendment, 254 National Association of Manufacturers, 176, 178 National Center for Constitutional Studies, 303 National Civic Federation, 176 National Committee for Amish Religious Freedom, 258 National Committee for Economic Freedom, 168 National Endowment for the Humanities, 56,68 National Labor Relations Act, 103, 176, 178, 179

as supporting illegitimate monopolies, 182 National Labor Relations Board, 176 National Labor Relations Board v. Jones and Laughlin Steel Corp. (1937), 177 National Labor-Management Foundation, 180

National Metal Trades Association, 176 National Prayer Breakfast, 249

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

#### 398

Index

National Review, xvi, 4, 25, 31, 35, 52-53, 137, 206, 220, 303 Brent Bozell on, 356 demural on ultramontance Roman Catholicism, 328 Founding, 52-53 National Right to Life Committee sponsorship of broadcast of Francis Schaeffer, 280 National Right to Work Committee, 180, 183, 185 National Right to Work Legal Defense Fund, 184 Nationalism, 5, 297, 371, 382, See also Christian nationalism Natural Law, 1, 48, 55, 57, 69, 77, 159, 160, 261, 300, 303, 327, 329, 334, 336, 340, 356, 369 and the Bill of Rights, 332 as foundation for American law, 336 in Robert Bolt's A Man for All Seasons, 333-335 postwar revival, 333-335 Roman Catholic understandings, as applied to US, 73, 330-335 Natural Law Forum, 343 Natural Law Institute, 343 Natural rights, 59, 69, 101, 156, 180, 190 Hadley Arkes's efforts to promote conservative understandings of, 381 Harry V. Jaffa on, 47, 55 Nazism, 77, 78, 79, 111, 113, 206, 235, 315, 324, 326, 350 and euthanasia, 274 as a consequence of Darwinism, 268 as caused by secularism, 259 Neoconfederatism, 40, 55, 56, 67, 101, 102, 366 as antifascist, 208 M. E. Bradford, 61 Neoconservatism, 11, 23, 28, 41, 45, 48, 54, 89, 101, 202, 205, 233-236, 244, 245, 320, 364, 366 early opposition to originalism, 233-236 on civil liberties and anticommunism, 233-236 opposition to Donald Trump, 375 opposition to M.E. Bradford appointment to NEH, 62 support for labor unions, 187 Neuhaus, Father Richard John, 258, 313, 350, 351

New Criticism, 316 New Deal, viii, x, xii, 5, 9, 18, 37, 45, 53, 85, 88, 97, 119, 140, 149, 151, 152, 153, 164, 170, 182, 203, 244, 363 and Alger Hiss, 211 and American Catholics, 298 and organized labor, 178 and Soviet Union spies, 210 Communist Party USA support for, 206 Crosskey's originalist defense of, 83 Fundamentalist Christian support for, 254 Justice Black's support for, 88 labor regulation, 103 Milton Friedman on, 142 neoconservative acceptance of, 96 regimentation, 240 Supreme Court "switch-in-time," 29 New Frontier, 53 New Hollywood, 341 New Left, 37, 54, 89, 118, 139, 201, 227, 320 hostility to freedom of speech, 95 New Right, 140 New School for Social Research, 70 New York Herald Tribune, 131 New York State Conservative Party, 21, 185 New York University, 23 Newman, Cardinal John Henry as described by Russell Kirk, 311-314 Newsweek, 23 Niebuhr, Reinhold, 244 Niemeyer, Gerhart, 326, 357 anticommunism, 208 Nietzsche, Friedrich, 130, 320, 324 last men, 138 Nihilism, 42, 352, 370, 371, 374, 377 Nilsson, George W., 32 Ninth Amendment, 184 and labor unions, 180 Nisbet, Robert, 170, 355 on intermediate groups and non-material values, 139-140 support for labor unions, 186 The Quest for Community (1953), 307 Niskanen, William, 146 Nixon, Richard, 11, 28, 202 1968 presidential campaign, viii, 93 and Billy Graham, 250 impeachment, 89 Kitchen Debate with Khrushchev, 132, 188 support for strict constructionism, 93 Nock, Albert Jay, 9, 12, 105, 108-109, 376 "the remnant," 103, 109

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

### Index

influence on Edmund Opitz, 158 Nockean Society, 158 Noll, Father John Francis, 342 Noll, Mark, 258, 351, 372 praise of Roman Catholic theology, 373 North, Gary, 155, 282 melding of Christian Reconstructionism with Austrian economics, 285 Novak, Michael, 258, 307, 313, 320, 350, 351 The Spirit of Democratic Capitalism (1982), 160-161 Novak, Robert, 357 O'Reilly, Bill, xv, 4, 77, 333, 359 O'Brien, Father John, 349 O'Connor, Cardinal John, 258, 351 O'Sullivan, John, 246 Oakeshott, Michael, 50, 64 Obama, Barack, viii, 55, 58 Obergefell v. Hodges (2015), 284 Objectivist, 126 Objectivist Newsletter, 125 Obscenity, 319, 343, 355 Ockenga, Harold, 248 Old Dominion Foundation, 15 Old Left, 201 Old Right, x, xii, xvii, 9, 12, 104, 105, 125, 129, 130, 161, 164, 172, 203, 242, 298, 308 support for Adolph Hitler, 207 Olson, Mancur, 146 Open shop, 176, 179 Opitz, Edmund Religion and Capitalism: Allies, Not Enemies (1970), 158-160, 307 Opus Dei, 55, 261, 327, 335, 357, 358 Originalism, xi, 2–3, 25, 27, 38, 57, 82, 92, 120, 361, 362, 363, 365, 366, 378, 382 "New," 100, 102, 195 "Old," 2-3, 47, 374 and ceremonial deism, 213 and Christian nationalism, 374 and Donald Trump, 378 as call for judicial restraint, 2-3 Conservative living originalism, 2-3 Conservative, outside the legal academy, 2-3 enlistment of neoclassical economics by, 196 Harry V. Jaffa's, 68 initial neoconservative hostility toward, 2-3 John Whitehead's, 286 liberal, 83 original meaning, xvii

Orthodoxy, 20, 33, 40, 41, 50, 57 religious, 308-309, 311-312, 319 Osteen, Joel, 154 Our Sunday Visitor, 342 Oxford Movement, 311 Pacific Legal Foundation, 136, 171 Pangle, Thomas, 39 Parker, John J., 336 Parochial schools government funding for, 258 Paterson, Isabel, 9, 104, 164 Patriotism, viii, 5, 18, 42, 141, 228, 254, 297, 302, 336 Paulsen, Michael Stokes, 378 Peale, Norman Vincent, 132, 135 Pegler, Westbrook, 178 Pei, Mario, 34-35 Peikoff, Leonard, 129 Pence, Mike, 381 Pennsylvania Catholic Conference, 258 Pennsylvania Catholic Conference of Bishops, 258 Pennsylvania Equal Rights Council, 258 Pennsylvania v. Nelson (1956), 230 Pentagon Papers, 5 Pentecostalism, 279, 372 and gospel of success, 154 Percy, Walker The Moviegoer (1962), 297 Perle, Richard, 244 Pestritto, Ronald, 378 Petro, Sylvestor, 185 Pew Jr., J. Howard, 155, 157 Philadelphia Society, 17, 307 Philanthropy, 132 Physiocrats, 194 Pierre Goodrich, 14 Pike, James, 371 on John F. Kennedy's Catholicism, 349-350 Pittman, R. Carter, 32, 226 Pittsburgh Courier, 209 Pius X, 299 Planning, economic, 114, 116, 128 Plato, 317, 323 The Republic, 70 Plattner, Marc, 192 Pledge of Allegiance, 213, 249, 347 Pluralism, 76, 333, 339 and Roman Catholicism, 329 Cardinal Newman's opposition to, 311

399

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

#### 400

#### Index

Pluralism (cont.) denial of religious, 288 John Courtney Murray on religious pluralism, 331 Podhoretz, Norman, 62, 237, 268, 320 Poe, Edgar Allan, 309 Poitier, Sidney, 209 Political parties, 46, 379-381 Political Science Reviewer, 33 Politics and the Constitution (1953). See William Winslow Crosskey Pollack v. Farmers' Loan and Trust Company (1895), 167 Pope Benedict XVI praise for the Catholic Action Movement, 342 Popular Front, 206 Popular sovereignty relation to Bible, 291 Populism, 44, 104, 204, 352, 359 Lincoln's, 64 opposition to a rising elite, 271 opposition to secular, humanist, technocratic elites, 277 Pornography, 58, 354 Positivism, 48, 49, 55, 59, 75, 76, 101, 300, 323, 324, 370, 374 legal, 69, 292, 356 Posner, Richard, 196 Economic Analysis of Law (1973), 152 Pound, Roscoe, 183 and "sociological law," 263 Poverty, 143, 157, 161, 190 Powell Jr., Lewis, 11 Powell Memorandum, 134–137 Pragmatism, 300 and communism, 215 Prayer Breakfast, 213 Prayer in schools, 58 Preamble (US Constitution), 51, 145 Premillennial dispensationalism, 251 Presidency, 58 West Coast Straussian messianism concerning, 52 President's Commission on National Goals (1960), 122 Princeton Theological Seminary, 256 Princeton University, 55, 261, 262, 283 and the Catholic Right, 265, 304, 333, 340, 351, 358, 371 Privacy, 319 Privileges or Immunities Clause. See Fourteenth Amendment

Progressivism, x, xv, 22, 29, 38, 64, 88, 97, 99, 104, 147, 151, 191, 198, 203, 263, 362, See also Martin Diamond, Antiprogressivism of and conservative constitutional theory, 364 on congressional investigations powers, 220 Social Gospel, 157 support for open shop, 176 Voegelin on, 79 Project Blitz, 284 Pro-Life movement birth of, 257-259 picketing of abortion clinics, 281 Property rights, 116, 128, 134, 153, 156, 163-174, 194, 205, 346 and labor unions, 185 Proposition #13, 168 Protestantism, mainline, 76, 155, 157, 159, 242, 253, 332, 352 Public Choice economics, 144-151, 196 Public Citizen, 172 Public education, 143, 241 Public housing, 120 Public Interest, The, 4, 37, 54, 236 Publius Decius Mus. See Michael Anton

#### Quarterly Review of Austrian Economics, 119

Puritanism, 33, 65

Rabkin, Jeremy, 378 Racism, xvi, 68, 101 Fundamentalist Christian, 366 Railway Labor Act, 180 Rand Corporation, 146 Rand, Ayn, 111, 125–130, 148, 320 and cult of virility, 128 atheism of, 156 Chambers review of Atlas Shrugged, 137-139 hostility toward religion, 308 on American Founders, 126 Rational Choice. See Public Choice economics Rauschenbusch, Walter, 347 Rawls, John, 91 Reader's Digest, 4, 11, 227 and Christian nationalist anticommunism, 239 serialization of Hayek's Road to Serfdom, 115 Reagan Justice Department under, xvii Reagan, Ronald, xii, xvii, 16, 23, 28, 62, 68, 97, 102, 126, 136, 139, 140, 192, 365

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

#### Index

401

"A Time for Choosing" Speech, xii administration, and development of constitutional conservatism, 360-361 administration's adoption of law and economics paradigm, 153 and fundamentalist Christians, 253 and Religious Right, 367 and Whittaker Chambers, 211 appointment of C. Everett Koop as Surgeon General, 257 Governor of California, 171 in Knute Rockne, All-American, 297 presidential Campaigns, viii Pro-Life movement and, 281 Reagan Democrats, 160 Reconstruction Amendments, 60 Red Scare, 216 Redistribution of wealth, 110, 111, 113, 143, 156, 161, 192 Reece Committee, 104 Reed-Dirksen Amendment, 169 Reformation, 266, 314, 348 Martin Luther, John Calvin, 289 Regent University, 262 Regnery Books, 4, 14–18, 19, 21, 24 distribution of Whittaker Chambers's Witness, 210 Roman Catholic Church and, 14 Regnery, Alfred, 378 Regnery, Henry, 12, 13, 16 Regnery, William, 12 Rehnquist, William, 90 Reich, Charles, 135 Relativism, 40, 42, 48, 67, 76, 276, 286, 317, 323, 324, 325, 352, 370, 374 Religion & Liberty, 307 Religiosity M.E. Bradford on Lincoln's, 63 Religious liberty, 115, 353 and anti-gay discrimination, 284 and labor unions, 180 and Roman Catholicism, 329 as requiring freedom for divinely ordained racism, 253 First Amendment, 288 Religious Right, 155, 211, 247, 252, 256, 336, 365, 372 Christian nationalism of, 284 development of culture wars "cobelligerence", 256-259 emergence of, 294 litigation campaigns, 282-293

Removal power, 231 James Madison on, 232 Renaissance, 266 Reno, R. R., 313 Rent control laws, 118, 120 Rent-seeking, 145, 172, 196 Republican Party, viii, xi, xii, xiii, 4, 7, 9, 10, 28, 32, 58, 104, 119, 364 "Rockefeller Republicans," viii 1968 Convention, 202 and Christian Fundamentalism, 252 and Christian nationalism, 250 and future of American constitutional law, 379-383 as movement conservative party, 99 Brent Bozell on, 356 Clarence Manion's frustration with, 345 evolution of, 294 free labor ideology, 176 judicial appointments, 97, 360, 380-383 racism and white supremacism and, 368 Religious Right and, 247, 256, 280, 372 repudiation of limited government under Eisenhower, 106 Republicanism, 193 Revolutions of 1848, 62 Richberg, Donald, 183 Rickenbacker, Eddie, 168 Right of revolution, 216 Right to privacy, 166, 226 Right to Work, 174-187 Right to Work Amendment, 185 Rights, 51, See Natural rights, Bill of Rights, Civil liberties, Fourteenth Amendment Positive rights, 35 Right-to-die, 367 Rigney, Father Harold W., 358 Rimanoczy, Richard Stanton, 188 Roberts, Oral, 154 Robertson, Pat, 258, 262, 282, 351 Robin, Corey, 8 Rock music, 270 Rockford Institute, 258 Roe v. Wade (1973), 5, 252, 259, 271, 277, 284, 353, 366, 381 as symbol of the abandonment of God and the decline of western civilization, 263 as symbol of the decline of Western civilization, 294 Francis Schaeffer's initial indifference to, 257

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

#### 402

Index

Roe v. Wade (cont.) use in unifying incipient Religious Right, and cementing its attachment to the Republican Party, 281 Roman Catholic Church as falling away from true Christianity, 265 Roman Catholicism, 40 as corruption of true Christianity, 289 Roman Catholics as guardians of the American republic, 76 relations with Evangelical and Fundamentalist Christians, 253-256 Roman Empire decline and fall of, 251 Roosevelt, Eleanor, 165 Roosevelt, Franklin Delano, xii, 9, 85, 130, 178 Albert Jay Nock on, 109 and executive power, 170 and Fundamentalist Christians, 254 and living constitutionalism, 34 and Old Right, 242 and Roman Catholics, 298 and the Great Depression, 142 court-packing plan, 85, 199 elitism of, 203 messianism concerning, 52 Ronald Reagan's admiration for, 360 stoking class resentment, 166 Roosevelt, Theodore, 176 Röpke, Wilhelm, 109, 111-113, 116, 157, 163 A Humane Economy (1957), 112 Economics of a Free Society (1963), 111, 158 Rosenberg Spy Case Julius and Ethel Rosenberg, 211 Ross, Irwin, 229 Rossum, Ralph, 378 Rostow, Eugene V., 32 ceremonial deism, 213 Roth v. United States (1957), 343 Rothbard, Murray, 118–119, 137, 204 Rotunda, Ronald, 378 Rousseau, Jean-Jacques, 313, 324 liberationist morals, 268 Ruggles, William, 178, 185 Rushdoony, Rousas J., 162, 252, 285, 287 Rutherford Institute, 162, 252, 282–283, 285 Rutherford, Samuel, 266, 282, 286, 289 as source of priciples of liberty and equality, 289 Friedrich Hayek's dismissal of, 289 Lex Rex (1644), 261

Ryan, Paul, 129, 347, 351 Rychlak, Ronald J., 350, 378 Ryskind, Morrie, 32 Sacks, Albert The Legal Process (1958) [with Henry Hart], 92 Saint Augustine, 55, 334 Salam, Reihan, 376 Salvatori Center for the Study of Individual Freedom in the Modern World, 19, 55 Salvatori, Henry, 19 Samuelson, Paul, 146 Satterfield, John C. See also American Bar Association Saturday Evening Post, 13, 226 Savio, Mario, 321 Scalia, Antonin, 3, 29, 95, 100, 102, 174, 304, 359, 362, 363, 365, 374, 382 adoption of Progressive constitutional theory, 29 Schaeffer, Francis, 252, 282, 285, 295, 366 A Christian Manifesto (1981), 162, 260, 281 A Time for Anger: The Myth of Neutrality (1982), 281 and formation of Religious Right, 278 as major influence on legal and constitutional thought of Republican Party, 259 as proof that evangelicals aren't stupid, 257 criticism of Billy Graham, 256 existential and civilization frame of, 294 How Should We Then Live?, 257, 263-272 initial indifference to Roe v. Wade, 277 meeting with Fulton J. Sheen, 279 on "sociological law," 263 on Roman Catholic theology, 339 on Roman Catholicism's support for fascism, 279 on Roman Catholics, 289 political influence of, 277-281 politicization of, 256-259 support for civil rights, 296 Whatever Happened to the Human Race?, 257, 272-277 Schaeffer, Frankie, 256 and Jack Kemp, 280 as advisor to Republican Party, 281

Ryan, Father John A., 298, 307, 325

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

### Index

403

lobbying Francis Schaeffer to change his views on abortion and work with Roman Catholics, 277 marketing of Francis Schaeffer films, 277 Schall, S.J., James on Harry V. Jaffa, 77 Schlafly, Phyllis, 25, 304 A Choice Not an Echo (1964), 17 Schlesinger Jr., Arthur, 244 on executive power, 231 School choice, 354 Schraeder, Paul, 338 Schrock, Thomas, 190 Schuyler, George, 123, 209 Scopes Trial, 252 Scorcese, Martin, 338 Second Amendment, 86 Second Vatican Council. See Vatican II Secular humanism, 260, 272, 288, 331 as paganism, 293 Republican opposition to, Democratic support for, 281 Secularism, 40, 48, 76, 239, 252, 256, 257, 285, 286, 307, 312, 315, 352, 370 and American decline, 278 and leviathan state, 159 as cause of Nazism, 259 evangelical hostility to, 248 in public education, 241 secular education, 305 secular state, 262, 265, 286 Security Risk Act (1950), 232 Segregation and private property rights, 170 as religious liberty right, 253 Segregationism, 28 decline in influence on the right, 102 Fundamentalist Christian, 366 Fundamentalist Christian belief as commanded by God, 253 Sekulow, Jay, 282 Selby, Earl and Anne, 123 Separation of Church and State, 255, 288, 328, 339, 371 American Catholics and, 349 Separation of powers, 59 as a Biblical principle, 291 Seventh Amendment as importing Bible-based common law into Constitution, 288 Sexuality, 376

condemnation of modern sexual decadence, 354 Roman Catholic war on "disordered sexuality," 337-343 Sharon Statement, xii, 21, 105 on free market economy, 187 Shea, John Gilmary, 358 Sheen, Fulton J., 4, 298–300, 326, 328, 333 anti-modernism of, 314 Catholic Hour, 298 Life is Worth Living, 298 meeting with Francis Schaeffer, 279 on Christian foundations of Constitution, 214 opposition to freedom of speech, 340 The Fulton Sheen Program, 299 viewing of Francis Schaeffer film episode, 279 Sherman Antitrust Act, 182 Siegan, Bernard, 173, 195-197 Simons, Henry, 151-152 Sinclair v. United States (1929), 222 Sirico, Father Robert, 307 Sixteenth Amendment, 30, 165 Sixth Amendment Confrontation Clause, 231 Sixties [1960s], 54, 56, 89, 92, 118, 139, 172, 184, 198, 201, 230, 248, 255, 257, 264, 269, 320, 364, 367 Skousen, W. Cleon, 303 Slaughterhouse Cases (1873), 61, 86-87 Slavery, 59, 69, 296, 370, 371, 373 abortion analogized to, 274 and capitalism, 209 as perpetrated by Arabs and Africans, 267 as route to American freedom, 275 Christian failures concerning, 267 labor unions as engaging in, 180 opposition to as importing moralism into American constitutionalism, 63 Slochower v. Board of Education (1956), 231 Smith Act, 230, 236 prosecution of leaders of the Communist Party USA, 241 Smith, Adam, 116, 197 Smith, Al, 254, 298, 348 Smith, Joseph on divine origins of US Constitution, 302 Smith, Lillian Strange Fruit (1944), 209 Smith, Stephen D., 378 Smith, Tara, 129 Smith, Vernon, 24 Smith, William French, 97, 361

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

#### 404

#### Index

Smoot, Dan, 344 Sobran, M.J., 57 Social Darwinism, 134 Social Gospel, 347 and evangelical Christianity, 247 Social science, 323 political biases of, 238 Social Security, 120 as affront to religious freedom, 122 Social welfare policy, 143 Socialism, 38, 107, 113, 114, 124, 130, 143, 152, 161, 190, 198, 203, 237, 253 Christian, 158, 347 of university faculties, 105 Socialism (1922) [Ludwig von Mises], 110 Sociological law, 271, 273 Socrates, 325 Sodality of the Blessed Virgin Mary, 342 Sokolsky, George, 9 Solow, Robert, 146 Solzhenitsyn, Aleksandr, 270 Somin, Ilya, 378 Sophocles Antigone, 334 Southern Agrarians. See Nashville Agrarians Southern Baptists, 255 Southern Baptist Convention, 351 Southern values, 9 Soviet Union, 76, 115, 121, 132, 210, 299, 333 as US ally, 206 brainwashing, 268 causes of collapse of, 246 Russian Revolution, 127, 267 Sowell, Thomas, 123 Spellman, Francis Cardinal, 228, 347 Spending power, 103 St. John's College, Santa Fe, 15, 16 St. John's College, Annapolis, 15, 16, 375 Leo Strauss at, 19 Stalin, Joseph, 121 relationship to Roe v. Wade (1973), 271 secular humanists as following in the footsteps of, 295 Stanford University Hoover Institution, 78 Stare decisis as Biblical in origin, 290 States' rights, 60 Staubach, Roger, 279 Stevenson, Adlai, 42 Stigler, George, 23

Stone, Marvin, 124 Stories of Peoplehood [R.M. Smith], xiv-xv, xvi Stormer, John None Dare Call It Treason (1964), 17, 207 Stouffer, Samuel A., 237-238 Strauss, Leo, 15, 38, 77, 328 and Roman Catholic thought, 73 at Claremont McKenna College, 19 Natural Right and History (1953), 57, 70, 323-325 on the future of the United States, and the West, 72 Straussianism, 37, 94, 146, 192, 294, 327, 328, 336-337, 370 against historicism, relativism, secularism, 40 and "Publius," 192 and Eric Voegelin, 78 and religious faith, 325 and Religious Right, 265, 281 and the Catholic Right, 350 and Thomism, 76, 331, 332, 336–337 as Platonism, 67 Athens (Reason) and Jerusalem (Revelation), 40, 74, 78, 265, 331 East Coast, 39, 47, 49, 233, 325 esotericism, 80 Midwest, 39 on prudence, 335 on the political regime, 80 recent move into training lawyers and judges, 381 theory of esoteric writing, 41 versus positivism, utilitarianism, relativism, historicism, and nihilism, 370 West Coast, 39, 48, 50, 67, 101, 296, 368, 370, 375, 377 West Coast and Christian Reconstructionism, 285 West Coast support for Donald Trump, 378 West Coast understanding of natural rights, 47-48 West Coast understandings of presidency, 52 Strict construction. See constitutional theory Strict constructionism, 82 Subsidies, government, 118 Sugrue, Thomas Joseph, 340 Sumner, William Graham, 128, 160, 197 What Social Classes Owe to Each Other (1883), 106, 127, 144 Sun Oil Company, 155 Supreme Court and banishment of God from public life, 272

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

justices as cavorting with Nazis, 276

#### Index

405

outsized power of, 58 Taft, Robert A., 9, 125, 344, 345, 360 Taft, William Howard, 9, 220 Taft-Hartley Act, 179, 180, 182 Taiwan, 240 Talk radio, 4, 19, 26, 77, 188, 258, 303, 333, 344-345, 375 Taney, Roger Brooke, 48, 56 as example of inadequacy of originalism, 94 as symbol of liberal moral inferiority, 370 Taxation, 111, 112, 130, 149, 156, 157, 164 as hindering economic growth, 117 tax resistance movement, 164-169 Taxi Driver (1976), 338 Taxing power, 103 Tea Party movement, xii, 53, 164, 375 Teapot Dome scandal, 222, 224 Technocracy, 271 Tellez, Luis, 261, 327 Ten Commandments, 344 as foundation for the common law, 290 Tenth Amendment Fair Labor Standards Act as violation of, 182 Textualism, 82, 382 Hugo Black's, 85 Thatcher, Margaret, 22, 111, 144, 148, 246 The Catholic Hour. See Fulton J. Sheen The Conscience of a Conservative (1960). See Barry Goldwater The Least Dangerous Branch (1962). See Alexander Bickel Theological-political predicament. See Leo Strauss Third Amendment, 134 Thirteenth Amendment and civil rights laws, 171 Thomas Aquinas, 15, 57, 265, 289, 299, 317, 326, 334, 337 and the American Founding, 75 and Thomas Jefferson, 72 as the foundation for American constitutionalism, 332 roots in ancient Greek paganism, 2.66 Thomas Jefferson and Thomas Aquinas, 72 Thomas Road Baptist Church, 253 Thomas, Clarence, 335, 359 Thomas, Norman, 38

Thomism, 15, 29, 48, 299, 317, 325, 343, 371-373, See also John Courtney Murray, S.J. and Straussianism, 336 as substitute for Christian Amendment, 214 Thomist nationalism, 371-373, 374, 382 Thoreau, Henry David, 163, 309 On Civil Disobedience (1849), 334 Thurmond, Strom Alfred Avins work for, 171 Tillerson, Rex, 129 Time, 16, 140, 301, 347 Time, Inc., 299 Tocqueville, Alexis de, 159, 307, 355 as imagining a Catholic America, 311 Tooley, Mark, 350 Torture, 218 Totalitarianism, 1, 65, 67, 76, 78, 112, 152, 232, 235, 286, 333 and ancient Rome, 265 faith as bulwark against, 301 Trade policy, 143 Transcendentalism, 309 Treaty power, 36 *Triumph*, 328, 333, 355, 356 Trotsky, Leon James Burnham and, 207 Truax v. Raich (1915), 171 Truman, Harry, 130 and executive power, 170 anticommunism of, 201 dismissal of Douglas MacArthur, 212 loyalty program of, 232 steel mill seizure, 170 Trump, Donald, xii, xvii, 25, 55, 56, 129, 207, 282, 303, 304, 313, 351, 382 "Make America Great Again," 100, 374 and American worship of businessmen, 130 conservative constitutionalist support for, 374-379 racism and white supremacism and, 368, 369 Supreme Court appointments, 381 West Coast Straussian support for, 53 Tullock, Gordon. See James Buchanan US Chamber of Commerce, 135 U.S. News and World Report, 34, 124 and organized labor, 183 US v. Carolene Products (1938), 211 Uhlmann, Michael, 378 Unemployment compensation, 122

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

#### 406

Index

Union dues compulsory dues as violations of First, Fifth, and Ninth Amendments, 185 United Nations, 168 United Railroad Operating Committee, 180 United States Commission on International Religious Freedom, 351 United States v. Cruikshank (1876), 86 University of Chicago, 14, 15, 16, 19, 23, 70, 144, 146, 323, 326 Committee on Social Thought, 90, 144 economics department, 142, 148, 151 economists, 23 Law School, 84, 88, 151, 152, 174, 195, 365, 366 Leo Strauss Center, 42 Straussianism at, 38, 42, 68, 191, 192 University of Dallas, 50, 327 M.E. Bradford at, 61 University of Navarra, 327 University of Notre Dame, 284, 297, 308, 326, 349, 358, 372, 381 Law School, 19, 202, 258, 261, 303, 327, 340, 343, 381 political science department, 208, 357 University of San Diego Law School, 173 Center for the Study of Constitutional Originalism, 196 law and economics program, 195 Urban disorder, 5 Utilitarianism, 272, 370 Cardinal Newman's opposition to, 311 Van Orden v. Perry (2005), 290 Vanderbilt University, 316 Nashville Agrarians, 61 Vatican II, 73, 101, 160, 255, 326, 345, 353, 371 John Courtney Murry's role in, 329 Vietnam War, 160, 201, 245, 338 Viner, Jacob, 152 Virginia Commission on Constitutional Government, 171 Voegelin, Eric, 51, 77-81, 315-316, 326 Eric Voegelin Society, 65 The New Science of Politics (1952), 64 Voice of the Crusaders opposition to New Deal, 188 Volker Fund, 15, 22–23, 144, 152 Volker, William, 18, 22 Von Neumann, John, 146 Voting Rights Act of 1965, 56, 255, 296, 364, 369

Wage and price controls, 120 Wake Up, America!, 188 Wall Street Journal and organized labor, 183 concern for civil liberties, 204 Wallace, George. See M. E. Bradford Warren Court, x, xii, 29, 35, 47, 49, 51, 88, 90, 97, 101, 172, 226, 233, 365, 374 and civil rights, 177 and communism, 218 judicial activism of, 88, 91 reaction against, 81-93 Warren, Robert Penn, 209 Washington, Booker T., 123 Washington, George messianism concerning, 52 Watergate scandal, 5, 222 Watkins v. United States (1957), 222, 226 Watson, Bradley C.S., 378 Watt, James, 173 Watts riots, 123 Watts, V. Orvall, 23 Waugh, Evelyn as imagining a Catholic America, 311 We Hold These Truths: Catholic Reflections on the American Proposition (1960),. See John Courtney Murray, S.J. Weaver, Richard, 170, 206, 316-323, 324 Ideas Have Consequences (1948), 163 on labor unions, 181 on natural southern anticommunism, 208 on property rights, 316-323 Weber, Max fact-value distinction, 323 Wechsler, Herbert, 92 Weigel, George, 258, 347, 350, 351 Welfare reform, 23 Welfare state Catholic conservative rejection of, 306 West Coast Hotel v. Parrish (1937), 172 West, Thomas G., 39, 378 Western Civilization Christian foundation of, 79 crisis of, 78 Westin, Alan on civil liberties, 236 Weyrich, Paul, 303 White Citizens councils, 362, 368 White supremacy, 28, 368 Whitehead, John, 162–163, 295

Cambridge University Press 978-0-521-19310-8 — Conservatives and the Constitution Ken I. Kersch Index <u>More Information</u>

### Index

407

The Second American Revolution (1982), 162, 287-293 The Separation Illusion (1977), 286-287 Whitman, Walt, 163 Whitney, John Hay "Jock," 131 Whittington, Keith, 378 Wickard v. Filburn (1942), 177 Wieser, Friedrich von, 109 Wildmon, Donald, 282 Will, Frederick, 141 Will, George F., 378 William of Occam, 317 Williams, C. Dickerman, 231 on Congress's investigations powers, 220-223 Williams, Stephen F., 220 Williams, Walter, 123 Williamson v. Lee Optical (1955), 172 Wilson, James Q., 196 Wilson, Woodrow messianism concerning, 52 Winter, Ralph K., 94 Wisconsin v. Yoder (1972), 258 Witherspoon Institute, 55, 261, 333, 358 Witherspoon, John, 286, 289 as Godly teacher of James Madison, 261 ties to Samuel Rutherford, and teaching of James Madison, 283 Wohlsetter, Albert, 146 Wolfe, Christopher, 327 Women's rights, 354

Woods Jr., Thomas E., 307, 345 Word on Fire, 319 World War I, 111, 216 World War II, 13, 14, 15, 26, 113, 130, 315 and adoption of Pledge of Allegiance, 213 Wormser, René on Rockefeller, Ford, and Carnegie Foundations, 104 Wouk, Herman The Caine Mutiny (1951), 203 Wright, Richard Native Son (1940), 209 Wriston, Henry M., 122 Yale Law School, 15, 32, 88, 93, 106, 326, 366 Yale University, 132 Yalta Conference, 210 Young America's Foundation, 21 Young Americans for Freedom, xii, 17, 21, 105, 222, 303 Youngstown Sheet and Tube v. Sawyer (1952), 170 Zeoli, Billy, 278 Ziglar, Zig, 154 Zobrest v. Catalina Foothills (1993), 258 Zuckert, Michael, 378 Zuckert, Michael and Catherine, 39 Zumbrun, Ronald, 136