

English History: Conquest, Antiquity and National Spirit

Burke had more knowledge of the history of England than of any other country and region. English history was also the history about which he spoke and wrote most frequently. As an educated Irishman, English history, as well as the history of his own native land, had haunted him since he was young. Although the study of law at the Middle Temple in London was not to his liking, it apparently helped him to be well versed in the politics and jurisprudence of English history. Moreover, several manuscripts he wrote during the 1750s showed his profound interest in English political history at that time. Above all, the *Fragment: An Essay towards an History of the Laws of England* and the *Abridgment of English History* are the most obvious evidence of his early commitment to English history.

After Burke entered parliament in January 1766, the way in which he learned and expressed English history significantly changed. In his political life, in addition to his continued reading of various materials, active communication with colleagues helped develop his interest in and knowledge of history. As a member of the House of Commons, he needed to manifest his own interpretation of English history, attack his opponents' notions of it and make use of history in order to support his own arguments. His interpretation of English history also helped to establish his position and identity in politics. According to his own account, when he associated himself with the Rockinghams in the mid-1760s, he 'was in a situation to discern what sort of Whig principles they entertained, with whom it was his wish to form an eternal

connexion'.¹ In his early works such as the *Vindication of Natural Society*, the *Abridgment* and the *Fragment*, he repudiated Bolingbroke's and Tory doctrine and expressed a sympathetic attitude to the principles of the Whigs.² His allegiance to the Rockinghams, moreover, led him to draw even greater attention to English political history and to the principles of both the Whigs and the Tories. The Rockingham Whigs consciously inherited Pelhamite principles, which Burke absorbed through both his own research and various communications with his colleagues. Although Burke was familiar with and partly made use of the 'country' ideology advanced by Bolingbroke a generation earlier, he and the Rockingham Whigs believed that their political arguments followed traditional Whig tenets.³ His early political tracts, *Observations on a Late State of the Nation* and *Thoughts on the Cause of the Present Discontents*, clearly show that Burke, as he claimed himself, consciously chose the Rockingham brand of Whig principles to establish his political identity. The Whigs during the period of the Revolution of 1688–9 and in the early eighteenth century were repeatedly the object of Burke's admiration, and over and over again, he showed respect for Lord Somers, Robert Walpole and other eminent Whigs of the earlier eighteenth century.⁴

¹ *Appeal from the New to the Old Whigs* (1791), in *WS*, IV, 408.

² In particular, see *Fragment: An Essay towards an History of the Laws of England* (c. 1757), in *WS*, I, 324: 'The spirit of party, which has misled us in so many other particulars, has tended greatly to perplex us in this matter. For as the advocates for prerogative would, by a very absurd consequence drawn from the Norman Conquest, have made all our national rights and liberties to have arisen from the grants, and therefore to be revocable at the will, of the sovereign; so on the other hand, those, who maintained the cause of liberty, did not support it upon more solid principles.'

³ O'Gorman, *Edmund Burke*, pp. 26, 30–1; Frank O'Gorman, *The Rise of Party in England: The Rockingham Whigs 1760–82* (London: George Allen & Unwin Ltd, 1975), pp. 263, 268–9, 271.

⁴ See *Speech on Economical Reform* (11 February 1780), in *WS*, III, 529. In the context of trying to promote war against revolutionary France, however, he retrospectively censured Robert Walpole's failure to defend his position on the war against Spain in 1739. See *First Letter on a Regicide Peace* (1796), in *WS*, IX, 227–28. For Burke's mention of the Convention of Pardo, see 'Burke to Charles O'Hara (21 May 1770)', in *Corr.*, II, 138; 'Burke to William Dowdeswell (6, 7 November 1772)', in *Corr.*, II, 364. In 1781, he wrote to Philip Yorke, 2nd Earl of Hardwicke, the author of *Walpoliana*, that Walpole 'was a safe Minister for this Country' and that his 'Temperance with regard to peace Establishments ... proved a foundation for the great things that followed'. See 'Burke to the Earl of Hardwicke (5 April 1781)', in *Corr.*, X, 9–10.

Burke also highly spoke of William III as ‘an enemy to all persecution’,⁵ and in doing so, it is clear that religious toleration was, for him, significant part of Whiggism. The Rockingham Whigs, especially Burke, were almost always conscious of their genealogical link to these earlier Whigs when pursuing their political objectives. It is thus important to be aware that Whiggism operated as a political identity for the Rockinghams and that Burke, in his political career, spoke and wrote about English history as a Whig.

The present chapter is an attempt to present a clear overall picture of Burke’s views of English history and, in order to do so, both his early historical writings and his later use of the English past in his political life need to be addressed. In his earlier literary career, Burke attempted to produce substantial works on English history, yet in his later political career he did not create such works, and instead often used the evidence of English history to support his present political concerns. The ways in which he committed himself to English history were significantly different between his early and later careers. As shown in detail below, moreover, there is an important contrast between Burke’s early works and his later writings and speeches regarding their treatments of the historical continuity of the English constitution. What follows below begins with an analysis of Burke’s early writings on English history, and then turns to his later political writings and speeches, focusing on his opinions on English history.

Although Burke’s early historical works, the *Abridgment of English History* and the *Fragment*, were often neglected until the early 1990s, some notable scholarship on these works had appeared earlier. In 1960, Pocock pointed out that Burke, in the *Fragment*, was already aware of the concept and importance of the ancient constitution.⁶ A few years later, Courtney maintained that the *Abridgment* adopted

⁵ *Speech at Bristol Previous to Election* (6 September 1780), in *WS*, III, 641. See also *ibid.*, in *WS*, III, 641–2; he drew on Gilbert Burnet’s *History of his Own Times* for his arguments. Burke, elsewhere, wrote: ‘my opinion in favour of toleration goes far beyond the limits of that act [Toleration Act of 1689 (1 Will & Mary c 18)]; which was no more than a provision for certain sets of men, under certain circumstances; and by no means, what it is commonly called, an act of toleration’. See ‘Burke to William Burgh (9 February 1775)’, in *Corr.*, III, 111.

⁶ Pocock, ‘Burke and the Ancient Constitution’, in *idem*, *Politics, Language, and Time*, pp. 222–4.

Montesquieu's analysis of society by paying attention to the general causes of social change.⁷ In the late 1980s, Robert Smith maintained that the *Abridgment* expressed 'progressive Whiggism', while inheriting the old Anglican tradition of providential history. Smith also claimed that Burke's early tract on English history had not taken Magna Carta as the revival of Saxon jurisprudence, which the *Reflections* presumably implied.⁸ McLoughlin's article was a pioneering study of the making of the *Abridgment*, in which he made some points concerning the defining characteristics of the work. One of them was that in this work Burke, like Bolingbroke, advanced Whiggish views of English history, and provided a narrative of the English people who had struggled for liberty since ancient times.⁹ According to the same commentator, the early Burke, like Burke in the *Reflections* and other works, had already advanced the idea that society and institutions were shaped by historical processes.¹⁰ An equally important conclusion was reached by this and other commentators that it was characteristic of the *Abridgment* that the work offered a cosmopolitan perspective, suggesting that ancient and medieval England had been at times conquered by foreign invaders, and that the country had been influenced and even developed through such conquests and invasions.¹¹

Although this cumulative scholarship helped to improve our understanding of the *Abridgment* and the *Fragment*, two things have not been clearly established regarding these works. In the first place, these works have not yet been fitted into the history of English historiography to show what distinguished the *Abridgment* and the *Fragment* from other writings on English history in the seventeenth and eighteenth centuries. Although McLoughlin and F.P. Lock made some comparisons between the *Abridgment* and other works on English history in the eighteenth century, further exploration is needed to confirm the place of this work in early modern English historiography. Second, the intellectual

⁷ Courtney, *Montesquieu and Burke*, pp. 13, 46–57.

⁸ Smith, *The Gothic Bequest*, pp. 85, 87, 115.

⁹ McLoughlin, 'Edmund Burke's *Abridgment of English History*', pp. 54–7.

¹⁰ Ibid., p. 49; the editor's preface to *An Essay towards an Abridgment of the English History* (1757–?), in WS, I, 332–7 (at 333, 335–6).

¹¹ The editor's preface to the *Abridgment*, in WS, I, 332–7 (at 336–37); Fuchs, *Edmund Burke, Ireland, and the Fashioning of Self*, pp. 230–44; Crowe, *Patriotism and Public Spirit*, pp. 183, 198, 203–4, 213–7.

relationship between Burke's historical thought in the *Abridgment* and the *Fragment*, and that in his other works has not sufficiently been established. That this relationship has been under-researched has prevented us from a full understanding of the *Abridgment* and the *Fragment*, and of Burke's historical thought as a whole.

Moreover, Burke's ideas on English history presented in his political works have never been analysed in a comprehensive manner. Some of them have been very well-known to Burke scholars, quoted and examined repeatedly, but they have more often been treated as part of his political rather than his historical thought. The earlier pages of the *Reflections*, which include his interpretation of the Revolution of 1688–9 and of the history of the English constitution, are among the most famous parts of his works and have been regarded as the archetype of his so-called conservatism. As Pocock suggested, in fact, this part of the *Reflections*, as well as some passages of Burke's note for his parliamentary speech on 16 June 1784, need to be understood in the context of the common law tradition that had developed since the age of Edward Coke. Dickinson also demonstrated that Burke's political thought, including some of his ideas on English history, was a variant of the conservative thought that had been widespread in the late eighteenth century. Nevertheless, it was probably more sophisticated and 'philosophical', in terms of its rhetoric and power of generalisation, than the work of other conservatives of the age.¹² To fully understand Burke's ideas on English history, a further analysis of them in a comprehensive manner is required, including an attempt to situate Burke's thought in the intellectual context of his age and that of previous centuries. Sections three and four of this chapter will particularly compare Burke with his contemporary conservatives and moderates, and with the thinkers of the Scottish Enlightenment, by focusing on their views on English history in more detail than had previously been attempted.

¹²H.T. Dickinson, *Liberty and Property: Political Ideology in Eighteenth-Century Britain* (London: Weidenfeld and Nicolson, 1977), Chap. 8.

1 INTERNATIONAL EXCHANGES TOWARDS CIVILISATION

Burke initially intended to produce a one-volume history of England, covering the period from Julius Caesar to Queen Anne, with a first printing of 1500 copies. He only managed to write an account of English history up to Magna Carta in 1215. By 1760, he had handed in about 30,000 words to the publisher, and he had written about another 60,000 words by the time he eventually abandoned the project. The *Abridgment* is, thus, an unfinished work, yet Burke devoted considerable time and energy to it.¹³ Some ideas in it were typical, or rather conventional, of the intellectual context of his age,¹⁴ whereas other ideas and aspects were peculiarly his own. Like other historical writings of the age, the *Abridgment* enshrined a strong sense of progress and the idea of ‘philosophical history’ in the sense that it sought to uncover the nature of human beings and society.¹⁵

The *Abridgment* therefore needs to be understood within the context of eighteenth-century historiography. Paul de Rapin de Thoyras’s *Histoire d’Angleterre* (1724–36), its translation and continuation, *The History of England, as Well Ecclesiastical as Civil* (1725–45) by Nicholas Tindal and Thomas Carte’s *General History of England* (1747–55) were all published before Burke embarked on his project.¹⁶ Edward Hyde, 1st Earl of Clarendon’s *History of the Rebellion and the Civil Wars in England* (1702–04) was widely read and commended in Burke’s time. Even so, the poverty and scarcity of writings on English history were commonly felt and lamented among eighteenth-century intellectuals including Burke. It was David Hume’s *History of England* (1754–61) that finally discharged Britain ‘from this opprobrium’.¹⁷ In the process of planning and writing his own history of England, Burke probably read

¹³ McLoughlin, ‘Edmund Burke’s *Abridgment of English History*’, p. 48.

¹⁴ Both in method and ideas, Burke was influenced by Montesquieu, although he did not follow his mentor in some respects such as on the role of Providence. According to Courteny, Burke was ‘the first British historian to copy the historical method of Montesquieu’. See Courteny, *Montesquieu and Burke*, p. 13. Like many of his contemporaries, Burke assumed the universal and unchangeable nature of human beings. See Lock, *Edmund Burke*, I, 155.

¹⁵ Lock, *Edmund Burke*, I, 125.

¹⁶ *Ibid.*, I, 141.

¹⁷ *Annual Register ... for the Year 1761* (London, 1762), p. 301 (second pagination). See also Lock, *Edmund Burke*, I, 141–2.

Hume's *History* carefully. Hume's ideas on an evolving constitution, and the modernity of English liberty,¹⁸ and his emphasis on the importance of impartiality in historical writing would have been noticed by Burke, although he did not agree with Hume's scholarship nor regard him as 'an impartial historian', at least in some respects.

Burke was one of these eighteenth-century intellectuals who emphasised the need for historians to abandon partisanship in their writings. In his edited *Annual Register*, he censured Swift's characterisation of eminent politicians in the reign of Queen Anne, because he believed that Swift was misled by 'party blindness'.¹⁹ Burke also valued succinctly arranged history that focused on important events without being burdened by too much irrelevant detail. William Robertson's *History of Scotland* was an exemplary work from this standpoint: 'there is one beauty we have not so generally heard taken notice of, in that work; which is the great judgment of the author in drawing out or abridging his story according as he found the matter more or less important and interesting in itself'. These were probably the words of Burke.²⁰ Robertson was his favourite historian, and Burke would have learned from his work when the *Abridgment* was in progress.

The sources and materials Burke made use of in the *Abridgment* have largely been identified by modern scholarship (especially, by T.O. McLoughlin, James T. Boulton and F.P. Lock). William of Malmesbury, Ordericus Vitalis and Matthew of Paris were obvious sources for Burke and many historians of his age, even though he believed that these authors were at times biased and confused.²¹ The sources for the Roman period included Caesar, Tacitus, Cicero, Vitruvius and Justinian.²² Burke's depiction of the Druids derived from the standard sources of his age, such as Caesar's *De bello Gallico* and the Elder Pliny's *Natural History*.²³ He may also have consulted the accounts of contemporary

¹⁸ Bourke, 'Party, Parliament, and Conquest', p. 638.

¹⁹ *Annual Register ... for the Year 1758* (London, 1759), pp. 256–7, 262.

²⁰ *Annual Register ... for the Year 1759* (London, 1760), pp. 489–90.

²¹ *Abridgment*, in *WS*, I, 335 (editor's preface). In general, it seems that Burke was aware of the poverty of sources on the ancient and medieval periods and he acknowledged the possibility that his views could be overturned by new evidence. See McLoughlin, 'Edmund Burke's *Abridgment of English History*', p. 49.

²² Lock, *Edmund Burke*, I, 146.

²³ *Abridgment*, in *WS*, I, 349 (editor's note); Lock, *Edmund Burke*, I, 158–60.

historians, including those produced by Rapin. For the period of the Saxons and after, he read Bede and David Wilkins,²⁴ and also presumably John Selden,²⁵ Henry Spelman,²⁶ William Dugdale,²⁷ Robert Brady, and others.²⁸ The library of the Middle Temple in London owned several sources for medieval English history,²⁹ which Burke could have utilised. He also personally owned a number of sources for British history, including George Buchanan,³⁰ Edward Lhuyd,³¹ William Camden,³² Francis Grose,³³ Patrick Forbes,³⁴ White Kennett,³⁵ James Macpherson,³⁶ Daniel Neal,³⁷ Thomas May,³⁸ Thomas Frankland,³⁹ Rapin,⁴⁰ John Oldmixon,⁴¹

²⁴Lock, *Edmund Burke*, I, 146. Burke seems to have read the Latin translations of Wilkins' *Leges Anglo-Saxonicae ecclesiasticae et civiles*, copies of which were in the library of the Middle Temple. See Lock, *Edmund Burke*, I, 146 (note).

²⁵*The Historie of Tithes* (1618).

²⁶*Concilia, decreta, leges, constitutiones, in re ecclesiarum orbis Britannici* (2 vols., 1639–1664), which Burke owned: LC MS; LC, p. 28.

²⁷*The History of St Paul's Cathedral* (1658; 2nd edn., 1716).

²⁸*Introduction to the Old English History* (1684). Burke owned a copy of Brady's *Complete History of England from the First Entrance of the Romans, unto the End of the Reign of King Henry III* (London, 1685): LC MS; LC, p. 9.

²⁹See *Catalogus librorum bibliothecae Honorabilis Societatis Medii Templi Londini* (London, 1734); Lock, *Edmund Burke*, I, 145 (note).

³⁰*Rerum Scoticarum Historia* (1643): LC, p. 3.

³¹*Archaeologia Britannica* (1707): LC, p. 18.

³²*Britannia*, edited by R. Gough (3 vols., 1789): LC, p. 9.

³³*The Antiquities of England and Wales* (8 vols., 1787); *The Antiquities of Scotland* (2 vols., 1789): LC MS; LC, p. 15.

³⁴*Full View of the Public Transactions in the Reign of Q. Elizabeth* (vol. 1 only, 1740): LC, p. 17.

³⁵*Complete History of England* (1719) edited by John Oldmixon: LC, p. 18.

³⁶*History of Great Britain from the Restoration to the Accession of the House of Hanover* (2 vols., 1775): LC, p. 14.

³⁷*History of the Puritans* (2 vols., 1754): LC MS; LC, p. 16;

³⁸*History of the Parliament of England which Began November the Third, 1640* (1647): LC MS; LC, p. 18.

³⁹*Annals of King James and King Charles* (1681): LC MS; LC, p. 17.

⁴⁰*History of England* (28 vols., trans. Tindal, 1728): LC MS; LC, p. 20.

⁴¹*History of England from Henry VIII to George I* (3 vols., 1730–1739): LC, p. 25. See Lock, *Edmund Burke*, I, 145–46.

James Ralph,⁴² David Scott,⁴³ Nathaniel Bacon,⁴⁴ John Dalrymple,⁴⁵ Henry Wharton,⁴⁶ Gilbert Burnet,⁴⁷ Beville Higgons,⁴⁸ Clarendon,⁴⁹ Hume,⁵⁰ William Harris,⁵¹ Daniel Defoe⁵² and so forth.⁵³ Burke did not repudiate the operation of miracles, and he may have relied upon Conyers Middleton in this regard.⁵⁴ The influence of Montesquieu is evident in the whole of the *Abridgment*.⁵⁵ The most recent work referred to in the work was Frederick Norden's *Travels in Egypt and Nubia* (1757), from which Burke learned about the Druids' worship of serpents.⁵⁶ He also referred to John Scheffer's *History of Lapland* (1704) for his illustration of the worship of stones.⁵⁷ In his analysis of Thomas Becket and the events of that period, Burke was presumably indebted to Gervase of Canterbury's *Opera historica* and *Materials for the History of Thomas Becket*.⁵⁸ For his account of the Irish language,⁵⁹ he referred to,

⁴² *History of England during the Reigns of King William, Queen Anne, and King George I, with an Introductory Review of the Reigns of the Royal Brothers Charles and James* (2 vols., 1744): LC, p. 26.

⁴³ *History of Scotland* (1728): LC MS; LC, p. 26.

⁴⁴ *Historical and Political Discourse of the Laws and Government of England* (1739): LC MS; LC, p. 8.

⁴⁵ *Essay Towards a General History of Feudal Property in Great Britain* (1757): LC, p. 6.

⁴⁶ *Specimen of Errors and Defects in the History of the Reformation by Gilbert Burnet* (1693): LC, p. 23.

⁴⁷ *History of His Own Time* (2 vols., 1724, 1734): LC MS; LC, p. 9.

⁴⁸ *Historical and Critical Remarks on Bishop Burnet's History of his own time* (2nd edn., 1727): LC, p. 12.

⁴⁹ *History of the Rebellion and Civil Wars in England* (2 vols., 1702): LC MS; LC, p. 9.

⁵⁰ *History of England* (6 vols., 1754–1762): LC MS; LC, p. 15.

⁵¹ *Historical and Critical Account of the Life of Oliver Cromwell* (1762): LC MS; LC, p. 12.

⁵² *History of the Union between England and Scotland* (1786): LC, p. 7.

⁵³ LC, p. 2 (British Chronologist, 3 vol.), p. 8 (Fox's *History of James II*, 1808).

⁵⁴ Conyers Middleton, *A Free Inquiry into the Miraculous Powers, which Are Supposed to Have Subsisted in the Christian Church* (London, 1749). For this, see Lock, Edmund Burke, I, 152–3.

⁵⁵ Burke owned Montesquieu's works: LC MS; LC, p. 14.

⁵⁶ *Abridgment*, in WS, I, 355–6; Lock, Edmund Burke, I, 146–7.

⁵⁷ *Abridgment*, in WS, I, 355–6; Lock, Edmund Burke, I, 146–7.

⁵⁸ *Abridgment*, in WS, I, 507 (editor's note).

⁵⁹ *Ibid.*, in WS, I, 510.

but criticised William Temple⁶⁰ and Rapin.⁶¹ For his depiction of Charles XII of Sweden, Burke may have read Samuel Johnson's *The Vanity of Human Wishes* (1749) and Voltaire's *Histoire de Charles XII* (1731).⁶²

The *Annual Register* also recorded Burke's study of English history during this period. He was the editor of this periodical for at least the first seven years from 1758 to 1764⁶³ and he reviewed some contemporary works relevant to English history, including John Brown's *Estimate of the Times and Manners*, William Blackstone's *A Discourse on the Study of the Law: Being an Introductory Lecture, Read in the Public Schools*, Robertson's *History of Scotland*,⁶⁴ the final instalment of Hume's *History of England*, and others.⁶⁵ It should be noted that the period of producing the *Abridgment* largely overlapped with that of editing this annual

⁶⁰William Temple, *An Introduction to the History of England* (London, 1708; first published in 1695), 26–7. See LC MS; LC, p. 28.

⁶¹M. (Paul) Rapin de Thoyras, *The History of England, as well Ecclesiastical as Civil* (15 vols., Dublin, 1731), III, 56.

⁶²See *Abridgment*, in WS, I, 527 (editor's note). Samuel Johnson, *The Vanity of Human Wishes. The Tenth Satire of Juvenal, Imitated by Samuel Johnson* (London, 1749); Voltaire, *Histoire de Charles XII* (1731). Burke owned Johnson's works: LC MS; LC, p. 17.

⁶³For this, see Lock, Edmund Burke, I, 166.

⁶⁴Burke highly valued its accounts of the feudal constitution. See *Annual Register ... of the Year 1759*, pp. 489–94.

⁶⁵William Tytler, *An Historical and Critical Enquiry into the Evidences Produced by the Earls of Murray and Morton, against Mary Queen of Scots, with an Examination of the Reverend Dr. Robertson's Dissertation, and Mr. Hume's History, with Respect to that Evidence* (1760); *The State Papers of Henry earl of Clarendon, Lord Lieutenant of Ireland, during the Reign of King James the Second: and his Lordship's Diary for the Years 1687, 1688, 1689, and 1690*; Adam Anderson, *Historical and Chronological Deduction of the Origin of Commerce, from the Earliest Accounts to the Present Time* (2 vols., 1764); Anonymous, *The Spiritual and Temporal Library of Subjects in England*, in whose review Rapin's view of history was discussed in some detail; and *The Plays of William Shakespeare ... [with] added notes by Samuel Johnson*. In his letter to Edmond Malone in 1790, Burke claimed that the history of the stage was useful for the study of the history of manners and characters, without which the 'great events of political History ... must be a study of an inferior nature'. See 'Burke to Edmond Malone (circa 29 November 1790)', in *Corr.*, VI, 181. In another letter to Malone, Burke referred to the history of the English language, 'in which after being refined by Chaucer, it [the English language] fell into the rudeness of civil confusion and then continued in a pretty even progress, to the state of correctness, strength and elegance, in which we see it in your writings'. See 'Burke to Edmond Malone (5 April 1796)', in *Corr.*, VIII, 455.

periodical, and thus that Burke's substantial historical work might have reflected the fruit of his efforts as an author and editor of the periodical.

Whatever his initial intention was, what Burke, in reality, produced was a work on English history spanning from before the Roman invasion to the Magna Carta. Despite the fact that the *Abridgment* was a succinct and unfinished work, it is very rich in content since it carries Burke's various political and historical ideas. While chiefly describing English history from ancient times to the early thirteenth century, he still wove in it his views of ancient, medieval and modern histories of Britain, Europe and beyond as well as his general notion of the Christian religion, political institutions and civilising processes. A cosmopolitan perspective, indeed, marks the entire narrative of the work.

The *Abridgment* also expresses Burke's attitude towards the study of history. Ancient and medieval histories are generally difficult to analyse accurately due to a shortage of available evidence. Hence, historians need to be cautious in their conclusions and reasoning, whereas Burke found that historians had often overstretched and distorted the historical fact. His assessments of historical figures in the *Abridgment*, which clearly reflected his ideas on politics and politicians, were also intriguing. Burke strongly disliked a monotonous, flat delineation of history and instead aimed at making his narrative of premodern England philosophical and linking it to the formation of modern society. The *Abridgment* was, in short, not merely a description of ancient and medieval England, but rather a quite ambitious exhibition of Burke's analysis of historical politics and the world order.

In early British history, the British people had arrived on the island from Gaul, but later, the Romans at times attempted to invade. Although Julius Caesar made an expedition to Britain twice and defeated its inhabitants, who were divided among a large number of petty, disorderly countries, he left the island without any plan for absolute conquest.⁶⁶ Later, Claudius, his legate Plautius, Ostorius, Paulinus and others were also engaged in expeditions to the island. Among them,⁶⁷ Paulinus was notably destructive in his command. He attempted to

⁶⁶ *Abridgment*, in *WS*, I, 340–5.

⁶⁷ *Ibid.*, in *WS*, I, 360–3.

destroy the Druids and committed many cruelties against the Britons, and such brutality and his misrule provoked a widespread rebellion.⁶⁸

Despite frequent victories, Rome could not completely conquer the Britons until Julius Agricola became the governor there. Although historians often attributed the Britons' prolonged opposition to their 'extraordinary bravery', this was not true in Burke's view. Some causes of the opposition certainly lay in the natural and social environment of Britain and also manners of the people there. Deep forest and morass often prevented the progression of the Roman military, and there were no substantial cities or towns for cantonment. Although the Romans frequently defeated the Britons, this did not mean a complete victory over the people. There was no clear distinction between inhabitants and soldiers among the savage Britons, and they emerged from the wild for warfare at many times after a defeat. The Romans were hence not able to make a perfect conquest until they subdued 'the nature of the country'.⁶⁹ The Roman conquest, nevertheless, changed to a happy event after Agricola began to rule the Britons. Burke stressed the importance of Agricola's government:

Agricola reconciled the Britains to the Roman government, by reconciling them to the Roman manners. He moulded that fierce nation by degrees to soft and social customs; leading them imperceptibly into a fondness for baths, for gardens, for grand houses, and all the commodious elegancies of a cultivated life. He diffused a grace and dignity over this new luxury by the introduction of literature. He invited instructors in all the arts and sciences from Rome; and he spent the principal youth of Britain to that city to be educated, at his own expense. In short he subdued the Britains by civilizing them; and made them exchange a savage liberty for a polite and easy subjection. His conduct is the most perfect model for those employed in the unhappy, but sometimes necessary task of subduing a rule and free people.⁷⁰

The introduction of Roman manners did not bring about the rigorous oppression of the conquered. Agricola respected their 'prejudice'.⁷¹ He

⁶⁸Ibid., in *WS*, I, 363–5.

⁶⁹Ibid., in *WS*, I, 369–70.

⁷⁰Ibid., in *WS*, I, 368.

⁷¹Ibid., in *WS*, I, 367.

was a great figure of virtue and benevolence, and the Britons were fortunate to have him as their ruler. Indebted to Tacitus's *Agricola*, Burke's views on this ruler still reflected his own notion of an ideal conqueror.

The end of the fourth century and the early fifth century saw the Roman Empire decline by the attacks of various tribes. In the midst of this confusion, the Romans deserted Britain, and because of this, Britain plunged into an utterly wretched state of society.⁷² 'After a peaceable possession of more than three hundred years', Burke maintained, 'the Britains derived but very few benefits from their subjection to the conquerors and civilizers of mankind.'⁷³

After the Romans left, the Saxons invaded and settled in England. In the mid-fifth century, while almost every part of Europe was in confusion and disorder, the state of Britain was the worst. Compared with the situation of the nations on the continent, two things were particularly distinctive of England. While ancient languages subsisted and mixed with the language of the German conquerors in all other parts of Europe, in the case of England, the Saxons were barely influenced by the local inhabitants there in their language. Moreover, none of the Saxons were Christians when Augustine came to England for his missionary work, whereas the Christian religion flourished on the continent after the northern irruptions. According to Burke, it could be inferred that the original inhabitants were diminished to a large extent, although not extirpated as some historians wrongly asserted.⁷⁴

The period after the decline of Rome was an utterly confused age for Britain, and the descriptions of the period by previous historians were also perplexing. The story of King Arthur constituted part of this 'fabulous and heroick age of our nation'. In the middle of darkness, however, a ray of hope was given by the introduction of Christianity. Ethelbert, the king of Kent, was among the first converts, and the new religion prevailed among the Saxons very rapidly under the protection of the king. The Saxons were an utterly barbarous and fierce people, yet the conversion led them towards more refined manners. They became more moderate and sociable, and their laws began to change in response to their

⁷²Ibid., in *WS*, I, 382–4.

⁷³Ibid., in *WS*, I, 384.

⁷⁴Ibid., in *WS*, I, 388–9.

milder manners.⁷⁵ Burke's emphasis on the advantages of Christianity clearly derived from his belief in this religion and the role of providence. Although distancing himself from an unenlightened superstition, he still tried to find the divine intervention in the progress of the Christian religion in Britain during history. That is, 'the reality or opinion of such miracles was', Burke wrote, 'the principal cause of the early acceptance and rapid progress of christianity in this island'.⁷⁶

The introduction of the Christian religion into England was also a significant event in establishing communication between England and the continent. Kings in England, like Ine (?–728), headed for Rome and Jerusalem for religious pilgrimages, and these travels brought to England knowledge and sources of improvement, which were further developed in remote monasteries.⁷⁷ According to Burke, providence willed such an intermixture of peoples across a broader area.⁷⁸ In the kingdom of Wessex, contact with foreign nations contributed to improvements in the arts of war and government.⁷⁹ What Burke stressed in the *Abridgment* and the *Fragment* was the fact that ancient and medieval Britain had been shaped through frequent contacts with continental Europe, and he clearly at times depicted conquests and invasions as a form of 'international exchange' that would contribute to the formation of a civilisation.

The effects of conquests and interactions with overseas regions were emphasised, partly because the author intended to criticise ancient constitutionalism, which still prevailed in English historiography and political discourse. In Burke's view, the Saxons lacked interest in learning and various arts, subsisted on hunting and pasturage, and did not establish the advanced constitution that historians had frequently attributed to them. William Lambard (1536–1601), for instance, insisted that the Commons had attended parliament in the Saxon period in the same manner as in his own age. Burke clearly rejected this as a historical fact. The Saxons' idea of government was too restricted to develop a

⁷⁵ Ibid., in WS, I, 389–391, 404–5.

⁷⁶ Ibid., in WS, I, 393–4. For this, see Lock, *Edmund Burke*, I, 152–3.

⁷⁷ *Abridgment*, in WS, I, 399–400, 405.

⁷⁸ Ibid., in WS, I, 399.

⁷⁹ Ibid., in WS, I, 405.

legislature of such an advanced kind, and they did not develop any arts, not even commerce to any great extent.⁸⁰

The same is true of their jurisprudence. Its apparent imperfections prevented an enlightened historian from maintaining that 'the crude institutions of an unlettered people had attained an height, which the united efforts of necessity, learning, enquiry and experience, can hardly reach to in many ages'.⁸¹ This passage appears to put forward the idea frequently advanced in his later writings that the English constitution, or social institutions in general, could develop into maturity only through a long historical process. In his attack on ancient constitutionalism, then, conspicuous was that it was characterised by the eighteenth-century language of manners and the Montesquieuan idea of the general causes of social change. For Burke, ancient and medieval England did not develop a constitution like the one present in England in the late eighteenth century.

In the late Saxon period, the kingdom was molested with several bloody wars with the Danes, which clearly exhausted the nation, although 'the peace, which for a long time they were obliged to buy dearly, exhausted it yet more'.⁸² The Danish invasions were, therefore, not useful for shaping the nation. The Norman Conquest of 1066, another defining moment of English history, was more productive. Before the conquest, England was barely known to the European nations on the continent, but, after it, communications between them substantially increased. Like pilgrimages, the Conquest promoted international exchange.

In stressing this point, Burke was prepared to maintain that this was how a civilisation was formed during history. Even before the Conquest, English laws began to change by taking in the scholarship advanced in other nations, yet the Conquest, if not improving laws, transformed them, and also altered manners and the language of public proceedings.⁸³

⁸⁰Ibid., in WS, I, 440–3. For Lambard's views of parliament, see William Lambard, *Archeion, or, A Discourse upon the High Courts of Justice in England* (London, 1635), pp. 238–76.

⁸¹*Abridgment*, in WS, I, 444.

⁸²Ibid., in WS, I, 428.

⁸³Ibid., in WS, I, 453; *Fragment*, in WS, I, 324, 330–1.

These conquests and invasions provided opportunities for the English nation to be shaped, but it totally depended upon the nature of rule how they affected the nation. Fortunately, post-Saxon England received some able foreign monarchs such as a Danish King, Canute the Great and William the Conqueror. The former chose to rule 'by the inclination of his subjects than the right of conquest',⁸⁴ and the latter governed the English people 'with equity according to their ancient laws, by treating them on all occasions with the most engaging deportment'.⁸⁵ That is to say, both kings attempted to rule with respect for the conquered, their manners, institutions and history. This was evidently what Burke believed to be the right way of completing conquest as was highly commended in the case of Agricola.

Political institutions were further revised by the monarchs who followed these kings. Henry I's charter of liberties was 'the first of the kind'.⁸⁶ He also compiled a new body of laws in order to reconcile the different opinions between those who adhered to St. Edward's laws and those who supported the new laws of William the Conqueror.⁸⁷ Henry II instituted itinerant justices to weaken the power of the unruly barons and sheriffs, and he also allowed the commonalty to arm themselves, which presumably marked 'the origin of the militia'. This king did not, however, initiate a reform on clerical affairs, as he knew 'how dangerous it was to attempt removing foundations so deeply laid both in strength and opinion'.⁸⁸

Laws, therefore, continued to be revised and several new institutions were established after the Conquest, although the barons, whose power was often troublesome in medieval times, still remembered the ancient Saxon liberty.⁸⁹ In 1215, they forced King John to sign the Great Charter and the Charter of the Forest, 'which first disarmed the Crown of its unlimited prerogatives, and laid the foundation of English liberty'.⁹⁰ Magna Carta intended 'the correction of the feudal

⁸⁴ *Abridgment*, in *WS*, I, 419.

⁸⁵ *Ibid.*, in *WS*, I, 459.

⁸⁶ *Ibid.*, in *WS*, I, 486.

⁸⁷ *Ibid.*, in *WS*, I, 489.

⁸⁸ *Ibid.*, in *WS*, I, 517.

⁸⁹ *Ibid.*, in *WS*, I, 540.

⁹⁰ *Ibid.*, in *WS*, I, 543.

policy', not 'a renewal of the laws of St. Edward, or the ancient Saxon laws'.⁹¹ At the end of the *Abridgment*, Burke still aimed at a refutation of naïve ancient constitutionalism. The Great Charter, however, did not just limit the royal power. By granting tenants the same liberties as the barons enjoyed, the Great Charter also prevented the barons from turning too powerful and hence kept England from plunging into 'the worst imaginable government, a feudal aristocracy'. 'This was a very happy circumstance to the growing liberty', Burke wrote.⁹² In France, by contrast, the unruly vassals overwhelmed the monarchy.⁹³

The *Abridgment* was a narrative of English history, but it did not go beyond 1216, despite Burke's original intention of writing a history up to the age of Queen Anne. That the work was unfinished made not only Lord Acton lament the loss of a historical work presumably better than that of Hume,⁹⁴ but also made it difficult for later commentators to explore the early Burke's historical thought, especially his views on English history after 1216. If the *Abridgment* had been completed, a much clearer picture of Burke's early views on the modern period of English history would have existed and it would have been possible to compare these with the views on English history he expressed in his later writings and speeches. This is to be regretted, as the early Burke apparently had a considerable knowledge of English history of the thirteenth century onwards.

Without a complete work on English history by the early Burke, the only thing modern commentators can do is an attempt to reconstruct his views on English history through a close scrutiny of his other early works. In these works, the idea of the progress of the English constitution, that is, the superiority of the modern constitution over the ancient one, is conspicuous. For instance, in a recently published minute, entitled 'Considerations on a Militia', Burke opposed the introduction of a militia in modern England, preferring to support the standing army established after 1688–9 and regarding the militia as a relic of

⁹¹Ibid., in *WS*, I, 544.

⁹²Ibid., in *WS*, I, 547.

⁹³Ibid., in *WS*, I, 547, 552.

⁹⁴Lord Acton, *Essays on Church and State*, ed. D. Woodruff (New York: Thomas Y. Crowell Co., 1968), p. 455.

feudal times.⁹⁵ Unlike neo-Harringtonian thinkers, that is, those who were influenced by James Harrington's concept of property and shared views of citizenship, but not his views of the past, Burke did not trace an ideal polity to the medieval period, an attitude that was consistent with what he wrote in the *Abridgment* and the *Fragment*. At the end of this minute, he also warned of the possibility that armed citizens in the cities might 'overturn in a moment that Glorious fabrick of Government which had cost their Ancestors such Expence of Study to form [and] of Labour to raise up, of Blood to cement & of treasure to secure'.⁹⁶ This, as well as the passages in the *Abridgment* and the *Fragment* cited above, shows that Burke already held an idea of political institutions shaped through a long historical process, and there is no doubt that he saw the English constitution as a prominent example of such a development.

The *Account of the European Settlements in America* further demonstrates the early Burke's disapproval of naïve ancient constitutionalism.⁹⁷ This work approved of the progress achieved by the development of settlements in America, chiefly from the seventeenth century, in which the critical attitudes towards the medieval age were clear and England was regarded as one of the European powers gradually leaving the dark ages for much greater prosperity in the late eighteenth century. The French Richelieu (1585–1642) and Colbert (1619–1683), and the English Walter Raleigh (1554–1618), were commended as persons well aware of the significance of commerce and colonies in the late sixteenth and seventeenth centuries when European nations gradually began to make substantial progress.⁹⁸ In this view of history, it was evidently assumed that England's society and constitution in the middle ages had been far from maturity.

The *Annual Register* (1758–1764), too, occasionally recorded Burke's awareness of improvements in English society over recent history. In 1761, when reporting the death of George II, he commented,

⁹⁵ Edmund Burke, 'Considerations on a Militia (March 1757)', in Bourke, 'Party, Parliament, and Conquest', pp. 650–1; Bourke, 'Party, Parliament, and Conquest', p. 637.

⁹⁶ Burke, 'Considerations on a Militia', p. 652.

⁹⁷ The *Vindication of Natural Society* (1756) maintained that the English constitution had been infringed by monarchs after the Norman Conquest, but nevertheless English liberty had been preserved (WS, I, 171–2). Although this clearly shows Burke's awareness of Bolingbroke's historiography, it is unlikely that Burke adopted the same historical views.

⁹⁸ *Account*, II, 4–8, 133, 211–2.

‘When future historians come to speak of his late Majesty, they will find both in his fortune and his virtue, abundant matter for just and unsuspected panegyric.’ In his reign, people ‘enjoyed perpetual peace at home, and abroad on many occasions acquired great glory’. Agriculture, commerce and manufactures developed ‘under the internal tranquillity they enjoyed, and the wise regulations that were made in every session of his parliaments’. In Burke’s view, ‘these improvements’ were ‘no way checked, but rather forwarded, in one of the most general and wasteful wars that has raged in the world for many centuries’.⁹⁹

This periodical, however, also provides us with something hard to square with the later Burke’s thought. As Herbert Butterfield once noted, the attitudes of the ‘historical article’ towards the old Whigs and George III appear to be incompatible with the later Burke’s thought:

It is, indeed, not altogether easy to determine whether the limitations on the executive power ought or ought not to be extended further, by any other sort of popular control, than the laws themselves have carried them; for as, on one hand, a constitution may be lost, whilst all its forms are preserved; on the other, it seems repugnant to the genius of every stable government to conduct itself by any other principles, than those which clear law has established, or to direct its actions by so uncertain, variable, and capricious a standard, as that of popular opinion.¹⁰⁰

To write a contemporary history, the journalist Burke made efforts to inform his readers of the positions of both the old Whigs and the Crown, and as ‘an impartial historian’, he was careful not to incline to either side. The passage here, however, enables commentators to recognise at least some distance between Burke in 1764 and his position after pledging allegiance to Rockingham.¹⁰¹ If his views on politics were different, so would have been his ideas on the recent history of Britain, although the limited evidence makes it hard to proceed to a deeper analysis.

⁹⁹ *Annual Register ... for the Year 1760*, p. 39. For Burke’s comments on George II, see also *Thoughts on the Present Discontents* (1770), in *WS*, II, 266.

¹⁰⁰ *Annual Register ... for the Year 1763* (London, 1764), pp. 41–2.

¹⁰¹ Cf. Herbert Butterfield, *George III and the Historians* (London: Collins, 1957), pp. 46–50, 57. ‘After weighing the pros and cons, however, it [the *Annual Register*] decided on successive occasions in favour of the King.’: *ibid.*, p. 47.

2 THE EARLY BURKE AND THE HISTORIOGRAPHY OF ENGLAND

In his attack on ancient constitutionalism,¹⁰² Burke's explicit target was some eminent intellectuals in the sixteenth and seventeenth centuries, such as Nathaniel Bacon, Hale and Lambard.¹⁰³ The origins of the doctrine of ancient constitutionalism could, however, be traced back to the remoter past of English history, of which Burke was well aware.

In the thirteenth century, Henry de Bracton produced a legal concept that attributed the authority of English law to the customs of the kingdom. For the constitutional discourse of future generations, Sir John Fortescue's *In Praise of the Laws of England*, first published around 1543, was even more significant, in which the author contended that the reason why English laws were the best was due to the antiquity of laws, which guaranteed their pre-eminence.¹⁰⁴

Nonetheless, the antiquity of law was not always the most significant focus of the common lawyers of England. Late in Elizabeth I's reign, influenced by the humanist tradition of the Renaissance and medieval Roman law, lawyers were keen to prove that English law was a pre-eminent system of reason rather than that of antiquity. Only after James I's accession to the throne, the common lawyers drew greater attention to the legal thoughts of Bracton and Fortescue, which they regarded as providing them with a powerful language against Stuart absolutism.¹⁰⁵

While Sir Edward Coke was an eminent figure who contributed to this revival of Fortescue's idea of the ancient law, he was still untypical

¹⁰² Parts of the present section (Chap. 2, section two) draw on Sora Sato, 'Seifuku to Koryu no Bunmeishakaishi: Shoki Baku to Kinsei Buriten ni okeru Rekishijyojyutsu no Keifu [Conquests, International Exchanges, and Civilization: The Early Writings of Burke and the Historiography of Early Modern Britain]' (in Japanese), *The History of Economic Thought* (The Japanese Society for the History of Economic Thought), 58:1 (2016), 49–68 (at 60–4). The present author is very grateful to the editors of the journal for this reference.

¹⁰³ *Fragment*, in *WS*, I, 325.

¹⁰⁴ Sir John Fortescue, *De Laudibus Legum Anglie* [*In Praise of the Laws of England*], in *On the Laws and Governance of England*, ed. Shelley Lockwood (Cambridge: Cambridge University Press, 1997), pp. 26–7; Yoshinori Doi, *Igirisu Rikken Seiji no Genryū : Zenki Sutyūnō Jidai no Tōchi to Korai no Kokusei ron* [*The Roots of English Constitutionalism: the Ancient Constitution and the Politics in the Early Stuarts*] (Tokyo: Bokutakusha, 2006), pp. 44–8, 56–7.

¹⁰⁵ Doi, *The Roots of English Constitutionalism*, pp. 76–7.

in the sense that he emphasised the unchangeable nature of English law more than most other legal thinkers of his age. The common lawyers of Coke's generation were well aware that a literally immemorial constitution was far from a historical truth, although the historical continuity of English law was still significant to their political arguments. Instead of adopting the mythical doctrine of total immutability, many of them developed the concept of the ancient constitution in which both elements of change and continuity could coexist in a subtle manner.

It was John Selden who offered a classical expression for this model of ancient constitutionalism,¹⁰⁶ and Hale, Blackstone and the later Burke were among those who adopted the Seldenian type of ancient constitutionalism for their political arguments. In Selden's and Hale's metaphor, the English constitution was like the legendary Argonauts' Ship, which could preserve its own identity despite a number of modifications added over the long-time journey.¹⁰⁷ It is not explicitly clear from the text to what extent Burke, in the *Abridgment* and the *Fragment*, recognised this form of ancient constitutionalism. What he criticised was the constitutional doctrine of the Fortescueian type, and his censure of Hale was unfair in this regard, as Hale, in his *History of the Common Law in England*, at many points mentioned the progress and improvement of laws without abandoning the Seldenian model of ancient constitutionalism. In Hale's view, although the Conquest of 1066 did not fundamentally alter English law, new laws and customs seem to have been 'secretly and insensibly' introduced into the realm,¹⁰⁸ and English law had certainly improved by John's reign.¹⁰⁹ Hale was close to Burke in his view that the transformation of the law was caused by international communications.¹¹⁰ Like the later Burke, he also stressed the changeable nature of law as a result of changing circumstances and necessity while holding to the concept of continuity-in-change in law. The *Abridgment* and

¹⁰⁶ Glenn Burgess, *The Politics of the Ancient Constitution: An Introduction to English Political Thought, 1603–1642* (London: Macmillan, 1992), pp. 6–7.

¹⁰⁷ John Selden, 'Notes upon Sir John Fortescue Knight, Lord Chief Justice of England', in Sir John Fortescue, *De Laudibus Legum Angliæ* (London, 1660), pp. 17–8; Sir Matthew Hale, *The History of the Common Law of England*, ed. Charles M. Gray (Chicago and London: University of Chicago Press, 1971), p. 40.

¹⁰⁸ Hale, *History of the Common Law of England*, pp. 42, 48, 59–60, 67.

¹⁰⁹ *Ibid.*, pp. 84–5.

¹¹⁰ *Ibid.*, p. 43.

the *Fragment*, by contrast, barely developed such a concept of continuity, which led modern readers to wonder to what extent the early Burke was conscious of the intellectual genealogy of the Seldenian idea of the constitution.

Also important was the intellectual link between Burke, the members of the Society of Antiquaries and some eminent scholars of feudal law, such as William Camden,¹¹¹ Henry Spelman, Robert Brady and others,¹¹² who refuted the idea of an immemorial constitution and accepted the great impact of the Norman Conquest on English law.¹¹³ In maintaining the transformation of English law, Burke's position was closer to their position, and thus there was less originality in the *Abridgement* in this respect.

Moreover, it seems that Burke targeted for his criticism the historiography of Rapin and Bolingbroke, which emphasised the constitutional continuity since Anglo-Saxon times. According to Rapin, although all European constitutions established by the northern tribes had once been mixed and limited monarchies, almost all of them had been lost through historical fluctuations. England was the only country which had preserved its free constitution into the eighteenth century.¹¹⁴ As is well known, Rapin's historiography was authoritative until Hume's publications, and it crucially influenced Bolingbroke, who disputed with the Court Whigs over English history during the 1730s.¹¹⁵ Bolingbroke and

¹¹¹Burke owned Camden's *Britannia*, but this was an English-translated, enlarged version of three volumes by Richard Gough published in 1789: LC, p. 9; LC MS. For Camden's *Britannia* and his historiography, see for instance, Christopher Brooks and Kevin Sharpe, 'History, English Law and the Renaissance', *Past & Present*, 72 (1976), 133–42; William Rockett, 'The Structural Plan of Camden's *Britannia*', *The Sixteenth Century Journal*, 26 (1995), 829–41.

¹¹²Burke was a reader of both Spelman and Brady and owned their works: LC MS; LC, p. 28 (Henry Spelman, *Concilia, decreta, leges, constitutiones, in re ecclesiarum orbis Britannici*, 2 vols., 1639–64). LC MS; LC, p. 9 (Robert Brady, *Complete History of England from the First Entrance of the Romans, unto the End of the Reign of King Henry III*, London, 1685).

¹¹³Pocock, *The Ancient Constitution and the Feudal Law*, Chaps. 5 and 8.

¹¹⁴Rapin de Thoyras, *The History of England, as well Ecclesiastical as Civil*, I, preface, 'The Origin and Nature of the English Constitution'; *ibid.*, II, 136; 'A Dissertation on the Origin of the Government of England, &c.', in *ibid.*, XIV, 398–400.

¹¹⁵For this dispute, see, for instance, Isaac Kramnick, 'Augustan Politics and English Historiography: The Debate on the English Past, 1730–35', *History and Theory*, 6 (1967),

his associates defended the idea of an ancient constitution and of English liberty allegedly existing since Anglo-Saxon times,¹¹⁶ and depicted English history as a continuous conflict between subjects, who attempted to protect their rights and liberties, and rulers, who sought to undermine them. According to this view of English history, the liberties of the subject were once again challenged by Robert Walpole and others who endeavoured to corrupt parliament and the electoral system. As Pocock and others have revealed, the 'neo-Harringtonian' thinkers idealised a gothic polity, of which Harrington himself was critical, as embodying a mixed constitution while drawing on Harrington's idea of the relationship between the distribution of property and the balance of power.¹¹⁷

The Court Whigs attempted to refute such an interpretation of the constitution by relying on Robert Brady's Tory version of English history and insisting that the idea of the pre-eminent constitution existing from the era of the Saxons was mythical and that it was only after 1688–9 that the people of England enjoyed genuine liberty. Among them, John Lord Hervey, in his *Ancient and Modern Liberty Stated and Compar'd*, asserted that all English monarchs, including Elizabeth I who was so commended by Bolingbroke and others, who had reigned before the Revolution had been tyrants.¹¹⁸

Evidently, the ideas on English history developed in the *Abridgement* were incompatible with those advanced by Bolingbroke and his associates. As has already been shown, it was the idea of historical continuity since the Saxon period that Burke refuted so clearly. It is also apparent that the neo-Harringtonian idea of an idealised gothic polity does not fit with Burke's views on the constitution. Although there is no clear

35–56; idem, *Bolingbroke and His Circle: The Politics of Nostalgia in the Age of Walpole* (Cambridge, Mass.: Harvard University Press, 1968), pp. 24–30, 127–36, 177–81.

¹¹⁶For example, see Henry St John, Viscount Bolingbroke, 'Remarks on the History of England', in *The Works of Lord Bolingbroke* (4 vols., New York: Augustus M. Kelley, 1967), I, 318.

¹¹⁷J.G.A. Pocock, 'Machiavelli, Harrington and English Political Ideologies in the Eighteenth Century', in idem, *Politics, Language and Time*, pp. 104–147.

¹¹⁸John, Lord Hervey, *Ancient and Modern Liberty Stated and Compar'd*, introduction by H.T. Dickinson (Los Angeles: William Andrews Clark Memorial Library, University of California, 1989). See also H.T. Dickinson, 'Introduction', in Hervey, *Ancient and Modern Liberty Stated and Compar'd*, pp. iii–x.

evidence of how Burke evaluated the historical arguments advanced by the Court Whigs of the 1730s, it is highly unlikely that he was ignorant of them. Rather, he was presumably well aware of their historiographical arguments as well as their politics.

It is, then, significant to situate Burke's and these Court Whigs' arguments in the history of early modern English historiography. First, the *Abridgment* was not original in its historiography in stressing the change of laws brought by conquests, as predecessors, notably Spelman, Brady and the Court Whigs of the 1730s, had already made this point very clearly. Burke well knew the historiography of these predecessors, and thus it was not difficult at all for him to argue for the discontinuity of the English constitution. In addition, although the idea of conquest as a form of international exchange characterised the whole text of the *Abridgment*, Burke was not entirely unique in this regard either. In 1695, for instance, William Temple's *Introduction to the History of England* developed a similar idea of the Norman Conquest which led to increased social intercourse with the Continent and hence helped to civilise England in several respects.¹¹⁹ From such a historical description, Burke might have found an influence on his own historical conclusions. Nevertheless, his conception of conquest could still remain distinctive in treating it as one of several ways by which international exchange could be facilitated.

A study of contemporary works further uncovers the place of the *Abridgment* in the history of English historiography. Blackstone's *Discourse on the Study of the Law* was commended in Burke's edited *Annual Register*.¹²⁰ Nevertheless, how did Burke read Blackstone's comment that the ancient common law had survived in English society after the Norman Conquest?¹²¹ Published between 1765 and 1769, the *Commentaries on the Law of England* acknowledged and lamented the great impact of the conquest of 1066, that is, destroying the liberties of the Anglo-Saxon period, which were not recovered until the reign of

¹¹⁹ Temple, *An Introduction to the History of England*, pp. 306–9.

¹²⁰ *Annual Register ... for the Year 1758*, pp. 453–9.

¹²¹ Sir William Blackstone, *An Analysis of the Laws of England. The Third Edition; To Which is Prefixed An Introductory Discourse on the Study of the Law* (Oxford, 1758), p. xxxviii. The review in the *Annual Register* included this part of the *Discourse*. See also Sir William Blackstone, *Commentaries on the Law of England* (4 vols., Oxford, 1765–69), I, 17.

Charles II.¹²² According to Blackstone, England's post-1066 history was a process of recovering the Anglo-Saxon liberties from the blow given to them in 1066. Not only in the *Abridgment*, but also in any later work of his, however, he did not accept this interpretation of history.

Hume's *History of England* was, too, positively reviewed in the *Annual Register*, as it rescued English historiography from a long period of low esteem in which no native historian could produce a first-rate history of England.¹²³ While it is hard to confirm whether Burke abandoned his projected history because of Hume's publications, a comparative analysis of Hume's *History* still helps to illuminate several issues regarding the *Abridgment*.

Like Burke's *Abridgment*, Hume's *History* refused to endorse naïve ancient constitutionalism. Although ancient and medieval ages could not be researched in detail because of an acute shortage of evidence, these periods were beyond doubt full of barbarism, ignorance and confusion. The Germans and the Saxons were warlike, little interested in commerce while their societies lacked refined arts. As such they could not have possessed a pre-eminent constitution like that of eighteenth-century Britain, although the people enjoyed a rough form of personal liberty. Both Burke and Hume believed that it was possible to infer the development of the constitution from the state of manners—an attitude that represented, in a way, the rise of the new historiography in the eighteenth century.

The notion of chivalry was another historiographical development of the age to which they had contributed. According to Hume's *History*, the idea of chivalry reached England with the conquest of 1066, and this helped to improve the manners and inner lives of the people. It instilled a sense of gallantry, made a point of honour, and left a lingering influence which continued to exist even after a great revival of arts and learning had taken place.¹²⁴ Chivalry here, as well as that advanced in Burke's *Reflections* and Hume's own earlier essay,¹²⁵ needs to be understood

¹²² Blackstone, *Commentaries on the Law of England*, IV, 431, 435.

¹²³ *Annual Register ... for the Year 1761*, p. 301 (second pagination).

¹²⁴ David Hume, *The History of England from the Invasion of Julius Caesar to the Revolution in 1688*, foreword by William B. Todd (6 vols., Indianapolis: Liberty Fund 1983), I, 15–6, 160–9, 174, 188 (the Germans and the Saxons), 486–7 (chivalry).

¹²⁵ David Hume, 'An Historical Essay on Chivalry and Modern Honour', National Library of Scotland, MS. 23159, IX, 4, transcribed by Ernest Campbell Mossner, *Modern Philology*, 45 (1947), 54–60.

within the intellectual contexts of the late eighteenth century, in which several other thinkers considered chivalry as a civilising force.

Since the *Abridgment* does not discuss the impact of the chivalric tradition on later eras, it is not entirely clear whether the early Burke saw it as a great driving force behind European civilisation as he did later in the *Reflections*. Nevertheless, the idea that women's chastity was connected to the idea of 'knight errantry' still showed its apparent connection to the eighteenth-century understanding of chivalry as a historical phenomenon.

In addition, Burke's views on the Wittenagemote, the Anglo-Saxon parliament, were not substantially different from Hume's. Both of them agreed that the Saxons had not developed their legislative system to the extent the eighteenth century had achieved, and this view constituted their refutation of naïve ancient constitutionalism. The *Abridgment* presumed that all ranks of people attended parliament in the Saxon era, yet they did so not for legislation, but for acclamation and promulgation of the laws.¹²⁶

Hume offered a more cautious interpretation than Burke. Bishops and abbots attended it without doubt. The aldermen or governors of counties also joined and gave statutes their approval. The problem was how to interpret 'wise-men', who had often been referred to as participants. According to the 'monarchical faction', this meant judges, or men well versed in jurisprudence. For the 'popular faction', they were supposed to be the representatives of the boroughs, that is, of the commons. A careful consideration of the descriptions given by all ancient historians suggests that they would have been the aristocrats rather than the commons. Besides, as commerce was undeveloped in Anglo-Saxon cities, in which inhabitants of the lower ranks had to depend upon their superiors, it was unlikely that the commons were allowed to attend parliament. Hume, therefore, supposed the Saxon government to have been aristocratic.¹²⁷

Moreover, there was no substantial difference between the two works in their analysis of Magna Carta. According to Hume, Magna Carta did not establish a novel system of jurisprudence and legislation, nor did it revise the distribution of power, yet it brought about a new phase of constitutional history by securing more liberty and property for the

¹²⁶ *Abridgment*, in *WS*, I, 440–1.

¹²⁷ Hume, *History of England*, I, 163–5.

people.¹²⁸ For most intellectuals of the age, as well as for Burke and Hume, Magna Carta was a historical monument, in which the cornerstone of English liberty, however insufficient, had been laid.

The *Abridgment* and the *History* are, however, more substantially different in other respects. An apparent difference lies in their accounts of the introduction of the Christian religion into England. In the *Abridgment*, it was a defining moment in the history of medieval England, because it offered a great gleam of hope amid utter darkness and helped advance learning and turned the Saxons' manners of life into more moderate ones. Without doubt, Burke held this line of opinions throughout his life. On the other hand, Hume was evidently far more sceptical of Christianity. Although maintaining that the introduction of the Christian religion had contributed to linking the kingdom to more civilised countries on the continent, he did not admit that it had helped spread more civilised manners among the Saxons.¹²⁹

The concept of was not identical either between the *Abridgment* and Hume's *History*. As noted above, Burke's originality lay in the generalised idea of conquest he put forward as a form of international exchange that could be the vital step towards a more civilised society.¹³⁰ Although Hume well recognised the significance of historical changes brought by the Conquest, that is, the introduction of feudal law, primogeniture, the idea of chivalry and others, like other

¹²⁸Ibid., I, 487–8.

¹²⁹Ibid., I, 50–1. Other historians did also not, to the same extent as Burke, stress the transformation of manners and civilising effects caused by the introduction of the Christian religion, although they acknowledged that manners of the Saxons were improved by it. See Rapin, *The History of England*, I, 135–6, 143–7; 197–264; Thomas Carte, *A General History of England from the Earliest Times* (4 vols., London, 1747–1754), I, 221–80; Tobias George Smollett, *A Complete History of England, Deduced for the Descent of Julius Caesar to the Treaty of Aix La Chapelle, 1748* (4 vols., London, 1757–1758), I, 89–90.

¹³⁰Eighteenth-century historians, including Rapin and Hume, acknowledged, with a series of similar anecdotes, the civilising effects of the Roman conquest led by Agricola of ancient Britain. See Rapin, *The History of England*, I, 49–53; Carte, *A General History of England from the Earliest Times*, I, 120–30; Smollett, *A Complete History of England*, I, 36–40; Hume, *History of England*, I, 9–10. Although these historians and Burke were alike in this respect, it seems that Burke emphasised more than the others the significance of the event as an ideal case of conquest.

eighteenth-century historians, he did not claim for 1066 the role of international exchange which contributed to civilising the country.¹³¹

Long before the *Abridgment* was written, the idea of conquest, especially regarding the Norman Conquest, had been a focus of dispute with regard to English history. Burke was very conscious of the history of this dispute, committed himself to it, and seems to have introduced a novel concept to the idea of conquest. Although his opinions were closer to the seventeenth-century scholars of feudal law, he differed from these scholars in using the language of manners to explain the changing nature of English law. Moreover, he put forward the idea of conquest as a means of increased exchanges with a wider world and as a development which formed an important phase in the civilisation of the English nation. It was with this renewed concept of conquest that the *Abridgment* could contribute to the revision of early modern English historiography. Conquest was no longer merely relevant to the question about whether English law was immemorial in its nature. It was now regarded by Burke as one of the significant forces behind the emergence of new order and the progress of civilisation.

3 THE MODERN HISTORY OF THE ANCIENT AND EVOLVING CONSTITUTION

After he associated himself with the Rockinghams, it seems that Burke developed a stronger sense of the historical continuity of English history. Rockingham and his associates consciously linked themselves to the old Whig tradition which had existed since at least 1688–9, but had recently collapsed.¹³² Burke's acquaintance with the aristocrats of the party and his profound commitment to their politics probably made him reconsider the role of the landed interest in politics and history without

¹³¹Hume, *History of England*, I, 455, 473, 486; Rapin, *The History of England*, II, 209–86; *ibid.*, XIV, 400–2; Smollett, *A Complete History of England*, I, 214–40. Carte criticised William Temple's views of the Norman Conquest by arguing that they were based on imagination rather than fact and stressed the harmful effects of the Conquest on the country. See Carte, *A General History of England from the Earliest Times*, I, 450–2.

¹³²For this theme, see Warren M. Elofson, 'The Rockingham Whigs and the Country Tradition', *Parliamentary History*, 8 (1989), 90–115.

neglecting the role of other interests such as commercial one.¹³³ It was landed gentlemen, especially the great Whig families, in Burke's opinion, that should take the lead in politics, and they were the only people who could provide society with political stability. Some of his letters around the period, a 1774 famous letter to the Duke of Richmond in particular, made clear this point and Burke's general opinion on governing a country. The aristocracy, according to Burke, are 'the great Oaks that shade a Country and perpetuate your [i.e. the aristocracy's] benefits from Generation to Generation', and 'their houses become the publick repositories and offices of Record for the constitution'. These oaks should be a living tradition of the great families led by their own vigorous actions and characters, not the dead one found 'in rotten parchments under dripping and perishing Walls'.¹³⁴ This is what English history and its ancient constitution should be, although in reality the history was somewhat, but not entirely, different from this ideal.

Burke's early tracts and speeches in his political life also included the idea of the historical continuity of the English constitution.¹³⁵ In the late 1760s, he was already expressing his commitment to royalty by saying that 'it [royalty] was the oldest and one of the best parts of our constitution'.¹³⁶ Moreover, Burke and the Rockinghams had incidentally an opportunity to deliberate over the idea of 'prescription' when they

¹³³In 1770, Burke once contended that 'parliament was not meant to be a representation of the landed property only, but of the commercial interest ... existing in times earlier than any annals or history can give testimony of'. See *Parl. His.*, XVI, 920–1.

¹³⁴'Burke to the Duke of Richmond', in *Corr.*, II, 377. See also 'Burke to the Marquess of Rockingham ([24] November 1769)', in *ibid.*, II, 112; J.W. Burrow, *A Liberal Descent: Victorian Historians and the English Past* (Cambridge: Cambridge University Press, 1981), p. 23.

¹³⁵*Observations on a Late State of the Nation*, in *WS*, II, 175; *Proceedings and Debates of the British Parliaments Respecting North America 1754–1783*, ed. R.C. Simmons and P.D.G. Thomas, vol. III 1768–1773 (Millwood, New York: Kraus International Publications, 1984), p. 72.

¹³⁶Burke's intervention in the Commons debate on 28 February 1769; *Sir Henry Cavendish's Debates of the House of Commons during the Thirteenth Parliament of Great Britain*, ed. John Wright (2 vols., London: 1841–1843), I, 273. Cf. Northamptonshire MS. A. XXVII. 99: The Whigs 'supposed & asserted Monarchy even when they would most limit it'. For these, see Bourke, *Empire and Revolution*, pp. 254, 819.

engaged in the debates on the Nullum Tempus bill in 1768.¹³⁷ Although Burke was well informed about the concept, even before this period, the Nullum Tempus affair was almost the first occasion when he could apply it to real politics.¹³⁸ Not until around 1772, however, did he clearly express the Seldenian idea of continuity-in-change of the constitution.

After entering parliament, Burke barely discussed Anglo-Saxon or Norman England, although Magna Carta was an exception, being ‘the oldest reform’ in English history and of great significance to constitutional history for Burke as well as for many other statesmen. In the *Reflections*, Burke maintained that the great lawyers from Coke to Blackstone had endeavoured to prove that Magna Carta was connected to Henry I’s charter and that both of these had no more than reaffirmed even more ancient jurisprudence. While these lawyers were probably correct to a considerable extent, even if they were wrong in some respects, this would rather demonstrate Englishmen’s great preference for antiquity.¹³⁹

Although Burke rarely made comments on the following (more than) 300 years of English history—the period from Magna Carta to the Reformation—the available evidence suggests that he looked upon these later periods as still barbarous. The constitution around these periods certainly remained, in his opinion, far from the level achieved in his own day.¹⁴⁰ The next historical event, after 1215, that he interpreted

¹³⁷For this, see Lock, *Edmund Burke*, I, 244–7; Bourke, *Empire and Revolution*, pp. 246–50.

¹³⁸“‘Mnemon’ to the *Public Advertiser* (24 February 1768)”, in WS, II, 75–9; “‘Mnemon’ to the *Public Advertiser* (4 March 1768)”, in WS, II, 79–83; “‘Mnemon’ to the *Public Advertiser* [March 1768]”, in WS, II, 83–6. In 1772, the dispute over Nullum Tempus was extended to church property. Burke, again, appealed to prescription to argue against ecclesiastical claims. ‘Speech on Church Nullum Tempus Bill (17 February 1772)’, in WS, II, 364–67.

¹³⁹*Reflections*, p. 182. Magna Carta was a fundamental law and contributed to the formation of the House of Commons in later periods. See *Letter to Sir Hercules Langrishe* (1792), in WS, IX, 610–1, 628; *Speech on Conciliation with America* (22 March 1775), in WS, III, 139–40.

¹⁴⁰In 1789, in the House of Commons, he ‘said that gentlemen were fond of resorting to the dark and barbarous time of Henry 6; a period before our constitution was formed’. *Parl. Hist.*, XXVII, 1231. Other examples are Burke’s mention of John Ball, and of the Jacquerie, in the *Appeal*, both of which led a peasant revolt in the late fourteenth century, and also his reference to the Hundred Years War (1337–1453), in the *Reflections*. See *Appeal from the New to the Old Whigs*, in WS, IV, 450–1; *Reflections*, p. 310.

seriously, was the Reformation. In early 1772, debating the Feathers Tavern Petition, which campaigned for the abolition of compulsory subscription to the Thirty-Nine Articles, Burke told his parliamentary colleagues that the people had been aggrieved by the abuses in the Catholic Church at the time of the Reformation and that he would 'have heartily concurred in the alteration at that time made'.¹⁴¹ Although several reforms had taken place at the time of the Reformation, in Burke's view, none of them had altered the 'identity', that is, the fundamental principles of the Church of England. As an independent organisation, the Church of England 'has always exercised, a right of reforming whatever appeared amiss in her doctrine, her discipline, or her rites'. In the reign of Henry VIII, the English Church shook off papal supremacy. Two versions of the Book of Common Prayer were produced by the hand of Thomas Cranmer in the reign of Edward VI. The *Forty-Two Articles* establishing the doctrines of the Church in England were also created around this period, although later the number of articles was reduced to thirty nine.¹⁴²

In Burke's view, not all the institutions nor regulations produced throughout history were fundamental and unchangeable. Many of them could be abolished or revised according to changing circumstances. This was the case of the statutes dealing with treasonable offences in the reign of Henry VIII and Charles II, or with the case of the Act of Supremacy of Elizabeth I.¹⁴³ Even the Act of Union in 1707 was not a fundamental law. These were only made 'from the mere necessity of the case'.¹⁴⁴ The principles of the churches in Britain, in his view, had continued to be redefined and consolidated over time ever since the Reformation had begun. 'In England, even during the troubled interregnum, it was not thought fit to establish a *negative* religion', that is, a religion created only by hatred of and opposition to Roman Catholicism. The Presbyterian Directory of Worship was approved as a replacement for the Book of Common Prayer by an ordinance of the Westminster parliament in

¹⁴¹ 'Speech on Clerical Subscription (6 February 1772)', in *WS*, II, 364. Burke, actually, acknowledged that 'the established religion of this country has been three or four times altered by act of parliament'. See *Letter to the Sheriffs of Bristol*, in *WS*, III, 315.

¹⁴² *Parl. Hist.*, XVII, 277 (note).

¹⁴³ *Letter to Sir Hercules Langrishe*, in *WS*, IX, 612.

¹⁴⁴ *Parl. Hist.*, XVII, 283 (note).

1645,¹⁴⁵ and Presbyterianism was established in England by the church discipline ordinances around the same period. Parliament also approved of two Westminster Catechisms in 1648. In Scotland, the *Scots Confession* and Presbyterianism were confirmed by the Act of Union.

Above all, the religious affiliation of the crown had been redefined since the Church of England removed itself from being under the authority of Rome. While even before the Reformation, it was a fundamental principle of the constitution that the king of England was a Christian ‘according to the national legal church for the time being’, this principle ‘became doubly necessary’ after the Reformation. This was simply because now that the monarch was the head of the Church of England, ‘it would be incongruous and absurd, to have the head of the church of one faith, and the members of another’. Finally, the Revolution Settlement of 1689 strictly confirmed the Protestant succession to the crown. Although the monarch might succeed to the throne as a Protestant, as the Act of Settlement of 1701 stipulates, he or she cannot hold the crown without being a Protestant of the Church of England.¹⁴⁶

Whereas Burke maintained that these reforms in religion did not alter the fundamental principles of the British constitution, but rather consolidated them, such a view fitted perfectly with his general concept of the ancient constitution in Britain. He believed, as he told parliament in 1788, that by succeeding in reforming religion, Britain ‘had done honor to Europe, to our Cause, to our religion, done honor to all the circumstances of which we boast and pride ourselves at the moment of that revolution’.¹⁴⁷ Although he knew and was critical of the religious strife and persecutions seen in British history, Burke evidently believed that the series of religious reformations conducted since the sixteenth century had led Britain to greater glory.

¹⁴⁵Burke stated: ‘But had I possessed a vote, when the directory was going to be established, I would have divided for the Common Prayer; and, had I lived when the Common-Prayer was re-established, I would have voted for the Directory. The reason is obvious, They were not essentially different, neither contained any thing contrary to the scriptures, or that could shock a rational Christian.’ ‘Speech on Clerical Subscription (6 February 1772)’, in *WS*, II, 364.

¹⁴⁶*Letter to Sir Hercules Langrishe*, in *WS*, IX, 605–6.

¹⁴⁷‘Speech on Opening of Impeachment (15, 16, 18, 19 February 1788)’, in *WS*, VI, 315.

His evaluation of the Reformation was, however, not the same as that of the monarchs who committed themselves to it. Rather, Burke seems to have been very critical of the Tudors and the early Stuarts, and among them Henry VIII was occasionally a particular target to be denounced. Burke censured the king's plunder of church property, described him as 'one of the most decided tyrants in the rolls of history' and also linked him with Roman tyrants and French revolutionaries.¹⁴⁸ This outright hatred deserves attention and may perhaps be of some importance in thinking of its place in eighteenth-century historiography.

In his *Spirit of the Laws*, Montesquieu maintained that the monarch's abolition of monasteries and hospices led to the rise of the spirit of trade and industry,¹⁴⁹ an interpretation that Burke did not seem to accept. In Hume's *History of England*, Henry VIII's attack on the monasteries seems to be regarded as one of the causes of the decline of feudalism and the changing balance of power in English society.¹⁵⁰ Hume, however, paid much greater attention to a historical event in the previous reign, that is, to Henry VII's statute for the alienation of the lands of the lords. The significance of this statute had, in the seventeenth century, been recognised by Francis Bacon and James Harrington,¹⁵¹ but was first suggested to Hume by Lord Kames.¹⁵² Hume, however, did not stress its importance, as the statute was no more than the codification of the custom prevailing in the age before Henry VII's reign. In his view, the greatest cause of the fall of feudalism was, in fact, not Henry VII's statute but the novel manners brought about by the rise of commerce around that time.¹⁵³ Burke may or may not be aware of this tradition in

¹⁴⁸ *Reflections*, pp. 281–2. Here Burke referred to Henry VIII's reign as 'that dark age'. See also *Letter to a Noble Lord* (1796), in *WS*, IX, 166–7.

¹⁴⁹ Charles-Louis de Secondat, Baron de Montesquieu, *The Spirit of the Laws*, ed. Anne M. Cohler, Basia C. Miller and Harold S. Stone (Cambridge: Cambridge University Press, 1989), p. 456.

¹⁵⁰ Hume, *History of England*, III, 229–30, 251–2, 255–6.

¹⁵¹ Francis Bacon, *The History of the Reign of King Henry the Seventh* (1622); James Harrington, *The Commonwealth of Oceana* (1656); idem, *The Art of Lawgiving* (1659).

¹⁵² 'Hume to Gilbert Elliot of Minto (9 Aug 1757)', in *The Letters of David Hume*, ed. J.Y.T. Greig (2 vols, Oxford University Press, 1932), I, 261–2.

¹⁵³ Hume, *History of England*, III, 77, IV, 384. Smith drew little attention to Henry VII's statute of alienation. For Hume and Smith on this subject, see Tatsuya Sakamoto, *Hyumu no Bunmei Shakai: Kinro, Chishiki, Jiyu* [*David Hume's Civilized Society: Industry, Knowledge, Liberty*] (Tokyo: Sobunsha, 1995), pp. 282–4, 312–3. For their views of the decline of feudalism, see also Chap. 2 of this book.

English historiography, but, at least, he did not explicitly refer or appeal to it in his writings and speeches. Henry VIII's confiscation of church property caused a power shift from the clergy to the gentry, which for Burke presumably only meant great persecution of the former whose property and social status had been prescriptive.

In a broader perspective, it is significant that Hume, Smith and Burke all attempted to understand English history by setting it in the European context.¹⁵⁴ For the Scottish thinkers, it was clear that England had taken the same historical path with other European nations until the sixteenth century. For them, especially, it was significant that these European nations, including England, had established absolute monarchy, brought by the dissemination of luxury during the late fifteenth and the early sixteenth century. The decline of feudal society meant a great step towards the modern commercial society. In doing so, they intended to replace the Whigs' myth of English exceptionalism with their own narrative of European civilisation.¹⁵⁵

Burke was, too, far from accepting the myth, and his strategy of undermining it in the *Abridgment* was, as already seen, to demonstrate and stress the effects of the cultural and political exchanges between England and Europe. During the 1790s, without losing this sight, he also drew attention to the common foundations of European civilisation inherited since the distant past. While both Hume and Smith were also clearly aware of these points, it is not clear to what extent Burke shared their notion of the role of luxury in undermining the feudal society in Europe.

Nevertheless, for all of them, the first half of the seventeenth century had seen the critical deviation of English politics and constitution from the European typology. This deviation meant a crucial step towards the achievement of political liberty to an extent that mankind had never seen before. The seventeenth century had, however, also been a turbulent period, which had left a deep mental scar on the English ruling

¹⁵⁴For Hume's and Smith's European perspectives on English history, see Forbes, *Hume's Philosophical Politics*, pp. 297–8; Colin Kidd, *Subverting Scotland's Past: Scottish Whig Historians and the Creation of an Anglo-British Identity 1689–1830* (Cambridge: Cambridge University Press, 1993), pp. 120, 211–3.

¹⁵⁵Kidd, *Subverting Scotland's Past*, pp. 111–2, 120, 208–9, 211–4; Anna Plassart, *The Scottish Enlightenment and the French Revolution* (Cambridge: Cambridge University Press, 2015), pp. 31, 73–4.

class, from which posterity should learn several lessons.¹⁵⁶ In 1780, in the context of his appeal for economical reform, Burke stated that ‘the unfortunate Charles the First’ had failed to reform the constitution properly, whereas defending ‘himself on the practice of the Stuart who went before him, and of all the Tudors’—an example of ‘inheritance of absurdity’.¹⁵⁷ As a Whig, he seems to have endorsed the constitutional revolution carried out during the early phase of the Long Parliament to limit the power of Charles I, yet he avoided seeking any causal relationship between such a constitutional revolution and the catastrophic civil war.¹⁵⁸ As he told parliament at another occasion, ‘between the years 1640, & 1648 there were many expulsions’ of MPs from parliament,¹⁵⁹ and the lower House first ruined the Lords, and then ‘did behead the King’.¹⁶⁰ The constituencies were also destroyed. During this troubled age, the balance of the constitution was apparently lost.¹⁶¹ The s during the 1640s well represented the evil consequences of politicised religion, and the knowledge of this part of English history clearly taught Burke how to react to the radical political movements in England which surged after the breakout of the French Revolution.¹⁶²

¹⁵⁶J.G.A. Pocock, ‘Introduction’, in Edmund Burke, *Reflections on the Revolution in France*, ed. idem (Indianapolis/Cambridge: Hackett Publishing Company, 1987), pp. vii–xlviii (at xi). See also *Thoughts on the Present Discontents*, in *WS*, II, 286. The traumatic events of the Civil Wars continued to haunt eighteenth-century intellectuals. The Gordon Riots of 1780 reminded them of the Puritans, the Levellers, the early Methodists, or the French religious wars such as the St. Bartholomew’s Day massacre. See Iain McCalman, ‘Mad Lord George and Madame La Motte: Riot and Sexuality in the Genesis of Burke’s *Reflections on the Revolution in France*’, *Journal of British Studies*, 35 (1996), 343–67.

¹⁵⁷*Speech on Economical Reform*, in *WS*, III, 491.

¹⁵⁸Here the present author heavily depend on J.C.D. Clark, ‘Introduction’, in *Reflections*, p. 74. Burke recognised the Long Parliament’s confiscation of lands, and correctly found its parallel in the French Revolution. See *Reflections*, p. 322.

¹⁵⁹‘In the end this House was expelled by the majority, till the minority expells the majority, till it was reduced to forty six Members’. See Cavendish Diary, Eg. MS., 219, fol. 403. The context was the affairs of the Middlesex Election.

¹⁶⁰*Ibid.*, Cf. *Account*, II, 216, where the Burkes evidently acknowledged that the constitution had been overturned by the execution of Charles I.

¹⁶¹‘Speech on Parliamentary Incapacitation (31 January 1770)’, in *WS*, II, 234–5. For a similar comment, see Burke, ‘National Character and Parliament’, p. 642.

¹⁶²Bourke, *Empire and Revolution*, pp. 686, 700.

Yet, chiefly during the 1790s in the context of his criticism of revolutionary France, Burke valued and stressed the historical continuity of the English constitution and its society during and after the Civil Wars. In particular, he positively evaluated Cromwell and his government. In *Reflections*, he depicted Cromwell as ‘one of the great bad men of the old stamp’, but rated highly his extraordinary talents, including his great ambition. ‘I do not say (God forbid) I do not say’, Burke wrote, ‘that the virtues of such men were to be taken as a balance to their crimes; but they were some corrective to their effects. Such was, as I said, our Cromwell.’¹⁶³ In *Remarks on the Policy of the Allies*, Burke contended that social order had not been overthrown even during the Civil Wars.¹⁶⁴ Unlike the devastating situation in revolutionary France, religion and morality in that period were not destroyed, and the government of Cromwell was by no means a barbarous tyranny and was even better than that of Charles II in some respects.¹⁶⁵

In his *Letter to a Member of the National Assembly*, Burke presented his most extended treatment of this crucial period. Although touching upon Cromwell’s usurpation and the military and despotic nature of his government, Burke described him as a rational ruler and commended his respect for the rule of law and for creating a stable government:

Cromwell, when he attempted to legalize his power, and to settle his conquered country in a state of order, did not look for his dispensers of justice in the instruments of his usurpation. Quite the contrary. He sought out with great sollicitude and selection, and even from the party most opposite to his designs, men of weight, and decorum of character; men unstained with the violence of the times, and with hands not fouled with confiscation and sacrilege: for he chose an *Hales* for his chief justice, though he

¹⁶³ *Reflections*, p. 204. Among his contemporaries, Burke was obviously not alone in being fascinated by Cromwell’s talents. Samuel Johnson and David Hume, for example, also admired them. See, for instance, *Reflections*, p. 204 (editor’s note); N.T. Phillipson, *Hume* (London: Weidenfeld & Nicolson, 1989), pp. 90–1.

¹⁶⁴ Burke’s manner of reference to the Civil Wars was potentially different from that of his contemporaries. According to Dickinson, the Civil War in the 1640s was usually referenced ‘whenever evidence was needed to prove how ill-designing men could lead the licentious multitude into the most monstrous political acts’. See H.T. Dickinson, ‘The Eighteenth-Century Debate on the “Glorious Revolution”’, *History*, 61 (1976), 28–45 (at 28–9).

¹⁶⁵ *Remarks on the Policy of the Allies* (1793), in WS, VIII, 497–8.

absolutely refused to take his civic oaths, or to make any acknowledgment whatsoever of the legality of his government. Cromwell told this great lawyer, that since he did not approve his title, all he required of him was, to administer, in a manner agreeable to his pure sentiments and unspotted character, that justice without which human society cannot subsist: that it was not his particular government, but civil order itself, which as a judge he wished him to support.¹⁶⁶

Burke paid tribute to Cromwell's fairness and his wish to preserve social order. Here we may well also find Burke's modified view of Sir Matthew Hale, of whom he had been critical in the *Fragment*. This did not, however, mark a fundamental change in his ideology as his early reading of Hale was too unfair (or even too shallow) and his admiration here did not mention the ideology of this eminent lawyer.¹⁶⁷

Moreover, in this work, he applauded the army led by Cromwell and George Monck (1608–1670). According to Burke, the 'soldiers were men of extraordinary piety after their mode, of the greatest regularity, and even severity of manners; brave in the field, but modest, quiet and orderly, in their quarters'. What a civilised nation took away from society was barbarous and fanatical warriors, not the military arts nor genuine religious sentiments themselves. Polite men of letters and sociable merchants were indispensable to a modern civilised nation, yet the nation would not reach any perfection without the disciplined military force. In this standard, England of the Interregnum was never as deplorable as revolutionary France of 1791, in which 'no good army can exist on their principles'. After the usurpation, 'Cromwell had delivered England from anarchy', and after his death, 'Monck freed this nation from great and just apprehensions both of future anarchy and of probable tyranny in some form or other'. Life and property were protected under the republican form of government.¹⁶⁸

At this point, comes the moment of the Restoration of 1660. Monck arranged for the restored monarchy and the return from exile of Charles II. Burke, however, did not hold Charles II in high regard. He wrote:

¹⁶⁶ *Letter to a Member of the National Assembly* (1791), in *WS*, VIII, 302–3.

¹⁶⁷ For Burke's views of Hale in his *Fragment*, see section two of this chapter.

¹⁶⁸ *Letter to a Member of the National Assembly* (1791), in *WS*, VIII, 320–1.

The king whom he [Monck] gave us was indeed the very reverse of your benignant sovereign, who in reward for his attempt to bestow liberty on his subjects, languishes himself in prison. The person given to us by Monk was a man without any sense of his duty as a prince; without any regard to the dignity of his crown; without any love to his people; dissolute, false, venal, and destitute of any positive good quality whatsoever, except a pleasant temper, and the manners of a gentleman.¹⁶⁹

Burke's view of Charles II was not unusual in his age. This king was generally unpopular among Whig historians, partly because of his merciless treatment of the Whigs, including Algernon Sidney and William Russell, after the Rye House Plot of 1683.¹⁷⁰ Burke continued:

Yet the restoration of our monarchy, even in the person of such a prince, was every thing to us; for without monarchy in England, most certainly we never can enjoy either peace or liberty. It was under this conviction that the very first regular step which we took on the Revolution of 1688, was to fill the throne with a real king; and even before it could be done in due form, the chiefs of the nation did not attempt themselves to exercise authority so much as by *interim*. They instantly requested the Prince of Orange to take the government on himself. The throne was not effectively vacant for an hour.¹⁷¹

The English people learned a lesson from the civil wars, recognised the significance of their ancient constitution and supported the Restoration. It was under the spirit of 1660 that the Revolution of 1688–9 was carried out. Burke was not alone in adopting this *model of learning*, as other conservatives, such as John Reeves, shared this idea. Nevertheless, their historical thought clearly differed in another respect. Reeves believed that the dangerous 'French principles' had plunged, in the 1790s as well

¹⁶⁹Ibid., in WS, VIII, 321–2.

¹⁷⁰Burke once told Edmond Malone that 'Hume in compiling his history did not give himself a great deal of trouble in examining records, &c.; and that the part he most laboured at was the reign of King Charles II., for whom he had an unaccountable partiality'. See Sir James Prior, *Life of Edmond Malone* (London, 1860), pp. 368–9.

¹⁷¹*Letter to a Member of the National Assembly*, in WS, VIII, 321.

as in the 1640s, the country into a political crisis, but for Burke the situation in France after 1789 was utterly unparalleled in history.¹⁷²

Burke celebrated the restoration of the monarchy in England in 1660 as the regeneration of the constitution. His emphasis was placed upon the value of monarchy as an institution rather than on the character of the particular individual restored to the throne. The Restoration certainly reminded the English people of what their constitution should be and it positively influenced the later Revolution of 1688–9. In the *Reflections*, Burke saw the Restoration in the same light as the Revolution:

A state without the means of some change is without the means of its conservation. Without such means it might even risque the loss of that part of the constitution which it wished the most religiously to preserve. The two principles of conservation and correction operated strongly at the two critical periods of the Restoration and Revolution, when England found itself without a king. At both those periods the nation had lost the bond of union in their ancient edifice; they did not, however, dissolve the whole fabric. On the contrary, in both cases they regenerated the deficient part of the old constitution through the parts which were not impaired. They kept these old parts exactly as they were, that the part recovered might be suited to them. They acted by the ancient organized states in the shape of their old organization, and not by the organic *molecularæ* of a disbanded people.¹⁷³

Burke regarded both the Restoration and the Revolution as the regeneration of the constitution,¹⁷⁴ conducted by the ‘two principles of conservation and correction’. He also referred to both periods as ‘when England found itself without a king’, which seems to imply that it was the result of a mere accident rather than the outcome of political planning.¹⁷⁵

¹⁷² John Reeves, *Thoughts on the English Government ...Letter the Second* (London, 1799), pp. 51, 105; idem, *Thoughts on the English Government ...Letter the First* (London, 1795), pp. 21–2, 71.

¹⁷³ *Reflections*, p. 170.

¹⁷⁴ In the *Appeal*, he argued that Joseph Jekyl and Nicholas Lechmere also made this point. See *Appeal from the New to the Old Whigs* (1791), in *WS*, IV, 425–6.

¹⁷⁵ Clark, ‘Introduction’, in *Reflections*, pp. 34, 41–2.

For the British ruling class in the eighteenth century, the Revolution of 1688–9 was of crucial importance and the defining moment in English history. From the Sacheverell trial in 1710 to the French Revolution, they reflected on the meaning and implication of 1688–9 on a number of occasions and presented various possible interpretations. It was 1688–9, not 1649 or any other date, that was the most crucial moment with regard to its political implications for the eighteenth-century governing class.¹⁷⁶ Immersed in such an intellectual arena from his early career, Burke, in an early memorandum, lamented the disappearance of the party divisions that used to exist at the time of the Revolution and that had gradually declined after the two Jacobite rebellions of 1715 and 1745.¹⁷⁷ As a Whig apprehensive about the enlarged influence of the crown, in his *Thoughts on the Cause of the Present Discontents* (1770), Burke a little exaggerated the reductions made to the crown's prerogatives as a result of the Revolution of 1688–9.¹⁷⁸ Yet, later, his focus was often on the nature and principles on which the Revolution of 1688–9 operated. Before the French Revolution, he occasionally interpreted 1688–9 from a relatively populist perspective. In 1777, he maintained that the Revolution of 1688–9 was 'a departure from the ancient course of the descent of this Monarchy', and that the 'People at that time reenter'd into their original rights'. What was done at this Revolution could not be authorised by the positive laws, but 'the freedom and safety of the Subject, the origin and cause of all Laws, required a proceeding paramount and superior to them'. The 'happy establishment out of which both King and Parliament were regenerated' clearly owed to 'the free choice therefore of the People, without either King or

¹⁷⁶For this, for example, see *ibid.*, in *Reflections*, p. 39.

¹⁷⁷Edmund Burke, 'On Party (1757)', in Bourke, 'Party, Parliament, and Conquest', 644–5.

¹⁷⁸See *Thoughts on the Present Discontents*, in *WS*, II, 259: 'At the Revolution, the Crown, [was] deprived, for the ends of the Revolution itself, of many prerogatives'. It is, however, difficult to support Burke's views with modern scholarship. Although the monarch was deprived of the right to be or to marry a Roman Catholic and of the right to raise a standing army without parliamentary consent, the Revolution only confirmed the restrictions on the monarch which had already been assumed. Here the present author is heavily indebted to the modern editor of the *Thoughts on the Present Discontents*: *WS*, II, 259 (editor's note).

Parliament'.¹⁷⁹ With the Regency crisis of 1788, he also contended that 'the compact' had been 'dissolved' in 1688–9, when 'all right and power' reverted 'to the people'.¹⁸⁰ The point of emphasis, however, shifted according to the circumstances that he encountered and responded to. In the 1790s, facing revolutionary France and the English radicals who endorsed it, he needed to show the fundamental difference between the events of 1688–9 and 1789 and stressed that the revolution by the Englishmen was an act for the preservation of their ancient constitution.

For the French revolutionaries, the 1688–9 English Revolution was the example that they were following, and for the English radicals, including some Foxite Whigs, 1789 was a similar though more advanced revolution than that of 1688–9. Burke strongly disagreed with these interpretations of history. According to him, the English radicals such as Richard Price confounded the English Revolution of 1649, the Revolution of 1688–9 and the French Revolution. He wanted to denounce these views of 1688–9 and to reveal the true principles enshrined in that Revolution.

Burke and other conservatives of his day were alike in seeing 1688–9 as parallel to 1660, yet he went even further. According to him, the Revolution of 1688–9 was the same as all other precedent reformations in England in its principles. That is, it was a reformation based on the principle of reverence for English history and tradition, not on any abstract ideas such as the theory of universal natural rights. The historical continuity of the constitution had not been lost in 1688–9, but had rather been consolidated by events. In the reign of Queen Anne, some Tories insisted that 'the title to the crown was still as indefeasibly hereditary as it had been', and the extreme Whigs asserted that 'James II had been dismissed'. Instead, Burke contended that James II had virtually abdicated and that the throne had been left vacant.¹⁸¹ Although there was, in 1688–9, 'a small and a temporary deviation from the strict order of a regular hereditary succession',¹⁸² what was actually done was of a very similar kind to past reformations:

¹⁷⁹'Address to the King (January 1777)', in *WS*, III, 273.

¹⁸⁰'Speech on Regency (22 December 1788)', in *WS*, IV, 253.

¹⁸¹Clark, 'Introduction', in *Reflections*, p. 41: the *Reflections* 'presented a mainstream Whig reading of 1688.'

¹⁸²*Reflections*, p. 164 and editor's note 71. See also *ibid.* (editor's note 70). As Clark points out, although Burke rightly suggested that no authoritative documents had pronounced elective monarchy, he did not explain why the deviation from hereditary succession could be looked upon as 'small' or 'temporary'.

The crown was carried somewhat out of the line in which it had before moved; but the new line was derived from the same stock. It was still a line of hereditary descent; still an hereditary descent in the same blood, though an hereditary descent qualified with protestantism. When the legislature altered the direction, but kept the principle, they shewed that they held it inviolable.¹⁸³

He emphasised Englishmen's efforts to defend their ancient constitution and traditional principles. The hereditary principle had subsisted throughout English history,¹⁸⁴ and it was still at the centre of politics even during the events of 1688–9.¹⁸⁵ Interestingly, in the *Reflections*, he also maintained that the 'Revolution of 1688 was obtained by a just war, in the only case in which any war, and much more a civil war, can be just'.¹⁸⁶ To dethrone James II was not a constitutional matter, but a necessary act in the form of a 'civil war' that the English people had to undertake in 1688 in order to defend their constitution. A foreign Protestant prince, William of Orange's intervention was justifiable only in such political circumstances.¹⁸⁷ In the *Appeal*, Burke claimed once more that the Revolution of 1688–9 had been a necessary act¹⁸⁸ for preserving the ancient constitution, because otherwise the entire constitution would have been subverted. He also stressed

¹⁸³Ibid., p. 170.

¹⁸⁴Ibid., pp. 170–1. Although '[s]ome time after the conquest [i.e. the Norman Conquest] great questions arose upon the legal principles of hereditary descent', 'the inheritable principle survived with a sort of immortality through all transmigrations' (ibid., p. 171).

¹⁸⁵Ibid., p. 165 (editor's note 73).

¹⁸⁶Ibid., p. 180.

¹⁸⁷For this, see J.G.A. Pocock, 'The Fourth English Civil War: Dissolution, Desertion, and Alternative Histories in the Glorious Revolution', in *The Revolution of 1688–1689: Changing Perspectives*, ed. Lois G. Schworer (Cambridge: Cambridge University Press, 1992), pp. 52–64. See also David Armitage, 'Edmund Burke and Reason of State', in idem, *Foundations of Modern International Thought* (Cambridge: Cambridge University Press, 2013), pp. 154–71 (at 164–5).

¹⁸⁸In December 1788, he already presented both the Revolution of 1688–9 and the Restoration of 1660 as 'acts of necessity'. See 'Speech on Regency (22 December 1788)', in WS, IV, 253.

that the Whigs in managing the Sacheverell trial of 1710 made the same point.¹⁸⁹

If his emphasis on the idea of prescription and of the antiquity of the constitution emerged from the particular political circumstances he faced, so did his stress upon the hereditary principle which had existed over a long span of history and had survived the crisis of 1688–9. The Regency Crisis between December 1788 and March 1789 provided Burke and other politicians with an opportunity to reflect on England's constitutional history, especially the succession to the crown in the past. At this time, he was already advancing the claim that the events of 1660 and 1688–9 were acts of necessity,¹⁹⁰ and, in particular, he stressed with Fox and other colleagues the hereditary principles of the English crown while dismissing the claims that it was somehow elective, as he was to do so again in the *Reflections*. This does not mean that a new interpretation had been abruptly adopted at the time of the Regency Crisis, but rather that he only confirmed what he already had in mind. Even so, however, through the process of the Regency Crisis, Burke worked hard on the issues, consolidated his idea on the historical continuity of the English constitution and prepared himself for the historical thinking which was soon to be more fully advanced in the *Reflections*.¹⁹¹

¹⁸⁹ *Appeal from the New to the Old Whigs*, in *WS*, IV, 411–8, 423–8; *The Tryal of Dr. Henry Sacheverell* (London, 1710), pp. 59, 73–4, 92–3, 108, 259, 273, 288. In the *Appeal*, he most quoted from Joseph Jekyll among the Whigs leaders. See Takane Matsuura, 'Meiyokakumei Taisei to Furansu Kakumei [The Glorious Revolution Regime and the French Revolution]' in *Kindaishi niokeru Seiji to Shiso [Politics and Thought in Modern History]*, ed. Michio Shibata and Osamu Naruse (Tokyo: Yamakawa, 1977), pp. 187–8.

¹⁹⁰ Blackstone maintained that the Convention Parliaments of 1660 and 1689 had been conducted on the principle of necessity, which Burke may well have had in mind. See Blackstone, *Commentaries*, I, 147–8.

¹⁹¹ WWM Bk P 15; 'Burke to William Weddell (31 January 1792)', in *Corr.*, VII, 58; *Parl. Hist.*, XXVII, 711–2 (Fox's defence of hereditary principles). See also John Derry, *The Regency Crisis and the Whigs 1788–9* (Cambridge: Cambridge University Press, 1963); Bruce E. Gronbeck, 'Edmund Burke and the Regency Crisis of 1788–1789', in *Rhetoric: a Tradition in Transition: in Honor of Donald C. Bryant with a Reprinting of his "Rhetoric, its Functions and Scope" and "Rhetoric, its Functions and Scope" Rediviva*, ed. Walter R. Fisher (East Lansing: Michigan State University Press, 1974), pp. 142–77.

4 HABITS OF MIND, THE CRISIS OF THE REVOLUTION SETTLEMENT AND THE TRIUMPH OF THE FISCAL-MILITARY STATE

The political circumstances from the late 1770s helped lead Burke and other conservative Whigs to stress the advantages of England's ancient constitution. His memorandum on the debate on 16 June 1784 was his response to the radical movements in favour of parliamentary reform, in which he emphasised that the British constitution had a prescriptive title. It was a constitution whose authority derived from the fact that 'it has existed time out of mind'. The king, the Lords, the Commons, and judges and juries, were, in fact, all prescriptive institutions.¹⁹² As regards the House of Commons, Burke maintained in particular:

The House of Commons is a legislative body corporate by prescription, not made upon any given theory, but existing prescriptively—just like the rest. This prescription has made it essentially what it is, an aggregate collection of three parts, Knights, Citizens, Burgesses. The question is, whether this has been always so since the House of Commons has taken its present shape and circumstances, and has been an essential operative part of the Constitution; which, I take it, it has been for at least five hundred years.¹⁹³

If Burke had in mind the development of the parliamentary system in Henry III's reign, his understanding corresponded with the opinions

¹⁹²'Speech on Parliamentary Reform (16 June 1784)', in *WS*, IV, 219. Although there are in general several definitions for the term 'prescription', the case of Burke applies to, as *OED* states, '[u]ninterrupted use or possession from time immemorial, or for a period fixed by law as giving a title or right; a title or right acquired by virtue of such use or possession'. According to Clark, Burke's idea of prescription was indebted to the idea of an ancient constitution, latitudinarianism of his age and his belief in divine providence. See Clark, 'Introduction', in *Reflections*, pp. 40–2, 86–7, 94–5.

¹⁹³'Speech on Parliamentary Reform (16 June 1784)', in *WS*, IV, 220. See also, *Annual Register ... for the Year 1766* (London, 1767), p. 39. The author asserted that 'the representation of the commons of Great Britain' was not 'formed into any certain system till Henry the 7th'. If the authorship here could be attributed to Burke, his statements would contradict each other. The historical origin and formation of the House of Commons was, of course, one of the significant points of discussion among eighteenth-century British intellectuals.

held by other intellectuals of the eighteenth century.¹⁹⁴ Evidently, ‘five hundred years’ implied that he did not intend to trace the origins of parliament back as far as the Saxon era. In the *Reflections*, he further highlighted the historical continuity of the constitution, which was traced back to the period before Magna Carta, although the Saxon era was still not subject to his serious consideration.¹⁹⁵ Magna Carta was the outset for a number of subsequent political reformations, and his point was that these reformations had always tried to maintain the historical continuity of the constitution.

Significantly, Burke’s concept of historical continuity was twofold: the continuity of the constitution and the continuation of the policy upheld by Englishmen in their reformations, that is, ‘the stationary policy of this kingdom’. The latter was as significant as the former for the purpose of his arguments. According to Burke, this ‘powerful prepossession towards antiquity’ was a much better guide in conducting politics than the natural right theory advanced by English radicals and French revolutionaries. Here perhaps lay one of the original elements in the historiography of the *Reflections*, distinct from other late eighteenth-century conservative writings on politics and history. Many conservatives appealed to the idea of prescription and constitutional antiquity in order to combat the arguments of the radicals. Regarding this, although Burke’s arguments were probably more sophisticated in rhetoric and generalisation, they may have also been merely a variant of the conservative case at this time. As has already been shown, the hereditary principle was deployed not only in the *Reflections*, but also by Fox and others during the Regency Crisis and later by John Reeves. In contrast, although conservatives in the late eighteenth century were certainly aware of the habit of Englishmen inclining towards antiquity, whether consciously or unconsciously, they often failed to make use of it to refute the political arguments of the radicals. Burke’s *Reflections*, but not his *Appeal* or his notes on the debate on

¹⁹⁴ Hume, *History of England*, II, 56–7; Blackstone, *Commentaries*, I, 145; Reeves, *Thoughts ... the Second Letter*, p. 117. See also Rapin, ‘A Dissertation on the Origin of the Government of England, &c.’, in idem, *History of England*, XIV, 404. Here Rapin was cautious about whether participation of the Commons into parliament actually had taken place in the reign of Henry III. De Lolme traced the origins of the House of Commons to the reign of Edward I. See Jean Louis de. Lolme, *The Constitution of England, or An Account of the English Government* (Dublin, 1775), p. 19.

¹⁹⁵ *Reflections*, p. 182.

16 June 1784, contrasted ‘the stationary policy’ of Englishmen with the metaphysical theory of the radicals. He generalised the idea of the former and stressed its importance. In subsequent centuries, this generalisation certainly helped lead students of politics to regard the *Reflections* as a classic work of conservatism.

Burke believed the English constitution to be ancient, but also to have evolved over a long period of time.¹⁹⁶ It was on the preservation of this ancient constitution that the prosperity of the eighteenth century largely depended and it would not be too much to say that this idea is one of the most significant in his understanding of English history. For Burke, as well as for many of his contemporaries, the chief causes of the prosperity of late eighteenth-century Britain were its advanced learning and highly developed commerce. In the *Reflections*, while blaming French revolutionaries for persecuting their church, he maintained:

So tenacious are we of the old ecclesiastical modes and fashions of institution, that very little alternation has been made in them since the fourteenth or fifteenth century; adhering in this particular, as in all things else, to our old settled maxim, never entirely nor at once to depart from antiquity. We found these old institutions, on the whole, favourable to morality and discipline; and we thought they were susceptible of amendment, without altering the ground. We thought that they were capable of receiving and meliorating, and above all of preserving the accessions of science and literature, as the order of Providence should successively produce them. And after all, with this Gothic and monkish education (for such it is in the ground-work) we may put in our claim to as ample and as early a share in all the improvements in science, in arts, and in literature, which have illuminated and adorned the modern world, as any other nation in Europe; we think one main cause of this improvement was our not despising the patrimony of knowledge which was left us by our forefathers.¹⁹⁷

Unlike the Dissenters, Low Churchmen and Roman Catholics, Burke did not claim that a fundamental discontinuity had been caused by the Reformation.¹⁹⁸ As has already been seen above, Burke believed that the

¹⁹⁶Earlier than the *Reflections*, in one of his memorandums on American affairs, he wrote: ‘Your ancestors took much time to digest, to order, to settle the excellent Frame of your Government.’ See Northamptonshire MS. A. XXVII. 54.

¹⁹⁷*Reflections*, pp. 264–5.

¹⁹⁸*Ibid.*, p. 264 (editor’s note).

Reformation had succeeded in reforming the Church of England ‘without changing her identity’. He stressed that ancient religious institutions had contributed to the development of learning.¹⁹⁹ Because he regarded the church establishment as an essential part of the constitution,²⁰⁰ it can be argued that Burke saw the progress of learning as a product of the ancient but evolving constitution. As for the development of commerce, he may have held a similar opinion. Bemoaning the fact that revolutionary France had demolished her ‘ancient constitution’, he wrote:

Had you made it to be understood, that in the delusion of this amiable error you had gone further than your wise ancestors; that you were resolved to resume your ancient privileges, whilst you preserved the spirit of your ancient and your recent loyalty and honour; or, if diffident of yourselves, and not clearly discerning the almost obliterated constitution of your ancestors, you had looked to your neighbours in this land, who had kept alive the ancient principles and models of the old common law of Europe meliorated and adapted to its present state-by following wise examples you would have given new examples of wisdom to the world. You would have rendered the cause of liberty venerable in the eyes of every worthy mind in every nation. You would have shamed despotism from the earth, by shewing that freedom was not only reconcileable, but as, when well disciplined it is, auxiliary to law. You would have had an unoppressive but a productive revenue. You would have had a flourishing commerce to feed it.²⁰¹

The defence of an ancient, meliorated constitution enabled nations to achieve not only political freedom, but even material progress and sound finances. In his full-scale attack upon revolutionary France, Burke included a general maxim in politics and his views on English history. Advanced commerce and learning in eighteenth-century Britain,

¹⁹⁹In general, Burke saw such religious institutions as the monasteries as the protector and promoter of learning. For example, see *Abridgment*, in *WS*, I, 400: ‘By those voyages [pilgrimages] the seeds of various kinds of knowledge and improvement were at different times imported into England. They were cultivated in the leisure and retirement of monasteries’.

²⁰⁰*Reflections*, pp. 263–4; *Parl. His.*, XXIX, 1383 (note). Burke denied William Warburton’s argument that Church and State were separate entities. See J.C.D. Clark, *English Society 1688–1832* (Cambridge: Cambridge University Press, 1985), pp. 250, 255.

²⁰¹*Reflections*, p. 188.

according to Burke, were, at least partly, attributable to Englishmen's defence of their ancient institutions. Although Burke was clearly not alone among eighteenth-century conservatives in deploying such ideas, his development of them was more elaborate and sophisticated than that of many others.

It should be noted, however, that Burke did not maintain that all the progress that had taken place in English history could be attributed to the defence of the ancient constitution. As has already been shown, he asserted that progress in the ancient and medieval eras had been caused by various intermittent connections with foreign countries, including the introduction of the Christian religion and the impact of a series of conquests. Such progress rather contributed to the development of the constitution than the other way around. Progress also owed something to divine providence and the great abilities displayed by some particular individuals. Divine providence may, for example, have contributed to the spread of the Christian religion over England,²⁰² and such rulers as Agricola, Alfred the Great and Egbert had successfully acted to reconstruct the nation. Significantly, Burke, in the *Abridgment* and other works, generalised and applied these points to more recent periods of history.

After the Revolution of 1688–9, the nation had progressed substantially and prosperity had been brought in the eighteenth century, although its government and society were still quite feeble in several respects at the beginning of the century.²⁰³ The point was, in particular, the fact that war, military affairs and commerce went hand in hand throughout this period.²⁰⁴

²⁰² *Abridgment*, in *WS*, I, 393–4. Later, Burke also wrote that there was the divine will behind the English presence in India of his day. See *Speech on Fox's India Bill*, in *WS*, V, 404; 'Speech on Opening of Impeachment', in *WS*, VI, 351, 462. For this, see also Chap. 6.

²⁰³ In 1769, in the context of his critical response to William Knox, he wrote: 'I have a manuscript of [Charles] Davenant, which contains an abstract of our trade for the years 1703 and 1704 ... England was then a rich and flourishing nation.' See *Observations on a Late State of the Nation*, in *WS*, II, 143. As the modern editor of this work notes, there is no evidence that Davenant wrote the manuscript Burke mentioned. See Sheffield Archives, Wentworth Woodhouse Muniments, MS., R 61/25. For his reference to Davenant and the same manuscript, see also *Speech on Conciliation with America*, in *WS*, III, 112.

²⁰⁴ Burke once wrote, 'Our [Britain's] natural strength is a maritime strength, as trade is our natural employment: these must always go hand in hand, and they mutually support each other.' *Annual Register... for the Year 1758*, p. 12.

At the time of the Utrecht settlement, the protective measures were successful in developing the infant industries in Britain.²⁰⁵ 'If at the Treaty of Utrecht we had then made the proposed Treaty of Commerce', Burke wrote around 1787, 'I think it would most clearly have been ruinous to us. We were not then in that *adult* State with regard to our Trade'.²⁰⁶ Britain's economy continued to grow, but it was clear that behind this growth, including the establishment of commerce in the Mediterranean, was the advancement of her military capacity.²⁰⁷ Although Britain was nearly matched with, or even inferior to Louis XIV's France in her military power,²⁰⁸ Britain's struggles against this great monarch successfully preserved European liberty despite her immature empire, including Scotland, which was recently united with, yet still hostile against England, and Ireland as 'the heaviest of the burthens' due to England's ill management.²⁰⁹ When Burke, in his *Letters on a Regicide Peace*, reminded his readers of the history of these struggles for his crusade against revolutionary France,²¹⁰ he was only one of many who supported the Whiggish tradition of British diplomacy—the 'Old System', the term established by the Duke of Newcastle—in the late eighteenth century.²¹¹

By the time of the late eighteenth century, the British military, especially her naval power, came to exceed her most formidable neighbouring country, France, and this superiority evidently helped to expand the Empire.²¹² Wars were frequently caused by the insatiable desire for wealth and the ambition for hegemony. Among them, the War of

²⁰⁵ 'Speech on French Commercial Treaty (21 February 1787)', in *WS*, IV, 237.

²⁰⁶ Northamptonshire MS. A. XXVII. 50, quoted in *WS*, IV, 237.

²⁰⁷ *Third Letter on a Regicide Peace* (1797), in *WS*, IX, 323–4.

²⁰⁸ *First Letter on a Regicide Peace* (1796), in *WS*, IX, 231–2; 'Second Speech on Conciliation (16 November 1775)', in *WS*, III, 187.

²⁰⁹ *First Letter on a Regicide Peace*, in *WS*, IX, 230.

²¹⁰ *First Letter on a Regicide Peace*, in *WS*, IX, 195–6, 229–38; *Third Letter on a Regicide Peace*, in *WS*, IX, 336.

²¹¹ H.M. Scott, "The True Principles of the Revolution": The Duke of Newcastle and the Idea of the Old System', in *Knights Errant and True Englishmen: British Foreign Policy, 1660–1800*, ed. Jeremy Black (Edinburgh: John Donald, 1989), pp. 55–91.

²¹² *Annual Register ... for the Year 1759*, p. 5. See also *Second Letter on a Regicide Peace* (1796), in *WS*, IX, 281.

Jenkins' Ear was 'a war of plunder' led by British public opinion.²¹³ Burke, on the other hand, readily agreed with the success of the Seven Years War, which advanced Britain 'to an high pitch of prosperity and glory' and in which commerce was 'for the first time united with, and made to flourish by war'.²¹⁴

Public credit was another cause of the country's prosperity rather than its suspected decline after 1688–9. Despite the fact that it had 'so often been predicted as the cause of our certain ruin', in his opinion, public credit had actually been 'the constant companion, and often the means' of promoting British prosperity.²¹⁵ This view of public credit is important in considering his views on the modern history of England as a whole. Even before entering parliament, Burke did not plunge into pessimistic views of Britain's economy, and as a politician he had more than a few chances to renew his knowledge and confirm his belief in the growing economy of Britain and Ireland. Before 1760, under the limited monarchy of the early Hanoverians, British society had enjoyed unprecedented growth, but the constitution suddenly faced a new political crisis with the accession of George III in that year. The king's friends attempted to subvert the constitution not only by destroying its equilibrium, but also by diffusing their perverted views of the British society.

From the 1760s onwards, Burke, hence, clearly feared the fundamental deterioration of British politics and actually saw the decline of her empire. 'The reason, I conceive, why the military power has never been admitted into the polity of this Country is', Burke was reported to have stated in the House of Commons in March 1769, 'because we have constantly entertained a jealousy of all bodies of men, who have a separate interest, and separate feelings of their own, distinct from the mass, and

²¹³ *First Letter on a Regicide Peace*, in WS, IX, 226.

²¹⁴ Burke's memorial to Pitt in the Guildhall, London, quoted in Marie Peters, *Pitt and Popularity: The Patriot Minister and London Opinion during the Seven Years' War* (Oxford: Clarendon Press, 1980), p. vi; Linda Colley, *Britons: Forging the Nation 1707–1837* (New Haven: Yale University Press, 1992), pp. 71, 391. Cf. Northamptonshire MS. A. XXVII. 56, which was written shortly after the repeal of Stamp Act: 'The War made an appearance of Wealth in the Colonies fallacious to them & to us. The peace immediately swept it off.'

²¹⁵ *First Letter on a Regicide Peace*, in WS, IX, 230. See also *Second Letter on a Regicide Peace*, in WS, IX, 287. According to him, even sheer chance helped to shape prosperity and liberty in Britain as well as Europe at large.

body of the people'.²¹⁶ This balance of power in domestic politics was, however, now being undermined by the invasion of the military authority. In the same year, he also told his parliamentary colleagues that 'this House has had contests with the Crown' and the House of Lords. The Middlesex Election affair was the first case in which 'this House has had a contest with the people', and this 'would be the most destructive civil war ever carried on'.²¹⁷ In fact, the House of Commons 'is the Theatre, & Stage, on which all the several factions have fought their battles', and 'they have exercised their detestable vengeance upon each other. victory, triumphs, defeats, & factions have alternately prevailed'.²¹⁸ The House of Commons 'has been the field of blood', as the s during the 1640s mostly clearly showed. Nevertheless, the party divisions which had emerged in the late seventeenth century, in his view, had not necessarily damaged the constitutional politics. 'Great rage and party animosity had subsisted between Whigs and Tories', he was reported to have stated in 1793. Yet, neither of them 'were inimical to the Constitution'.²¹⁹

Burke, however, barely shared dismal prospects about the socio-economic state of Britain with Hume and other contemporaries.²²⁰ He was rather diametrically the opposite, at least in his judgement on the British economy. In 1769, as a response to William Knox's *Present State of the*

²¹⁶Cavendish Diary, Eg. MS. 219, fol. 15. For discussion of this passage, see Bourke, *Empire and Revolution*, p. 265.

²¹⁷Cavendish Diary, Eg. MS. 219, fol. 115.

²¹⁸Cavendish Diary, Eg. MS. 219, fol. 402.

²¹⁹*Morning Herald*, 23 March 1793 cited in Bourke, *Empire and Revolution*, p. 23 (note).

²²⁰During the 1760s and the 1770s in particular, Hume expressed a negative view of Britain's politics and economy. For this, see 'Hume to Sir Gilbert Elliot of Minto (16 October 1769)', in *Letters of David Hume*, II, 208 ('Progress of Madness and Folly and Wickedness in England'); 'Hume to William Strahan (25 October 1769)', in *The Letters of David Hume*, II, 210; 'Hume to the Rev. Thomas Percy (16 January 1773)', in *The New Letters of David Hume*, ed. Raymond Klibansky and Ernest C. Mossner (Oxford: Clarendon Press, 1954), p. 199; John Home, *A Sketch of the Character of Mr. Hume and Diary of a Journey from Morpeth to Bath 23 April–1 May 1776*, ed. David Fate Norton (Edinburgh: The Tragara Press, 1976), p. 16 (24 April 1776: 'the two most civilized nations, the English and the French, should be on the decline'). See also Hume, *History of England*, IV, 373. For discussion of these sources, see Ryu Susato, *Hume's Sceptical Enlightenment* (Edinburgh: Edinburgh University Press, 2015), p. 226; Harris, *Hume*, pp. 437–8.

Nation, he published the *Observations on a Late State of the Nation*, in which he stressed the recent growth of the trade, manufactures and government revenue of Britain. According to Burke, Britain's stable public credit showed its national strength and financial skills, in both of which the nation was superior to France.²²¹ In the *Observations*, he intended to defend Rockinghamite policies, while refuting Knox's gloomy diagnosis of the British economy and finances. In 1774, he also repudiated the view that England's population was in decline. This was impossible under the increased production of provisions and the excellent constitution.²²² Later, Burke also asserted that the living standards of the poor had improved over the last several decades, which basically meant an improvement of the general standard of the country's economy.²²³

A work reminiscent of the *Observations* was the *Third Letter on a Regicide Peace*, whose chief purpose was the justification of Britain's continuation of the war against revolutionary France. For this purpose, Burke needed to oppose the prevailing notions within the country that an even larger public debt would lead to the decline of Britain's economy. Similar ominous prophecies on Britain's economy and society had existed throughout the eighteenth century, and Burke, in the course of his career, at times objected to them. One of his earlier targets was William Knox, yet he could think of many others as well, who offered wrong diagnoses of British society and distorted interpretations of her recent history.²²⁴ What he dreaded was the possible consequences of such an 'evil presage', that is, the subversion of the Revolution Settlement rather than the presage itself.

In the latter part of the *Third Letter on a Regicide Peace*, Burke maintained that the British economy, in several indexes and items, had expanded since the beginning of the war against revolutionary France.²²⁵ According to him, all wars, in which Britain was engaged during the eighteenth century, except the American revolutionary war, showed the

²²¹ *Observations on a Late State of the Nation* (1769), in WS, II, 122–4, 140–2, 148–9. His analysis was indebted to William Dowdeswell (see editor's preface, in WS, II, 105–6).

²²² 'Speech on Poor Removals Law (2 March 1774)', in WS, II, 403.

²²³ 'Thoughts and Details on Scarcity' (1795), in WS, IX, 122.

²²⁴ *Third Letter on a Regicide Peace*, in WS, IX, 371.

²²⁵ *Ibid.*, in WS, IX, 362–79.

same trend: her exports declined for some time after the opening of the war, but then recovered and expanded after peace was restored.²²⁶

Burke was very conscious that commerce had taken a form of international competition among the nations in modern Europe, and his idea of the interrelationship between war and commercial development, or more generally prosperity, was crucial to his understanding of the modern age. This belief characteristically included a psychological analysis of the subject. At an earlier point, Burke insisted that the present war against revolutionary France did not bring 'penury, cold, hunger, nakedness' to society, by which the population of the lower classes sometimes significantly declined. He rather insisted that excessive peace, rather than war, might cause depopulation and the decline of society in general:

The excesses of delicacy, repose, and satiety, are as unfavourable as the extremes of hardship, toil, and want, to the increase and multiplication of our kind. Indeed, the abuse of the bounties of Nature, much more surely than any partial privation of them, tends to intercept that precious boon of a second and dearer life in our progeny, which was bestowed in the first great command to man from the All-gracious Giver of all, whose name be blessed, whether he gives or takes away. His hand, in every page of his book, has written the lesson of moderation. Our physical well-being, our moral worth, our social happiness, our political tranquillity, all depend on that controul of all our appetites and passions, which the ancients designed by the cardinal virtue of Temperance.²²⁷

These opinions are linked with his justification for further public loans, which might have influence 'on account of the temper which it indicated in our own people' rather than 'on the enemy [revolutionary France]'. A public loan, according to Burke, 'brings to light what, under the most discouraging appearances, I always reckoned on; that with it's ancient physical force, not only unimpaired, but augmented, it's ancient spirit is still alive in the British nation'.²²⁸ The 'ancient spirit' is a term suggesting the collective national spirit which had continued to exist since earlier times (not necessarily the distant past), and which was vital to the country's development and stability.

²²⁶Ibid., in *WS*, IX, 382–3.

²²⁷Ibid., in *WS*, IX, 359.

²²⁸Ibid., in *WS*, IX, 345–6.

As will be shown in some detail in the next chapter, a similar opinion exists in the *Account of the European Settlements* and the *Reflections*. In Burke's views on English and European history, modern wars did not necessarily impede the growth of the economy or of prosperity in general; indeed, they sometimes helped facilitate it by invigorating the 'spirit' of the nation. The emphasis of the passage above was placed on 'moderation', suggesting that too profound a peace might render the people mentally lethargic yet what he wanted to say was essentially the same as in other works. Almost throughout his career, he was concerned with the vigour of the collective mind, according to whose state a nation might rise, decline or stagnate. This analysis of psychology is underpinned by his ideas on ancient manners, religions and constitutions, all of which constitute the foundations of society. The 'spirit' of nations does not plunge into a crisis unless these, either formal or informal, socio-political *institutions* are thoroughly damaged. A number of wars took place in modern times, yet they did not necessarily undermine or destroy this 'spirit', but could rather at times serve to activate it.

Although it might not be clear whether his psychological analysis is convincing enough to modern readers, it surely played a significant role in his historical and political thought. At almost the end of his life, he was offered statistical figures by Laurence and King which clearly showed the increase in revenue and import of Britain during wartime between 1793 and 1796.²²⁹ For Burke, this appeared to be proof of his belief in the thriving state of British economy in the preceding years.

Like his views on constitutional continuity, his positive evaluation of the British economy emerged in a series of responses to major intellectual debates at this time, that is, to the arguments of William Knox, John Brown and others, who expressed serious concern about Britain's economic predicament. Nevertheless, such an evaluation would not have been solely dependent on the political and intellectual contexts that Burke encountered, as it appeared repeatedly on various different occasions. His views on British socio-economic history were substantially distinct from and more positive than those of his political opponents.

Although he was one of the eighteenth-century intellectuals who were well aware of the 'jealousy of trade' among European nations and who

²²⁹Lock, *Edmund Burke*, II, 564; *Third Letter on a Regicide Peace*, in WS, IX, 362–8, 372–3, 376–9.

were particularly interested in the outcomes of the interaction between war and commerce, Burke did not necessarily interpret this interaction in as negative a fashion as Hume, Tucker, Smith and others did. In the *Wealth of Nations*, Smith contended that Britain's economic growth had been retarded, though it still continued, during her engagement in civil and international wars. Wars destroyed much capital, and diverted a great amount of capital to the maintenance of unproductive labour.²³⁰ Burke clearly acknowledged that wars had been in general destructive, and even he would, in theory, have understood Smith's ideas on the efficient use of capital if presented to him. Yet, Burke's attention turned in a different direction and his conclusion was rather that the interaction between war and commerce had not, despite some material losses, been harmful in several cases, but helped to have even sometimes stimulated the prosperity of England as well as of other European countries during the seventeenth and the eighteenth centuries.

If Burke's views on the British economy and finance were less sceptical than Hume's and Smith's, his views on recent constitutional history were full of a sense of impending crisis. The constitution had faced several crises since 1688–9 brought about by the Triennial Act in 1694,²³¹ the arguments for the creation of a militia, the growing influence of the crown since 1760 and the recent proposals for radical political reforms. His grief following the outcome of the General Election of 1784, when the Foxite Whigs suffered a heavy defeat, may succinctly summarise his opinions on recent English history:

The form of the constitution remains indeed in all its exterior parts as sound as ever; but the Spirit of that constitution which has governed since the revolution is formally rejected and the Letter authoritatively preferred; This has left us (in the most favourable point of view for our affairs) just

²³⁰ Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, ed. R.H. Campbell, A.S. Skinner and W.B. Todd (2 vols., Oxford: Oxford University Press, 1976), I, 344–6.

²³¹ *Thoughts on the Present Discontents*, in *WS*, II, 293; 'Speech on Duration of Parliament (8 May 1780)', in *WS*, III, 597. For Burke, triennial parliaments increased the expense of elections and caused public frenzy and the Septennial Act in 1716 restored stability to the nation. For discussion of Burke's ideas, see O'Gorman, *Edmund Burke*, p. 62. See also Frank O'Gorman, *Voters, Patrons, and Parties: The Unreformed Electoral System of Hanoverian England 1734–1832* (Oxford: Clarendon Press, 1989), pp. 12–13, 106–111, 146, 319.

where we were at the End of the reign of Charles the second; and the resemblance of that period in the history of our Liberties without any of the collateral aids does not auspicate any thing towards the resurrection of principles similar to ours. To preserve that Spirit of the constitution has been the Object of our party ever since I became of it and for some time before if I understood them and myself rightly. ... The Nation is rich; and Trade flourishes as it did for its measure in the End of Charles the Seconds reign; and as then the people say little of any thing else.²³²

While the historical analogy helped him and the readers of his letter to understand the political situation in 1784, this reflected his views of English history after the Revolution of 1688–9, in which the growing economy and flourishing society coexisted with several political crises which might yet lead the country to ruin. He believed that the result of the General Election of 1784 meant that all the efforts of his party over more than two decades had achieved nothing, but the essential ‘form’ of the constitution remained undamaged and society was still thriving. It was, actually, not until the French Revolution that he felt the greatest fear for the total subversion of both Britain’s constitution and society.

5 BURKE AND ENGLISH HISTORY

For Burke, the constitution was at the centre of his thought on British politics, as it was in his thinking on English (or British) history. While he also surveyed the nation’s society and economy in depth, the analysis of them was often not separate from that of the constitution. He strongly believed that the socio-economic state of a nation was greatly affected by the constitution, and that therefore that society and government were always closely linked. He also knew that this was the case throughout history. Burke often searched history for the true form of the English constitution, and in doing so he had to think about the defining events and social changes in history which had largely affected the constitution, and about the origins and the continuity of the constitution. Most of these analyses cannot be regarded as wholly pure historical research in the sense that they intended to contribute to the politics of his age, or at least to understanding it. Burke sometimes attempted to put forward his genuine interpretation of English history rather than trying to

²³² ‘Burke to Henry Homer (November 1786)’, in *Corr.*, V, 294–6.

touch upon history in a rhetorical manner. His views on the Revolution of 1688–9 developed in the *Reflections* and the *Appeal* were the examples of such an interpretation. Even in these cases, it is obvious that he had political purposes and arguments to advance behind his interpretations of English history. In the *Abridgment* and the *Fragment*, although he was not yet involved in real politics when producing these works, it seems to be the case that he intended to influence the society and politics of the age by presenting impartial, philosophical and correct views on English history.

It is, therefore, important to understand what Burke's intention was in order to read his works on English history properly. While it is true, as already seen, that his early historical writings produced a quite distinct narrative of English history from that in his later works, the differences and the contrast between them could be explained partly by the fact that they were written for different purposes and contexts. On the one hand, it is evident that Burke's early works, particularly the *Abridgment* and the *Fragment*, did not stress the historical continuity of the constitution but rather at times rejected a naïve, visionary, ancient constitutionalism. Yet this was partly the outcome of the purposes of these works, which intended to show the gradual evolution of the English constitution towards the early thirteenth century that was greatly affected by the foreign conquests, cultural interactions and social changes taking place in the country. The naïve form of ancient constitutionalism, therefore, had to be refuted not only as it was a wrong interpretation of history, but also as it could possibly be detrimental to the English politics of the age. On the other hand, some of Burke's later works emphasised the historical continuity of the constitution without failing to acknowledge the substantial changes and progress of the constitution and society over time. The emphasis on continuity was particularly conspicuous in the minutes of the Commons debate that took place on 16 June 1784, in which Burke bitterly attacked the radical demands for parliamentary reform, and in the *Reflections*, where he stressed the fundamental differences between the English Revolution of 1688–9 and the French Revolution of 1789. In both cases, the total subversion of the constitution and the Revolution Settlement had to be avoided by rejecting the radical doctrines of politics. It was characteristic of the *Reflections*, moreover, that Burke explicitly drew the attention of his readers to the significance of considering their own past for conducting politics.

Nevertheless, these differences did not mean that the historical thought in his early works was inconsistent with that in his later works. The *Abridgment* attacked the Fortescueian model of ancient constitutionalism, which stressed the literal immutability of the English constitution from time immemorial, not the Seldenian concept of the constitution, in which its essential historical continuity was preserved even though various changes and mutations had occurred. Although R.B. Smith suggests that Burke, in the *Reflections*, implied the continuity of the constitution from the Anglo-Saxon period to the Magna Carta, this is not clear in the text nor is it significant for the purpose of his arguments.²³³ According to Pocock, in the *Fragment*, it was assumed that the process of making law could be tracked back to history, such an idea had faded in the 16 June 1784 minutes, in which the immemorial nature of law had been underlined.²³⁴ This, too, might not be entirely correct in its interpretation, because the idea that law is altered and shaped by its interaction with various factors in society was advanced in both Burke's early historical writings and his later political works.²³⁵ The emphasis on the historical continuity of the constitution in the 16 June 1784 minutes evidently did not exclude the idea of the mutability of the law.

It is also important to note that Burke's political writings and speeches barely discussed the period before 1215, whereas the *Abridgment* and the *Fragment* did not examine the period after 1215 in detail. In other words, his early historical writings chiefly focused on the ancient and early medieval eras, whereas his political works more frequently addressed modern periods. This difference inevitably makes it difficult to confirm the extent to which Burke was consistent in his views on English history throughout his career. It is, of course, not possible to reveal in detail what the early Burke thought of particular historical events during the modern period, like the Restoration of 1660, which he did not mention in his early writings. Furthermore, even questions more relevant to his overall views on English history are not easy to answer. Did the early Burke already hold to the Seldenian concept

²³³Smith, *The Gothic Bequest*, p. 115.

²³⁴Pocock 'Burke and the Ancient Constitution', in idem, *Politics, Language and Time*, pp. 224–7.

²³⁵See, for example, 'Report on the Lords Journals (30 April 1794)' in *WS*, VII, 142, 163, 168.

of the constitution, or what did he think of the historical continuity of the constitution in the period after 1215? If the *Abridgement* had been completed up to Queen Anne's reign as initially planned, a more detailed comparison of the early with the later Burke would have been possible. The fact that Burke, in the *Abridgement* and in his other early works, did not explore in detail English history after the period of Magna Carta necessarily limits our analysis.

Nevertheless, it is not difficult to find consistency in Burke's thought between his early and later writings despite the apparent difference in their emphasis on aspects of the English constitution. As has been suggested, one of the striking features of the *Abridgement* and the *Fragment* lies in their emphasis on the formation of the English nation through its interaction with European countries during the ancient and medieval eras and also in its concept of conquest as a form of international exchange driving a country towards civilisation. Clearly, Burke did not discard this view on the formation of the English nation in his later works. In the *Reflections*, soon after he maintained that not only modern learning but also commercial arts owed greatly to 'the spirit of a gentleman, and the spirit of religion', that is, 'these old principles',²³⁶ he wrote that it is 'not clear, whether in England we learned those grand and decorous principles, and manners, of which considerable traces yet remain, from you, or whether you took them from us'. Nonetheless, it was doubtless that 'France has always more or less influenced manners in England'.²³⁷ In 1794, he also wrote that while English law had made a rigid application of technical rules in ancient times, this 'antique' rigour was relaxed and laws came to be accommodated to a variety of human concerns related to commerce, empire and other matters that arose in the modern eras.²³⁸ Late in his life, Burke still clearly held to the historical vision that the English nation, including its laws and societies, had been shaped and advanced through a number of interactions within the international community.

Moreover, the idea of social institutions as a historical product—one of Burke's central ideas on politics and society—emerges very clearly in

²³⁶ *Reflections*, pp. 241–2.

²³⁷ *Reflections*, p. 243.

²³⁸ 'Report on the Lords Journals', in *WS*, VII, 162–3. See also Sato, 'Conquests, International Exchanges, and Civilization', pp. 56–7.

the *Abridgment* and in 'Considerations on a Militia', as well as in his later works. If the *Account* is taken as one of Burke's works, it seems to suggest that Burke, almost throughout his career, considered national spirit as a fundamental element of society which could seriously affect the rise and fall of a nation. The 'spirit' of the English nation had been maintained by its distinctive ancient constitution, as the spirit of Europe at large was shaped by ancient manners such as the Christian religion and the chivalric code of behaviour. Burke occasionally seems to have gone further, stating that even frequent wars in modern times had contributed to arousing the otherwise sluggish mind and spirit of the people.

While this chapter has suggested that Burke's sense of, as well as his vocabulary and rhetoric related to, the continuity of English history possibly intensified in his later life after he had entered politics, it is also clear that he, throughout his career, held to the idea of the modernity of the English constitution, that is, the notion that the free constitution of the country had been realised by and secured after the Revolution of 1688–9. To Burke and his contemporaries, the coexistence of 'ancient' and 'modern' elements in the constitution was natural. The antiquity of the constitution could be traced back to the time of the Magna Carta or even before, yet the modern liberal constitution was shaped into being only after 1688–9. This constitution had evolved and was still evolving over time by adjusting to a number of reformations, and the English society had also improved during modern history with its expanding commerce. It was, however, also true that the constitution had been exposed to several crises since 1688–9, of which Burke was very conscious and apprehensive of the consequences, even though these crises had not yet checked the progress of English society.



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