Edmund Burke and the Politics of Empire

On Empire, Liberty, and Reform: Speeches and Letters of Edmund Burke, ed. David Bromwich (New Haven: Yale University Press, 2000).

Empire and Community: Edmund Burke's Writings and Speeches on International Relations, ed. David P. Fidler and Jennifer M. Welsh (Boulder, CO: Westview Press, 1999).

Edmund Burke was one of those rare figures who combined profound political-philosophical observation with a highly active political career. After he entered Parliament, almost all of his writings and speeches addressed some sort of pressing public policy concern, yet these works also form the major part of the basis for most interpretations of his philosophic thought. Although Burke's policy focus provides a great deal of material for political historians and biographers, it poses challenges for political theorists, who must tease political philosophy out of works which were not explicitly written as such. But, it also offers important advantages. For one thing, one might argue that Burke's public career helps keep his thought attuned to "real-world" issues in all their messiness and complexity, and forces him to consider information which more speculative thinkers might disregard. More significant for our immediate purpose is the fact that Burke's writings and speeches clearly demonstrate the application of particular political-philosophical perspectives to public policy questions.

In the past few years, the subject of empire has received heightened interest from both a philosophical and public policy perspective. Questions of empire also dominated much of Burke's career. It therefore makes sense to turn to Burke when looking for wisdom on such matters. The temptation must be avoided, however, to look to Burke for formulaic solutions to contemporary questions, or to characterize his views with a broad brush. Burke was neither a champion nor an opponent of empire in the general sense (or of the British Empire, in a more specific sense). His concern was with the specifics of how particular British possessions were administered. But, it is Burke's attention to detail which helps to make his approaches to policy questions philosophically rich, rather than ideological.

Perhaps the simplest way to characterize Burke's politics is to note the centrality of his opposition to "caprice," or to the arbitrary use of political power.[1] This concern unites the "conservative" and "reformist" Burkes which have been identified by various commentators. Burke has much more depth than this, however. As illustrated by his views on imperial policy, his approach to ethics and politics—that is, his understanding of precisely *how* to limit abuses of power, while also promoting the sort of stability people need and want—is both sophisticated and relevant to contemporary concerns. One key dimension of Burke's thought is his emphasis on the "moral imagination." This term, which appears in *Reflections on the Revolution in France*[2], was most likely coined by Burke, and can be seen as central to his ethical-epistemological outlook. While this outlook cannot be laid out in detail here, one can state briefly that Burke understands imaginative constructions or conceptions of reality (at severe risk of oversimplification, one could say "worldviews") to be the primary shapers of politics, and of human behavior in general. These constructions are in turn shaped by the elements of the "wardrobe of a moral imagination," which include traditions, customs, religion, and social structures, as well as art forms and political dialogue. These provide the kinds of internalized stan-

dards which are necessary to the sort of political order that people want to live in.

Burke's emphasis on the moral imagination is very closely related to another area addressed by his thought: the problem of reconciling universal morality with cultural particularity. Given the intense interactions between culturally distinct states today, as well as the increasingly multicultural quality of individual nation-states, this has become a central problem of contemporary politics. Burke confronts it most directly when addressing British policy toward India. The political reconciliation of the universal with the particular is not just an important question for contemporary politics, but for Burke scholarship. A respected body of literature has identified Burke as a "natural law"—and hence universalist—thinker,[3] but Burke is also famous for his emphasis on the need to attend to the particulars of specific situations instead of relying heavily upon broad formulae. While this question of Burke's thought cannot receive anything like a full treatment here, both it and his broader emphasis on the moral imagination will be explored through the selective examination of his views in three areas of British "imperial" policy: India, Ireland, and America.

India and "Geographical Morality"

In sheer volume, Burke's writings and speeches on Indian policy make up a much greater part of his works than those on any other subject. Burke himself seems to view his actions regarding India as the most important of his career. In his *Letter to a Noble Lord*, he maintains that his (ultimately unsuccessful) pursuit of the impeachment of Warren Hastings of the East India Company would alone justify his pension from the Crown. Significantly, Burke makes this observation shortly after he notes, in an important passage, that government is "made for the very purpose of opposing that [sovereign] reason to will and to caprice, in . . . the governors or in the governed."[4]

In the sphere of Indian policy, Burke is best known for his pursuit of the Hastings impeachment, but his concern with Indian

matters began long before that. In his first years in Parliament Burke helped to promote the established Whig party line on India. At that time the Whigs opposed any reform of Indian policy, including closer government oversight of the East India Company, fearing that the actions to be taken to curtail the company's independence would amount to a power grab for the Crown and would enrich certain members of the administration. While in the 1760s Burke appears to be solidly behind the Whig position, in the 1770s strong tensions become evident within his speeches on India. While ostensibly supporting the Whig party line, he nevertheless launched, on occasion, into attacks on the East India Company. By the late 1770s the Whigs' consensus view on India was looking more and more like Burke's, and in 1783, Charles James Fox, with Burke's assistance and support, introduced bills designed to reform British activities there. At that time India did not have official colonial status; it had no clear status at all. The French had established a toehold in India, and fears that they might build their own an empire there had caused Britain to rush in in a rather haphazard manner. The East India Company, created to engage in commercial activities, had stepped into a power vacuum and, with British might behind it, had assumed control over much of the subcontinent.

The company's strong-arm tactics were often perceived as necessary, at least in the beginning, since India at that time consisted of a confused patchwork of weak principalities, often corrupt and hostile to one another, which made commerce difficult. However, by the 1770s the manner in which many fortunes were being made in India was not commerce. Instead, by exerting their influence over local rulers, officials of the company were essentially extorting vast sums from the local population. Such activities were not highly coordinated; officials of the company frequently acted on their own, sometimes against one another. When the company's directors, in an attempt to reform the situation somewhat, sent a new governor to Madras, a local company official had him imprisoned, where he died.[5] If the company was the closest thing India had to a de facto government,

it was not really a government at all, or else was an especially haphazard and lawless one. Russell Kirk writes that "the East India Company, as its territories and power grew, had become incapable of governing well an empire acquired almost in a fit of absence of mind: many of its servants, intent upon making immense fortunes in a few years, ignored the laws of the Indian principalities and peoples, the laws of England, and the principles of natural justice."[6]

Fox's India bills were the latest in a series of attempts by members of Parliament, of varying political persuasions, to respond to the chaotic situation in India. Some modest prior initiatives had succeeded, generally to little effect; most, including the more significant pieces of legislation, were defeated, and Fox's bills would meet a similar fate. The general thrust of the legislation was to rein in the company's activities and to limit its role to a more strictly commercial one, while shifting political control of India to commissioners directly answerable to Parliament. These commissioners would, in fact, be appointed by Parliament from among its own membership, a dramatic departure from existing policy. In a work devoted entirely to Burke's views on India, Frederick G. Whelan maintains that Fox's bills amounted to "a relatively radical legislative proposal."[7]

By the time Fox introduced his bills, Burke had become an expert on British activities in India. And, the more he had studied the situation the more passionate he had become about the need for reform. This passion is demonstrated by the fact that he had actually purchased stock in the East India Company in order to become eligible to participate in its deliberations; he was, however, unsuccessful in changing policy at that level.[8] In delving into the Indian question Burke did not just study British activities in India, but India itself, including its culture and religions. Whelan observes that "Burke was one of the first major European thinkers . . . to have made a serious effort to understand a non-Western civilization and to incorporate his findings into his general political thought."[9] India, Burke maintained, consists of "a people for ages civilized and cultivated,—cultivated by all the arts of pol-

ished life, whilst we were yet in the woods."[10] Although Burke's interest in Indian culture is atypical for an eighteenth-century Briton, it is highly consistent with his concern for the moral imagination, with his appreciation of the cultural elements which help shape it, and, more broadly, with his attention to historical particularity. Although Burke respected the uniqueness of Indian culture, he saw Britain and India as, in some ways, equivalents. In speaking on the legislation, he stated that "this bill, and those connected with it, are intended to form the *Magna Charta* of Hindostan." This may seem to be a grandiose claim, but several paragraphs earlier Burke mentioned that the "*Magna Charta* is a charter to restrain power," and this is what Fox's legislation would do.[11] Unfortunately, various vested interests opposed the legislation and it failed.

When Fox's bills failed, Burke did not miss a beat. Drawing upon his extensive research, and on the seventeen-volume report of the select committee in which he had participated to investigate matters in India, he turned his attention to pursuing the impeachment of Warren Hastings, the Governor-General of Bengal and the most powerful company official on the subcontinent. This project dominated the latter part of Burke's parliamentary career. In 1787 Burke would actually succeed in persuading the House of Commons to vote several articles of impeachment against Hastings; the case would, however, be dragged out in the House of Lords until 1795, when Hastings would be exonerated. There is evidence that Burke saw the case as doomed as early as 1785 but that he nonetheless felt compelled to continue, believing that the judgment of history would, ultimately, be on his side.[12] Burke's quest was not an entirely quixotic one. While it is clear that he was convinced of Hastings' personal guilt in perpetuating misrule, corruption, and abuse, he was certainly well aware that these problems predated Hastings and that his removal would not, by itself, greatly improve British governance of India. In indicting Hastings, Burke was indicting the entire system which he had unsuccessfully attempted to reform through Fox's bills. Even an unsuccessful prosecution, then, could help serve Burke's purpose

of drawing public and Parliamentary attention to the situation in India and encouraging reform. Eventually, of course, British rule in India would be reformed, although the more significant reforms would not occur until long after Burke's death.

Burke's speeches and writings regarding the Hastings impeachment are much more extensive than those regarding the earlier Fox legislation. A major problem Burke highlights with the East India Company is that it is not a government in anything like the usual sense of the word. It is an alien, for-profit enterprise which controls India but which lacks the usual ties to it. In his speech on the Fox bill, Burke compares Britain's conquest of India with previous invasions by the "Arabs, Tartars, and Persians." Although those conquests were bloody, "the Asiatic conquerors very soon abated of their ferocity, because they made the conquered country their own. They rose or fell with the rise or fall of the territory they lived in. Fathers there deposited the hopes of their posterity; and children there beheld the monuments of their fathers."[13] In contrast with such previous invaders,

> Our conquest there, after twenty years, is as crude as it was the first day. . . . Young men (boys almost) govern there, without society and without sympathy with the natives. They have no more social habits with the people than if they still resided in England,—nor, indeed, any species of intercourse, but that which is necessary to making a sudden fortune, with a view to a remote settlement. . . . With us there are no retributory superstitions, by which a foundation of charity compensates, through ages, to the poor, for the rapine and injustice of a day. With us no pride erects stately monuments which repair the mischiefs which pride had produced, and which adorn a country out of its own spoils. England has erected no churches, no hospitals, no palaces, no schools; England has built no bridges, made no high-roads, cut no navigations, dug out no reservoirs.[14]

For Burke, customs and social bonds are at least as important, and perhaps more important, than laws in constraining behavior.

In this case, however, there is no common social structure and, consequently, "no retributory superstitions" to prompt the English to behave charitably toward the Indians. Moreover, previous conquerors settled in India and raised up children there. The ties between the generations—the first generation of conquerors striving to do right by their children, and then their children striving to do right by their ancestors—kicked in. These ties shaped the conquerors' understanding of their world and of their moral responsibilities. What passes for government in India, however, is basically a loosely organized group of young-men-on-the-make, who come there with an aim to make their fortunes as quickly as possible, by whatever means available, and then to return to England. Consequently their relationship to India and its people is purely transactional, and purely exploitative. With neither ancestors nor posterity there, they fail to place their actions within a meaningful moral context which extends beyond their own immediate self-interest.

Much of Burke's concern regarding Britain's Indian policy revolves around these young men of the East India Company. He explains that

> [t]here is nothing in the boys we send to India worse than in the boys whom we are whipping at school, or that we see trailing a pike or bending over a desk at home. But as English youth in India drink the intoxicating draught of authority and dominion before their heads are able to bear it, and as they are full grown in fortune long before they are ripe in principle, neither Nature nor reason have any opportunity to exert themselves for remedy of the excesses of their premature power. The consequences of their conduct, which in good minds (and many of theirs are probably such) might produce penitence or amendment, are unable to pursue the rapidity of their flight.[15]

Burke is not only concerned about what the East India Company may be doing to the Indians; he is concerned about the formative role played by service in the East India Company on its own

personnel. These young men, who are "without society," fail to develop the kinds of internal checks, or the kind of character, usually developed by young men in Britain. Instead, they become accustomed to exercising arbitrary power over others, facing little or no consequence for unethical or inappropriate conduct. As a result they learn to give reign to a willfulness which, under other circumstances, people generally learn to constrain.

Burke's motivation here is of course less a concern for the young men of the East India Company per se, than a concern for the future of Britain. Whelan has observed that Burke was "determined that British rule should offer an exception to the familiar historical pattern by which imperial states were corrupted into tyrannies by their power and greed."[16] This corruption of the state occurs through the corruption of the people in it. From Burke's point of view, the men of the East India Company develop a particular sort of character, and there is no reason to believe that this character changes dramatically once they return to Britain. They become accustomed to ignoring the social structures and conventions of India; consequently, they have little respect for those of Britain. Indeed, they have little respect or regard for other people in general. They have not learned self-restraint, or the art of setting aside one's ego and of deciphering, and doing, what is right. The applicable test for their actions is not, in fact, whether something is ethically right, but whether something is profitable and whether one can get away with it. Instead of helping them learn to check their greed, their experience in India has fed it. Many of these men have quickly accumulated considerable wealth, and with this wealth has come power. The unchecked willfulness of these men is, consequently, in a position to do a great deal of harm. Burke explains that they infiltrate the established families and otherwise gain influence over them; they also gain considerable influence over British politics.[17] Since their governance of India is characterized by oppression and greed, their influence on British politics and society can only be for ill.

In *Reflections* Burke famously remarks that European civilization has been dependent upon the "spirit of a gentleman and

spirit of religion."[18] Such outlooks on life help one to exercise sound moral judgment and check one's willfulness, in part by contributing to a sense of standards. These "spirits," however, require careful cultivation and development, achieved in part through proper upbringing in good families and through proper socialization. The upstarts from the East India Company often lack such upbringings, and much of their socialization has occurred in the "anything goes" environment of British India. It is no wonder that Burke fears that their influence will erode the "spirits" which help blunt the rough edges of politics in Britain and which help make a relatively liberal society possible.

Burke's concern about the mentality fostered by the East India Company can be compared to his broader concern about commercial society, expressed in the context of the French Revolution and elsewhere. J. G. A. Pocock maintains that "in suggesting that a class brought into being by commerce might destroy itself by attacking the clerical foundations of culture he gave expression to a new problem in social theory."[19] Pocock also recounts David Hume's concern that public credit would be substituted for other property, particularly that of the landed aristocracy, and would consequently undermine the "natural relations between men."[20] Burke would certainly have been familiar with this argument and with similar lines of argument. It is important, however, not to put too materialistic a spin on Burke's position. Burke was something of an expert on commercial policy; he was also a Whig, and was certainly not known as an opponent of commerce. His concern is specifically with those approaches to commerce which encourage a shallow, transactional view of life and of human relations. The men of the East India Company think of the people of India as subjects for exploitation, with little or no sense of obligation to them as human beings. Their commercial interests trump the customs, structures, and traditional rules of life in India; they also trump the norms which the company's officers should have carried from Britain. This sense that anything can be bought, and that one's personal self-interest, understood largely in terms of wealth

acquisition, should be paramount, continues to rule the company men once they return to Britain. What really concerns Burke is not commerce but naked power relations, lacking the cloak of the "wardrobe of a moral imagination" which softens those relations with "retributory superstitions" and other norms.

It is concern regarding naked power relations which spurs Burke to pursue the Hastings trial for so many years to its unsatisfactory conclusion. Hastings had actually asserted in a letter to William Pitt that he possessed "arbitrary power" and that his use of "despotic" power in India was appropriate.[21] In making his case before Lords, Burke seeks, of course, to demonstrate the truth of certain specific charges which have been made against Hastings. He also, however, endeavors to show more broadly that "no man who is in his [Hastings'] power is safe from his arbitrary will."[22] Burke wishes that Britain's dominion in India "would have carried with it the full benefit of the vital principle of the British liberty and Constitution."[23] This "vital principle" of liberty and constitutionalism is, of course, the opposite of arbitrary will; it is a spirit of constraint, of standards, of law. Such a principle has not, of course, ruled British activities in India, and Hastings asserts that it would be impossible to rule India in this way.

Hastings' argument, Burke states, is "that actions in Asia do not bear the same moral qualities which the same actions would bear in Europe." The men of the East India Company "have formed a 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 relations to mankind, but by climates, degrees of longitude, parallels, not of life, but of latitudes." Burke rejects such relativism and maintains that "the laws of morality are the same everywhere, and that there is no action which would pass for an act of extortion, of peculation, of bribery, and of oppression in England, that is not an act of extortion, of peculation, of bribery, and oppression in Europe, Asia, Africa, and all the world over. This I contend for not in the technical forms of it, but I contend for it in the substance."[24]

The final qualifying sentence is very important, and reflects the tension between the concept of universal right and cultural particularity. Burke is emphatically *not* arguing for the simple application of British law and procedure in India, "for if ever the was a case in which the letter kills and the spirit gives life, it would be an attempt to introduce British forms and the substance of despotic principles together into any country."[25] He explains that British laws are not designed for use in the very different context of India, and their selective application under such circumstances simply serves as another means for the officers of the East India Company to tyrannize the local population. Burke seems to believe that (a) there is such a thing as a universal humanity, and all people, no matter who they are or where they are, are deserving of humane treatment, which can be described as treatment in the spirit (or "vital principle") of the best of the British tradition; (b) for the sake of Britain as well as of subject peoples, the British must be British everywhere—that is, they should always act in the spirit of the best of the British tradition; but that (c) acting in this spirit requires attunement to cultural differences, and the adjustment of laws and administration to the specific circumstances of particular places. A recognition of universal humanity does not translate into the universal application of one nation's specific laws or governmental forms.

Burke clearly recognizes that a misapplied sense of universality which leads one to export one's own "good" laws can actually have a oppressive effect, violating a deeper universality. In 1781 he had succeeded in convincing Parliament to enact the Bengal Judicature Act, which, among other things, was supposed to prohibit the application of British law to the Indians where inappropriate. Although Burke was a great lover of British law, he found the effects of its application by the British judges installed in India to be "arbitrary in the extreme." He speaks of "the incroachments [sic] which they made on the most sacred privileges of the people, the violation of their dearest rights, particularly in forcing the ladies before their courts; the contempt that was shewn [sic] for their religious ceremonies and mysteries; and

the cruel punishments inflicted upon them in case of their disobedience; new, strange, and obnoxious to them. . . ." Although British law may seem to be more desirable than that followed in India, "that which creates tyranny is the imposition of a form of government contrary to the will of the governed; and even a free and equal plan of government, would be considered despotic by those who desired to have their old laws and their ancient system." Consequently, "we must now be guided as we ought to have been with respect to America, by studying the genius, the temper, and the manners of the people, and adapting to them the laws that we establish."[26]

It is clear that during the Hastings impeachment Burke continues to hold to this belief. On the first day of the trial Burke remarks,

> God forbid we should pass judgment upon people who framed their laws and institutions prior to our insect origin of yesterday! With all the faults of their nature and errors of their institutions, their institutions, which act so powerfully on their natures, have two material characteristics which entitle them to respect: first, great force and stability; and next, excellent moral and civil effects."[27]

Burke displays a humility before the ancient Indian culture which is consistent with that which he displays before the established laws, institutions, and customs of Britain. His appreciation of the effectiveness and morality of Indian law and custom may be compared to contemporary approaches to cross-cultural differences in norms which emphasize the internal coherence of particular cultures and the general goal of "societal viability" which all cultures share.[28]

Burke's argument that, while legal forms vary culturally, there is no such thing as "geographical morality," has often been cited by those advocating a "natural law" interpretation of Burke. Particularly popular is Burke's eloquent diatribe against Hastings' claim to "arbitrary power." Peter Stanlis maintains that "Burke's

most extended and eloquent attack on Hasting's claim of arbitrary power . . . derives wholly from his ardent faith in Natural Law."[29] Burke argues,

> We [members of Parliament and the king] have no arbitrary power to give, because arbitrary power is a thing which neither any man can hold nor any man can give. No man can lawfully govern himself according to his own will; much less can one person be governed by the will of another. We are all born in subjection,—all born equally, high and low, governors and governed, in subjection to one great, immutable, pre-existent law, prior to all our devices and prior to all our contrivances . . . by which we are knit and connected in the eternal frame of the universe, out of which we cannot stir.
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> This great law does not arise from our conventions or compacts; on the contrary, it gives to our conventions and compacts all the force and sanction they can have. . . . If then, all dominion of man over man is the effect of the Divine disposition, it is bound by the eternal laws of Him that gave it . . . ."[30]

This passage, perhaps more than any other passage in Burke, demonstrates the extent of his Christian and classical orientation and his belief in God-given universal standards. Particularly noteworthy is his observation that one cannot "lawfully" govern even oneself according to his own will. We are all subject to God's law, and are not morally free to do whatever we choose. The legitimacy of human laws and institutions arises from their conformity to more basic moral laws or standards. Arbitrary actions are not "lawful" and are not legitimate or defensible. It is, however, very important to note here that, although Burke appeals to a universal or divine standard, he does not hold this up in sharp contradiction to an inferior conventional or "human" standard. Further exploration of his treatment of culturally-specific Indian and British standards clarifies his position.

One argument advanced by those favoring the application of British law and legal forms in India was that the local laws, power

structures, and customs were despotic. This same argument was advanced during the Hastings trial to defend openly despotic governance by the East India Company. It was generally accepted in Europe that all Asian governments were despotic. The argument of the East India Company's defenders was that, since the people of Asia are accustomed to such governance, they can only be governed in this way. India under Islamic domination was, it was argued, a particularly clear case of tyrannical government. During consideration of the Bengal Judicature bill, Burke actually conceded that India's law was inferior to, and more despotic in form than, that of Britain.[31] Even so, he argued, this was the form of law to which the people there were accustomed, and such law would seem less tyrannical to them than the imposition of an alien legal system. Burke did not hold that the inferiorities of Indian law justified their wholesale replacement with British law. The cultural attunement of Indian law gave it legitimacy, because it created meaningful standards which were widely understood and which prevented the sort of human willfulness that is contrary to universal law. For Burke, it was British law that was being implemented in India with a "despotic spirit." Because British law was not firmly integrated into Indian society but was instead operating in an alien context, it gave free reign to caprice.

During the Hastings trial, Burke devoted considerable attention to refuting the widespread belief that Asian laws, or Asian governments, are necessarily despotic. For an active MP, Burke engaged in a remarkable amount of research into the governments, laws, religions, and cultures of Asia. Drawing upon this study, he argued before the House of Lords that "nothing is more false than that despotism is the constitution of any country in Asia that we are acquainted with" and that the idea "that the people of Asia have no laws, rights, or liberty, is a doctrine that wickedly is to be disseminated through this country."[32] In direct contradiction to Hastings and his supporters, Burke insists that "Oriental governments know nothing of arbitrary power." This is especially clear in the case of Islamic governments:

> To name a Mahomedan government is to name a government by law. It is a law enforced by stronger sanctions than any law that can bind a Christian sovereign. Their law is believed to be given by God; and it has the double sanction of law and of religion, with which the prince is no more authorized to dispense than any one else. And if any man will produce the Koran to me, and will but show me one text in it that authorizes in any degree an arbitrary power in the government, I will confess that I have read that book, and been conversant in the affairs of Asia, in vain.[33]

The above remarks may be linked to the observations Burke would later make in *Reflections* regarding the importance of an established church. There, Burke explains the benefit of religion "sanctifying" government in order to impress a sense of sacred trust upon those in power. Here, the law itself is sanctified. In either case, the effect is to restrain the actions of political leaders and prevent arbitrary rule. What imparts this restraint is a sense of standards greater than one's own will. Using language from Burke's aesthetic writings, one may describe these standards as "sublime," since they are seen as beyond human control or alteration. When thinking of Islamic states, Burke is of course not contemplating theocratic states, or states driven by radical political Islam. He is thinking of a traditional Islamic state, with rulers who are essentially secular but who are understood to be subject to the law of the Koran. The rulers are, in fact, not even the law's chief interpreters; this function if performed by "an order of priesthood, whom they call *men of the law*. These men are conservators of the law."[34] They can be compared to other institutionalized countervailing forces which can exert some checking power by declaring actions of government officials to be in violation of recognized higher standards.

Burke makes the broader point that, in the case of *any* government, "law and arbitrary power are in eternal enmity."[35] He also uses examples of actual states to show that not only in theory, but in practice, the scope of action of Asian princes is constrained, and they do not exercise "arbitrary power." This argument would

be paralleled in *Reflections* by his observation that France was not really an "absolute monarchy," since the king was constrained by customs, ancient laws, and various political considerations. It is when traditions and established structures are abandoned—even in favor of an ostensively more liberal new regime—that the door to arbitrary power is opened. Burke's view of Asian regimes is not idyllic; he concedes that corruption is often found in them. But, he argues that this does not represent the Asian conception of a proper constitution, but is a deviation from it. Corruption is actually a problem and a weakness which endangers those regimes, and it hardly makes sense for the East India Company to use such defects in other governments as models for its own practices.

In denouncing "geographical morality" then, Burke does not really reject local standards in favor of a universal standard. Instead, for Burke local standards help to actualize universal standards. They do not necessarily represent the fullest expression of morality, but they help support moral behavior by helping constrain the will. They serve as expressions of our obligations to one another, and promote a sense of humility through the recognition of an order greater than oneself. It is, in fact, largely through our experience with local standards—and with all the societal elements which embody and express those standards—that we gain a sense of what universal standards are. Rather than contrasting universal standards with local standards, Burke holds up firmly established standards—of any society—against a lack of standards. Hastings would be a law unto himself, free of the laws and customs of both India and Britain, and this is what Burke cannot stomach. Neither the laws and customs of India nor Britain provide a justification for Hastings' behavior. Burke highlights the absurdity of Hastings' position: "Think of an English governor tried before you as a British subject, and yet declaring that he governed on the principles of arbitrary power!"[36] And, "never was there heard . . . such as thing as . . . an officer of government who is to exert authority over the people without any law at all, and who is to have the benefit of all laws, and all forms of law, when he is called to an account."[37]

On the opening day of the impeachment trial, Burke states,

> Through the whole of this sketch of history [of India] I wish to impress but one great and important truth upon your minds: namely, that, through all these revolutions in government and changes in power, an Hindoo polity, and the spirit of an Hindoo government, did more or less exist in that province with which he was concerned, until it was finally to be destroyed by Mr. Hastings.[38]

Hastings stands in opposition to human society, and his actions serve to undermine the imaginative framework which provides the structure and meaning needed to support that society. Through the example it sets, the use of "arbitrary power" harms not only India, but Britain as well.

Ireland and Jacobinism

For Burke an even more longstanding concern than India was the cause of Ireland and, particularly, of Ireland's Catholics. This is not surprising, since Burke was an Irishman and his roots were at least partly, and more likely predominantly, Catholic. Writers who emphasize Burke's role as a fighter for justice devote considerable attention to his involvement in Irish policy. Likewise, Burke's writings, speeches, and letters on Irish policy have often been used to bolster a "natural law" understanding of his thought. This short study is not the place for a detailed discussion of Burke's long engagement with Ireland. The focus will be on linkages between his views on Irish policy and his fight against Jacobinism, with an aim of examining the extent to which Burke's involvement in Irish affairs was shaped by his concern regarding the moral-imaginative basis for politics, society, and morals.

While Burke's interest in Irish policy was certainly derived from his concern for the people of Ireland, it is striking that in the last years of his political career he came to frame the Irish question as part of his fight against Jacobinism. Writing in 1795 about his views on Irish policy, Burke remarks, "My whole

politics, at present, centre in one point, . . . that is, what will most promote or depress the cause of Jacobinism."[39] Although Jacobinism had triumphed only in France, Burke recognized it as a dangerous dynamic present throughout the European world and, indeed, as a potential danger to human society everywhere. In another letter that same year he explicitly links his concerns regarding Ireland, India, and France:

> I think I can hardly overrate the malignity of the principles of Protestant ascendency, as they affect Ireland,—or of Indianism, as they affect Asia,—or of Jacobinism, as they affect all Europe and the state of human society itself. The last is the greatest evil. But it readily combines with the others, and flows from them. Whatever breeds discontent at this time will produce that greater master-mischief most infallibly.[40]

In the 1760s Burke employed appeals to natural rights when advocating on behalf of Ireland's Catholics, but by the mid-1790s he was basing his arguments on the need to combat Jacobinism. This made good political sense, since by that time events in France had provided a lesson to the British on the dangers of Jacobinism. If sympathy for Ireland's Catholics was lacking in Parliament, and appeals to concepts of rights were falling on deaf ears, fears of revolution might provide a more effective impetus for change.

Circumstances in Ireland had also changed somewhat over the course of Burke's career, making Jacobinism a greater concern. Since the French Revolution, the Society of United Irishmen, a radical Protestant dissenter group with strong anti-monarchical and Jacobin leanings, had been established in Ireland; since, among other things, this group promised enfranchisement to Catholics, it had the potential to become a major force. Elements with Jacobin tendencies also seemed to be emerging among existing Catholic and Protestant organizations, and the potential for revolt, or civil war, seemed to be growing. Moreover, a danger existed that the French themselves, who were now at war with Britain, would lend a hand in such an uprising, making the loss of

Ireland a plausible scenario. Although concerns about Irish Jacobinism, and about French influences in Ireland, had existed since at least the early 1760s, the situation was becoming more alarming. Under the promptings of such fears a number of reforms, some short-lived, were enacted in 1792 and 1793. These included the right of Catholics to establish schools, to practice law, to hold minor offices, and to vote in elections for the nominally independent Irish Parliament, although, to a significant degree, meaningful implementation of this last reform was locally thwarted. Burke was dissatisfied with these measures and continued to push for additional reforms in 1795. In Russell Kirk's interpretation, Burke's chief complaint was the fact that, although Catholics might be permitted to vote for Parliament, they were not permitted to stand for election to it. Burke had worked hard for Catholic enfranchisement, but suffrage was not, in itself, a major concern of his. In his view, merely allowing the mass of people to vote did little to bring about good government or effective representation. True reform, in his view, required that Catholics be able to hold meaningful positions in government.[41] This interpretation differs from the one offered by many scholars such as James Conniff, which characterizes Burke's Irish reform efforts as focused on the establishment of broad-based suffrage.[42]

While Burke supported extension of the franchise in Ireland, his support for voting rights, and for the need for Catholics to sit in the Irish Parliament, was not based on a Jacobite faith in the merits of equal representation. It was, rather, drawn from his moral-imaginative perspective on how society, and how moral and political behavior, are shaped. As Kirk puts it, Burke's concern was that the continued exclusion of Catholics from Parliament amounted to the denial of "aristocratic leadership" to the Catholic community.[43] Burke was not an elitist in the usual sense; he had denounced as oligarchical earlier efforts to provide a more limited Catholic franchise based on stringent property qualifications. He believed, however, in the need for a well-bred, educated, stable leadership class among the Irish Catholics. The

political power exercised by members of the Irish Parliament was, in practice, greatly constrained, but they were public figures and in that respect could play an important role in shaping Irish politics and society. Conniff again has a directly opposing view, maintaining that Burke had no interest in an Irish aristocracy. In support for this position Conniff offers this quotation from a private letter of Burke:

> The Strength of the Catholicks is not in their dozen or Score of old Gentlemen. Weak indeed they would be if this were the Case. Their force consists in two things: their numbers and their growing property, which grows with the growth of the country itself . . . .[44]

This quote, however, is simply a observation that, at the moment, the Catholics' political strength lay primarily in their numbers; it hardly indicates that Burke is uninterested in promoting Irish-Catholic aristocratic leadership.

Burke was in fact interested in promoting aristocratic leadership, but not for the benefit of an aristocracy. This was one component of a broader concern he possessed for the social and moral, and not just political, state of the Irish Catholics. In part, this was manifested by a concern for the Irish moral imagination. Conniff misses this moral-imaginative dimension of Burke's thought, and therefore states, "It is widely agreed that the French Revolution led Burke to become the leading English spokesman for social stability and political order in his day. Interestingly, there was no similar movement in his views on Irish issues."[45] Conniff seems to believe that since Burke was a "reformist" he could not be interested in social stability. But, a desire for "social stability" is not the same as a desire to maintain the status quo. In fact, if the status quo is potentially unstable, a desire for "social stability" would be manifested as a desire for changes in policy. To have social stability and political order, Burke wanted to promote in Ireland those elements which help constitute the "wardrobe of a moral imagination."

Burke's interest in the state of Irish society—as opposed to simply Irish politics—was perhaps heightened by the French Revolution and the growth of Jacobinism, but certainly did not begin with it. Similar concerns are found in his unpublished *Tract relative to the Laws against Popery in Ireland*, written in the early 1760s.[46] This work is best remembered for its strong call for justice for Ireland's Catholics, including its brief appeal to natural rights, but its major theme is how public policies have shaped—for the worse—the social and moral fabric of Ireland. For example, the very first issue addressed by Burke is the replacement of the ancient common-law practice of primogeniture with a statutory requirement for the equal division of property among sons. Combined with the land confiscations which had occurred over the years, the effect was nearly to wipe out Ireland's Catholic landed gentry.

There may have been a personal dimension to Burke's indignation here, since, at least on his mother's side (and possibly on both sides), Burke was descended from such gentry, with family lines tracing back to the Normans.[47] The level of contempt Burke displays for Ireland's "Protestant Ascendency" (or "Anglo-Irish Ascendency") throughout his writings on Ireland, both public and private, may be partly attributable to the fact that the "Catholic gentry . . . looked down on landlords of Cromwellian and Williamite origin as social upstarts."[48] Burke's interest is much more than personal, however. In destroying Ireland's Catholic gentry, the Protestants were depriving Ireland of that key societal element which Burke would, in *Reflections*, call the "ballast in the vessel."[49] Through systematic leveling, the Catholic population was being reduced to a mob; there was no educated, firmly-established leadership class available to set the tone of discourse and look out for the common good. The Ascendency certainly could not take the place of such an aristocracy; it was not just Protestant, but was, in large part, narrowly self-interested, relatively unrefined, preoccupied with personal gain, and middle-class in character. In 1792 Burke would refer to it as a "plebian oligarchy."[50] Burke draws a sharp Platonic-Aristotelian distinc-

tion between aristocracy and oligarchy throughout his writings on Ireland.

In the 1790's Burke would refer to the Irish Penal Laws as "a machine . . . as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement, in them, of human nature itself, as ever proceeded from the perverted ingenuity of man."[51] It is not just through the elimination of primogeniture that public policy is undermining Ireland's social fabric and the moral resources of its Catholics. Back in the 1760's Burke describes how families and property are undermined by laws which give any child who renounced Catholicism the right to take over family lands. Also, prohibitions on the permanent acquisition of land severely discouraged improvement, as did prohibitions on entry into professions. Education for Catholics was virtually impossible. Catholic grammar schools were, as a general rule, illegal. Young Catholic men could not attend college in Ireland or England; nor, Burke points out, could they be sent elsewhere for an education without, once again, breaking the law. Both the barriers to education and the inducements to lawbreaking would certainly contribute to the "debasement . . . of human nature" about which he is so concerned.

The general attack on Catholicism in Ireland, Burke argues in the 1760s, is misguided. It may serve the short-term interest of the Ascendency by keeping Catholics down, but it serves the long-term interest of no one. He grants that, although "the idea of religious persecution, under any circumstances, has been almost universally exploded by all good and thinking men," there may be specific cases in which it is understandable if some may oppose a strange new sect. In such a case the established religion has at least the prejudice of antiquity on its side. The persecution of Catholicism, however, turns the usual order on its head, since "this religion, which is so persecuted in its members, is the old religion of the country, and the once established religion of the state."[52] The disruption of this religion, so firmly integrated into the culture and society, could only have negative consequences. In response to those who claim that Catholicism cannot possibly

be socially beneficial, Burke asks, "And was there no civil society at all in these kingdoms before the Reformation?"[53] The question should not be whether or not there are errors in Catholicism, since its practitioners

> received it on as good a footing as they can receive your laws and your legislative authority, because it was handed down to them from their ancestors. The opinion may be erroneous, but the principle is undoubtedly right; and you punish them for acting upon a principle which of all others is perhaps the most necessary for preserving society, an implicit admiration and adherence to the establishments of their forefathers.[54]

In opposing the traditional religion in favor of a newer one, says Burke, the government also undermines its own authority, since it undermines respect for the order which has been handed down. Without such respect, a sense of arbitrariness sets in. Burke's emphasis here on the necessity of respect for the legacy of "ancestors" and "forefathers," very early in his career and decades before similar language would appear in *Reflections*, should serve to dispel any suspicion that the later prominence of this theme was the product of a knee-jerk reaction to the French Revolution.

In his early writings on Ireland Burke hints that attempts at suppression of Catholicism are destructive to religion in general, but this theme emerges more prominently in his later writings. He explains that, over the broad sweep of history, the purpose of religious persecution has usually been to bring people into conformity with the established church. Although such persecution is undesirable, it has, at least, the positive intent of saving the souls of the persecuted. That is not the aim in Ireland, however. The laws there essentially amount to the establishment of a "*negative* religion."[55] This is because, in many cases, the laws in Ireland do not follow the usual pattern of discriminating between those who are members of the established church and those who are not. Instead, they discriminate between those who are Catholic and

those who are Protestant, with the term "Protestant" employed broadly to cover members of the Anglican Church and virtually all dissenters. Essentially, the laws are structured simply to punish people for being Catholic, not to bring people into another church. The authorities generally do not care what religion one professes, or whether one actually follows any recognized denomination at all; one generally qualifies as "Protestant" as long as one is not Catholic.

Burke cannot resist the quip that "a man is certainly the most perfect Protestant who protests against the whole Christian religion."[56] The effect of the penal laws is to undermine religion. In one open letter he tells the supporters of such laws that "you are partly leading, partly driving into Jacobinism that description of your people whose religious principles, church polity, and habitual discipline might make them an invincible dike against that inundation."[57] In another late letter he explains that "the seduction of that part of mankind from the principles of religion, morality, subordination, and social order is the great object of the Jacobins. Let them grow lax, skeptical, careless, and indifferent with regard to religion and . . . Jacobinism . . . will enter into that breach." Therefore, "the Roman Catholic religion should be upheld in high respect and veneration" and cherished as a good, not tolerated as an evil.[58] Although Burke failed to achieve much that he desired in the area of Irish policy, in his final years he personally assisted in the successful establishment of a national Catholic seminary for Ireland. This effort, like Burke's others, incorporated an anti-Jacobin objective, both by ensuring an adequate supply of priests and by ensuring that they were well-educated.

It is in his late writings on Ireland that Burke offers his famous definition of Jacobinism. "What is Jacobinism?" he asks. He answers,

> It is an attempt . . . to eradicate prejudice out of the minds of men, for the purpose of putting all power and authority into the hands of the persons capable of occasionally enlightening the minds of

> the people. For this purpose the Jacobins have resolved to destroy the whole frame and fabric of the old societies of the world, and to regenerate them after their fashion.[59]

In a letter to his son he makes reference to "the new fanatical religion . . . of the Rights of Man, which rejects all establishments, all discipline, all ecclesiastical, and in truth all civil order. . . ."[60] In the final analysis, Jacobinism emerges as a kind of nihilism, since it undermines "all discipline" and "all civil order" by undermining those elements which equip a healthy moral imagination. What most stands against Jacobinism, and for civil order, is "prejudice," that is, those acquired predispositions which provide moral stability and serve as a counterweight to seductive revolutionary rhetoric. Millenarian ideas, in fact, arose in Ireland in 1795–96.[61] Such ideas, and the irrational hubris which accompanies them, reflect the loss of the anchor in reality provided by the sense of a moral order. In another letter Burke enumerates the three main subjects of Jacobin attack: religion, property, and "old traditionary constitutions."[62] Since public policies toward Ireland have also attacked all of these, government has served to aid the Jacobins in their work. It seems as if the objective of British policy is to transform Ireland's Catholics into an irreligious, propertyless, uneducated, atomized mass, alienated from lawful government and lacking a sound leadership class; such a mob would be ripe for radicalism and rebellion.

American Policy: Liberty and Culture

As a Member of Parliament, Burke cut his teeth on American policy; his maiden speech was an unrecorded address supporting repeal of the Stamp Act, a position around which the Rockingham Whigs were coalescing.[63] In 1770 Burke was named New York's agent in Parliament, and in 1774 and 1775 he would make his major speeches on American policy, urging British conciliation on taxation and other issues which were contributing to the Americans' unrest. After hearing of the Declaration of Independence, he was at a loss as to where his sympathies should lie,

writing in a private letter, "I do not know how to wish success to those whose Victory is to separate from us a large and noble part of our Empire. Still less do I wish success to injustice, oppression, and absurdity."[64] In the early to mid-1770s, American policy was following the confrontational line of the Tories and George III, and in arguing for conciliation Burke found himself fighting a losing battle, as he would so often in his career. The American problem centered primarily on taxation by Parliament and the colonists' resistance to that taxation. Parliament believed it had a right to tax the colonies in any manner it chose, since the colonial charters made those colonies subject to the Crown. The Americans, as a general rule, recognized Parliament's legitimacy in governing them, but believed that the imposition of taxes without their consent or participation violated basic rights of Englishmen.

As a problem of conflicting rights claims, the American crisis may have helped convince Burke of the limitations of rights-based frameworks and of the drawbacks of abstract conceptual arguments which disregard real-world circumstances. In his 1775 *Speech on Conciliation* he suggests that it is not entirely clear whose claim of right—that of Parliament or of the Americans—should predominate. The general issue as to whether "a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power" or whether, as a taking of property, it falls into a special category and requires special consent, involves "deep questions" which are difficult to resolve, a "Serbonian bog" in which Burke does "not intend to be overwhelmed." The solution Burke offers is to abandon the rights debate altogether and to focus simply on creating good public policy:

> The question with me is, not whether you have a right to render your people miserable, but whether it is not your interest to make them happy. It is not what a lawyer tells me I *may* do, but what humanity, reason, and justice tell me I ought to do.

Indeed, Burke argues that even if he were certain that "the colonists had, at their leaving this country, sealed a regular compact of servitude, that they had solemnly abjured all the rights of citizens," he would still argue for conciliation, since the real issue is not one of legal technicalities or past agreements, but of governing a particular population with particular viewpoints in the here-and-now.[65]

In both the *Speech on Conciliation* and the *Speech on Taxation* a year earlier, Burke endeavored to convince the Tories of the need for any American policy to take into account what we would call the culture, or worldview, or imaginative framework of the colonists. Britain and America had, to a degree, grown apart, and the Americans' perception of the circumstances at hand was very different from that of the king and of most members of Parliament. Effective governance required a sensitivity to those differences. Burke explains that there is a consideration which should guide policy regarding America "even more than its population and its commerce: I mean its *temper and character.*"[66] According to Gerald Chapman, Burke

> painted his famous "view" of the American character and its driving force, . . . to waken a sense of American practice as conditioned by in-grown values and principles, fixed, and lively, though more or less unconscious, and suspended in the dearest web of moral feelings.[67]

The dominant element of this character is a "love of freedom" and "fierce spirit of liberty," a quality which derives in large part from the colonists' British roots: "England, Sir, is a nation which still, I hope, respects, and formerly adored, her freedom. The colonists emigrated from you when this part of your character was most predominant." The colonists' fixation on the taxation issue, which Parliament regarded as unreasonable, was in fact very British, since taxation only by consent amounted to a key traditional British test of liberty. Burke explains:

> Abstract liberty, like other mere abstractions, is not to be found. 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. It happened, you know, Sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of taxing."[68]

There is no such thing as liberty in the abstract; it exists in concrete circumstances. We understand the idea of liberty because it is imaginatively linked to various particular things. According to Burke, the Tories fail to understand how closely the older British cultural framework, still strong in the colonies, associates liberty with consent to taxation. They see the American response as simple defiance, a challenge to the legitimacy of their rule. Consequently they believe they must insist on their taxes in order to maintain their authority; if they give in on this matter, more defiance will follow. Burke's point is that taxation is, in the colonists' minds, a special case, and a rejection of taxes is not a part of a blanket rejection of the Crown. Not that the colonists do not have a particularly strong "love of freedom;" they do, and Parliament must take this into account. Burke traces this love culturally. Many of the emigrants to America, he explains, were Protestant dissenters, and they rested their dissent "on a strong claim to natural liberty."[69] Burke also points out that an astonishingly large number of Americans have studied law, and that the colonial legislatures are made up almost entirely of lawyers. This legal study heightens the Americans' sensitivity to infractions on liberty, even if those infractions have little practical impact: "In other countries, the people, more simple, and of a less mercurial cast, judge of an ill principle in government only by an actual grievance; here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle."[70]

Along with all of the above factors, the worldview of the Americans has been shaped by precedent and prescription of a particular sort; it has been shaped by the history of their relationship with Britain. The imposition of taxes in 1764, Burke argues,

was "a great innovation."[71] It is Parliament which bears most of the blame for the present situation by changing its American policy at midstream. There are, Burke explains, two main ways to derive economic benefit from colonies: either through the establishment of commercial monopolies, or through taxation. The method which Britain has historically chosen is the mercantilist model of a commercial empire. The imposition of trading monopolies clearly demonstrates Parliament's authority, in a manner to which everyone is accustomed: "Be content to bind America by laws of trade: you have always done it. Let this be your reason for binding their trade."[72] To the extent that revenues are required to provide services to the colonies, the Crown should follow the same model with the colonies that the king has traditionally followed with Parliament: the colonies should be asked to raise funds and to grant them to the Crown.[73] By sticking to tradition, Parliament will defuse the question of the scope of its authority. In Burke's words, Parliament should

> leave America, if she has taxable matter in her, to tax herself. I am not here going into the distinctions of rights, nor attempting to mark their boundaries. I do not enter into these metaphysical distinctions; I hate the very sound of them. Leave the Americans as they anciently stood, and these distinctions, born of our unhappy contest, will die along with it.[74]

Burke points out that perhaps the biggest mistake being made by the Tories is their insistence on labeling the colonists' actions as "treason" and "rebellion." Most colonists, Burke argues, do not view themselves as in a general state of rebellion; they are British subjects who are opposed only to one line of governmental action, and who are frustrated by Parliament's refusal to enter into a dialogue with them. They are claiming what they consider to be well-established, traditional rights of Englishmen. The Americans have not denied all of Parliament's authority; it is Parliament that maintains that its authority is being denied. In telling the Americans that this one disagreement constitutes "rebellion,"

Parliament is indicating to them that it does not recognize basic liberties. It is, effectively, teaching the Americans to rebel.[75] It is prompting a paradigm shift, re-shaping the Americans' self-perception and re-defining the conflict. If Parliament continues to tell the Americans that they are rebelling, the Americans will eventually agree.

Burke understands that the colonists and the Tories in Parliament are getting at reality in slightly different ways; time, distance, and circumstances have made their imaginative frameworks somewhat different. These include their conceptions of liberty and of the nature of good government, which are tied intuitively, or imaginatively, to particular elements of concrete historical experience. What has made Britain's American policy a failure has been the failure to take these differences into account, as well as a failure to take into account how current policies may continue to shape the Americans' worldviews in adverse ways, ramping up the conflict. Good governance does not arise through adherence to questionable legalisms but through sensitivity to one's subjects and their framework for conceptualizing reality. Burke tells Parliament, "the question . . . is,—Whether you will choose to abide by a profitable experience or a mischievous theory?"[76] For Burke, Parliament's error is similar to the error he would later see in the Jacobins and "metaphysicians" of the French Revolution who focus on abstract rights and on legalistic political theories without bothering to consider human nature or the concrete circumstances at hand.

Conclusion

Burke's writings and speeches on the problems of empire offer us valuable insights into fundamental questions of political morality and order. Burke's approach to politics can be seen as both very old and very new, but in any case it is deeper than that typically found in popular thought since the Enlightenment. In emphasizing the role of the moral imagination in shaping and defining morality and order, Burke effectively unites the universal and the particular, or the conventional and the natural. The good order is

dependent upon the internalization of standards of behavior, and effective standards require a sense of meaning, which arises through concrete historical circumstances. At a minimum, this means that great care must be paid to the cultural contexts which impart meaning and standards, and that political actions must be considered in terms of how they will be perceived within the context of a particular culture or society, and how they will impact that particular culture or society. This is important not just when addressing matters of "empire" or of foreign policy, but in formulating public policy in general. At a more basic—but perhaps more important—level, Burke's approach suggests a need for us to develop a better understanding of the nature and sources of political order and the good life, and to move beyond the simplistic and formulaic approaches which tend to dominate political thought today.

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NOTES

1. Conor Cruise O'Brien makes this the major theme of his study of Burke. See *The Great Melody: A Thematic Biography and Commentated Anthology of Edmund Burke* (Chicago: University of Chicago Press, 1992).

2. Edmund Burke, *Reflections on the Revolution in France*, ed. J. G. A. Pocock (Indianapolis: Hackett Publishing Co., 1987), 67.

3. See, for example: 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* (Durham, NC: Duke University Press, 1960); and Joseph L. Pappin III, *The Metaphysics of Edmund Burke* (New York: Fordham University Press, 1993).

4. Burke, *Letter to a Noble Lord*, in *The Works of the Right Honorable Edmund Burke* (Boston: Little, Brown & Company, 1865–67), 5:189.

5. O'Brien, *Melody,* 304–5.

6. Russell Kirk, *Edmund Burke: A Genius Reconsidered* (New Rochelle, NY: Arlington House, 1967), 107.

7. Frederick G. Whelan, *Edmund Burke and India: Political Morality and Empire* (Pittsburgh: University of Pittsburgh Press, 1996), 44.

8. O'Brien, *Melody*, 307.

9. Whelan, *India*, 5.

10. Burke, *Speech on Mr. Fox's East India Bill* (1 December 1783), in *Works*, 2:444–45.

11. *Fox's Bill*, *Works*, 2:441.

12. Stephen H. Browne, *Edmund Burke and the Discourse of Virtue* (Tuscaloosa: University of Alabama Press, 1993), 84.

13. Burke, *Speeche on Fox's Bill, Works,* 2:461.

14. *Ibid.*, 462–3.

15. *Ibid.*, 463.

16. Whelan, *India*, 4.

17. Burke, *Speech on Fox's Bill*, *Works*, 2:464.

18. Burke, *Reflections*, 69.

19. J. G. A. Pocock, *Virtue, Commerce, and History: Essays on Political Thought and History, Chiefly in the Eighteenth Century* (New York: Cambridge University Press, 1985), 281.

20. Pocock, *Virtue*, 203, 250.

21. Kirk, *Edmund Burke*, 117.

22. Burke, *Speech in Opening, Second Day* (16 February 1788), in *Works,* 9:492.

23. *Ibid.,* 399.

24. *Ibid.*, 447–48 (emphasis in original).

25. *Ibid.*, 9:448.

26. Burke, *Speech on Bengal Judicature Bill (1)* (27 June 1781), in *The Writings and Speeches of Edmund Burke,* gen. ed. Paul Langford (Oxford: Clarendon Press, 1989–2000), 5:141.

27. Burke, *Speech in Opening, First Day, Works,* 9:382.

28. See for example Charles Lockart and Gregg Franzwa, "Cultural Theory and the Problem of Moral Relativism," in *Politics, Policy, and Culture,* ed. Dennis J. Coyle and Richard H.

Ellis (Boulder, CO: Westview Press, 1994), 175–189.

29. Stanlis, *Natural Law,* 33.

30. Burke, *Speech in Opening, Second Day, Works,* 9:455–56.

31. Burke, *Speech in Bengal (1), Writings,* 5:141–42.

32. Burke, *Speech in Opening, Second Day, Works,* 9:454, 479.

33. *Ibid.,* 464.

34. *Ibid.,* (emphasis in original).

35. *Ibid.*, 458.

36. *Ibid.,* 449.

37. *Ibid.*, 9:461.

38. Burke, *Speech in Opening, First Day, Works,* 9:394.

39. Burke, *Letter to William Smith, Esq., on the Subject of Catholic Emancipation* (29 January 1795), in *Works,* 6:367.

40. *Second Letter to Sir Hercules Langrishe, on the Catholic Question* (26 May 1795), in *Works,* 6:379.

41. Kirk, *Edmund Burke*, 144–45.

42. James Conniff, *The Useful Cobbler: Edmund Burke and the Politics of Progress* (Albany: State University of New York Press, 1994), 251–65.

43. Kirk, *Edmund Burke*, 145.

44. Burke to Richard Burke, Jr., 3 January 1792, in *Correspondence*, 8:11, quoted in Conniff, *Cobbler,* 268.

45. Conniff, *Cobbler,* 257.

46. For issues regarding the dating of this work, see O'Brien, *Melody*, 40, n. 1.

47. O'Brien, *Melody*, 15–19.

48. *Ibid.,* 45.

49. Burke, *Reflections,* 45.

50. Burke, *(First) Letter to Sir Hercules Langrishe, on the Subject of the Roman Catholics of Ireland,* in *Works,* 4:251.

51. *Ibid.,* 305.

52. *Fragments of a Tract relative to the Laws against Popery in Ireland,* in *Works,* 6:336.

53. *Ibid.,* 340.

54. *Ibid.*, 337.

55. *First Langrishe, Works,* 4:258 (emphasis in original).

56. *Ibid.,* 263.

57. *Second Letter to Langrishe, Works,* 6:380–81.

58. *Letter to Smith, Works,* 6:370, 369.

59. *Ibid.*, 367.

60. Burke, *Letter to Richard Burke, Esq., on Protestant Ascendency in Ireland* (1793), in *Works,* 6:398.

61. O'Brien, *Melody,* 531.

62. *Second Letter to Langrishe, Works,* 6:382.

63. O'Brien, *Melody*, 107–8; Burke describes his speech in *Correspondence*, 1:232–33.

64. Burke to Richard Shackleton, 11 August 1776, *Correspondence,* III, 286–87.

65. Burke, *Speech on moving Resolutions for Conciliation with America* (22 March 1775), in *Works*, 2:140–41 (emphasis in original).

66. Burke, *Speech on Conciliation*, in *Works*, 2:119–20 (emphasis in original).

67. Gerald W. Chapman, *Edmund Burke: The Practical Imagination* (Cambridge, MA: Harvard University Press, 1967), 21–22.

68. Burke, *Speech on Conciliation,* in *Works,* 2:120.

69. *Ibid.*, 123.

70. *Ibid.*, 125.

71. Burke, *Speech on American Taxation* (19 April 1774), in *Works*, 2:32.

72. *Ibid.*, 2:73.

73. Burke, *Speech on Conciliation,* in *Works,* 2:154.

74. Burke, *Speech on American Taxation,* in *Works,* 2:72–3.

75. *Burke, Speech on Conciliation,* in *Works*, 2:137.

76. *Ibid.*, 163.