Edmund Burke's Progeny: Recent Scholarship on Burke's Political Philosophy

Liberalism and Empire: A Study in Nineteenth-Century British Liberal Thought by Uday Singh Mehta (Chicago: The University of Chicago Press, 1999). Cited in the text as *LE*.

The Useful Cobbler: Edmund Burke and the Politics of Progress by James Conniff (Albany: State University of New York Press, 1994). Cited in the text as *UC*.

Edmund Burke: Modernity, Politics, and Aesthetics by Stephen K. White (Thousand Oaks, California: Sage Publications, 1994). Cited in the text as *EBM*.

Edmund Burke and Ireland: Aesthetics, Politics and the Colonial Sublime by Luke Gibbons (Cambridge, UK: Cambridge University Press, 2003). Cited in the text as *EBI*.

Foreign Affections: Essays on Edmund Burke by Seamus Deane (Cork, Ireland: Cork University Press, 2005). Cited in the text as *FA*.

Virtue and the Promise of Conservatism: The Legacy of Burke & Tocqueville by Bruce Frohnen (Lawrence, KS: University Press of Kansas, 1993). Cited in the text as *VPC*.

The Political Economy of Edmund Burke by Francis Canavan (New York: Fordham University Press, 1995). Cited in the text as *PE*.

Reflections on the Revolution in France by Edmund Burke, ed. and intro. by J. C. D. Clark (Stanford: Stanford University Press, 2001). Cited in the text as *Reflections*.

The Writing and Speeches of Edmund Burke. Ed. Paul Langford

et al. Oxford: Clarendon Press, 1981-. Cited in the text as *Writings & Speeches.*

The Works of the Right Honourable Edmund Burke (Bohn's British Classics), 8 vols. London, 1854-89. Cited in the text as *Works.*

The Correspondence of Edmund Burke. Ed. Thomas W. Copeland *et al*., 10 vols. Cambridge and Chicago: Cambridge University Press and University of Chicago Press, 1958-1978. Cited in the text as *Corr.*

Introduction

Edmund Burke is recognized by most modern conservatives as the founding father of conservative political philosophy. In fact, it is practically inescapable for those who claim to be conservatives that they recognize Burke as the fountainhead of conservatism. For the most part the *Reflections on the Revolution in France* is cited as the seminal text, with its emphasis upon order, custom, just prejudice, historical precedent, and prescriptive rights in the face of radical Jacobinism. Burke's rage against the French *philosophes* such as Rousseau, Voltaire, and Diderot was in large part due to their rejection of religion, property, and constitutional monarchy and their embrace of fanatical atheism, as he regarded their ultimate foundation. Burke's stance, based on solid principles of justice and tradition, and also reflecting natural sentiments of respect for the manners and habits of an ordered society, seems to have a transparency that is clear to all.

Yet there is clamoring over who are the true progeny of Burke. In international affairs Burke has been claimed for a robust realism, perhaps most notably by the United States' United Nations Ambassador, John Bolton.[1] For others he is a master of post-colonial thought. Burke has been linked by current expositors of his thought with an array of recent and contemporary

thinkers such as Nietzsche, Freud, Wittgenstein, Heidegger, Foucault, Lyotard, Habermas, Levinas, and even Rawls and Rorty. Is Burke becoming a captive of the "left," with which certain prominent scholars, such as Isaac Kramnick, minus Burke's account of the revolution in France, have specifically identified him?[2]

For post-colonial thinkers, Burke's critique of empire and imperialism, especially as imperialism led to the oppression of whole peoples such as in America, Ireland and India, while liberal thinkers such as Bentham and the Mills justified empire particularly in India, sets Burke apart from the major political philosophers of his time among English-speaking thinkers. For post-modernists, Burke's critique of abstract reasoning and rights-based liberalism leading to exclusionary political praxis, gains for the Irish-born British statesman an important force in their pantheon of luminaries. It also provides the left with considerable satisfaction to assert primacy over Burke's thought in opposition to conservatives.

In part this newfound zeal of the left for Burke (qualified as it is) stems from its attempted linkage between his aesthetics and his politics. After all, in Burke's famed *A Philosophical Inquiry into the Sublime and the Beautiful* (1757), it is claimed that he puts forward what Luke Gibbons has referred to as Burke's "colonial sublime," a phrase Burke never used. Here the "sublime" advances the "feeling" and emotive side of our nature, as the sublime is characterized as our "horror" at the darkened abyss, with its strange attraction-repulsion, such as evoked by our contemplation of the boundless ocean with its almost mystical mysteriousness, and its potential threat of the unknown and oblivion. The sublime evokes within us a passion, and a sympathy for the darkened, voiceless masses, who are oppressed, and yet with their potential for rebellion. Thus, the "colonial sublime" unleashes our horror at the oppressed masses Burke found in India and Ireland, and, by empathy and sympathy with the unfamiliar and the strangeness of the "other," can lead us to identify with their violent oppression and subjugation, providing

a sympathetic response, leading to prudent action to assist in removing the shackles placed on them by colonial powers.

To the credit of certain post-colonial thinkers, emphasizing Burke's avowed concern and labors on the part of the oppressed peoples is laudable—but for the wrong reasons. And these reasons, when turned to the turbulence of the French Revolution, leave an untenable contradiction in Burke's thought.

What is the missing dimension here? Not unlike Pope Benedict XVI in his recent condemnation of "relativism," Burke is firm in his philosophical realism; a realism which avoids the reductionism of cultural relativism via sympathetic identification with any and all forms of culture such as resides as the cornerstone of "Rorty pragmatists," Wittgensteinian celebrations of "life forms," Foucaultian knowledge/power syntheses in the service of whatever *status quos*, and power politics. Neglected or disputed is the natural law basis of Burke's thought in the tradition of Cicero and Aquinas, long ago cited by Russell Kirk, Peter Stanlis, and Francis Canavan, who were at the time of their writings in confrontation with the Anglo utilitarian/pragmatic interpretation of Burke's politics. If we are to call conservatives back to the avowed "foundationalism" in confrontation with the anti-foundationalism of post-modern thought, we should recall the authentic, unambiguous natural law basis of Burke's thought. What could be clearer than Burke's affirmation of the natural law in his prosecution of Warren Hastings wherein Burke states "We are all born in subjection,—all born equally, high and low, governors and governed, in subjection to one great immutable, pre-existent law?" For Burke this "pre-existent law" precedes our expediency, convenience, sensations, in fact precedes "our very existence" which he holds connects and ties us to the "eternal frame of the universe, out of which we cannot stir."[3] While in Burke's *Tracts Relating to the Laws Against Popery in Ireland* (1765) he refers to a superior law "which it is not in the power of any community, or of the whole race of man, to alter,—I mean the will of Him who gave us our nature, and in giving impressed an invariable law upon it."[4] I hold that it is irrefutable that Burke's politics adheres to a natural law

foundation which permeates his thinking, not in the manner of a natural law thinker such as Aquinas, but as a proponent of natural law, the off-spring of his theistic stance, and his realist understanding of human nature. With Francis Canavan, given Burke's own recorded words and speeches, it is practically impossible, upon reflection, to deny that he indeed held to a "metaphysics of a created universe."[5] In the *Reflections* Burke addresses the question of the legitimacy of the exercise of power by the people, asserting that to be legitimate such power "must be according to that eternal immutable law, in which will and reason are the same." (*Reflections,* 258) Burke is the pre-eminent philosopher/statesman in renouncing all politics grounded in the arbitrary will, whether of tyrants or a tyrannical majority or minority. Thus Burke can proclaim in *An Appeal from the New to the Old Whigs* (1791), "if no Supreme Ruler exists, wise to form, and potent to enforce, the moral law" then there can be no barrier "against the will of prevalent power."[6] Burke calls for a virtuous politics, and indeed does condemn all abuses of power as forms of tyranny, but this is underpinned by a condemnation of a relativism which would plead a "plan of *geographical morality*," a morality severing man's ties to the "great Governor of the Universe," as he expresses it in the impeachment trial of Warren Hastings, then Governor-General of the East India Company.[7] Instead, he praises and affirms "those eternal laws of justice" which are the same for all mankind, citing as he does "natural, immutable, and substantial justice"[8] prudently applied by the statesman who is, as Burke famously declares, the "philosopher in action."[9] Burke's true progeny reject "geographical morality," and all forms of "ethical relativism" that rejects natural justice, a justice which is grounded in the reason of omnipotence itself. This is not to neglect the crucial role of circumstances in Burke's thought, and the necessity of "political reason" or "prudence" to determine the proper course of action in oftentimes-complex circumstances. It is my belief that only those who embrace Burke's natural law foundations have a just claim to be Burke's progeny.

Yet, as the following engagement with some of the recent most

notable scholarship on Burke attests, the debate over the proper interpretation of Burke's political philosophy continues unabated. Even where there is disagreement, there is often advancement in our understanding of Burke, or new approaches that serve to further illuminate his thought are disclosed. As this reviewer has staked out firmly and resolutely what he takes to be the authentic basis of Burke's political philosophy, it is hoped that this will serve to highlight the intensity of the interpretive debate over Burke from the 1990s to the present date. What follows is a selective group of works on Burke, with a range of viewpoints examined. In keeping with the policy of the *Political Science Reviewer*, this article is indeed an engagement of fundamental principles at the heart of Burke's politics.

A Review of Burkean Scholarship

Uday Singh Mehta in *Liberalism and Empire* offers a stinging critique of British liberalism in which John Stuart Mill emerges as the villain and Edmund Burke the near-hero. The foundations, or, for Mehta, the anti-foundationalism, upon which Burke's heroic status rests, is rather disconcerting and will be scrutinized in due course. But first, as a prelude to Burke's status as a critic of Empire, it is necessary to determine the extent of Mehta's animus against liberalism.

Underlying Mehta's critique is the paradoxical nature of liberalism's claim of individual rights, personal freedom, a universal human nature, and yet the manner in which such liberals as Bentham, the Mills, and Macaulay justify the extent of the British Empire, in paternalistic and oppressive terms, denying the very rights and freedoms at the base of their liberalism. Mehta announces the aim of his study as seeking "to understand how universalistic doctrines sustained a *status quo* of unmistakable political exclusion." (*LE,* 64)

What is this core of liberalism, which carries within itself the potentiality, but not the necessity of political and social exclusion? For this, Mehta turns to liberal anthropological considerations. Indeed, he discovers therein the capacity for freedom,

equality, and all the liberal attributes, but in those peoples within the gambit of the British Empire for 18th and 19th century British liberals, they have not developed these attributes and thus they are justified in their status subject to liberal imperialism. Mehta does not reject liberalism's core beliefs in the limits to political authority, constitutional principles of "representation," universal suffrage, or claims of self-determination, including those of minority groups." (*LE,* 48) Indeed, liberalism grounds these core beliefs in an understanding of human nature that recognizes these capacities universally in all human beings. The problem lies in the suitable conditions, especially cultural conditions that permit a people to in fact actualize these liberal capacities. Without the flourishing of "specific cultural and psychological conditions ...woven in as preconditions for the actualization of these [core] capacities," we encounter liberal "exclusions," not inclusions. (*LE*, 49) There are civilizations that lack these "preconditions," and in so lacking them, there is a place for justification of empire within the context of liberalism. In fact, there is a virtual imperative that liberalism seek to guide, direct, and rule those who are as yet unable to actualize their capabilities, which lie dormant within their human nature. There is a space between the liberal conception of human nature and a civilization lacking the necessary preconditions to actualize these capacities. It is here that liberalism encounters the "other" as stranger, with no familiarity, or sufficient basis for empathetic equality. Thus the paradox of liberalism. It is universalist, in its rationalist teleology towards self-determination via freedom and equality, and yet there are backward peoples not yet ready to realize their *telos*.

Herein enters Burke. It is Burke whose perspective is tempered by an epistemological humility; a humility, for Mehta, that turns to feelings, sentiments, and even passions to break through boundaries between cultures, and to see the stranger as another one like oneself, permitting a familiarity to emerge and govern relations between cultures and the peoples therein. As our concern is with Mehta's interpretation of Burke's political phi-

losophy, rather than his assessment of liberalism *per se*, and its implicit embrace of empire, it is necessary to recognize, according to Mehta, Burke's "profound humility in the face of a world that he did not presume to understand simply on account of his being rational, modern or British." *(LE,* 21) We may refer to this as Burke's epistemological "humility," in that it is his "openness" to the "possible risks" that accompany "dialogue with the unfamiliar." *(LE,* 22) Still, as Mehta's work seeks to explore this salient feature in liberalism that would allow such thinkers as Bentham and the two Mills to justify the subjugation of entire civilizations for their own good, it is necessary to further our understanding of Mehta's account of liberalism in order to better exfoliate his account of Burke. Thus, Mehta seeks to qualify somewhat his account of liberalism, for he states, "I do not claim that liberalism *must be* imperialistic, only that the urge is *internal* to it." (*LE,* 20) Now, if there is a thrust, or "urge" inherent within liberalism towards imperialism, then not to draw within its orbit subject peoples as part of an empire is to leave liberalism as truncated and failing to realize its own *telos*, or so it would seem.

To further characterize liberalism for Mehta, as context and background for comprehending his claim of epistemological "humility" for Burke, it is necessary to explore his account of liberalism as governed by what Mehta terms the "cosmopolitanism of reason," and the "cosmopolitanism of sentiments."[10] (*LE,* 20-22)

Mehta launches a withering critique of the concept of reason as it manifests itself not only in the 19th century liberal thought of both the Mills, but as it characterizes most of "Western thought," including Socrates, the Stoics, Saint Augustine, Descartes, Hobbes, Kant, Hegel, Rawls and Habermas. What characterizes the liberal idea of reason is its universality, its "abstract ideals of rationality, individuality, the morally sanguine, the imperative of politics, and most generally, to the requirements of progress." (*LE*, 25) The problematic which liberal reason falls prey to, is the reduction of the "stranger," the "unfamiliar," the individual, to the "abstract ideal of rationality," expressed in what Mehta terms the "cosmo-

politanism of reason." It is not only the universalizing of reason that sublimates the individual into the universal itself, but it is the ideal of progress that leads liberal thought to render a moral judgment upon the stranger as needing the guidance and direction of the liberal, progressive imperialist into enlightenment, itself a long range, historical process. Thus, it is not only the "abstract ideal of reason," that prevails, but the inclusion in that ideal of a *telos*, or an end, which requires "progress" to realize a progressive state more or less already realized in liberal democracies and lacking in the backward unfamiliarity of the unenlightened civilizations. And what is missing for liberalism is the "singularity, individuality, social and political identity" which belongs to Mehta's category of the "stranger." (*LE,* 25) Borrowing from Oakeshott, whom Mehta claims as a primary influence, it is the "very 'modes of experience'" which render the strangers' "lives meaningful to themselves." (*LE,* 25)

Apart from the broad sweep of Mehta's characterization of much of Western thought, a sweep that gathers up philosophical realists, rationalists, empiricists, conceptualists, idealists, liberal pragmatists, and Kantian liberals—apart from all this is the place of Burke's epistemological humility that Mehta asserts in his critique of liberalism's justificatory enterprise for Empire. It is hard to find flaws in Mehta's schematic of liberal thought when it ranges from the purely epistemological, which is then applied to the social and political realm. In Aristotelian terms this constitutes an unstated move from speculative to practical reason. But it is not without success on Mehta's part, for it is certainly the case that Burke's thought constitutes a full-fledged assault on abstract reason as applied to the spatial-temporal realm of politics.

Yet Burke himself refuses to exclude universals from his thought as he claims in his "Speech on the Petition of the Unitarian Society" (1792) that "I never govern myself, no rational man ever did govern himself, by abstractions and universals." Burke continues in the very next sentence, claiming that "I do not put abstract ideas wholly out of any question; because I well know that under that name I should dismiss principles, and that without

the guide and light of sound, well-understood principles, all reasonings in politics, as in everything else, would be only a confused jumble of particular facts and details, without the means of drawing out any sort of theoretical or practical conclusion."[11] For Burke, while principles are necessary for practical matters, they are "to be guided by circumstances," for to judge "contrary to the exigencies of the moment he may ruin his country for ever."[12] In commenting on this passage, Francis Canavan correctly points out that principles are necessary in making concrete moral judgments, but that principles must work in tandem with "prudence," which Burke held to be the first of the moral virtues, as did Thomas Aquinas, as prudence takes into consideration principles while regarding circumstances.[13]

Against the familiar structures of generality that limns the epistemology of liberalism Mehta casts the epistemological "humility" of Burke, a humility that does not presume to understand or comprehend the lived-experiences, the life-forms of the unfamiliarity of the Indians. It is Burke's strength, contends Mehta, to be able to recognize the unrecognizability of the experiences, sentiments, and feelings, spread over the space and time of history, a history not fully gathered up and teleologically expressed in a translatable philosophy. One must be open to the singularity of the individuality and the opacity of the lived-world of the unfamiliar—so argues Mehta in a highly generalized fashion. Rather, the almost irresistible "urge" inherent in liberalism to subjugate, to dominate, and to assimilate the other into the "familiar structure of generality" renders liberalism incapable of extending one of its basic tenets, that is the one of "tolerance" to the unfamiliar. (*LE,* 21) To be tolerated and tolerable is to assimilate the other into the liberal framework, which espouses the "cosmopolitanism of reason," the *telos* of progress towards an ideal of self-realization that requires a starting point that backward peoples have yet to achieve, and the result is hegemony, domination, and an imperialism that denies the unfamiliar the very freedom, equality, and tolerance liberalism so fundamentally espouses.

But it is someone such as Burke who through his emphasis upon sentiments, feelings—in effect, the unsaid and untranslatable of the other's parlance into a western mode of understanding—that leads Burke to realize what he cannot fully realize, and this is the comprehension of the other through conceptualization. This at least allows him to achieve a certain solidarity with the stranger through the unconceptualizable narrative of sentiments. Mehta denies that Burke possesses a "'realist' epistemology" that permits a more exact correspondence between the "'nature of language'" and the "'nature of things,'" giving him access, somehow, to the true, authentic "nature of Indians." Rather, Mehta maintains that Burke's "thought is pitched at a level that takes seriously the sentiments, feelings, and attachments through which peoples are, and aspire to be, "at home." Mehta refers to this as a "'posture of thought'" on Burke's part that allows him to recognize that "the integrity of experience is tied to its locality and finitude." In fascinating fashion he aligns this "posture of thought" to "what Gadamer calls 'prejudice.'" (*LE,* 21)

One must marvel at this point at Mehta's own flowing narrative, permeated by metaphor, analogy and conjecture which glides over what for Burke might in fact turn out to be significant ontological matter. For one, why should Mehta require the clarification of Burke's "posture of thought" by recourse to Gadamer's reference to "prejudice"? The historical roots for this use of the term "prejudice" as a positive mode of understanding rather than a purely pejorative appellation, is Burke himself. Mehta is not ignorant of Burke's use of the term "prejudice" as he quotes Burke's condemnation of the East India Company and the Jacobins who destroy and dislocate in order to survive, thereby putting an "end of that narrow scheme of relations called our country, with all its pride, its prejudices, and its partial affections." (*LE*, 138n42, for Mehta's quotation of Burke's *Letter on a Regicide Peace*.) Indeed, Mehta notes the Enlightenment's consideration as a history and "record of our prejudices." Mehta considers it to be a distinct "Burkean contribution to the Enlightenment [that] these prejudices also give us

a sense of continuity and hence a sense of ourselves." (*LE,* 177)

What is remarkable is the range of philosophers Mehta finds compatible, at least to some extent, with Burke, including Wittgenstein, Heidegger, Nietzsche and Freud, and particularly Richard Rorty. (*LE*, 28n49) In reference to Heidegger, Mehta finds a link with, in effect, a similar "'social ontology' especially in relationship to Heidegger's notion of Being-With and Being a Self," as well as the "aroundness of the surrounding world and the spatiality of Da-sein." (*LE,* 34n65) Mehta also points to Heidegger's "Building Dwelling Thinking," which, he claims, "abounds in philological examples that strike me as deeply Burkean in their sensibility." (*LE,* 132n34) In this respect Mehta particularly focuses on the Heideggerian notions of "boundary" and "space." The specific quotation from Heidegger referenced by Mehta is his statement that "a boundary is not that at which something stops but, as the Greeks recognized, the boundary is that from which something *begins its presencing*.... Space is in essence that for which room has been made, that which is let into its bounds." (*LE,* 132n34)[14] Mehta correctly remarks that "Burke's understanding of place, as both territorial and social" contrasts with those "conception(s) of experience as something not shared with others." (*LE*, 133) Mehta explores a crucial aspect of Burke's thought, often neglected in scholarship, obliquely considered, or treated in a manner failing to seek further illuminations of Burke's thought through the sometimes perilous lens of recent philosophical thought. Yet the connection between "place" and "identity" as one of a shared experience with others is put in the context of the "logic of the psychological or cognitive operations," instead of their more fundamental ontological foundations, which I maintain is crucial to an understanding of Burke. To say this is problematic for Mehta's understanding of Burke is indeed an understatement; not because he fails to recognize any Burkean ontology, for he does, but only in passing. Rather, any reference to "foundations" for many contemporary thinkers only conjures up a "visual" or "representational" epistemology rooted in Platonism, manifested in any correspondence-theory of knowl-

edge, and Mehta clearly and correctly rejects such epistemology for Burke and as such.

Mehta does indeed note a Burkean ontology, but only in a footnote; in, no less, a note that contains one of his three references to Heidegger in conjunction with Burke. In this note, which receives no further elaboration in Mehta's volume, he claims that "In his ontology Burke both draws on an ancient tradition in which the metaphysics of Christian natural law have a special poignancy and anticipates Heidegger's understanding," an understanding replete with such notions as the "world," "spatiality," and "Da-sein" as "Being-With." (*LE,* 34n65) Now if Mehta can acknowledge a Burkean ontology, drawing on the ancient, classical tradition in which the "metaphysics of Christian natural law" has a resplendent place, why is there no further exfoliation of this ontology, of this ancient tradition, by Mehta? Instead, one wonders if this reference to ontology, perhaps, is simply absorbed by Mehta into the ontic realm of Heidegger's notion of Dasein as Being-With? But then how does Mehta justify the following moves: he places Burke's epistemology within the metaphoric realm of "eighteenth-century poetics" and aesthetics (*LE,* 43); these poetics and aesthetics become infused with the psychological and cognitive functions which are shaped by territory, place, and collective experiences gathering up the historical memory of a people congealed into a transitory, fleeting presencing of Being. (Cf. *LE*, 132-33) And yet this is not all, because epistemological matters for Burke are more akin to a Rortyian "pragmatism," a pragmatism that recognizes a "capacious version" of reason and that recognizes no constraints save those of conversation with others and collective inquiry.[15] (*LE,* 43 & 217) Are we now spread out all over the conceptual horizon from "the ancient tradition" of Christian natural law, through the fabrication of concepts reflecting a Nietzschean Will to Power, to Heidegger's Dasein analysis, to the skepticism of Oakeshottian modes of experience, to Rorty's conversational expansive pragmatism, not to overlook Wittgensteinian "life-forms?" The main thing is to exclude any remnant of Plato; Platonism is the *bete noir*

underlying the force of Mehta's critique. Drawing on Rorty, whom Mehta claims "Burke prefigures," there are no constraints in terms of "'the nature of the objects, or of the mind, or of language.'" (*LE,* 43)[16] Through "conversation" between others, all space is denied power, and hence "empire becomes impossibility." (*LE*, 217)

There are multiple points here that deserve some attention. They are, 1- Mehta's brief reference to a Burkean ontology and the "metaphysics of Christian natural law"; 2- rooting Burke's epistemology in aesthetics, poetics, life-forms, modes of experience, conversational pragmatism, the house of language, and social reason imbued with history; 3- the claim of place and territory as grounded in psychological and cognitive functions.

First, it is difficult to understand Mehta's reference to a Burkean ontology and Christian natural law when there is no follow-up or examination of this claim, even if it is to be ultimately refuted, which it is by implication throughout Mehta's entire work. It is refuted by Mehta's attribution of a "constructivist" view of knowledge, gleaned from historical, psychological, aesthetical experience in which the objects of nature are not fixed in timeless Platonic essences. How does Mehta slip into his work this reference, which is simply asserted, then, in the same reference, glides into a Heideggerian view of the life-world?

The arguments for a natural law interpretation of Burke's politics have long since been marshaled, often noted in subsequent Burkean scholarship, but almost never explored in depth and refuted; rather more likely simply pushed aside. Instead, Mehta acknowledges Burke's "metaphysics of Christian natural law" without identifying what he specifically means by this notion. Is Mehta referring to the tradition of Thomistic natural law, a law that for Aquinas is accessible by the natural light of reason? Mehta then proceeds to ignore this claim, without even pointing to the evidence of its existence in Burke himself, even when it bears directly on vital points of concern for Mehta's study regarding Burke's refutation of British imperialism. While noting from Burke's "Speech on the Impeachment of Warren Hastings"

that "Burke is dismissive of Hastings's 'geographical morality,'" Mehta goes on to characterize this notion in grandiloquent style as "a weighty index of who they [i.e., the people of the Carnatic] were, a dwelling cemented by the changing though never wholly voluntary alloy of history and sentiments." (*LE,* 185) Such a characterization by Mehta is so charged with metaphor as to render it practically unintelligible; in fact, it borders on an historicist account of "geographical morality," the seemingly very opposite of Burke's intention. In this context one would do well to note Frederick Whelan's conclusion, in his work *Edmund Burke and India*, that Burke "adamantly rejected 'geographical morality' of the sort that might accompany historicist doctrine, and his writings correspondingly contain many references to a common human nature or humanity."[17]

While there is no further reference to a "Burkean ontology" by Mehta, there is another reference to Burke and natural law, albeit a puzzling reference that is qualified in a manner that only makes Mehta's attempt to unfold Burke's epistemology more convoluted. Mehta does refer to Burke's recourse to the "abstract natural law of Christianity," at the same time separating Burke's epistemology from the cosmopolitanism [the universalism] of reason utilized by liberals, instead categorizing his thought as a "cosmopolitanism of sentiments." (*LE,* 139)

Perhaps there is a distinction between a "metaphysics of Christian natural law"—perhaps that of Thomists, connected to a considerable extent with Aristotelian realism—and Mehta's reference to the "abstract natural law of Christianity." One decidedly cannot refer to Thomas Aquinas' metaphysics of Natural Law as the "abstract natural law of Christianity." Rather than an "abstract natural law," Aquinas gives priority to "*esse*," or the "act of existence," over "*essentia*," or essence in the philosophy of Aquinas. The primacy of "*esse*" over "*essentia*" in Aquinas' metaphysics is in marked opposition to any type of Platonic essentialism. Grounding the natural law philosophy of Aquinas as his metaphysical existentialism does, insures that his conception of the natural law is not that of an abstraction. Human nature

itself, for Aquinas, has its essential structure founded on its "act of existence," itself flowing from its causal connection to the First Cause of all existence, the Supreme Being, whose essence it is to exist.

Now the only possible reconciliation between Mehta's conjunction of a Burkean utilization of a "metaphysics of Christian natural law" and an "abstract natural law of Christianity" with Burke's social epistemology, denoted as a "cosmopolitanism of sentiments," prioritizing feelings, experience, poetics, conversational pragmatism, and the prejudices and habitudes of a people, would be to acknowledge his recourse to a natural moral law rooted in a Christian metaphysics, and consider it to be a rhetorical device calculated to conceal Burke's authentic epistemology from a culture still imbued with a tradition of Christian theology, in order to further his real designs, which for Mehta is to lodge our understanding of the stranger and the other in the open-ended encounter due the mutual respect owed to the cultures of the non-European. But Mehta doesn't make this distinction explicit, and we are simply left to our own devices to, dare I say it, deconstruct Mehta's own text, to illuminate the unsaid within the said as context to stated text? Yet this is to plunge us into conjecture. Still, some comprehension of Mehta's Burkean ontology and some sort of Christian natural law is incumbent upon our examination. For it is Mehta himself who has placed these notions before us through his presentation of the moral basis of Burke's condemnation of the British Empire's imperialistic tyranny over India through the East India Company. And here we turn to Mehta's citation of Burke's critique of Hastings as making illicit use of "geographical morality" when it comes to his justification of the autocratic rule of the East India Company. Mehta rapidly acknowledges the divergent application of liberal values in England as opposed to the authoritarian, arbitrary rule in India, as this is part of Mehta's ultimate critique of liberal thought's inconsistency as applied to empire, an inconsistency that rationalizes the domination of subject peoples. An examination of Burke's own Speech wherein

the passage containing the phrase "geographical morality" is utilized requires attention.

Mehta quotes Burke directly from his opening "Speech on the Impeachment of Warren Hastings," 15 February, 1788, in which Burke decries any "plan of *geographical morality*, by which the duties of men, in public and in private situations, are not to be governed by their relation to the great Governor of the Universe, or by their relation to mankind, but by climates, degrees of longitude, parallels, not of life, but of latitudes."

This denial of "geographical morality," and Burke's connection of the same with "the duties of men" incumbent upon everyone, everywhere, is grounded by Burke on man's relation to the great "Governor of the Universe" as well as his "relation to mankind" apart from any demarcation by geography. This reference by Burke requires the diligent Burke scholar to seek out the obvious connection between moral duties incumbent upon all mankind with their source, the "great Governor of the Universe." Who is this Governor—He is not the absconded God of Aristotelian metaphysics but the God who governs by providential design. Burke's emphasis on God's "Providence" is of vital importance to his political philosophy; indeed, no adequate examination of his thought is complete without such an examination, for Burke's reference to Divine Providence spans his entire career. In his *Philosophical Inquiry into the Sublime and the Beautiful,* concerning the Providence of God, Burke exclaims that God's "wisdom is not our wisdom, nor our ways his ways."[18] In the *Reflections* he cites Providence's "dispensation of a mysterious wisdom." (*Reflections,* 184) While shrouded in mystery and requiring the submission of faith, the actions of Providence do not imply for Burke caprice on God's part. While God's Providence transcends our own human comprehension, requiring faith, nonetheless Christian metaphysics, is not irrational; as he notes in his *Correspondence*, "faith is not contrary to reason, but above it." (*Corr.* VI, 228)

Returning to the passage on "geographical morality" once again, it is necessary to consider the remainder of this reference

not included by Mehta. Burke writes, "This geometrical morality we do protest against; Mr. Hastings shall not screen himself under it." And why is this the case for Burke? Burke provides the reason, as he continues, contending that "the laws of morality are the same everywhere, and...there is no action which would pass for an act of extortion, or peculation, or bribery and of oppression in England, that is not an act of extortion, or peculation, of bribery, and oppression in Europe, Asia, Africa, and the world over."[19] But Mehta does not include this crucial second, supporting, explanatory part of the "geographical morality" passage. Having previously examined my understanding of Burke's metaphysics regarding both the meaning and place of Natural Law in his philosophy, I do not here intend to elaborate this matter at length. Additionally, the pioneering work on this topic has long been acknowledged in the writings of Peter Stanlis, Francis Canavan, B. T. Wilkins, and more recently, Bruce Frohnen.[20] Nonetheless, it is incumbent on an examination of the grounds of Burke's critique of Empire as presented by Mehta to address the place of Natural Law as Mehta mentions it and then summarily drops it.

Returning to Burke's "Speech on Opening of Impeachment," he puts forward the most compelling and clear grounding of the "law of morality." In this passage Burke is arguing against the tyrannical rule of the East India Company, denying the exercise of "arbitrary power" or the sheer exercise of the will, claiming that "no man can govern himself by his own will." Neither "can he be governed by the will of another."[21] Burke aligns the unbridled exercise of the will unrestrained by "wisdom and justice" with the irrational side of human nature. (*Reflections,* 203) Burke writes in his *Letter to a Member of the National Assembly,* (1791), that "Men are qualified for civil liberty in exact proportion to their disposition to put moral chains upon their own appetites." In fact, it is as much a "real right of mankind" to have restraints upon his appetites, mainly through one's own self-control, reflecting the habits, customs and manners animating society, as it is to exercise freedom itself. Freedom entails restraint and without it, it is license, caprice and arbitrary will. Continuing, Burke concludes,

"Society cannot exist, unless a controlling power upon will and appetite be placed somewhere; and the less of it there is within, the more must be without."[22] The question remains, though, why restrain the will? Since Mehta finds parallels between Burke and Nietzsche, one might ask, why not elevate the Will as a method of transcending the slave morality, itself the heritage of the meek and mild Christian ethics? Why should one not assert one's "aristocratic will" by positing one's own values in creative fashion, as Nietzsche would have it? Instead, Burke claims, in his opening speech of the Hastings trial, that "We are all born in subjection—all born equally, high and low, governors and governed, in subjection to one great, immutable, pre-existent law."[23] For Burke, we are indeed born equally; in subjection; to a pre-existent law; surpassing all temporality, all climates, transcending all history. This "pre-existent law" is "prior to all our devices, and prior to all our contrivances, paramount to all our very being itself, by which we are knit and connected in the eternal frame of the universe, out of which we cannot stir."[24] Could this be a reference to the classical tradition of Natural Law? Further, who is it, or what is it that does the knitting? There is no answer from Mehta.

But there is an answer of a kind from David P. Fidler and Jennifer M. Welsh in their "Introduction" to *Empire and Community: Edmund Burke's Writings and Speeches on International Relations*.[25] Fidler and Welsh cite the portion of the passage in which Burke refers to the "one great, immutable, pre-existent law," and proceed to explain away its apparent natural law content, or, more specifically, put forward a re-constructed content. For Fidler and Welsh this passage merely "suggests Burke's adherence to an idea of natural law," but they deem it necessary to clarify the "specific nature of his appeals to that law." First, they claim that "too much" is read into Burke's writings by "neoconservative interpretations of Burke as a disciple of Thomas Aquinas," with Peter Stanlis given as an example of such a "neoconservative."[26] The use of the label "neoconservative" is one that Stanlis rejects wholesale.[27] Stanlis does indeed compare

favorably Burke's position on Natural Law with Aquinas, while claiming that "Burke took his stand on the ground of Aristotle, Cicero, St. Thomas Aquinas, and the traditional conception of the Natural Law."[28] The interpretation that Fidler and Welsh give to Burke's utilization of "natural law vocabulary," is that it is a contribution to the "secularization of the term." In almost begrudging fashion Fidler and Welsh acknowledge that "Though [Burke] maintained that natural law was binding because it ultimately reflected God's will"—one wonders what could be more compelling than a law that does indeed reflect "God's Will"—but they claim that Burke "discovered [the natural law's] content through human custom and precedent—the 'wisdom of the species.'"[29]

Now assuredly the role of "custom and precedent" are crucial aspects of Burke's thought reflected in the manners and habits of a people; all of this points to the vital part of tradition in Burke's politics. Further, "custom and precedent" are congealed into Burke's doctrine of "prescription." But this fundamental tenet of Burke's political philosophy is virtually ignored by Mehta.

Returning to Mehta, we find a pivotal emphasis given to personal identity forged on the twin anvil of "history and place," constituting a "psychological account" that "undergirds" Burke's political and moral theory. (*LE,* 161) It is this psychological account of personal identity, which Mehta claims justifies a favorable, even compelling, comparison with Freud. This is another example of Mehta's sudden irruptions of comparative insights linking Burke with a fantastic array of disparate thinkers. One can readily recognize the importance of "history and place" in understanding the psychological and emotional aspects of a people who make up a political social order. But Mehta's founding of Burke's political theory almost entirely on history and place is too reductionist, and ignores almost entirely any Burkean recourse to notions of justice and prescription, together with an understanding of human nature that, while giving vital importance to habits, customs, and manners, is grounded on an "ontological density," that is the essential constituent of human nature.[30]

Mehta is certainly correct in focusing upon the role of history and place as vital in shaping a "sense of ourselves" for Burke, and his emphasis upon traditions and prejudices as providing the "preconceived channels in which human actions are at home." (*LE*, 176) Mehta claims that by history "Burke clearly means social order in an extensive form." It is history that "can ameliorate and guide the effects of our passions." (*LE*, 178) Mehta specifically considers history as equivalent to society guiding our passions in shaping Burke's notion of freedom. In a somewhat perplexing fashion, he holds that the "desire for liberty" is a constituent of our nature, but he claims this is not to be seen as a biological datum, but as an inheritance. For both Locke and Burke, Mehta holds, reason places a check on our exercise of freedom which itself is "related to our ability to understand the limits that natural law puts on our freedom." (*LE*, 179) And what is this natural law as Mehta regards it? There is virtually no elaboration provided, other than to characterize it as we have already pointed out in reference to Burke as holding to an "abstract natural law of Christianity." As Mehta strains to link Burke with Locke in part, then we also find no elaboration of natural law, or law of nature for Locke, other than a formal consideration revealing that it is part of Locke's "minimalist anthropology," universal in import, but rather barren of content, thus permitting restraints provided by conventions, legitimized through consent, and, almost as an aside, ultimately the result of God's causal efficacy. (*LE,* 55) The reference to natural law, or law of nature, by Mehta as it obtains in both Locke and Burke is more of a conceptual notion needing the mediation of history and society, which particularizes it in different cultures but maintains a sort of foundationalism in a "minimalist anthropology."

Whether or not Locke escapes the implication of an unrestrained natural freedom which qualifies man in the state of nature, and its extreme potential for radical individualism, and even anarchism, is problematic for Mehta's interpretation, especially as he is arguing by way of Locke's *Thoughts Concerning Education* for the place of "custom and the processes of educa-

tion" whereby "rationality must get inculcated." In other words, despite the reading of Locke in the *Treatises* which points towards the natural reach of human reason to give us "a preconventional access to the precepts of natural law," the Locke of the *Thoughts*, as distilled by Mehta, points to the pivotal role in education, and hence reasoning, of social strata, subordinations, "time, place, and social status," instead of "giving expression to capacities that are universal." (*LE*, 62) Mehta's success or lack thereof in rescuing Locke from the "cosmopolitanism of reason" which Mehta deplores, with its abstractive universalism, is of little concern to us save that Mehta wishes to draw a favorable comparison between Locke and Burke, even so far as asserting that "Burke always claimed to be a 'follower of Locke.'" (*LE*, 179) Strangely, almost enigmatically, Mehta provides no citation of what appears to be a direct quotation from Burke. Still, in turning to Burke, Mehta finds the mediating function of "history or society" as much easier to establish than in Locke, despite the former's recourse to the "abstract natural law of Christianity."

In Mehta's account, Burke's notion of liberty is a "social freedom." He extends this to "reason" holding that reason is "social reason and knowledge." Is the reference to a practical reason, or to the personal knowledge of Michael Polyani, whereby social knowledge emerges from the encounter with the other? After all, Mehta both cites Buber's "I-Thou" claim, and incorporates the priority of ethics in the thought of Emmanuel Levinas. (*LE,* 105) And the connection with Burke? For Mehta, as it is the nature of knowledge to be social, knowledge must be open to the encounter with the other as stranger, and as the "unfamiliar," realizing, at the same time, that the boundaries of spatiality, of temporality, and the accretions of history as they contribute to the stranger's very existence, is ultimately impenetrable, but not entirely impregnable. (*LE,* 214-16) But it is impregnable when cast into the category of the necessity of progress in civilization, or risk the fall into deadening backwardness, which is replete in the concept of Empire in J. S. Mill, but rejected by Burke. For Mill, the necessity of progress when confronted with the back-

wardness of India justifies British paternalism manifested in imperialism, justified by the logic of aiding the backward from their backwardness into the arena of the progressive.

While admirably and significantly focusing on Burke's surpassing understanding of the "Stranger," and the severe and necessary restrictions Burke places on the actions of the Imperial power of Britain, there remains exaggerated emphasis upon history insofar as it altogether replaces human nature, hence echoing Rousseauian anthropology. And this is the distortion of Burke's political philosophy, which demands a response. Indeed, Mehta does find a favorable comparison with Burke and Rousseau. He notes Burke's critique of Rousseau, yet "in another sense [Burke] illuminates an essential preoccupation of Rousseau's social thought." (*LE*, 177) The connection, although not elaborated on by Mehta, is drawn from Mehta's recognition that "Burke's work is replete with attention to human feelings, sensibilities, and prejudices." (Ibid.) And as these "sensibilities and prejudices" are the repositories of history within society one is left with the conclusion that feelings and sentiments supplant reason, in somewhat Humean fashion, for Burke, and that human nature is by nature historical. Burke becomes, in effect, Rousseau. How can this not be the case in Mehta's interpretation? Recalling, "reason...for Burke [is] thoroughly social, including the social understood as something ineradicably historical." (*LE,* 179) Is it not the case that for Rousseau there is no human nature having a *telos* or end, but instead one of possibilities, and, as Leo Strauss concludes in *Natural Right and History*, for Rousseau "man's humanity is the product of the historical process"?[31] But if this is the case then Burke's protest against the rationale of Hastings in the oppression of the Indians, then the critique of Hastings based on Burke's rejection of "geographical morality," is rendered mute.

James Conniff in his work *The Useful Cobbler: Edmund Burke and the Politics of Progress* determines Burke to be "a Humean philosopher in action." The isolated difference in Burke and Hume lies in the latter being "largely content to debate political issues, [while] Burke acted on a very similar appreciation

of the situation." (*UC*, 51) And how does Conniff arrive at this conclusion? In part he draws on Burke's *Philosophical Inquiry* and concludes that in this work Burke initially focuses on the source of human behavior residing in the psychology of associationism, derived from Lockean sensationalism. He cites Burke's limitation on human reason, finding in Burke the inability of reason to rise above the senses and ascend to the transcendent realm, hence our inability to reason our way to the existence of God.

But Burke later abandons the psychological account as too restrictive, and, instead, he turns to an historical account. For latent in history is the emergence of certain standards of morality suitable for the relatively efficient functioning of society. These standards are subject to change, but the change, which is essential for the stability of society, is one that is gradual, more readily assimilable by individuals, conducive to good order. At the same time, Conniff's Burke is concerned with achieving progress, the progress achieved by the statesman *qua* reformer. It is the action of the reformer and Burke's consideration of representative government that especially interests Conniff. In this regard, Burke is a mitigated success, even failing to achieve the progress for which he predicates his politics. And why is this? It is due to his aristocratic elitism, one that aims to represent the true interests of society, but one that fails to do so because in the effort to reform Burke's politics fails to be radical and populist enough. As a member of the Rockingham Whigs, Burke embraced the Glorious Revolution, raising the stature of parliament, but, ultimately, the "efforts failed because the Whigs were willing to act for the people but not with them or their more radical leaders." In Conniff's view, "this refusal deprived the Whigs of the popular support which would have been necessary to counterbalance the power of the Crown and its allies." (*LE*, 16)

Apparently, for Conniff, Burke was tactically wrong, or even inept, and his ineptness manifested itself with devastating effects in Burke's response to the revolution in France. Here, the Whigs themselves were divided into both "radical and conservative

elements," facing the "indecisiveness of the Pitt Administration, and the efforts of demagogues like Paine." The result was that the country was indeed "unified, but in a common resistance to all reform." The political leaders failed to advance the case for reform in opposition to the growing threat of the revolutionary cataclysm in France, looming on the entire European horizon. For whatever reason, the Whigs, by Conniff's account, were not sufficiently pragmatic and insightful to overcome their divisions, reflected in the Foxites' embrace of the regicidal zeal of France, and countered by the conservative reaction by Burke.

From Burke's perspective, as portrayed by Conniff, why would this be the case since he embraces a utilitarian pragmatism? Perhaps he was insufficiently pragmatic. For Conniff, Burke's politics indeed embraced a flexibility lacking in Locke, but failed to be sufficiently populist in order to envelop the radical populism proliferating in England. Where Burke did succeed, compatible with both Locke and Hume, is that he "accepted that neither reason nor experience is capable of providing us with clear and objective truth." (*UC*, 50) Strangely, almost paradoxically, Conniff recognizes that for Burke "on some few occasions, the guidance of reason and natural law" can be utilized. In contrast, and more frequently, it is necessary to "rely on [our] own accumulated experience and the considerations of utility."[32] (Ibid.) Conniff concludes that Burke, although not a relativist, approached "Hume's greater skepticism about the possibility of objective knowledge and the absoluteness of social values." Conniff concurs with Leslie Stephen's assessment regarding Hume and considers it "equally true of Burke," namely that there is no "absolute substratum" somehow apart from the world of our experience and observation that is foundational to all of reality.[33] (Ibid.)

It is quite a stretch to rely on a conclusion from Stephen regarding Hume and then attributed to Burke, all in the context of the further assumption denying an "absolute substratum," a denial predicated on a Lockean epistemology requiring that no metaphysical status can be assigned to objects or substrata that

escapes all sensory experience and reflection upon such experience. All of this reflects Conniff's conclusion regarding Burke that "neither moral sense philosophy nor natural law provided a satisfactory solution to Burke's quest for a firm grounding of morality." (*UC*, 48)

Conniff's denial of a natural law interpretation of Burke's politics rests on inferential arguments of exclusion. Those who regard Burke as a natural law thinker, reasons Conniff, also affirm that abstract theory can be applied to the contingency of political affairs. Thus, for Conniff, the only recourse is to regard natural law as immanent within the historical process and social institutions. In this respect, Conniff is not very far removed from Mehta who regards the basis of knowledge for Burke to be social, recognizing an amalgamation of history and society. But, as Conniff concludes, this would be to deny the transcendent character of natural law, existing as an "external standard" by which to judge practical matters of moral and political import. (*UC*, 45-46) Now since the natural law interpretation denies that Burke is a rationalist, then it must be the case that "natural law is embedded in existing institutions," Conniff concludes. But this cannot be the case for the tradition of natural law, he maintains, which stretches from Cicero to Aquinas and Locke, all of whom "saw natural law as providing an external standard for judging worldly law and practice." (*UC*, 46) In support of Conniff's understanding of the essential "externality of natural law, in contrast to natural law as embedded within "existing institutions," he advances this quotation from Aquinas: "human law 'in so far as it deviates from reason, it is called an unjust law and has the nature, not of law, but of violence.'" (Ibid.)

Where to begin in response to Conniff? If it is the condition of natural law that it be accessible to reason, and, as such, reside in a realm "external" to this world of contingency, where does it reside for Conniff? Further, must we consider Aquinas to be a rationalist because he argues for the natural law, especially considering a rationalist to hold to *a priori*, innate ideas, and deductive reasoning? Do we conflate the realism of Aquinas with

the rationalism of Descartes? This is not a claim made by Conniff, as he does not spell out for us whether a natural law philosopher must be a rationalist within the framework of the Enlightenment, nor does he explain in what sense the natural law which he affirms rather indiscriminately of Cicero, Aquinas and Locke, is external to the world in order to provide a standard by which to judge worldly affairs. It may well be that while Conniff cites the triumvirate of Cicero, Aquinas and Locke, he himself does not embrace their natural law positions. Still, in what sense do these natural law philosophers regard the natural law as external; is it externalized in a transcendent, meta-empirical realm? If we exercise reason in order to recognize the transcendent realm of the natural law, how is it that Locke can regard the law of nature as enshrined in the decidedly incarnational realm entailing the mandate of self-preservation? And how is it that Aquinas regards the precept of natural law as self-evident to practical reason, with its governing principle that we "do good and avoid evil?" Here we surely must differentiate Aquinas from Locke, as the latter speaks of substance or substrate as unknown and unknowable according to empiricist epistemology. True, Locke does not declare essences as totally unreal, but he does claim that "natural things…have a real but unknown constitution of their insensible parts." As this "constitution [of] natural things" is unknown, it cannot, obviously, be abstracted by the intellect. Thus, we are left with nominal essences. While Aquinas discovers the natural moral law as the metaphysical constituent of human nature, for a human action to be moral it must conform to human nature, a nature which is purely contingent, given Aquinas' existential metaphysics, which regards form and matter as a natural composite of a human being. And if it is the case that human nature, the essence of human beings, is capable of being apprehended by the discursive capacity of human reason, apprehended by abstraction subsequent to necessary sensory experience, then it follows that Aquinas and Locke are fundamentally incompatible. Further, natural law is metaphysically grounded for Aquinas in the essence of man, itself resulting from divine creation.

Now this recourse to elements of Thomistic metaphysics is not intended to render Burke a systematic scholastic by comparison, but it is necessary to differentiate a rationalism that would treat all natural law philosophers as considering the natural law as external to the world, and requiring that one who embraces natural law is really, and necessarily, consigned to the abstractive, rigid metaphysics that Burke in fact condemns and applies to the French *philosophes*, and their abstract conception of the "rights of man." One can indeed be a natural law philosopher and not prey to the charge of being an ethereal metaphysician. In terms of "externality," as the natural law is disclosed through participation of human reason in the eternal law of God, then it is more correct to say that this participation constitutes a transcendence in immanence. The eternal law does indeed transcend man, as God is its source, yet through participation and grounded ontologically in man's nature, the natural law is immanent to humans.

The failure of Conniff's understanding of natural law in the main lies in its either/or character as he portrays it. Either it is lodged within a world external to that of our historically instantiated temporal existence, knowable only by a removal from this concrete world, or it resides in this realm of contingency which we inhabit, and therefore is no natural law at all, but a certain recognition of a regularity to human actions, more or less pertinent to a particular society, and permeable by the on-going unfolding of history.

Returning to Burke, there is a definite parallel with Aquinas in that there is both a transcendence and immanence to natural law. The famous passage in Burke's "Speech in the Impeachment of Warren Hastings" speaks to the transcendence of the natural law, recalling Burke's reference to the "one great, immutable, pre-existent law...by which we are knit and connected in the eternal frame of the universe, out of which we cannot stir." This "one great, immutable, pre-existent law"—if this is indeed the "natural law," then it does transcend each individual human being. Yet we are all "connected in the eternal frame of the universe," a connection whereby—are we permitted to concede?—we partici-

pate in this "immutable pre-existent law." But this law is also immanent to man, a law that God has impressed upon our very nature, as Burke refers to "the will of Him who gave us our nature, and in giving impressed an invariable law upon it." This law is "grounded upon our common nature"; this nature is "connected in the same manner with, and derived directly from, our rational nature." And this comes from Burke, not Aquinas.

Conniff does not entirely neglect the *Tracts on the Popery Laws*, referring to it as "an essentially Lockean defense of Irish Catholicism." It is difficult to understand in Conniff's dismissal of the natural law interpretation of Burke, that he completely ignores any direct quotations or references to that work such as those we have already cited and others clearly concerning the natural law for Burke; he does not cite them and attempt to explain them away. Even if the work of the *Tracts* is "Lockean" in substance, wouldn't there be a comparison of Locke's version of the "law of nature" and Burke's reference to the "one great, immutable, pre-existent law?" The only concession Conniff makes to Burke's arguments for the natural law in this text is to refer to it as a "novelty." (*UC*, 104) What is compelling to Conniff is reference to the principle of the "consent of the people" as the source of political authority. He does note that no such "consent" can be "prejudicial to the [community's] own interests." (Ibid.) But he fails to follow up on this point. The specific reason why no such law can be made "prejudicial to the whole community," even if buttressed by the concept of the people, is, according to Burke, "because it would be made against the principle of a superior law," which is not "in the power of any community." And why is this the case? It is because to do so would be to attempt to alter "the will of Him who gave us our nature, and in giving impressed an invariable law upon it." Could this be the "natural law"? There exists no such quotation, reference, or conclusion advanced by Conniff.

In fact, we consent to an obligation to conform to our nature; a nature that is a result of God's creative action. Of course one may rebel against this obligation and withdraw his consent, but in

doing so one is denying one's humanity. Human nature, according to Burke, and moreover to Aristotle and Aquinas, is teleological, for it is our purpose and end to aim "at improving instinct into morals, and at grafting the virtues on the stock of the natural affections. For Burke, when our instincts are in subordination to "the direction of reason, instinct is always in the right." Further, the moral principles to which reason has recourse is "not of our devising, but moulded into the nature and essence of things, [and] will endure with the sun and the moon." (*Corr.* 2:282) Clearly, as opposed to not only Conniff, who sees Humean reason at work in Burke, and Fidler and Welsh, who see "prescription" as only the manifestation of historical experience embedded in the claim of a "natural law," Burke's assertion that reason is able to comprehend things in their essential structure, and to render them intelligible, serves to distinguish him not only from Hume, but from Lockean nominalism as well. And what could be more in the tradition of Aristotle and Aquinas than Burke's declaration that "man is by nature reasonable, and he is never perfectly in his natural state, but when he is placed where reason may be best cultivated and most predominates."[34] Here Burke could not be more specific, resolute, and certain, and less skeptical. Thus, he declares "He who gave our nature to be perfected by our virtue, willed also the necessary means of its perfection." What is this means of perfection for Burke? It is the state: "[God] willed," Burke asserts, "therefore the state." As Francis Canavan rightly concludes, Burke's politics is rooted in the "metaphysics of a created universe."[35]

When we turn to the works of Stephen White and Seamus Deane we discover a politics that is not guided so much by reason governing the passions in conformity with a created human nature which can be discerned as the "eternal, immutable, pre-existent law"—instead, it is the aesthetic and affective dimension which they hold as pivotal, if not the key, to Burke's politics, especially regarding Burke's conception of the "sublime." For White, in his work *Edmund Burke: Modernity, Politics, and Aesthetics*, it is the "authentic sublime"; for Deane, in his work *Foreign Affections:*

Essays on Edmund Burke, it is the "political Sublime," which takes the forefront in Burkean political thought.

Concerning White's work, we find in Burke, not unlike Mehta's interpretation, a Burke who is close to Heidegger, and even to Adorno and Horkheimer's *Dialectic of Enlightenment*. "In Burke's hyperbolic language of attack and despair," records White, "one hears curious echoes of twentieth-century thinkers such as the later Heidegger, or Horkheimer and Adorno." (*EBM,* 84) While White cannot abide the aspects of Burke's politics that are reactionary or contrary to the liberal adornment of liberty and equality, still his thought is not bereft of import for political theorists. We do find in Burke a resistance, according to White, to the modernist conception of man who seeks to dominate and exploit and control nature in compliance with his own willfulness. To Burke's credit, White finds his politics are in opposition to human willfulness as imposing its arbitrary designs *de novo* on others and on nature. The insights of Burke worthy of our reflection, claims White, stem from his understanding of the "sublime," its disclosure of contingency and finitude, and its consequent humbling realization of man's place in the "presencing of being" within the gamut of nature and history. (*EBM,* 90)

Burke's aesthetics thus dovetails with his critique of the theater, reflected in his earliest youthful writings, such as *The Reformer*, in which he critiques the Dublin Theater. (*EBM,* 8) This interest extends into his interest in the theater while studying law in London, together with his association with the actor David Garrick. From this interest, conjoined with Burke's novel interpretation of the sublime as evoking fear, awe, and, once held at a certain distance, a mysterious pleasure, White parallels what he terms Burke's view of the "official theater" as the script according to which Britain extends its domination of subject peoples through its Empire. (*EBM,* 78) To Burke's credit, he exposes the "official theater" of the state for being destructive of local customs and traditions, while doing so within the context of maintaining an Empire that needs reform, but not dismantling. Yet, almost

paradoxically it appears to this reviewer, White finds Burke not to be totally extirpated from the "official theater," for, after all, he rather infamously calls for a veil to be draped over the violent origins of the state as it has emerged, and of the title to property. (*EBM*, 88) The mist of time hallows the past, with the tacit agreement that one does not demystify the past with a research of a nation's origins. But, White cannot allow Burke to escape his own call to ignore origins, as in his defense of his rather modest annual stipend awarded him by King George III, after Burke's time of service in Parliament against the caviling of one, the Duke of Bedford. Bedford excoriated Burke for his acceptance of this annual stipend on the grounds that Burke had throughout his parliamentary career decried the largesse of the Crown used to reward those who supported the authority of the monarch. And Burke's defense was, as White notes, to attack Bedford as one whose family had acquired its hereditary title and vast property at the favor of King Henry VIII, who himself had confiscated the land of others to award the Bedford's of his time. (*EBM,* 87-88) Is not Burke stripping the veiled mist that hallows the violent origins of Bedford's own title and property? Isn't he calling into question the origins of Bedford's family fortune in defiance of his own dictum, which finds the past practically sanctified by the cleansing passages of time?

Actually, while Burke does point to the origin of Bedford's inherited wealth, it is not to call for the divestment of the lord's property. While he does rent the veil, which enshrines these origins, his point is to refute the thrust of Bedford's argument against Burke for his acceptance of the emoluments of the Crown, when Bedford's own wealth is itself predicated on the beneficence of Henry VIII. In truth, Burke is resolute in his self-defense, which he contrasts with the life of Bedford. In essence, Burke is arguing for the integrity of his career, which was not predicated on expectation of emoluments. "His Grace," Burke replies, "thinks I have obtained too much. I answer, that my exertions, whatever they have been, were such as no hopes of pecuniary reward could possibly excite." He denies of Bedford "the competence to judge

of my long and laborious life" contrasted with the noble lord's "few and idle years."[36]

As White draws our attention to Burke's *A Letter to a Noble Lord*, it is well to consider the philosophical import of this letter for Burke's politics, as it is a retrospective by Burke on his own career. As Burke warns Bedford and those of his fellow aristocrats who are favorable to the revolution in France, he does in fact cite those "feelings and habitudes, which are the supports of the moral world."[37] He does lament an aspect of our affections and dispositions which are scorned by the revolutionaries, claiming that "when they have once thrown off the fear of God, which was in all ages too often the case, and the fear of man, which is now the case," and then to "act in corps, a more dreadful calamity cannot arise out of hell to scourge mankind."[38] Yes, it is according to our nature to fear God, to reverence Him, but there are unnatural emotions and affections which can inflame ambition, and when "intoxicated" with ambition, together with "the cold malignity of a wicked spirit," conjoined with "their murderous speculations," then it is as if "the principle of Evil" itself prevails serving to "eradicate humanity from the human breast."[39]

While recognizing the proper place of natural "feelings and habitudes" as fundamental to the "moral world," nevertheless it is to reason that Burke turns in "the affairs of government." In opposition to "the operations of opinion, fancy, inclination and will, in the affairs of government," Burke advances "sovereign reason [as] paramount to all forms of legislation and administration."[40] How is it that Burke can extol "sovereign reason" in the "affairs of government," while he denounces the French philosophers, who possess the "heart of a thorough-bred metaphysician," as nothing less than "fanatics"?[41] These same French philosophers and the revolutionaries they inspire are "blinded and intoxicated by a frantick ambition" together with the "sophistical Rights of Man" they promulgate.[42] If Burke can praise "sovereign reason" and denounce the fanatical philosophers who are intoxicated by both blind ambition and the "sophistical Rights of Man" then we must conclude that the "reason" he praises is not that of

the atheistic, deracinated reasoning of the Gallic fanatical philosophers, or simply of impotent skepticism, as the final arbiter of the "affairs of government." Just as liberty without "wisdom and virtue" plummets into "license," so it is, as Burke asserts in his *Third Letter on a Regicide Peace*, "Strong passion under the direction of a feeble reason feeds a low fever, which only serves to destroy the body that entertains it."[43] At the same time, as Burke records in the *First Letter on a Regicide Peace*, men "are led to associate by resemblances, by conformities, by sympathies."[44] Still, it is Burke's affirmation of a constant human nature that underlies and, when we act in conformity with our nature, channels the human emotions, and our mutuality of "sympathies," in a manner that serves to perfect our nature through a virtuous comportment. As Burke relates to his constituents in Bristol concerning trade with Ireland, we must submit to what our nature declares, for to "attempt...to force nature, will only bring on universal discontent, distress, and confusion."[45] And it is our nature to be social beings, as "Men are never in a state of *total* independence of each other. It is not," Burke concludes, "the condition of our nature."[46] Man indeed "in his moral nature becomes, in his progress through life, a creature of prejudice, a creature of opinion, a creature of habits and of sentiments growing out of them," woven together to form "our second nature," living within the country, and having membership within the "society in which Providence has placed us."[47] Still it remains the case that "man is by nature reasonable."

All of this is in conformity with the ultimate teachings of Burke in his *Philosophical Enquiry into the Sublime and the Beautiful*, for while he explores the meaning of the sublime and of beauty and their impact on human emotions, as opposed to both White and Seamus Deane, it is reason that governs our moral actions and duties, which Burke also refers to as prudence, or even political reason. Not just a reason that is the accumulation of the acquired "social knowledge" through the historical experiences of a people, but a reason in conformity with our human nature. Thus Burke writes in the *Enquiry*, noting the limited

extent of the application of "beauty to virtue," recognizing that such an application can lead to "an infinite deal of whimsical theory," easily misleading us "both in the theory of taste and morals." Rather, the true "science of our duties" finds its "proper basis" in "our reason, our relations, and our necessities." All other "manner of speaking" is "loose and inaccurate" and is found to "rest…upon foundations altogether visionary and unsubstantial."[48] Thus, as Francis Canavan insists, for Burke "the foundation of morals could not be a merely passionate response, like our aesthetic response to the sublime and the beautiful, but had to be 'our reason, our relations, and our necessities.'"[49]

This response also applies to the central thesis of Deane's *Foreign Affections*. Deane's work consists of a series of revised essays and papers, from 1968 to the present, encompassing a remarkable expanse of reflections on the nature of Burke's critique of both revolution and colonialism, his understanding of liberty in the context of the unfolding of history, and especially the role of feelings, sentiments, and the aesthetic dimension of Burke's rhetoric which Deane terms the "political Sublime." (*FA*, 101) "When he appeals to the complexity of human affairs," Deane contends, and "of political systems, of human institutions and of historical processes, [Burke] is creating a version of the political Sublime, which is designed to elicit from his audiences the appropriate awe and reverence before the spectacle of power and vastness—cosmic grandeur confronting human littleness." (Ibid.) Deane argues that only "human feeling" can "negotiate between...the incomprehensibility of the cosmic world over which God or Providence supervenes and the clarity of the issues that dominate the social and political worlds that derive from that larger universe." (Ibid.) True it is that "human reason...has its necessary functions and powers," but this reason pales before this mysterious and incomprehensible "cosmic world."

While elevating "human feeling" and the profound nature of the "political Sublime" which fills us with "awe and reverence" both before the vast expanse of the universe and the "spectacle of power" which underscores our "human littleness," Deane ne-

glects the primacy of "reason" which Burke decisively announces in the *Enquiry*, as he affirms that the very "science of our duties" is grounded in our "reason, relations and necessities." Instead, Deane's reference to "human reason," in effect relegates "reason" to the instrumental plane, having its proper "functions and powers."

Nonetheless, Deane's work is a masterpiece of extensive scholarship and depth of insight, and a powerful exposé of Burke's thought in relationship especially to Ireland, but also to France and India. Few works serve to probe the extent of Burke's engagement and profound and troubled concern and care for his native Ireland as does Deane's. In *Foreign Affections* Deane points out that Ireland is unique in terms of Burke's consideration of the tragic effects of misguided policy, terror, tragedy and self-serving factionalism that dominates America and India, as well as Ireland, in that Burke knew Ireland from within, not only at second-hand and as the result of the study of available materials.

Deane finds an almost unsolvable tension in Burke's thought regarding Empire, and the consequences of British policy in contrast with the glory of the British constitution as secured in the Glorious Revolution, grounded in timeless custom, tradition, and abiding feelings and attachments to the liberties enjoyed by its citizens. These are the buffers against the potential abuse of power by the ruling elite. While Burke does not renounce the British Empire, in fact regarding it as a necessary extension of the exalted achievement of British liberty and governance, he turns to the failure to extend the same British privileges and liberties as appropriate to the properly subordinated parts of the Empire, namely the British colonies. The problem resides in those factions that prevail within, for example, America and Ireland, factions that distort and abuse the intended and justified rule of Britain's imperial sovereignty. This is especially the case in Ireland—but not only Ireland—where the principle of *de facto* rule turns out to be an "inverted order" in contrast with the moral order that should govern all of human endeavors, especially governing the nature of British rule, and those who are to implement that rule

within the colonies themselves. Thus in India the form of rule by "Hastings and his agents was that of inversion." And what was the nature of this "inversion"? "They inverted the natural order of things and then justified their behavior on that basis." (*FA*, 93) For Deane, Burke found the natural order of things to be, with concessions to human imperfection, more or less observed in Britain domestically. A mixed constitution prevailed, embodying customs, traditions, and habitudes reflecting the natural order of things under God's providential governance. Deane remarks that Burke never believed that the precise practices and establishments and modes of rule could be transferred wholesale to the colonies with regard "to the character and circumstances of the several people who comprise this mighty and strangely diversified mass," nor that "one method would serve the whole."[50] (Ibid.)

Bruce Frohnen's *Virtue and the Promise of Conservatism: The Legacy of Burke and Tocqueville* serves as a powerful antidote to the variety of interpretations of Burke's thought that have recently proliferated. Frohnen gives prominence to virtue, the natural law and prudence in his interpretation of Burke's political philosophy, but he does so in a manner that emphasizes an overlooked part of Burke's thought, namely the place of the "heart," and the emphasis he places on "accepting virtue."

Frohnen's treatment of Burke is adumbrated in his first chapter, on "Natural Law and Virtue," and elaborated specifically in chapters two and three: chapter two on "Philosophy, Man and Society: Burkean Political Philosophy," and chapter three on "Accepting Virtue in Burke." Frohnen's overall purpose is to elaborate a conservative political philosophy, with both Burke and Tocqueville as foundational, then tracing the development of varieties of conservatism in the thought of Russell Kirk, traditional conservatism; Michael Oakeshott, libertarian; and Irving Kristol, neo-conservative. The framework for his approach includes tracing the impact of Aristotle and Aquinas, followed by a summary consideration of "Republicanism."

The basis of conservative political philosophy resides in virtue, as societies are good when they "promote right conduct."

(*BF*, 3) Virtue is obscured and threatened in our age of "rampant egalitarianism, which, in its thoroughly secular manifestation, "confuses equality of material conditions with freedom and justice." Frohnen cites the critique of Strauss and Voegelin, who see in modernity the "pursuit of secular salvation," together with the "concomitant loss of transcendent standards and goals." The pursuit of "material goals" and the supplanting of ultimate transcendence by the "pursuit of an earthly paradise" lead to the loss of the "search for an ordered life and for wisdom," which is manifested in the natural law. Here Frohnen gives a compelling articulation of "natural law" as being "that body of standards for human conduct best summed up in the command to love one's neighbor as oneself," which "dictates that men care for the spirit of their communities and the souls of their fellow men." (*BF*, 5)

From this affirmation of the place of natural law, a law that is not simply a rational expression, but reveals the personalist dimension of humanity, which entails the "love of neighbor" and the care for the spirit of the communities in which we reside, Frohnen leads us to his own expression of the "conservative imperative." This imperative calls for a "defense of existing society, and a conservative approach to rebuilding the good life." The conservative imperative also requires a rejection of "materialist arguments in favor of appeals to accepting virtue." (*BF*, 12) And it is the theme of "accepting virtue" that Frohnen argues especially serves to help illuminate Burke's own political philosophy.

What follows in Frohnen's chapters on Burke is a noteworthy introduction to Burke's political philosophy in the context of the tradition of natural law, acknowledgement of an "eternal order," in turn calling for self-transcendence. Such transcendence in the framework of an "eternal order," Frohnen postulates, enjoins the acceptance of the virtues necessary to aid the journey of the human soul and just communities on the path of the good life, amidst constantly changing circumstances. All of this, Frohnen maintains, converges in Burke's political philosophy.

Frohnen's account of Burke boldly separates him from the

ones of C.B. Macpherson and Alisdair MacIntyre, who both conclude that Burke is a bourgeois individualist, one who is concerned with the advancement of a capitalist economy in the context of a traditional order that protects the wealthy class against the disposed. While Frohnen does not confront directly Macpherson and MacIntyre, his account of Burke's political philosophy constitutes an important rebuke to the facile interpretation of economic reductionism of Macpherson's account.

Frohnen's presentation also qualifies those interpreters of Burke's politics in terms of the classical tradition of natural law in a manner that, to my mind, enriches and expands this interpretation. Frohnen recognizes that for Burke "mere rational thought" is inadequate for sustaining an orderly existence in society. This is not to disavow "rational thought," but reason cannot be "disconnected from habit and circumstance," for without this connection the very destruction of the conventions upon which man typically acts is at risk. (*BF*, 43) It is at this point that Frohnen focuses on a neglected passage in the *Reflections* in which Burke requires that man must "apply himself to 'the moral constitution of the heart,'" a heart that has been perverted in the atheistic materialism of the French *philosophes* with their abstract, individualistic conception of the "rights of man," detaching man from continuity with the past, within the eternal order of things as declared and secured by divine providence.

Elsewhere, Frohnen elaborates the nature of the social bond that links everyone together, a bond that "rests on the affections, attachments, and prejudices that arise naturally from shared local experience."[51] (*BF*, 57) These are experienced as moral obligations which are "obligations written on the heart." Again, this aspect of Burke's thought is put in the forefront of his political philosophy, and justifiably so by Frohnen.

If there is a critique I will offer of Frohnen's presentation of Burke's political philosophy it is a matter only of emphasis, or perhaps degree, not of substance. Frohnen's notion of "accepting virtue" to my mind is a most persuasive and compelling way to call attention to Burke's emphasis upon "humility" and "submission"

to the society in which providence has placed us, hence "submission" to the "divine will" over individual self-assertion. "Accepting virtue" also sustains Burkean "subordination" to the natural hierarchy of society, and the place, which is given to man and which, consequently, shapes the specifics of his duties. Thus Frohnen concludes, "Burke argues that man is in large part that which society, over the course of history, has made him." (*BF*, 51) At the same time Frohnen rightly disavows any historical determinism in which "man is somehow part of a 'spirit' of history." Rather Burke's notion of man's place in history and his particular circumstances is to acknowledge that the "divine will" has providentially given man's situation in which he finds himself, enshrouded in duties not necessarily of his own choosing, but incumbent on him to fulfill nonetheless.

Realizing that in the compass of about fifty pages a presentation of Burke's political philosophy must be selective, yet I believe Frohnen's summation might be further balanced by Burke's almost existential assertion in the *Reflections* that "Man; whose prerogative it is to be in a great degree a creature of his own making, and who when made as he ought to be made, is destined to hold no trivial place in the creation." (*Reflections*, 257) Burke's remark, I acknowledge, does not contravene Frohnen's analysis, for Burke not only is affirming man's responsibility for his actions, but that these actions must conform to the "place in the creation" in which we find ourselves by the divine will.

Also, the challenge of Ireland and the oppression of the Irish Catholics taxes Burke's moral imagination and his politics of prudence, perhaps most particularly in the last years of his life. It is here that we see that the affective dimension of our lives may be insufficient for correcting, amending, or transforming the harsh treatment of Catholics as official policy, a policy supported from Westminster. Burke is reluctant to join Pitt's move for substantial reform of Parliament in Britain, but matters are different in Ireland where the vast majority of the population is disenfranchised. While Burke argues in the "Tracts" that the oppression of Catholics, as well as of Protestant dissenters, is a

violation of natural law, he concludes that they lack "a fair dispensation of justice, both criminal and civil."[52] At the same time, the affective dimension does lead Catholics to seek the "protection" and "security" they lack, as their "legal right." Burke continues by acknowledging that the Catholics ask for their "legal right" by way of a "practical sense of the evils they feel by being excluded from it."[53] In Ireland the affective dimension does not confirm an existing state of affairs, but signals the almost desperate need to institute substantial change, even though, as he advised his son Richard, Jr., in 1792, the change should be done "leisurely, by degrees, and portion by portion." This judgment of "leisurely" gradual change, ultimately for Burke slides into despair by 1795-96 over such a prospect in the face of the stranglehold on Irish affairs by the Protestant ascendancy, and the acquiescence and even preservation by the British government.

The challenge mushrooms though when change not only is not forthcoming, but also is stymied by the interest of an unjust "Protestant junta" rooted in a large expanse of time. While Frohnen rightly points to the vice of Jacobinism, as revolution became an increasing possibility in Ireland in 1795 in the face of the intransigency of the "Ascendancy," Burke cited an understandable, if not fully justifiable, Jacobinism that inflames the dispossessed Irish Catholics resulting from an enforced pecuniary helplessness and by desperate circumstances. So extreme was the situation in Ireland in 1796 that Burke disavowed the Catholic Bishops' call for the Irish Defenders to abandon their arms; instead Burke urged the Defenders to remain armed in the face of the further extenuating circumstances they were enduring.

The point of this digression on Ireland is to realize that there is a challenge to a Burkean conservatism seen as an affirmation of time immemorial, without seeing in Ireland that Burke's emphasis upon "time immemorial" has not been rescinded in the face of the oppression in Ireland; rather, consistent with his argument against the calculating economists empowered by the revolution, Burke finds that it is the same type of self-serving petty, hoarding, calculating officials running the Irish government that had sup-

planted the immemorial customs and traditions at the core of Irish life throughout the centuries.

It must be recognized that in Frohnen's work we find not only a comprehensive and reliable presentation of Burke's political philosophy, but one that enriches and expands the natural law understanding of Burke, consistent with Burke's own writings.

While regarding the proper end of society to be the achievement of virtue, honor, and the common good, for Edmund Burke, it is "the protection of property" for which "all governments [are] instituted." Francis Canavan considers in his *The Political Economy of Edmund Burke* what for some scholars is an intractable problem of interpretation of Burke's political philosophy, namely, how can an apparent *laissez-faire* economics be combined with a traditional order in pursuit of virtue and the common good? Perhaps the central theme of Canavan's important work is the recognition that it is the fundamental duty and purpose of government, if the moral ends of society are to be achieved, that it secure property, for Burke proclaimed that property is "the soul that animated, the genius that protected" these moral ends.[54]

It is a principle goal of society to protect life, liberty and property. Burke argued that "To take away from men their lives, their liberty or their property, those things for the protection of which society was introduced, is great hardship and intolerable tyranny." For Burke property and liberty were inextricably linked, and, indeed, property is a natural right as men have "a right to the fruits of their industry." (*Reflections,* 216-17; *PE,* 48) Yet without the liberty to be industrious prosperity will not ensue as the object of industry is property, and property is foundational both to prosperity and liberty. Of course, rights entail duties for Burke, and are not construed by him as an abstract principle linked to a pre-social Lockean state of nature. Rather, rights are the advantages secured within society, reflecting our human needs, and conjoined with the just conservatism of the social order, a conservatism that conserves in a process of development.

Canavan sets out to demonstrate the essential link between property and liberty as foundational to Burke's Political Economy,

leading to an industrious populace and prosperous society requiring a "commerce [which] flourishes most when left to itself." At the same time Burke's conserving conservatism requires a just social order. As he declares in the *Reflections*, "to love the little platoon we belong to in society is the first principle (the germ as it were) of public affections." Thus Burke's political economics is a conservative libertarianism, requiring property, liberty, and order as the basis for civilization, culture, and the realization of the common good.

The Marxist philosopher C.B. Macpherson, in his little volume, *Burke*, considers Burke to be a "bourgeois political economist" supporting a capitalist order within a traditional, status saturated society, as was the case for England in the second half of the 18th century.[55] Burke's notion of *laissez-faire* economics, according to Macpherson, especially as spelled out in his *Thoughts and Details on Scarcity*, is grounded in the property owning landed gentry and nobility coupled with a traditionally subordinated and submissive wage-earning class. Macpherson does credit Burke with recognizing the emergence of a profit-seeking capitalist order that operated within the hierarchical traditional forms of English society combining both the vibrancy of capitalism and the more static forms of traditional order. Macpherson emphasizes that Burke's view of capitalism and his conservative tendencies required the tenuous and on-going submissiveness of the wage-earning class. Thus it was essential that Burke reject the bourgeois French Revolution, as the latter was a revolution of the *petit bourgeoisie* in contrast with the *haute bourgeoisie* nature of English capitalism.[56] Further, the French Revolution was a leveling revolution, destined to overthrow the rigid class system of the *ancien régime*. The result was the spreading of a class-consciousness that embraced the principle of egalitarianism, a principle that, if spread to all of Europe and exported to England, would devour the peculiar form of capitalism of the British, which required the subordination of the wage-earning class. And for this reason, among others, Burke, for Macpherson, is irrelevant to our contemporary world. Indeed, Macpherson maintains that egali-

tarianism and its proliferation throughout the welfare states of the West is already embraced by communism and the bulk of the Third World countries, although it has yet to be completely embraced by liberal Western political theorists. Nonetheless, the justness of equality is on the threshold of the consciousness of the West, and, as Macpherson indicates, it has an historical imperative driving it forward—and Burke stands as an impediment to the achievement of an egalitarian order.[57]

Macpherson's characterization of the political economy of Edmund Burke, though, flounders on its flawed premise that Burke is a Utilitarian, in support of the *status quo* of aristocratic 18th century England, a *status quo* that has retained the form of the traditional hierarchical order of English society. At the same time he has consented to the capitalist content that the traditional forms have mostly concealed from the English consciousness. And the beneficiaries were, especially, the landed aristocracy, and the aspiring, entrepreneurial *haute bourgeois* whose destiny, through social interaction, had become intertwined with the English nobility. Thus *laissez-faire* economics, and free trade, held, in the main, by Burke, had its parameters, rewarding the few and relegating the masses to a perpetual subordinate status. And all of this received rhetorical support by Burke, who called for liberty, restrained by manners, customs, virtue, and the collective, inherited wisdom of society, sanctioned by an appeal to the Christian Natural Law, the same Natural Law previously employed to support a feudal society.[58]

For many, the understanding of Burke's political economy focuses almost entirely on his *Thoughts and Details on Scarcity* written in 1795, a work written in response to a specific political matter regarding Speenhamland in England, dealing with a particularly unproductive period in agriculture in that region and the appeal to the government of William Pitt the Younger to regulate farm prices and to alleviate the losses of those affected by the poor yield. (*FC*, 129) The proposed governmental interference in the market place occasioned Burke's most pronounced philosophical statement on economic matters. This treatise, taken alone apart

from the full extent of Burke's writings and speeches, though, can be misleading, although for libertarians the most nearly gratifying of Burke's works, except, perhaps, those who would take literally his *Vindication of Natural Society***.**

Thoughts and Details on Scarcity, coming from the father of modern conservatism, is a delight to advocates of the free market. Turning to that work reveals an apparent endorsement of almost radical individualism. Concerning the "market" Burke declares, "The balance between consumption and production makes price. The market settles, and alone can settle, that price." Burke concludes "Market is the meeting and conference of the *consumer* and *producer*, when they mutually discover each other's wants."[59] (*PE,* 134) It is this meeting of the "*consumer* and *producer*" which, for Burke, should brook no interference, especially on the part of government. It is not for the government to interfere with what for Burke appears to be his version of the "invisible hand." He condemns governmental officials who seek to either institute laws regulating commerce in order to offset the burdens of the poor or who seek to exercise a "very stiff and often inapplicable rule, or a blind and rash discretion" which can never accomplish its intended results, in fact only worsening matters. The only "regulation" which Burke recognizes is virtually organic, spontaneous, if you will, flowing from what he refers to as "habit, and the tacit convention, that arise from a thousand nameless circumstances, [which] produce a *tact* that regulates without difficulty, what laws and magistrates cannot regulate at all."[60]

But what is to be done when famine and poverty threatens? Is the poor laborer, falling short of bare subsistence, to fall prey to what Burke terms "the flinty heart and griping hand of base self-interest, supported by the sword of laws?"[61] Such is the nature of things and the laws of commerce reflecting the free market that when commerce and "the principles of justice," according to Burke, are not sufficient to offset the impoverishment of any laborer, that such individual "passes out of the department, [i.e., of commerce and justice] and comes within the jurisdiction of mercy."[62] For Burke's detractors, this is economic individualism

to the extreme. This represents for those such as Macpherson the glorification of the "capitalist order" maintained within the trappings of subordinated wage-labor, to the benefit of the landed aristocracy especially. Such rhetoric, Macpherson proclaims, reveals Burke's heartless economics; it reveals a failure to embrace an egalitarian ethic which would lift the poor to a level of Dworkinian "rough equality," would seem to be Macpherson's position on Burke.

Pushing further into *Thoughts and Details* discloses Burke's fundamental principles of commerce. Burke claims that all trade in "agriculture and grazing" can only be conducted on what he claims are "the common principles of commerce."[63] (*FC,* 135) And what are these "principles of commerce"? They are, Burke declares, "that the producer should be permitted, and even expected, to look to all possible profit," which he can secure "without fraud or violence." Further, the producer is to determine at his pleasure whether to withhold his produce or to sell it as he sees fit, regardless of whether it is time of abundance or scarcity. "On any other terms," Burke pronounces boldly, "he is the slave of the consumer; and that he should be so is of no benefit to the consumer."[64] Later in this treatise Burke asserts that it is not "within the competence of government…or even the rich, as rich, to supply to the poor those necessaries which it has pleased the Divine Providence for a while to withhold from them." It is at this point that Burke utters the phrase that compounds the confusion that surrounds a correct interpretation of his political economy, for he maintains "the laws of commerce, which are the laws of nature," are, in fact, "the laws of God."[65] (*PE,* 130) It is at this point that Canavan proposes the most sensible interpretation of a passage that has vexed scholars, who in turn misconstrue Burke's thought in a manner that affects and infects his natural law argument.

What is happening when government intervenes and tries to regulate, for example, wages? What is the impact of forcing the buyer—he has in mind the land-owning farmer who must employ labor on his land—to purchase labor at a wage set by government,

the purpose of which, as alleged by government, is to insure subsistent wages for the laborer? The impact is, according to Burke, to forcibly reallocate, in effect, the property of the landowner, to reduce his capital to the vanishing point by distributing it among laborers. What Burke detects in this interference by government is the principle of egalitarianism at work, leveling property through wage regulation. Writing as he is in the leveling aftermath of the French Revolution Burke suspects the radicalization of the principle of forced equality raising its head within society, which will lead ultimately to the disruption of the social and political order upon which civil society is predicated. Destroy property and you destroy liberty, all in the name of equality. Burke's conclusion regarding governmental attempts at wage regulation: "A perfect equality will be produced;—that is to say, equal want, equal wretchedness, equal beggary, and on the part of the partitioners [those petitioning government for wage regulation] a woeful, helpless, and desperate disappointment." For Burke this is the necessary and ineluctable result of all attempts at "compulsory equalizations." Instead of lifting up that which is by the nature of things has, at least for the moment, only its labor to sell as a commodity, such "equalizations…never raise what is below." No. Instead, Burke concludes, "they depress high and low together beneath the level of what was originally the lowest."[66]

What is at work for those who wish to forcibly distribute the property of others according to this "principle of equality?" It is, Burke surmises, simply put: "Envy."[67] When unleashed, envy discloses the "malignity of our nature." We did not have to wait for Nietzsche and his notion of *ressentiment* to uncover the psychology of the plunder of property. In Burke's time he foresaw the movement towards the "redistribution of wealth" and he foretold its inevitable result. Reflecting his time he took the poor laborers to experience relative poverty by the sheer weight of their numbers. And to seize upon the property of the wealthy landowners and forcibly distribute it equally among the laboring poor "would not give a bit of bread and cheese for one night's supper

to those who labor, and who in reality," Burke foretold, "feed both the pensioners and themselves."[68]

Property and ownership does not pertain alone to the landowning class, or the merchant class, but it is something natural to human existence and upon which human freedom is greatly predicated. Burke maintained, "in point of property all Mankind ought to be upon a level." (*Corr.* 3: 456) In his *Reflections* he notes the struggle to hold on to our possessions, to preserve them, as our possessions and property, regardless of the extent of the same, "is one of the securities against injustice and despotism implanted in our nature." This struggle and effort we naturally exert to hold on to our possessions and to extend them, "operates as an instinct," Burke contends, "to secure property, and to preserve communities in a settled state." (*Reflections,* 308) It is the possession of property, throughout the gradations of society, which serves to prevent tyranny and despotism. It was the appropriation of property arbitrarily and against all prescriptive rights by the French revolutionaries that doomed France to the tyranny of a military general, which Burke foretold in the *Reflections*.

The liberty that is connected with property, therefore, is not an abstract conception. Liberty is attached to the concrete world, to something tangible. It was the failure of the British to see the concrete attachment of liberty in America prior to the American Revolution as a right to their possessions and to be represented in matters of taxation that blinded the British. In his *Speech on Conciliation with the Colonies* (1775) Burke noted the "fierce spirit of liberty" that marked the "people of the Colonies" whom he identified as the "descendants of Englishmen." As descendants the American colonists took with them the love of liberty, not in the abstract, but he maintained, "according to English ideas and according to English principles. Abstract liberty," Burke declared, "like other mere abstractions, is not to be found." Rather than an abstraction "Liberty inheres in some sensible object; and every nation has formed to itself some favorite point, which by way of eminence becomes the criterion of their happiness." For

Burke "the great contests for freedom" in America, centered "upon the question of Taxing."[69] Burke was ever on guard against the abuse of power and danger to liberty as manifested through tyranny. He appealed to the British sense of fairness in his effort to seek conciliation between Britain and the colonies, which he wished to remain within the British Empire. He reminded his compatriots that the liberties enshrined in the British Constitution were secured in large measure by the right of Parliament to grant money to the executive, and that without this right or power lodged in the House of Commons "no shadow of liberty could subsist." Making the obvious connection in his appeal to the British Parliament and public, Burke argued that the Americans' "love of liberty, as with you, [is] fixed and attached on this specific point of taxing."[70] This "fierce spirit of liberty" Burke found in America flows from human nature, a permanent part of the human essence. Concerning the freedom flowing from our human nature, Burke pronounced that it is impossible to "alter the nature of man."[71]

Property, yes; liberty, yes. For Burke, both of these were reciprocal and required by right and for the prosperity of a nation. Still, Burke disavowed any Lockean or Rousseauean "state of nature." The notion of a hypothetical, abstract "state of nature," in which men live in complete autonomy, free of all obligations, independent, is renounced by Burke. To treat man as emerging out of a "state of nature" and binding himself to others through consent, tacit or otherwise, and through a "social contract," retractable at will, is to misconstrue the real nature of man. For Burke, as noted above, "Men are never in a state of *total* independence of each other. It is not the condition of our nature."[72] The French *philosophes* claimed what for Burke is a false, pretended, abstract conception of the "rights of man." These "pretended rights" which were antecedent to society and led to the assertion of self-will over authentic "social freedom," a freedom which recognizes the natural state of man as being within civil society, part of a social bond and social order, replete with duties and freedoms. Whereas the "pretended rights of

man...cannot," Burke maintained, "be the rights of the people. For to be a people, and to have these rights, are things incompatible. The one supposes the presence, the other the absence of a state of civil society." Burke declared the foundation "of the French commonwealth," on the abstract conception of the "rights of men," to be "false and self-destructive."[73]

In denying the "pretended rights of man" Burke asserts that he does not deny the "*real* rights of men. In denying their [the French *philosophes*] false claims of right, I do not mean to injure those that are real, and are such as their pretended rights would totally destroy. If civil society be made for the advantage of man," Burke continues in his *Reflections*, "all the advantages for which it is made become his right." Therefore, civil society constitutes an "institution of beneficence; and law itself is only beneficence acting by a rule. Men have a right to live by that rule; they have a right to do justice.... They have a right to the fruits of their industry; and to the means of making their industry fruitful." These are the concrete, prescriptive rights, secured through the course of history and the customs and manners of a people, manifested in their prescriptive "right to the acquisitions of their parents; to the nourishment and improvement of their offspring; to instruction in life, and to consolation in death." (*Reflections,* 217-18) For Burke, it is *prescription* that "gives right and title.... Prescription is the most solid of all titles," he affirms, "not only to property, but, which is to secure that property, to Government."[74] Although having persisted through time is crucial to Burke's concept of prescription, he rejects the notion that it refers only to blind prejudice. For Burke, "man is a most unwise and a most wise being. The individual is foolish; the multitude, for the moment, is foolish, when they act without deliberation; but the species is wise, and, when time is given to it, as a species, it almost always acts right." The British Constitution is a prescriptive constitution. "In the Constitution, I know, and...feel, both that I am free, and that I am not free to act dangerously to myself or to others. I know that no power on earth, acting as I ought to do, can touch my life, my liberty, or my property." And to this Burke adds: "I know there

is an order that keeps things fast in their place: it is made to us, and we are made to it." Burke states clearly in his *Reflections* the source of that order, so essential to both property and liberty: "I may assume, that the awful Author of our being is the Author of our place in the order of existence." And it is from this place in the order of existence that arise not only our specific liberties and real rights of mankind, but also our "obligations to mankind at large, which are not in consequence of any special voluntary pact." Burke clearly annuls any place for the social contract in his political philosophy or economy. Further, these "obligations…arise from the relation of man to man, and the relation of man to God, which relations are not matters of choice."

Returning to Burke's political economy, Canavan justly and judiciously observes that it would be a mistake to conclude that Burke maintained a fanatical devotion to *laissez-faire* economics. Yet he was a strong proponent of free trade, and risked his parliamentary seat in Bristol in principled support of lifting at least some of the trade barriers with Ireland; for this certain influential merchants in Bristol attacked him. In defense of his position he proclaimed that "The world, I apprehend, is large enough for all; and we are not to conclude, that what is gained to one part of it, is lost, of Course, to the other." *(Corr.* 3: 426) Finally, and most crucially, Canavan demonstrates successfully that Burke's position on free trade also discloses that his economical individualism is tempered by an appeal to the Common Good. "But that, to which I attached myself the most particularly," Burke claimed, "was to fix *the principle* of a free trade in all the ports of these Islands, as founded in justice, and beneficial to the whole; but principally to this, the seat of the supreme power." Thus it is through our attachment to what Burke termed the "little platoon[s]," being our place in the world of everyday living, that we come to, we exercise, our proper economic liberty, in the context of our reciprocal affection for, and duty towards, others. Canavan's accomplishment in *The Political Economy of Edmund Burke* is a boon to all Burke scholars, and a much needed clarification of Burke's economics, demonstrating its proper

place within the Burkean natural law tradition—all of which is clarified by Canavan's faithful presentation of prescriptive rights consistent with the historical development of social customs and traditions, while preserving liberty and virtue.

Conclusion

This culminates a selective review of Burkean scholarship over the past few years. The range and subtlety of interpretation of Burke's political philosophy encompasses a variety of viewpoints. Even so, the underlying division, at its basis, concerns the affirmation of an orderly, intelligible universe, discernible by the noetic ability of human reason, able to distinguish the causal connection between creature and creator. Opposed to this interpretation is the grounding of Burke's politics in the affective dimension of either a putative "moral sense," or natural feelings, and/or an aesthetic sensibility that discloses the dark crevasses of yawning tyranny, warning the wary statesman to avoid the shoals of despotism, or arbitrary authority. The affective dimension is championed by a pragmatic, utilitarian interpretation, absorbing forms of sensibility, enfolded into a kind of emotivism that finds Burke's politics to be variable, adaptive, relative, historical, and lacking in what Manent terms an "ontological density." The critique offered in this review holds to what Francis Canavan, again, correctly terms Burke's "metaphysics of a created universe," for without the acknowledgement of a robust, realist metaphysics at the core of Burke's politics, one is unable to discern the order that he prized as central to the realm of politics itself.

Joseph L. Pappin, III
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NOTES

1. John R. Bolton, "The Prudent Irishman: Edmund Burke's Realism," in *The National Interest*, Winter 1997/98, 67-74.

2. Isaac Kramnick, "The Left and Edmund Burke," *Political Theory,* 11, No. 2 (May, 1983), 189-214.

3. "Speech on Opening of Impeachment," *Writings & Speeches,* 6:350.

4. *Writings & Speeches,* 9:455.

5. Canavan, *Edmund Burke: Prescription and Providence* (Durham: Carolina Academic, 1987) 5.

6. *Works*, 3:79.

7. "Speech on Opening of Impeachment," 16 February 1788, in *Writings & Speeches,* 6:346.

8. Ibid., 15 February 1788, in *Writings & Speeches,* 6:275 and 276.

9. *Thoughts on the Present Discontents* in *Writings & Speeches* 2:317.

10. Mehta boldly proclaims, "Burke anticipates Richard Rorty's claim that 'solidarity has to be constructed out of little pieces, rather than found already waiting in the form of an *ur*language which all of us recognize when we hear it.' Burke's pragmatism," Mehta continues, "if it is that, is an expression of his profound humility in the face of a world that he did not presume to understand simply on account of his being rational, modern, or British, and hence a member of the most powerful nation on Earth." (*LE,* 21) Also, Rorty, *Contingency, Irony, and Solidarity* (Cambridge: Cambridge University Press, 1989) 190-91.

11. *Works* 6:113-14.

12. Ibid., 6:114.

13. Canavan, *The Political Reason of Edmund Burke* (Durham: Duke University Press, 1960) 25.

14. Quoting from Martin Heidegger "Building Dwelling Thinking" in *Poetry, Language, Thought*, trans. Albert Hofstadter (New York: Harper Colophon, 1975) 154.

15. Mehta quotes both Rorty and himself exactly on both pages 43 and 217, without citation.

16. Quoting Rorty, *Consequences of Pragmatism* (Minneapolis: University of Minnesota Press, 1982) 165.

17. Frederick G. Whelan, *Edmund Burke and India: Political*

Morality and Empire (Pittsburgh: University of Pittsburgh Press, 1996) 285.

18. *A Philosophical Enquiry into the Origin of Our Ideas of the Sublime and the Beautiful* (1757), in *Writings & Speeches*, 1:220.

19. *Writings & Speeches,* 6:346.

20. Peter J. Stanlis, *Edmund Burke and the Natural Law* (Ann Arbor: University of Michigan Press, 1958); Francis P. Canavan, *The Political Reason of Edmund Burke*; Burleigh T. Wilkins, *The Problem of Burke's Political Philosophy* (Oxford: Clarendon Press, 1967); Bruce Frohnen, *Virtue and the Promise of Conservatism: The Legacy of Burke and Tocqueville* (Lawrence: University Press of Kansas, 1993).

21. *Writings & Speeches,* 6:350.

22. *Letter to a Member of the National Assembly,* in *Writings & Speeches,* 8:332.

23. *Writings & Speeches,* 6:350.

24. Ibid.

25. (Boulder, Colorado: Westview Press, 1999).

26. Ibid., 335n 393.

27. Personal communication with Peter Stanlis.

28. Stanlis, *Edmund Burke and the Natural Law,* 71.

29. *Empire and Community,* 335n 393.

30. The phrase "ontological density" is from Pierre Manent in *The City of Man*, trans. by Marc A. LePain (Princeton: Princeton University Press, 1998) 139.

31. *Natural Right and History* (Chicago: University of Chicago Press, 1953) 274.

32. Conniff cites Burke's *Reflections* (Mahoney, ed., Bobbs-Merrill, 1955) 71.

33. The quotation is from Leslie Stephen, *History of English Thought in the Eighteenth Century,* 2 vols. (London: Smith, Elder, 1881) vol. 2:57.

34. "Appeal from the New to the Old Whigs," *Works* 3:86.

35. Canavan, *Edmund Burke: Prescription and Providence* (Durham: Carolina Academic Press, 1987) 118.

36. *A Letter to a Noble Lord* in *Writings & Speeches,* 9:149-50.

37. Ibid., 177.

38. Ibid., 176.

39. Ibid.

40. Ibid., 157.

41. Ibid., 176.

42. Ibid., 173.

43. *Third Letter on a Regicide Peace* in *Writings & Speeches,* 9:313.

44. *Writings & Speeches,* 9:247.

45. *Two Letters on the Trade of Ireland* in *Writings & Speeches,* 9:510.

46. *First Letter on a Regicide Peace* in *Writings & Speeches,* 9:249.

47. "Speech on the Impeachment of Warren Hastings in Reply," in *Works*, 8:275.

48. *Writings & Speeches,* 1:272.

49. Canavan, *The Political Reason of Edmund Burke*, 60.

50. The Burke quotation is from *Letter to the Sheriffs of Bristol* in *Writings & Speeches,* 3:316.

51. Confirmation of Frohnen's summation is ratified in Burke's *First Letter on a Regicide Peace*, in which Burke notes that men "associate by resemblances, by conformities, by sympathies" which are expressed through "laws, customs, manners and habits of life." Cf. endnote 45 above.

52. *The Correspondence of the Right Honourable Edmund Burke,* eds. Charles Williams, Earl Fitzwilliam, and Sir Richard Bourke, 4 vols. (London: Rivington, 1844), 4:67. Quoted by Francis Canavan, *The Political Reason of Edmund Burke*, 159.

53. Ibid.

54. *The Parliamentary History of England from the Earliest Period to the Year 1803*, 36 vols. (1806-1820), 31:381. Quoted by Francis Canavan, *PE,* 29.

55. *Burke* (Oxford: Oxford University Press, 1980) 51, 63 & 69.

56. Ibid., 64.

57. Ibid., 73. Macpherson concludes his work on *Burke*

thusly: "By his insistence on the importance of circumstances Burke ruled himself out of court for the late twentieth century."

58. Ibid., 69.

59. *Thoughts and Details on Scarcity,* in *Writings & Speeches,* 9:133.

60. Ibid., 128.

61. Ibid.

62. Ibid., 129.

63. Ibid., 130.

64. Ibid.

65. Ibid., 137.

66. Ibid., 127.

67. Ibid., 132.

68. Ibid., 121.

69. *Writings & Speeches,* 3:119-20.

70. Ibid., 120-21.

71. Ibid., 122.

72. *First Letter on a Regicide Peace* in *Writings & Speeches,* 9:249.

73. "An Appeal from the New to the Old Whigs," in *Works,* 3:95.

74. "Speech on the Representation of the Commons in Parliament," in *Works,* 6:146.