Reflections on the Revolution in France

EDMUND BURKE

Reflections on the Revolution in France

The 1790 text

Rendered into modern English with AI (Claude) and edited



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CONTENTS

Introduction vii

The Occasion: Dr. Price and the Revolution Society 1

To the Reader 1

Burke and the London clubs 2

Liberty judged by its results 7

Dr. Price's sermon at the Old Jewry 10

What the English Revolution Really Was 15

The first claim: a right to choose our own governors 15

The Declaration of Right and the Act of Settlement 18

Change in order to conserve 24

The second claim: cashiering kings for misconduct 29

The third claim: framing a government for ourselves 34

An entailed inheritance 37

The New Assembly and the Real Rights of Men 41

What France might have done 41

The Third Estate 47

The clergy and the nobles who joined them 53

Property and representation 59

Price's doctrine and the English constitution 62

The real rights of men 68

October 1789 and the Age of Chivalry 75

Price's "Nunc dimittis" 75

The sixth of October 82

The Queen of France and the age of chivalry 87

Why Burke feels as he does 92

Prejudice 100

Religion, the Church and the Seizure of Its Property 105

Religion, the basis of civil society 105

Society as a partnership of the generations 112
The English church establishment 115
The confiscation of church property 120
The monied interest and the men of letters 126
Necker's report: no need for confiscation 136

Was the Old Order Past Reform? 145
A democracy tending to tyranny 145
The old monarchy: population and wealth 148
The nobility 155
The clergy 161
The misuse of history 163
Confiscation as a precedent 174
Reform without destruction: the monasteries 182

The New Constitution Examined 191
What the Assembly has done 191
To preserve and to reform 196
The legislature: territory, population, contribution 200
The cement: confiscation, paper money and Paris 217
The executive 227
The judges 235
The army 239
The finances 258
A last word 278

INTRODUCTION

In November 1789 the dissenting minister Richard Price told a London society that the French Revolution was the glorious sequel to England's Revolution of 1688. Edmund Burke, an Irish-born Whig who had defended the American colonists and attacked the abuses of British rule in India, answered him a year later in a long letter to a young Frenchman. Published in November 1790, *Reflections on the Revolution in France* sold in the tens of thousands and set off one of the great arguments in English political writing, drawing replies from Mary Wollstonecraft and Thomas Paine.

Burke wrote before the Terror, but he predicted it. Rights, he argues, are not abstract theorems to be applied to a society from outside; they are an inheritance, built up and corrected over generations. Society is "a partnership" between the living, the dead and those yet to be born, and a people that tears up its institutions in the name of reason will find itself ruled by force. His pages on the night the mob brought the king and queen from Versailles to Paris, and on the passing of "the age of chivalry," are among the most famous in the language.

Burke wrote one continuous letter; the parts and section headings here are editorial. The left column is the first edition of 1790, with Burke's own footnotes after the paragraphs that cite them; the right is a lightly modernized version.

The Occasion: Dr. Price and the Revolution Society

Burke explains why he writes, and turns to the London sermon in which Richard Price hailed the French Revolution as the sequel to England's of 1688.

TO THE READER

Burke explains how a letter to a young Frenchman grew into this book.

[iii] It may not be unnecessary to tell the reader that the following Reflections began in a correspondence between the author and a very young gentleman in Paris, who did him the honor of asking his opinion on the momentous events that then occupied, and have ever since occupied, the attention of everyone. An answer was written sometime in October *1789*, but it was held back for reasons of prudence. That letter is alluded to at the beginning of the following pages. It has since been sent to the person to whom it was addressed. The reasons for the delay in sending it were explained in a short letter to the same gentleman.[1] This prompted him to make a new and urgent request for the author's views.

The author began a second and fuller discussion of the subject. He had some thought of publishing it early last spring. But the subject grew on him, and he found not only that what he had undertaken far exceeded the limits of a letter, but that its importance called for a rather more detailed treatment than he

1 The young correspondent was Charles-Jean-François Depont (1767–1796), a family acquaintance of Burke.

then had the leisure to give it. However, having set down his first thoughts in the form of a letter, and indeed having intended [iv] it as a private letter when he sat down to write, he found it hard to change the form of address once his views had grown much larger and had taken another direction. A different plan, he is aware, might lend itself better to a convenient division and arrangement of his material.

BURKE AND THE LONDON CLUBS

Burke disowns the Constitutional and Revolution Societies and their address to the National Assembly.

[1] Dear Sir,

You are kind enough to ask again, and with some urgency, for my thoughts on the recent proceedings in France. I will not give you reason to suppose that I think my views so valuable that I want to be begged for them. They matter too little to be either shared or withheld with any great anxiety. It was out of consideration for you, and for you alone, that I hesitated when you first asked for them. In the first letter I had the honor of writing to you, which I am at last sending, I wrote neither on behalf of any group of men nor as the voice of one, and I shall not do so in this letter either. My errors, if there are any, are my own. My reputation alone must answer for them.

You will see, Sir, from the long letter I have sent you, that I most heartily wish France may be animated by a spirit of [2] rational liberty, and that I think you bound, in all honest policy, to provide a permanent body in which that spirit may reside and an effective organ through which it may act. Yet it is my misfortune to have great doubts about several material points in your recent proceedings.

When you last wrote, you supposed that I might possibly be counted among those who approve certain proceedings in France, because of the solemn public seal of approval those pro-

ceedings have received from two clubs of gentlemen in London, called the Constitutional Society and the Revolution Society.[2]

I certainly have the honor of belonging to more than one club in which the constitution of this kingdom and the principles of the glorious Revolution are held in high reverence. I count myself among the most eager in my zeal to maintain that constitution and those principles in their fullest purity and vigor. It is precisely because I do so that I think there must be no mistake.[3] Those who cherish the memory of our Revolution, and those who are attached to the constitution of this kingdom, will take good care how they become entangled with people who, under the pretext of zeal for the Revolution and the constitution, too often stray from their true principles. Such people are ready at every opportunity to abandon the firm but cautious and deliberate spirit that produced the one and presides over the other. Before I go on to answer the more material [3] particulars of your letter, allow me to give you what information I have been able to gather about the two clubs that have seen fit, as bodies, to interfere in the affairs of France. But first I assure you that I am not, and never have been, a member of either of those societies.

The first, which calls itself the Constitutional Society, or the Society for Constitutional Information, or some such title, has existed, I believe, for seven or eight years. Its purpose appears to be charitable, and to that extent praiseworthy. It was meant to circulate, at the members' expense, many books that few others would go to the expense of buying, and that might otherwise lie on the booksellers' hands, to the great loss of a useful body of men. Whether the books so charitably circulated were ever as charitably read is more than I know. Perhaps several of them have been exported to France, and, like goods not wanted here, may have found a market with you. I have heard a great deal of

2 Both were reformist clubs: the Society for Constitutional Information (founded 1780) and the Revolution Society, which met yearly to commemorate 1688. In November 1789 the Revolution Society sent a congratulatory address to the National Assembly.

3 In an English context "the Revolution" means the Glorious Revolution of 1688, which replaced James II with William and Mary.

talk about the lights to be drawn from books sent over from here. What improvements they may have undergone on the voyage (as some liquors are said to be improved by crossing the sea) I cannot tell. But I have never heard a man of ordinary judgment, or of the slightest information, say a word in praise of most of the publications circulated by that society. Nor have their proceedings [4] been thought, except by some of themselves, to be of any serious consequence.

Your National Assembly seems to hold much the same opinion of this poor charitable club as I do. As a nation, you saved your whole stock of eloquent acknowledgments for the Revolution Society, when their fellows in the Constitutional were in fairness entitled to some share. Since you have chosen the Revolution Society as the great object of your national thanks and praise, you will excuse me for making its recent conduct the subject of my remarks. The National Assembly of France has given these gentlemen importance by adopting them, and they return the favor by acting as a sort of subcommittee in England for spreading the principles of the National Assembly. From now on we must regard them as a kind of privileged persons, and as by no means insignificant members of the diplomatic corps. This is one of those revolutions that have given splendor to obscurity and distinction to unnoticed merit. Until very recently I do not remember hearing of this club. I am quite sure it never occupied a moment of my thoughts, nor, I believe, the thoughts of anyone outside their own set. I find, on inquiry, that on the anniversary of the Revolution of 1688 a club of Dissenters, of what denomination I do not know, has long had the custom of hearing a sermon in one of their [5] churches, and of spending the rest of the day cheerfully at the tavern, as other clubs do. But I never heard that any public measure or political system, much less the merits of the constitution of any foreign nation, had been the subject of formal proceedings at their festivities. Then, to my inexpressible surprise, I found them acting in a sort of public capacity, giving an authoritative sanction to the proceed-

ings of the National Assembly in France by a congratulatory address.[4]

In the old principles and conduct of the club, at least so far as they were declared, I see nothing to which I, or any sober man, could possibly object. I think it very likely that, for some purpose, new members may have joined them. Some truly Christian politicians, who love to dispense benefits but take care to conceal the hand that distributes the dole, may have made them the instruments of their pious designs. Whatever I may have reason to suspect about private management, I shall speak of nothing as certain except what is public.

For my part, I should be sorry to be thought concerned, directly or indirectly, in their proceedings. Like the rest of the world, I certainly take my full share, in my individual and private capacity, in speculating on what has been done, or is being done, on the public stage, in any place, ancient or modern, in the republic of Rome or the republic of Paris. But I have no [6] general apostolic mission. I am a citizen of a particular state, and I am bound to a considerable degree by its public will. I should therefore think it at least improper and irregular for me to open a formal public correspondence with the actual government of a foreign nation without the express authority of the government under which I live.

I should be still more unwilling to enter into such a correspondence under anything like an ambiguous designation. To many people unacquainted with our customs, such a designation might make the address I joined in appear to be the act of persons acting in some sort of corporate capacity, recognized by the laws of this kingdom and authorized to speak the mind of some part of it. Not from mere formality, but because of the ambiguity and uncertainty of unauthorized general designations, and the deceit that can be practiced under them, the House of Commons would reject the most sneaking petition for the most trifling object if it came signed in the manner for

4 Dissenters: Protestants outside the Church of England, who were still barred from many public offices.

which you have thrown open the folding doors of your presence chamber. You have ushered it into your National Assembly with as much ceremony and parade, and with as great a bustle of applause, as if you had been visited by the whole representative majesty of the whole English nation. If what this society saw fit to send out had been a piece of argument, it would have mattered little whose argument it was.[5] It would be neither more nor [7] less convincing because of the party it came from. But this is only a vote and a resolution. It rests solely on authority, and in this case on the bare authority of individuals, few of whom appear. In my opinion their signatures ought to have been attached to their document. The world would then have had the means of knowing how many they are and who they are. It could also judge what their opinions may be worth, from their personal abilities, their knowledge, their experience, or their leadership and authority in this state. To me, who am only a plain man, the proceeding looks a little too refined and too ingenious. It has too much the air of a political stratagem, adopted in order to give the club's public declarations, under a high-sounding name, an importance that they did not altogether deserve once the matter came to be closely examined. It is a policy that has very much the complexion of a fraud.

I flatter myself that I love a manly, moral, regulated liberty as well as any gentleman of that society, whoever he may be. Perhaps I have given as good proofs of my attachment to that cause throughout the whole course of my public conduct. I think I begrudge liberty to any other nation as little as they do. But I cannot step forward and give praise or blame to anything relating to human actions and human concerns on a simple view of the object, as it stands stripped of every relation, in all the nakedness and solitude of metaphysical abstraction. Circumstances [8] (which some gentlemen count as nothing) in reality give every political principle its distinguishing color and its dis-

5 The Revolution Society's address was signed only by its chairman, Richard Price, on the society's behalf. A presence chamber was the room in which a sovereign received visitors.

criminating effect. Circumstances are what make every civil and political scheme beneficial or harmful to mankind. In the abstract, government, like liberty, is good. Yet could I, in common sense, have congratulated France ten years ago on her enjoyment of a government (for she had a government then) without inquiring what the nature of that government was, or how it was administered? Can I now congratulate the same nation on its freedom? Is it because liberty in the abstract may be classed among the blessings of mankind that I am seriously to congratulate a madman, who has escaped from the protecting restraint and wholesome darkness of his cell, on his restoration to the enjoyment of light and liberty? Am I to congratulate a highwayman and murderer who has broken out of prison on the recovery of his natural rights? This would be to act over again the scene of the criminals condemned to the galleys and their heroic deliverer, the metaphysical Knight of the Sorrowful Countenance.[6]

LIBERTY JUDGED BY ITS RESULTS

Liberty must be judged by what it does, so Burke withholds congratulations to France.

When I see the spirit of liberty in action, I see a strong principle at work; and this, for a while, is all I can possibly know of it. The wild *gas*, the fixed air, has plainly broken loose: but we ought to suspend our judgment until the first effervescence has subsided a little, until the liquor has cleared, and until we see something deeper [9] than the agitation of a troubled and frothy surface. Before I venture to congratulate men publicly on a blessing, I must be reasonably sure that they have really received one. Flattery corrupts both the one who receives it and the one who gives it; and adulation does the people no more good than it does

6 Don Quixote, the "Knight of the Sorrowful Countenance," frees a chain of galley slaves in Cervantes' *Don Quixote*, Part I, chapter 22, and they promptly stone him.

kings.[7] I should therefore hold back my congratulations on the new liberty of France until I was informed how it had been combined with government; with public force; with the discipline and obedience of armies; with the collection of an effective and well-distributed revenue; with morality and religion; with the security of property; with peace and order; with civil and social manners. All these (in their way) are good things too; and without them liberty is no benefit while it lasts, and is not likely to last long. The effect of liberty on individuals is that they may do what they please: we ought to see what it will please them to do before we risk congratulations that may soon be turned into complaints. Prudence would dictate this in the case of separate, isolated private individuals; but liberty, when men act in bodies, is *power*. Thoughtful people, before they declare themselves, will watch the use that is made of *power*, and particularly of so testing a thing as *new* power in *new* persons, of whose principles, tempers, and dispositions they have little or no experience, and in situations where those who seem most active on the stage may not be the real movers.

10 All these considerations, however, were beneath the transcendental dignity of the Revolution Society. While I remained in the country, from where I had the honor of writing to you, I had only an imperfect idea of their doings. On coming to town, I sent for an account of their proceedings, published by their authority, containing a sermon by Dr. Price, with the letters of the Duke de La Rochefoucauld and the Archbishop of Aix, and several other documents attached. The whole of that publication, with its obvious design of connecting the affairs of France with those of England by drawing us into an imitation of the conduct of the National Assembly, made me considerably uneasy.[8] The effect of that conduct on the power, credit, prosperity, and tranquility of France became more evident every day.

7 "Fixed air" was the eighteenth-century name for carbon dioxide, the gas released in fermentation and effervescence.

8 The Duc de La Rochefoucauld and Archbishop Boisgelin of Aix, both members of the National Assembly, had replied to the Revolution Society's congratulatory address.

The form of constitution to be settled for its future government became clearer. We are now in a position to discern, with fair exactness, the true nature of the thing held up for our imitation. If the prudence of reserve and decorum dictates silence in some circumstances, in others a prudence of a higher order may justify us in speaking our minds. The beginnings of confusion here in England are still feeble enough; but with you we have seen an infancy feebler still grow by the moment into a strength able to heap mountains upon mountains and to wage war on Heaven itself.[9] Whenever our neighbor's house is on fire, it [11] cannot be amiss for the fire engines to play a little on our own. Better to be despised for too anxious a fear than ruined by too confident a sense of security.

Concerned chiefly for the peace of my own country, but by no means unconcerned for yours, I wish to make more widely known what was at first meant only for your private satisfaction. I shall still keep your affairs in view, and go on addressing myself to you. Allowing myself the freedom of a letter, I beg leave to throw out my thoughts and express my feelings just as they arise in my mind, with very little attention to formal method. I begin with the proceedings of the Revolution Society; but I shall not confine myself to them. How could I? It seems to me that I am in a great crisis, not of the affairs of France alone, but of all Europe, perhaps of more than Europe. All circumstances taken together, the French revolution is the most astonishing that has yet happened in the world. The most wonderful things are in many cases brought about by the most absurd and ridiculous means, in the most ridiculous ways, and, to all appearance, by the most contemptible instruments. Everything seems out of nature in this strange chaos of levity and ferocity, and of all sorts of crimes jumbled together with all sorts of follies. In viewing this monstrous tragicomic scene, the most opposite passions necessarily follow one another, and some-

9 An allusion to the Giants of classical myth, who piled Mount Ossa on Pelion to storm Olympus.

times mingle [12] in the mind: contempt and indignation by turns; laughter and tears by turns; scorn and horror by turns.

It cannot be denied, however, that to some this strange scene appeared in quite another light. It inspired in them no feelings but exultation and rapture. They saw nothing in what has been done in France but a firm and temperate exercise of freedom, so consistent on the whole with morals and piety as to deserve not only the secular applause of dashing Machiavellian politicians, but to be a fit theme for all the devout outpourings of sacred eloquence.

DR. PRICE'S SERMON AT THE OLD JEWRY

Burke attacks Price's political sermon and its claim that George III is a lawful king only by popular choice.

On the morning of the 4th of November last, Doctor Richard Price, a prominent Nonconformist minister, preached at the dissenting meeting-house of the Old Jewry, to his club or society, a very extraordinary miscellaneous sermon, in which there are some good moral and religious sentiments, and not badly expressed, mixed up in a sort of porridge of various political opinions and reflections: but the revolution in France is the chief ingredient in the cauldron. I regard the address sent by the Revolution Society to the National Assembly, through Earl Stanhope, as originating in the principles of the sermon, and as a corollary from them. It was moved by the preacher of that discourse.[10] It was passed by men who came still reeking from the effect of the sermon, without any censure or qualification, expressed or implied. [13] If, however, any of the gentlemen concerned wish to separate the sermon from the resolution, they know how to acknowledge the one and disown the other. They may do it: I cannot.

For my part, I looked on that sermon as the public declaration of a man closely connected with literary cabals and intriguing

philosophers, with political theologians and theological politicians, both at home and abroad. I know they set him up as a sort of oracle; because, with the best intentions in the world, he naturally *philippizes*, and chants his prophetic song in exact unison with their designs.[11]

That sermon is in a strain which I believe has not been heard in this kingdom, from any of the pulpits tolerated or encouraged in it, since the year 1648, when a predecessor of Dr. Price, the Reverend Hugh Peters, made the vault of the king's own chapel at St. James's ring with the honor and privilege of the Saints, who, with the "high praises of God in their mouths, and a *two*-edged sword in their hands, were to execute judgment on the nations, and punishments upon the *people*; to bind their *kings* with chains, and their *nobles* with fetters of iron[12]."[13] Few harangues from the pulpit, except in the days of your League in France or of our Solemn League and Covenant in England, have ever breathed less of the spirit of moderation than [14] this lecture in the Old Jewry. Supposing, however, that something like moderation were visible in this political sermon, politics and the pulpit are still terms that have little in common. No sound ought to be heard in the church but the healing voice of Christian charity. The cause of civil liberty and civil government gains as little as the cause of religion from this confusion of duties.[14] Those who quit their proper character to assume one that does not belong to them are, for the most part, ignorant both of the character they leave and of the character they assume. Wholly unacquainted with the world in which they are so fond of med-

10 Richard Price (1723–1791), Welsh dissenting minister and moral philosopher; his sermon was published as *A Discourse on the Love of Our Country*. Charles, 3rd Earl Stanhope, chaired the Revolution Society's meeting.

11 Demosthenes accused the Delphic oracle of "philippizing," that is, prophesying to suit Philip of Macedon.

12 BURKE'S NOTE. Psalm 149.

13 Hugh Peters (1598–1660), Puritan preacher and army chaplain who urged the trial of Charles I; he was executed as a regicide at the Restoration.

14 The Catholic League of the French Wars of Religion (1576–1590s) and the Solemn League and Covenant of 1643 between the English Parliament and the Scottish Presbyterians.

dling, and inexperienced in all its affairs, on which they pronounce with such confidence, they have nothing of politics but the passions they stir up. Surely the church is a place where one day's truce ought to be allowed to the dissensions and animosities of mankind.

This pulpit style, revived after so long a lapse, had for me the air of novelty, and of a novelty not entirely without danger. I do not charge this danger equally to every part of the discourse. The hint given to a noble and reverend lay divine, who is supposed to hold high office in one of our universities[15], and to other lay divines "of *rank* and literature," may be proper and timely, though somewhat new. If the noble *Seekers* should find nothing to satisfy their pious fancies [15] in the old staple goods of the national church, or in all the rich variety to be found in the well-assorted warehouses of the dissenting congregations, Dr.[16] Price advises them to improve on nonconformity, and each to set up a separate meeting-house on his own particular principles[17]. It is rather remarkable that this reverend divine should be so eager to set up new churches, and so perfectly indifferent about the doctrine that may be taught in them. His zeal is of a curious kind. It is not for the spread of his own opinions, but of any opinions. It is not for the diffusion of truth, but for the spreading of contradiction. Only let the noble teachers dissent; it does not matter from whom or from what. This great point once secured, it is taken for granted that their religion will be rational and manly. I doubt whether religion would reap all the benefits that the calculating divine computes from this "great

15 BURKE'S NOTE. *Discourse on the Love of Our Country*, Nov. 4, 1789, by Dr. Richard Price, 3rd edition, pp. 17 and 18.

16 The "lay divine" is usually taken to be the Duke of Grafton, chancellor of Cambridge, who had turned Unitarian. The Seekers were a seventeenth-century sect who rejected every existing church.

17 BURKE'S NOTE. "Those who dislike that mode of worship which is prescribed by public authority ought, if they can find *no* worship *out* of the church which they approve, *to set up a separate worship for themselves*; and by doing this, and giving an example of a national and manly worship, men of *weight* from their *rank* and literature may do the greatest service to society and the world." P. 13. Dr. Price's Sermon.

company of great preachers." It would certainly be a valuable addition of nondescripts to the ample collection of known classes, genera, and species that now adorn the herbarium of dissent. A sermon from a noble [16] duke, or a noble marquis,[18] or a noble earl, or baron bold, would certainly increase and vary the amusements of this town, which is beginning to grow sated with the monotonous round of its insipid dissipations. I should only stipulate that these new *Mess-Johns* in robes and coronets keep some sort of limits on the democratic and leveling principles expected from their titled pulpits.[19] The new evangelists will, I dare say, disappoint the hopes placed in them. They will not become polemical divines literally as well as figuratively, nor be inclined to drill their congregations so that they may, as in former blessed times, preach their doctrines to regiments of dragoons and corps of infantry and artillery. Such arrangements, however favorable to the cause of compulsory freedom, civil and religious, may not be equally conducive to the nation's tranquility. These few restrictions are, I hope, no great stretches of intolerance, no very violent exertions of despotism.[20]

But I may say of our preacher, "would that he had given all those days of savagery to such trifles!"—Not everything in this thundering bull of his is so harmless in its tendency. His doctrines strike at our constitution in its vital parts.[21] He tells the Revolution Society, in this political sermon, that his majesty "is almost the *only* lawful king in the world, because the *only* one who owes his crown to the *choice of his people*." As to the kings of *the world*, all of whom (except one) this archpontiff of the *rights of men*, with all the [17] plenitude, and with more than the boldness, of the papal deposing power at its height of fervor in the twelfth century, puts under one sweeping clause of ban and anathema, proclaiming them usurpers by circles of longitude and

18 Burke's Latin is *hortus siccus*, "dry garden," a collection of pressed and dried plants.

19 "Mess-John" (Mass John) was a contemptuous Scottish name for a minister.

20 An allusion to the preaching in Cromwell's New Model Army.

21 Juvenal, *Satires* 4.150–51 (of the emperor Domitian): "utinam nugis tota illa dedisset tempora saevitiae."

latitude over the whole globe, it behooves them to consider how they admit into their territories these apostolic missionaries, who are to tell their subjects that they are not lawful kings. That is their concern. Ours, as a domestic interest of some importance, is to consider seriously the soundness of the *only* principle on which these gentlemen acknowledge a king of Great Britain to be entitled to their allegiance.

What the English Revolution Really Was

Against Price's three "rights," Burke reads 1688 as the preservation of inherited liberties, an "entailed inheritance."

THE FIRST CLAIM: A RIGHT TO CHOOSE OUR OWN GOVERNORS

Burke denies that the British crown rests on election and states Price's three claimed rights.

Applied to the prince now on the British throne, this doctrine is either nonsense, and therefore neither true nor false, or it affirms a most unfounded, dangerous, illegal, and unconstitutional position. According to this spiritual doctor of politics, if his majesty does not owe his crown to the choice of his people, he is no *lawful* king. Now nothing could be more untrue than that his majesty holds the crown of this kingdom on such terms. So if you follow their rule, the king of Great Britain, who most certainly does not owe his high office to any form of popular election, is in no respect better than the rest of the gang of usurpers who reign, or rather rob, all over the face of this miserable world of ours, without any sort of right or title to the allegiance of their people. The policy of this general doctrine, so qualified, is obvious enough. [18] The propagators of this political gospel hope that their abstract principle (their principle that a popular choice is necessary to the legal existence of the sovereign magistracy) will be overlooked as long as the king of Great Britain is not affected by it. Meanwhile the ears of their congregations would gradually grow used to it, as if it were a first principle admitted without dispute. For the present it would operate only as a theory, pickled in the preserving juices of pulpit elo-

quence and laid by for future use. *I store and set in order what I may soon bring out.* By this policy, while our government is soothed with an exception in its favor, to which it has no claim, the security it has in common with all governments, so far as opinion is security, is taken away.[1]

This is how these politicians proceed while little notice is taken of their doctrines. But when they are examined on the plain meaning of their words and the direct tendency of their doctrines, then equivocations and slippery constructions come into play. When they say the king owes his crown to the choice of his people, and is therefore the only lawful sovereign in the world, they will perhaps tell us they mean no more than that some of the king's predecessors were called to the throne by some sort of choice; and that he therefore owes his crown to the choice of his people. Thus, by a miserable subterfuge, they hope to make their proposition safe by making it [19] meaningless. They are welcome to the asylum they seek for their offense, since they take refuge in their folly. For if you admit this interpretation, how does their idea of election differ from our idea of inheritance? And how does the settlement of the crown in the Brunswick line, derived from James the First, come to make our monarchy legal, rather than that of any of the neighboring countries? At some time or other, to be sure, all the founders of dynasties were chosen by those who called them to govern.[2] There is ground enough for the opinion that all the kingdoms of Europe were, at some remote period, elective, with more or fewer limits on who could be chosen. But whatever kings may have been, here or elsewhere, a thousand years ago, and however the ruling dynasties of England or France may have begun, the King of Great Britain is today king by a fixed rule of succession, according to the laws of his country; and as long as he performs the legal conditions of the compact of sovereignty (as he

1 The Latin line is Horace, *Epistles* 1.1.12: "Condo et compono quae mox depromere possim."

2 The Brunswick line is the House of Hanover, descended from James I through his daughter Elizabeth and her daughter Sophia, Electress of Hanover.

does), he holds his crown in contempt of the choice of the Revolution Society, who have not a single vote for a king among them, either individually or collectively—though I have no doubt they would soon set themselves up as an electoral college, if things were ripe to give effect to their claim. His majesty's heirs and successors, each in his time and order, will come to the crown with [20] the same contempt of their choice with which his majesty succeeded to the crown he wears.

However successful evasion may be in explaining away the gross error of *fact* which supposes that his majesty (though he holds his crown in accordance with their wishes) owes it to the choice of his people, nothing can evade their full and explicit declaration of the principle of a right in the people to choose—a right they directly maintain and tenaciously adhere to. All the oblique insinuations about election rest on this proposition and can be traced back to it. Lest the foundation of the king's exclusive legal title should pass for a mere rant of flattery in the name of freedom, the political divine goes on to assert dogmatically[3] that by the principles of the Revolution the people of England have acquired three fundamental rights, all of which, for him, make up one system and lie together in one short sentence; namely, that we have acquired a right 1. "To choose our own governors." 2. "To cashier them for misconduct." 3. "To frame a government for ourselves." This new and hitherto unheard-of bill of rights, though made in the name of the whole people, belongs to these gentlemen and their faction alone. The body of the people of England has no share in it. They utterly disown it.[4] They [21] will resist any attempt to put it into practice with their lives and fortunes. They are bound to do so by the laws of their country, made at the time of that very Revolution which is invoked in support of the fictitious rights claimed by the society that abuses its name.

3 BURKE'S NOTE. P. 34, *Discourse on the Love of Our Country*, by Dr. Price.

4 "Cashier" means to dismiss from office, as an officer is dismissed from the army.

THE DECLARATION OF RIGHT AND THE ACT OF SETTLEMENT

The statutes of 1689 and 1701 bound liberty to hereditary succession and renounced any right of election.

These gentlemen of the Old Jewry, in all their reasoning on the Revolution of 1688, have a revolution that happened in England about forty years earlier, and the recent French revolution, so much before their eyes and in their hearts that they constantly confuse all three. We must separate what they confuse.[5] To discover the true *principles* of the Revolution we revere, we must call their straying fancies back to its *acts.* If the *principles* of the Revolution of 1688 are to be found anywhere, it is in the statute called the *Declaration of Right.* In that most wise, sober, and considered declaration, drawn up by great lawyers and great statesmen, not by heated and inexperienced enthusiasts, not one word is said, nor one suggestion made, of a general right "to choose our own *governors*; to cashier them for misconduct; and to *form* a government for *ourselves.*"[6]

This Declaration of Right (the act of the 1st of William and Mary, sess. 2, ch. 2) is the cornerstone of our constitution, as reinforced, explained, improved, and in its fundamental principles settled forever. It is called "An act for declaring the rights and liberties of the subject, and for [22] *settling* the *succession* of the crown." You will observe that these rights and this succession are declared in one body and bound indissolubly together.

A few years later a second opportunity arose for asserting a right of election to the crown. When it appeared that neither King William nor the Princess, afterwards Queen Anne, would leave any heirs, the settlement of the crown, and a further security for the liberties of the people, again came before the legislature. Did they this second time make any provision for

5 The earlier revolution is that of the 1640s: the Civil War, the execution of Charles I in 1649, and the Commonwealth.

6 The Declaration of Right, presented to William and Mary in February 1689, was enacted later that year as the statute known as the Bill of Rights.

legalizing the crown on the spurious Revolution principles of the Old Jewry? No. They followed the principles that prevailed in the Declaration of Right, indicating with more precision the persons who were to inherit in the Protestant line.[7] By the same policy, this act also joined our liberties and a hereditary succession in one and the same act. Instead of a right to choose our own governors, they declared that the *succession* in that line (the Protestant line descended from James the First) was absolutely necessary "for the peace, quiet, and security of the realm," and that it was equally urgent for them "to maintain a *certainty in the succession* thereof, to which the subjects may safely have recourse for their protection." In both these acts we hear the unerring, unambiguous oracles of Revolution policy. Far from lending any support to the delusive fortune-teller's predictions of a "right to choose our governors," they prove beyond [23] all doubt how utterly averse the wisdom of the nation was to turning a case of necessity into a rule of law.

Unquestionably there was at the Revolution, in the person of King William, a small and temporary deviation from the strict order of a regular hereditary succession. But it is against all genuine principles of jurisprudence to draw a principle from a law made in a special case and concerning an individual person. *A privilege does not pass into a precedent.* If ever there was a time favorable to establishing the principle that a king of popular choice was the only legal king, it was beyond all doubt the Revolution. That it was not done then proves that the nation was of the opinion it ought never to be done.[8] No one is so completely ignorant of our history as not to know that the majority in parliament, of both parties, were so little inclined to anything resembling that principle that at first they were determined to place the vacant crown not on the head of the Prince of Orange but on that of his wife Mary, daughter of King James and the eldest of that king's children whom they acknowledged as

7 This is the Act of Settlement (1701), passed after the death in 1700 of Anne's last surviving child, the Duke of Gloucester.

8 The Latin legal maxim is "Privilegium non transit in exemplum."

undoubtedly his.[9] It would be repeating a very trite story to recall to your memory all the circumstances which showed that their accepting King William was not properly a *choice*. But for all who did not wish, in effect, to recall King James, or to drown their country in blood and once more bring their religion, laws, [24] and liberties into the peril they had just escaped, it was an act of *necessity,* in the strictest moral sense in which necessity can be taken.

In the very act in which parliament, for a time and in a single case, departed from the strict order of inheritance in favor of a prince who, though not next, was nevertheless very near in the line of succession, it is curious to observe how Lord Somers, who drafted the bill called the Declaration of Right, conducted himself on that delicate occasion. It is curious to observe with what skill this temporary break in continuity is kept out of sight;[10] while everything that could be found in this act of necessity to support the idea of a hereditary succession is brought forward, cherished, and made the most of by this great man and by the legislature that followed him. Abandoning the dry, imperative style of an act of parliament, he has the lords and commons break into a pious legislative exclamation and declare that they consider it "as a marvelous providence, and merciful goodness of God to this nation, to preserve their said majesties *royal* persons, most happily to reign over us *on the throne of their ancestors,* for which, from the bottom of their hearts, they return their humblest thanks and praises."—The legislature plainly had in view the act of recognition of the first year of Queen Elizabeth, chapter 3, and that of James the First, chapter 1, both acts strongly declaring the inheritable nature of the crown; and in many [25] places they follow, with almost literal precision, the words and even the form of thanksgiving found in those old declaratory statutes.

9 The qualification glances at James II's infant son, James Francis Edward (b. 1688), whose legitimacy many Protestants then disputed.

10 John Somers (1651–1716), Whig lawyer and later Lord Chancellor, was a principal drafter of the Declaration of Right.

The two houses, in the act of King William, did not thank God that they had found a fair opportunity to assert a right to choose their own governors, much less to make an election the *only lawful* title to the crown. That they had been in a position to avoid even the appearance of it, as far as possible, they regarded as a providential escape. They threw a politic, well-wrought veil over every circumstance that tended to weaken the rights which, in the improved order of succession, they meant to perpetuate, or that might furnish a precedent for any future departure from what they had then settled forever. Accordingly, so as not to slacken the sinews of their monarchy, and to keep close to the practice of their ancestors as it appeared in the declaratory statutes of Queen Mary[11] and Queen Elizabeth, in the next clause they vest *all* the legal prerogatives of the crown, by recognition, in their majesties, declaring "that in them they are most *fully,* rightfully, and *entirely* invested, incorporated, united, and annexed." In the clause that follows, to prevent disputes arising from any pretended titles to the crown, they declare (observing in this too the traditional [26] language, along with the traditional policy, of the nation, and repeating as if from a rubric the language of the earlier acts of Elizabeth and James) that on preserving "a *certainty* in the SUCCESSION thereof, the unity, peace, and tranquillity of this nation doth, under God, wholly depend."[12]

They knew that a doubtful title of succession would all too closely resemble an election, and that an election would be utterly destructive of the "unity, peace, and tranquillity of this nation," which they thought considerations of some importance. To provide for these ends, and so to exclude forever the Old Jewry doctrine of "a right to choose our own governors," they follow with a clause containing a most solemn pledge, taken from the earlier act of Queen Elizabeth. It is as solemn a pledge as ever was or can be given in favor of a hereditary succession,

11 BURKE'S NOTE. 1st Mary, sess. 3, ch. 1.

12 A rubric is a fixed liturgical direction, originally printed in red, recited or followed word for word.

and as solemn a renunciation as could be made of the principles this society imputes to them. "The lords spiritual and temporal, and commons, do, in the name of all the people aforesaid, most humbly and faithfully submit *themselves, their heirs and posterities for ever*; and do faithfully promise, that they will stand to, maintain, and defend their said majesties, and also the *limitation of the crown,* herein specified and contained, to the utmost of their powers," etc., etc.

[27] So far is it from being true that we acquired a right by the Revolution to elect our kings that, even if we had possessed it before, the English nation at that time most solemnly renounced and abdicated it, for themselves and for all their posterity forever. These gentlemen may pride themselves as much as they please on their Whig principles; but I have no wish to be thought a better Whig than Lord Somers, or to understand the principles of the Revolution better than those who brought it about, or to read in the Declaration of Right any mysteries unknown to those whose penetrating style has engraved the words and spirit of that immortal law in our statutes and in our hearts.

It is true that, aided by the powers that came from force and opportunity, the nation was at that time in some sense free to take whatever course it pleased in filling the throne. But it was free to do so only on the same grounds on which it might have abolished its monarchy altogether, and every other part of its constitution. They did not, however, think such bold changes within their commission. It is indeed difficult, perhaps impossible, to set limits to the mere *abstract* competence of the supreme power, such as parliament exercised at that time. But the limits of a *moral* competence are perfectly intelligible, and [28] perfectly binding on all who exercise any authority in the state, under any name or any title. Even in powers more indisputably sovereign, this moral competence subjects occasional will to permanent reason, and to the steady maxims of faith, justice, and fixed fundamental policy. The House of Lords, for instance, is not morally competent to dissolve the House of Commons—no, nor even to dissolve itself, nor to abdicate its share in the

legislature of the kingdom, even if it wished to. Though a king may abdicate for his own person, he cannot abdicate for the monarchy. By as strong a reason, or a stronger, the House of Commons cannot renounce its share of authority. The engagement and pact of society, which generally goes by the name of the constitution, forbids such invasion and such surrender. The constituent parts of a state are obliged to keep public faith with one another, and with all who derive any serious interest from their engagements, just as the whole state is bound to keep faith with separate communities. Otherwise competence and power would soon be confused, and no law would be left but the will of a prevailing force. On this principle the succession of the crown has always been what it is now, a hereditary succession by law. In the old line it was a succession by the common law; in the new, by the statute law, operating on the principles of the common law—not changing the substance, but regulating the mode and describing the persons. Both these kinds of law have the same force and derive from an equal authority, emanating from the common agreement and original compact of the state, *by the common pledge of the commonwealth.* As such they are equally [29] binding on king and people alike, as long as the terms are observed and they continue to be the same body politic.[13]

Provided we do not let ourselves get entangled in the mazes of metaphysical sophistry, it is far from impossible to reconcile the use of a fixed rule with an occasional deviation from it: the sacredness of a hereditary principle of succession in our government, with a power to change how it is applied in cases of extreme emergency. Even in that extremity (if we measure our rights by how we exercised them at the Revolution), the change is to be confined to the diseased part only, the part that made the deviation necessary. Even then it is to be carried out without breaking up the whole civil and political mass in order to create a new civil order out of the first elements of society.

13 "Communi sponsione reipublicae" echoes the Roman jurist Papinian's definition of law as the "common pledge of the commonwealth" (Digest 1.3.1).

CHANGE IN ORDER TO CONSERVE

In 1660 and 1688 England repaired the damaged part of its constitution and kept the hereditary principle.

A state without the means of some change is without the means of its conservation. Without such means it might even risk losing the very part of the constitution it most devoutly wished to preserve. The two principles of conservation and correction worked powerfully at the two critical periods of the Restoration and the Revolution, when England found itself without a king. At both those periods the nation had lost the bond of union in its ancient edifice. It did not, however, dissolve the whole structure. On the contrary, in both cases it regenerated the deficient part of the old constitution through [30] the parts that were not impaired.[14] It kept these old parts exactly as they were, so that the recovered part might be fitted to them. It acted through the ancient organized estates in the shape of their old organization, and not through the organic *molecules* of a disbanded people. Perhaps at no time did the sovereign legislature show a more tender regard for that fundamental principle of British constitutional policy than at the time of the Revolution, when it deviated from the direct line of hereditary succession. The crown was carried somewhat out of the line in which it had moved before; but the new line was derived from the same stock. It was still a line of hereditary descent; still a hereditary descent in the same blood, though a hereditary descent qualified by Protestantism. When the legislature altered the direction but kept the principle, it showed that it held the principle inviolable.

On this principle the law of inheritance had admitted some amendment in the old days, long before the era of the Revolution. Some time after the Conquest great questions arose about the legal principles of hereditary descent. It became doubtful whether the heir *per capita* or the heir *per stirpes* was to suc-

14 The Restoration of Charles II in 1660, after the Interregnum; the Revolution of 1688, after the flight of James II.

ceed;[15] but whether the heir *per capita* gave way when inheritance *per stirpes* prevailed, or the Catholic heir when the Protestant was preferred, the principle of inheritance survived with a kind of immortality through all its transmigrations—*and for many* [31] *years the fortune of the house stands firm, and grandfathers of grandfathers are numbered.* This is the spirit of our constitution, not only in its settled course but in all its revolutions.[16] Whoever came in, or however he came in, whether he obtained the crown by law or by force, the hereditary succession was either continued or adopted.

The gentlemen of the Society for Revolutions see nothing in that of 1688 but the deviation from the constitution; and they take the deviation from the principle for the principle. They pay little attention to the obvious consequences of their doctrine, though they must see that it leaves positive authority in very few of the positive institutions of this country. Once so unwarrantable a maxim is established—that no throne is lawful but an elective one—no single act of the princes who preceded their era of fictitious election can be valid. Do these theorists mean to imitate some of their predecessors, who dragged the bodies of our ancient sovereigns out of the quiet of their tombs?[17] Do they mean to attaint and disqualify retroactively all the kings who reigned before the Revolution, and so stain the throne of England with the blot of a continual usurpation? Do they mean to invalidate, annul, or call into question, together with the titles of the whole line of our kings, that great body of our statute law which was passed under those they treat as usurpers? To annul laws of inestimable value to our liberties—of at least as great [32] value as any passed at or since the period of the Revolution?[18] If kings who did not owe their crown to the choice of their people

15 Legal terms: inheritance *per capita* ("by heads," the nearest living relative) versus *per stirpes* ("by stocks," descendants representing a deceased ancestor). The Conquest is the Norman Conquest of 1066.

16 Virgil, *Georgics* 4.208–9, of the undying race of bees.

17 "The Society for Revolutions" is Burke's mocking name for the Revolution Society.

18 To "attaint" is to condemn legally, with forfeiture of rights.

had no title to make laws, what will become of the statute *de tallagio non concedendo?*—of the *Petition of Right?*—[19] of the *Habeas Corpus* Act? Do these new doctors of the rights of men presume to assert that King James the Second, who came to the crown as next of blood according to the rules of a then unqualified succession, was not to all intents and purposes a lawful king of England before he had done any of those acts that were justly construed as an abdication of his crown? If he was not, much trouble in parliament might have been saved at the period these gentlemen commemorate.[20] But King James was a bad king with a good title, and not a usurper. The princes who succeeded under the act of parliament that settled the crown on the Electress Sophia and her descendants, being Protestants, came in by a title of inheritance just as much as King James did. He came in according to the law as it stood at his accession to the crown; and the princes of the House of Brunswick came to the inheritance of the crown not by election but by the law as it stood at their several accessions, the law of Protestant descent and inheritance—as I hope I have sufficiently shown.[21]

The law by which this royal family is specifically destined to the succession is the act of [33] the 12th and 13th of King William. The terms of this act bind "us and our *heirs,* and our *posterity*, to them, their *heirs,* and their *posterity*," being Protestants, to the end of time, in the same words in which the Declaration of Right had bound us to the heirs of King William and Queen Mary. It therefore secures both a hereditary crown and a hereditary allegiance. On what ground—except the constitutional policy of forming a settled institution to secure the kind of succession that is to rule out a choice by the people forever—could the legislature have fastidiously rejected the fair and abundant choice our own country offered it, and searched in strange lands for a foreign princess, from whose womb the line of our future rulers

19 *De tallagio non concedendo* ("on not granting tallage"), a statute attributed to 1297 forbidding taxation without consent; the Petition of Right of 1628, under Charles I.
20 The Habeas Corpus Act of 1679, under Charles II.
21 Sophia (1630–1714), Electress of Hanover; the House of Brunswick is the Hanoverian dynasty, beginning with her son George I.

was to derive its title to govern millions of men through a series of ages?

The Princess Sophia was named in the Act of Settlement of the 12th and 13th of King William as a *stock* and root of *inheritance* for our kings, and not for her merits as a temporary administrator of a power that she might never exercise herself, and in fact never did. She was adopted for one reason and one only: because, says the act, "the most excellent Princess Sophia, Electress and Duchess Dowager of Hanover, is *daughter* of the most excellent Princess Elizabeth, late Queen of Bohemia, *daughter* of our late *sovereign lord* King James the First, of happy memory, and is hereby declared to be the next in *succession* [34] in the Protestant line," etc., "and the crown shall continue to the *heirs* of her body, being Protestants." Parliament made this limitation so that through the Princess Sophia an inheritable line would not only be continued in the future, but (what they thought very important) would through her be connected with the old stock of inheritance in King James the First. The aim was that the monarchy might preserve an unbroken unity through all ages, and might be preserved (with safety to our religion) in the old approved mode of descent—the mode in which our liberties, whenever they had been endangered, had so often been preserved through all the storms and struggles of prerogative and privilege. They did well. No experience has taught us that by any other course or method than that of a *hereditary crown* our liberties can be regularly perpetuated and kept sacred as our *hereditary right*. An irregular, convulsive movement may be necessary to throw off an irregular, convulsive disease. But the course of succession is the healthy habit of the British constitution. Was it that the legislature, when it passed the act limiting the crown to the Hanoverian line, drawn through the female descendants of James the First, lacked a due sense of the inconveniences of having two or three, or possibly more, foreigners in succession on the British throne? No!—they had a due sense of the evils that might come from such foreign rule, and more than a due sense of [35] them. But no more decisive proof can be given

of the British nation's full conviction that the principles of the Revolution did not authorize it to elect kings at its pleasure, without any regard to the ancient fundamental principles of our government, than its continuing to adopt a plan of hereditary Protestant succession in the old line, with all the dangers and all the inconveniences of its being a foreign line full before its eyes and acting with the utmost force on its mind.

A few years ago I would have been ashamed to overload a matter so capable of supporting itself with any argument, which would then have been unnecessary. But this seditious, unconstitutional doctrine is now publicly taught, avowed, and printed. My dislike of revolutions, the signals for which have so often been given from pulpits; the spirit of change that has gone abroad; the total contempt for all ancient institutions, when set against a present sense of convenience or the bent of a present inclination, which prevails with you and may come to prevail with us—all these considerations make it not inadvisable, in my opinion, to call our attention back to the true principles of our own domestic laws: that you, my French friend, should begin to know them, and that we should continue to cherish them. We ought not, on either side of the water, to let ourselves be imposed upon by the counterfeit wares that some persons, by a [36] double fraud, export to you in illicit ships as raw commodities of British growth, though wholly alien to our soil, in order afterward to smuggle them back into this country, manufactured after the newest Paris fashion of an improved liberty.

The people of England will not ape fashions they have never tried, nor go back to those they have found mischievous on trial. They look on the legal, hereditary succession of their crown as among their rights, not among their wrongs; as a benefit, not a grievance; as a security for their liberty, not a badge of servitude. They regard the frame of their commonwealth, *such as it stands*, as of inestimable value; and they conceive the undisturbed succession of the crown to be a pledge of the stability and permanence of all the other members of our constitution.

Before I go any further, I must beg leave to take notice of some paltry tricks that the champions of election as the only lawful title to the crown are ready to use in order to make the defense of the just principles of our constitution a somewhat odious task. These sophists substitute a fictitious cause, and feigned personages, whose side they suppose you to have taken whenever you defend the inheritable nature of the crown. They commonly argue as if they were in conflict with some of those discredited fanatics of slavery who once maintained what I believe no creature [37] now maintains, "that the crown is held by divine, hereditary, and indefeasible right." —These old fanatics of single arbitrary power dogmatized as if hereditary royalty were the only lawful government in the world, just as our new fanatics of popular arbitrary power maintain that popular election is the sole lawful source of authority. The old enthusiasts for prerogative, it is true, did speculate foolishly, and perhaps impiously too, as if monarchy had more divine sanction than any other form of government, and as if a right to govern by inheritance were strictly *indefeasible* in every person and under every circumstance—which no civil or political right can be. But an absurd opinion about the king's hereditary right to the crown does not prejudice one that is rational and grounded on solid principles of law and policy. If all the absurd theories of lawyers and divines were to taint the subjects they deal with, we would have no law and no religion left in the world. And an absurd theory on one side of a question is no justification for alleging a false fact, or promulgating mischievous maxims, on the other.

THE SECOND CLAIM: CASHIERING KINGS FOR MISCONDUCT

Kings are not servants removable for "misconduct"; 1688 was a case of necessity, not a rule.

The second claim of the Revolution Society is "a right of cashiering their governors for *misconduct*." Perhaps it was our ancestors' fear of setting such a precedent as that "of cashiering for misconduct" that made the declaration of the act which implied

the abdication of King James, [38] if it had any fault, rather too guarded and too circumstantial[22]. But all this guarding, and all this piling up of circumstances, shows the spirit of caution that predominated in the national councils, in a situation in which men irritated by oppression, and elated by triumph over it, are apt to abandon themselves to violent and extreme courses. It shows how anxious the great men who guided the conduct of affairs at that great event were to make the Revolution a parent of settlement, and not a nursery of future revolutions.

No government could stand for a moment if it could be blown down by anything so loose and indefinite as an opinion of "*misconduct*." Those who led at the Revolution grounded the virtual abdication of King James on no such light and uncertain principle. They charged him with nothing less than a design, confirmed by a multitude of illegal overt acts, to *subvert the Protestant church and state*, and their *fundamental*, unquestionable laws and liberties; they charged him with having broken the *original contract* between king and people. This was [39] more than *misconduct*. A grave and overruling necessity obliged them to take the step they took—and they took it with infinite reluctance, as under that most rigorous of all laws. They did not place their trust for the future preservation of the constitution in future revolutions. The grand policy of all their regulations was to make it almost impossible for any future sovereign to force the estates of the kingdom to resort again to those violent remedies. They left the crown what, in the eye and estimation of the law, it had always been: perfectly unaccountable. To lighten the crown still further, they increased the responsibility of ministers of state. By the statute of the 1st of King William, session 2, called "the act for declaring the rights and liberties of the subject, and for settling the succession of the crown," they enacted that min-

22 BURKE'S NOTE. "That King James the Second, having endeavored to *subvert the constitution* of the kingdom by breaking the *original contract* between king and people, and by the advice of Jesuits and other wicked persons, having violated the *fundamental* laws, and *having withdrawn himself out of the kingdom*, has *abdicated* the government, and the throne is thereby *vacant*."

TRANSLATOR'S NOTE. The resolution of the Convention Parliament, January 1689.

isters should serve the crown on the terms of that declaration. Soon afterward they secured the *frequent meetings of parliament*, by which the whole government would be under the constant inspection and active control of the people's representatives and of the magnates of the kingdom. In the next great constitutional act, that of the 12th and 13th of King William, for the further limitation of the crown and the *better* securing of the rights and liberties of the subject, they provided "that no pardon under the great seal of England should be pleadable to an impeachment by the commons in parliament."[23] The rule laid down for government in the Declaration of Right, [40] the constant inspection of parliament, the practical claim of impeachment—these they thought an infinitely better security, not only for their constitutional liberty but against the vices of administration, than reserving a right so difficult in practice, so uncertain in outcome, and often so mischievous in its consequences as that of "cashiering their governors."

Dr. Price, in this sermon[24], quite rightly condemns the practice of crude, flattering addresses to kings. In place of this fulsome style, he proposes that his majesty should be told, on occasions of congratulation, that "he is to consider himself as more properly the servant than the sovereign of his people." As a compliment, this new form of address does not seem very soothing. Those who are servants, in name as well as in fact, do not like to be reminded of their situation, their duty, and their obligations. The slave in the old play tells his master, "This reminder is a kind of reproach." It is not pleasant as compliment; it is not wholesome as instruction.[25] After all, if the king were to bring himself to echo this new kind of address, to adopt it in so many words, and even to take the title of Servant of the People as his royal style, I cannot imagine how either he or we would be much improved by it. I have seen very presumptuous letters

23 The frequent meetings were secured by the Triennial Act of 1694.

24 BURKE'S NOTE. Pp. 22, 23, 24.

25 Terence, *Andria* 44 ("Haec commemoratio est quasi exprobratio"), spoken by the freedman Sosia to his master Simo.

signed, Your most obedient, humble servant. The proudest domination ever endured on earth took a title of [41] still greater humility than the one now proposed for sovereigns by the Apostle of Liberty. Kings and nations were trampled under the foot of one who called himself "the Servant of Servants"; and mandates for deposing sovereigns were sealed with the signet of "the Fisherman."[26]

I would have regarded all this as no more than a sort of flippant, empty talk, in which, as in an unsavory vapor, a number of people let the spirit of liberty evaporate, if it were not plainly in support of the idea, and part of the scheme, of "cashiering kings for misconduct." In that light it deserves some comment.

Kings, in one sense, are undoubtedly the servants of the people, because their power has no other rational end than the general advantage; but it is not true that they are, in the ordinary sense (by our constitution, at least), anything like servants, the essence of whose situation is to obey the commands of someone else and to be removable at will. But the king of Great Britain obeys no other person; all other persons, individually and collectively too, are under him and owe him a legal obedience. The law, which knows neither how to flatter nor how to insult, calls this high magistrate not our servant, as this humble divine calls him, but "our sovereign Lord the King"; and we, for our part, have learned to speak only the primitive language of the law, and not the confused jargon of their Babylonian pulpits.

As he is not to obey us, but we are to [42] obey the law in him, our constitution has made no provision whatever for making him, as a servant, in any degree responsible. Our constitution knows nothing of a magistrate like the *Justicia* of Aragon, nor of any court legally appointed, nor of any process legally established, for submitting the king to the responsibility that belongs to all servants.[27] In this he is no different from the commons and

26 The papacy: the pope is styled "servant of the servants of God," and papal documents were sealed with the Fisherman's Ring, after St. Peter.

27 The Justicia (chief justice) of Aragon was a medieval Aragonese officer empowered to protect subjects against unlawful acts of the crown.

the lords, who, in their several public capacities, can never be called to account for their conduct; although the Revolution Society chooses to assert, in direct opposition to one of the wisest and most beautiful parts of our constitution, that "a king is no more than the first servant of the public, created by it, and *responsible to it.*"

Our ancestors at the Revolution would ill have deserved their fame for wisdom if they had found no security for their freedom except in making their government feeble in its operations and precarious in its tenure—if they had been able to devise no better remedy against arbitrary power than civil confusion. Let these gentlemen state who that *representative* public is to whom they will affirm that the king, as a servant, is responsible. It will then be time enough for me to show them the positive statute law which affirms that he is not.

The ceremony of cashiering kings, of which these gentlemen talk so much at their ease, can rarely, if ever, be performed without force. It then becomes a case of war, not of constitution. [43] Laws are commanded to hold their tongues amid arms; and tribunals fall to the ground with the peace they are no longer able to uphold. 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. "Wars are just for those to whom they are *necessary.*" The question of dethroning, or, if these gentlemen prefer the phrase, "cashiering" kings will always be, as it has always been, an extraordinary question of state, and wholly outside the law; a question (like all other questions of state) of dispositions, of means, and of probable consequences, rather than of positive rights. As it was not made for common abuses, so it is not to be stirred up by common minds. The speculative line of demarcation, where obedience ought to end and resistance must begin, is faint, obscure, and not easily defined. It is not a single act or a single event that determines it.[28] Governments must be abused and disordered indeed before it can be thought of; and the pro-

28 Adapted from Livy 9.1: "iustum est bellum… quibus necessarium" ("war is just for those to whom it is necessary").

spect of the future must be as bad as the experience of the past. When things are in that lamentable condition, the nature of the disease is to indicate the remedy to those whom nature has qualified to administer, in extremities, this critical, ambiguous, bitter potion to a distempered state. Times, occasions, and provocations will teach their own lessons. The wise will decide from the gravity of the case; the irritable from sensitivity to oppression; the high-minded from disdain [44] and indignation at abusive power in unworthy hands; the brave and bold from love of honorable danger in a generous cause: but, with or without right, a revolution will be the very last resort of the thinking and the good.

THE THIRD CLAIM: FRAMING A GOVERNMENT FOR OURSELVES

From Magna Carta on, the English have claimed their liberties as an inheritance, not abstract rights.

The third head of right asserted by the pulpit of the Old Jewry, namely the "right to form a government for ourselves," has at least as little support from anything done at the Revolution, either in precedent or in principle, as their first two claims. The Revolution was made to preserve our *ancient* indisputable laws and liberties, and that *ancient* constitution of government which is our only security for law and liberty. If you wish to know the spirit of our constitution, and the policy that prevailed in that great period which has secured it to this hour, please look for both in our histories, in our records, in our acts of parliament and journals of parliament, and not in the sermons of the Old Jewry and the after-dinner toasts of the Revolution Society.—In the former you will find other ideas and another language. Such a claim is as ill-suited to our temper and wishes as it is unsupported by any appearance of authority. The very idea of fabricating a new government is enough to fill us with disgust and horror. We wished at the period of the Revolution, and we wish now, to derive all we possess as *an inheritance from our* [45] *forefathers.* Upon that body and stock of inheritance we have taken care

not to graft any scion alien to the nature of the original plant. All the reforms we have made so far have proceeded on the principle of reference to antiquity; and I hope, indeed I am persuaded, that all those which may possibly be made hereafter will be carefully formed upon analogical precedent, authority, and example.

Our oldest reform is that of Magna Carta. You will see that Sir Edward Coke, that great oracle of our law, and indeed all the great men who follow him, down to Blackstone[29], are industrious in proving the pedigree of our liberties. They endeavor to prove that the ancient charter, the Magna Carta of King John, was connected with another positive charter from Henry I, and that both the one and the other were nothing more than a reaffirmation of the still more ancient standing law of the kingdom.[30] As a matter of fact, these authors appear for the most part to be right; perhaps not always: but if the lawyers are mistaken in some particulars, that proves my position all the more strongly, because it demonstrates the powerful predisposition toward antiquity with which the minds of all our lawyers and legislators, and of all the people they wish to influence, have always been filled; and the stationary policy of this kingdom in regarding their most sacred rights and franchises as an *inheritance.*

[46] In the famous law of the 3rd of Charles I, called the *Petition of Right,* parliament says to the king, "Your subjects have *inherited* this freedom," claiming their franchises not on abstract principles "as the rights of men," but as the rights of Englishmen, and as a patrimony derived from their forefathers. Selden and the other profoundly learned men who drew up this Petition of Right were at least as well acquainted with all the general theories concerning the "rights of men" as any of the discoursers in our pulpits or on your tribune—fully as well as Dr. Price or

29 BURKE'S NOTE. See Blackstone's *Magna Carta*, printed at Oxford, 1759.
30 Sir Edward Coke (1552–1634), chief justice and author of the *Institutes*; Sir William Blackstone (1723–1780), author of the *Commentaries on the Laws of England*. Henry I issued his Charter of Liberties in AD 1100.

the Abbé Sieyès.[31] But, for reasons worthy of that practical wisdom which took precedence over their theoretical learning, they preferred this positive, recorded, *hereditary* title to all that can be dear to the man and the citizen over that vague speculative right which exposed their sure inheritance to be scrambled for and torn to pieces by every wild, litigious spirit.

The same policy runs through all the laws made since then for the preservation of our liberties. In the 1st of William and Mary, in the famous statute called the Declaration of Right, the two houses do not utter a syllable about "a right to frame a government for themselves." You will see that their whole care was to secure the religion, laws, and liberties that had long been possessed and had lately been endangered. "Taking[32] into their most serious consideration the *best* means for making such an establishment, 47 that their religion, laws, and liberties might not be in danger of being again subverted," they solemnly open all their proceedings by stating, as some of those *best* means, "in the *first place*" to do "as their *ancestors in like cases have usually* done for vindicating their *ancient* rights and liberties, to *declare*"—and then they pray the king and queen "that it may be *declared* and enacted, that *all and singular* the rights and liberties *asserted and declared* are the true *ancient* and indubitable rights and liberties of the people of this kingdom."

You will observe that from Magna Carta to the Declaration of Right it has been the uniform policy of our constitution to claim and assert our liberties as an *entailed inheritance* derived to us from our forefathers, and to be transmitted to our posterity—as an estate belonging specially to the people of this kingdom, without any reference whatever to any other more general or prior right. By this means our constitution preserves a unity amid so great a diversity of its parts. We have an inheritable crown; an inheritable peerage; and a House of Commons and a

31 The Petition of Right (1628) was drafted partly by the jurist John Selden (1584–1654). Emmanuel-Joseph Sieyès wrote the pamphlet *What Is the Third Estate?* (1789).
32 BURKE'S NOTE. 1 William and Mary.

people inheriting privileges, franchises, and liberties from a long line of ancestors.[33]

AN ENTAILED INHERITANCE

Burke argues that treating liberty as a family inheritance gives it stability, dignity and reverence.

This policy appears to me to be the result of profound reflection —or rather the happy effect of following nature, which is wisdom without reflection, and above it. A spirit of innovation is generally the result of a selfish temper and narrow views. People will not look forward to posterity [48] who never look backward to their ancestors. Besides, the people of England know well that the idea of inheritance furnishes a sure principle of conservation and a sure principle of transmission, without at all excluding a principle of improvement. It leaves acquisition free; but it secures what it acquires. Whatever advantages are obtained by a state proceeding on these maxims are locked fast as in a sort of family settlement, grasped as in a kind of mortmain forever. By a constitutional policy working after the pattern of nature, we receive, we hold, we transmit our government and our privileges in the same manner in which we enjoy and transmit our property and our lives. The institutions of policy, the goods of fortune, the gifts of Providence are handed down, to us and from us, in the same course and order.[34] Our political system is placed in a just correspondence and symmetry with the order of the world, and with the mode of existence decreed to a permanent body composed of transitory parts; in which, by the disposition of a stupendous wisdom molding together the great mysterious incorporation of the human race, the whole, at any one time, is never old, or middle-aged, or young, but, in a condition of unchangeable constancy, moves on through the

33 An entail is a legal settlement that fixes an estate on a set line of heirs, so that no single holder can sell or break it up.

34 Mortmain ("dead hand"): property held inalienably by a corporation, such as a church, and so never passing out of its grip.

varied course of perpetual decay, fall, renewal, and progression. Thus, by preserving the method of nature in the conduct of the state, in what we improve we are never wholly new; in what we retain we are [49] never wholly obsolete. By adhering to our forefathers in this manner and on these principles, we are guided not by the superstition of antiquarians but by the spirit of philosophic analogy. In this choice of inheritance we have given our frame of polity the image of a relation in blood, binding up the constitution of our country with our dearest domestic ties, adopting our fundamental laws into the bosom of our family affections, keeping inseparable, and cherishing with the warmth of all their combined and mutually reflected loves, our state, our hearths, our sepulchers, and our altars.

Through the same plan of conformity to nature in our artificial institutions, and by calling in the aid of her unerring and powerful instincts to fortify the fallible and feeble contrivances of our reason, we have derived several other benefits, and no small ones, from considering our liberties in the light of an inheritance. Since we always act as if in the presence of canonized forefathers, the spirit of freedom, which in itself leads to misrule and excess, is tempered by an awe-struck gravity. This idea of a free and honorable descent inspires us with a sense of habitual native dignity, which prevents that upstart insolence which almost inevitably clings to and disgraces those who are the first to acquire any distinction. By this means our liberty becomes a noble freedom. It carries an imposing and majestic aspect. It has a pedigree and illustrious ancestors. It has its bearings and its armorial ensigns. It has its gallery [50] of portraits, its monumental inscriptions, its records, evidences, and titles. We win reverence for our civil institutions on the principle by which nature teaches us to revere individual men: on account of their age, and on account of those from whom they are descended. All your sophists cannot produce anything better suited to preserve a rational and manly freedom than the course we have pursued, who have chosen our nature rather than our specula-

tions, our hearts rather than our inventions, as the great conservatories and storehouses of our rights and privileges.

The New Assembly and the Real Rights of Men

What France might have done; who sits in the National Assembly; real rights against metaphysical ones.

WHAT FRANCE MIGHT HAVE DONE

France could have rebuilt on its old estates; instead it despised its past and brought on ruin.

You might, if you had pleased, have profited from our example, and given your recovered freedom a corresponding dignity. Your privileges, though discontinued, were not lost to memory. Your constitution, it is true, suffered waste and dilapidation while you were out of possession; but you possessed in some parts the walls, and in all the foundations, of a noble and venerable castle. You might have repaired those walls; you might have built on those old foundations. Your constitution was suspended before it was perfected; but you had the elements of a constitution very nearly as good as could be wished. In your old states you possessed that variety of parts corresponding to the various descriptions of people of which your community was happily composed; you had all that combination and all that opposition of interests; you had that action and counteraction which, in the natural and in the political [51] world, draws out the harmony of the universe from the reciprocal struggle of discordant powers.[1] These opposed and conflicting interests, which you considered so great a blemish in your old constitution and in our present

1 "States" means the Estates: the states general and the provincial assemblies of the separate orders of clergy, nobility and commons.

one, interpose a healthy check against all hasty resolutions. They make deliberation a matter not of choice but of necessity; they make all change a subject of *compromise*, which naturally begets moderation; they produce *temperaments*, preventing the painful evil of harsh, crude, unqualified reforms, and rendering all the headlong exertions of arbitrary power, whether in the few or in the many, forever impracticable.[2] Through that diversity of members and interests, general liberty had as many securities as there were separate views in the several orders; while, by pressing down the whole with the weight of a real monarchy, the separate parts would have been kept from warping and starting out of their allotted places.

You had all these advantages in your ancient states; but you chose to act as if you had never been molded into civil society, and had everything to begin anew. You began badly, because you began by despising everything that belonged to you. You set up your trade without capital. If the last generations of your country appeared without much luster in your eyes, you might have passed them by and derived your claims from an earlier race of ancestors. Under a pious attachment to those ancestors, your imaginations [52] would have realized in them a standard of virtue and wisdom beyond the vulgar practice of the hour; and you would have risen with the example you aspired to imitate. Respecting your forefathers, you would have been taught to respect yourselves. You would not have chosen to consider the French a people of yesterday, a nation of low-born, servile wretches until the emancipating year of 1789. In order to furnish your apologists here, at the expense of your honor, with an excuse for several of your enormities, you would not have been content to be represented as a gang of Maroon slaves suddenly broken loose from the house of bondage, and therefore to be pardoned for abusing a liberty to which you were not accus-

2 "Temperaments" in the old sense of mutual adjustments or mitigating compromises.

tomed and for which you were ill fitted.[3] Would it not, my worthy friend, have been wiser to have yourselves thought of as what I, for one, always thought you: a generous and gallant nation, long misled to your disadvantage by your high and romantic sentiments of fidelity, honor, and loyalty; that events had been unfavorable to you, but that you were not enslaved through any illiberal or servile disposition; that in your most devoted submission you were moved by a principle of public spirit, and that it was your country you worshiped in the person of your king? Had you made it 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 while preserving the spirit of your ancient and your [53] recent loyalty and honor; or if, distrustful of yourselves and not clearly discerning the almost obliterated constitution of your ancestors, you had looked to your neighbors in this land, who had kept alive the ancient principles and models of the old common law of Europe, improved and adapted to its present state—by following wise examples you would have given new examples of wisdom to the world. You would have made the cause of liberty venerable in the eyes of every worthy mind in every nation. You would have shamed despotism from the earth, by showing that freedom was not only reconcilable with law but, as it is when well disciplined, an auxiliary to it. You would have had an unoppressive but a productive revenue. You would have had a flourishing commerce to feed it. You would have had a free constitution; a potent monarchy; a disciplined army; a reformed and venerated clergy; a mitigated but spirited nobility, to lead your virtue, not to smother it; you would have had a liberal order of commons, to emulate and to replenish that nobility; you would have had a protected, satisfied, hardworking, and obedient people, taught to seek and to recognize the happiness that is to be found through virtue in all conditions; in which consists the true moral equality of mankind—and not in that monstrous fic-

3 Maroons were escaped slaves who formed free communities in Jamaica and elsewhere in the Caribbean.

tion which, by inspiring false ideas and vain expectations in men destined to travel the obscure path of laborious life, serves only to aggravate and embitter that real inequality [54] which it can never remove, and which the order of civil life establishes as much for the benefit of those whom it must leave in a humble state as of those whom it is able to raise to a condition more splendid, but not more happy. You had a smooth and easy course of happiness and glory laid open before you, beyond anything recorded in the history of the world; but you have shown that difficulty is good for man.

Compute your gains: see what has been got by those extravagant and presumptuous speculations which have taught your leaders to despise all their predecessors and all their contemporaries, and even to despise themselves, until the moment when they became truly despicable. By following those false lights, France has bought undisguised calamities at a higher price than any nation has paid for the most unequivocal blessings! France has bought poverty with crime! France has not sacrificed her virtue to her interest; she has abandoned her interest, so that she might prostitute her virtue. All other nations have begun the fabric of a new government, or the reform of an old one, by establishing from the start, or by enforcing with greater strictness, some rites or other of religion. All other peoples have laid the foundations of civil freedom in stricter manners and a system of more austere and masculine morality. France, when she let loose the reins of royal authority, doubled the license of a ferocious dissoluteness in manners and of an insolent irreligion in opinions and practices; [55] and she has spread through all ranks of life, as if she were conferring some privilege or laying open some secluded benefit, all the unhappy corruptions that used to be the disease of wealth and power. This is one of the new principles of equality in France.

France, by the perfidy of her leaders, has utterly discredited the voice of lenient counsel in the cabinets of princes, and disarmed it of its most powerful arguments. She has sanctified the dark, suspicious maxims of tyrannical distrust, and taught kings

to tremble at (what will hereafter be called) the delusive plausibilities of moral politicians. Sovereigns will regard those who advise them to place unlimited confidence in their people as subverters of their thrones: as traitors who aim at their destruction by leading their easy good nature, under specious pretenses, to admit combinations of bold and faithless men to a share of their power. This alone (if there were nothing else) is an irreparable calamity to you and to mankind. Remember that your parliament of Paris told your king that in calling the states together he had nothing to fear but the prodigal excess of their zeal in providing for the support of the throne. It is right that these men should hide their heads. It is right that they should bear their part in the ruin which their counsel has brought on their sovereign and their country. Such sanguine declarations tend to lull authority to sleep;[4] to encourage it to engage rashly in perilous adventures of untried policy; [56] to neglect those provisions, preparations, and precautions which distinguish benevolence from weakness, and without which no one can answer for the beneficial effect of any abstract plan of government or of freedom. For want of these, they have seen the medicine of the state corrupted into its poison. They have seen the French rebel against a mild and lawful monarch with more fury, outrage, and insult than any people has ever been known to show in rising against the most illegal usurper or the most bloodthirsty tyrant. Their resistance was made to concession; their revolt was from protection; their blow was aimed at a hand holding out graces, favors, and immunities.

This was unnatural. The rest is in order. They have found their punishment in their success. Laws overturned; tribunals subverted; industry without vigor; commerce expiring; the revenue unpaid, yet the people impoverished; a church pillaged, and a state not relieved; civil and military anarchy made the constitution of the kingdom; everything human and divine sacrificed to the idol of public credit, and national bankruptcy the

4 The parliament of Paris was the chief sovereign law court of the old monarchy, not a legislature; in 1787–88 it pressed for the calling of the states general.

consequence; and to crown it all, the paper securities of a new, precarious, tottering power—the discredited paper securities of impoverished fraud and beggared plunder—held out as a currency for the support of an empire, in place of the two great recognized species that represent the lasting conventional credit of mankind, which disappeared [57] and hid themselves in the earth from which they came when the principle of property, whose creatures and representatives they are, was systematically subverted.[5]

Were all these dreadful things necessary? Were they the inevitable results of the desperate struggle of determined patriots, compelled to wade through blood and tumult to the quiet shore of a tranquil and prosperous liberty? No! Nothing like it. The fresh ruins of France, which shock our feelings wherever we can turn our eyes, are not the devastation of civil war; they are the sad but instructive monuments of rash and ignorant counsel in a time of profound peace. They are the display of inconsiderate and presumptuous authority, presumptuous because unresisted and irresistible. The persons who have thus squandered the precious treasure of their crimes, the persons who have made this prodigal and wild waste of public evils (the last stake reserved for the ultimate ransom of the state), have met in their progress with little, or rather with no opposition at all. Their whole march was more like a triumphal procession than the advance of a war. Their pioneers have gone before them, and demolished and leveled everything at their feet. Not one drop of *their* blood have they shed in the cause of the country they have ruined. They have made no sacrifices to their projects of greater consequence than their shoe buckles, while they were imprisoning their king, [58] murdering their fellow citizens, and bathing in tears, and plunging into poverty and distress, thousands of worthy men and worthy families. Their cruelty has not even been the base result of fear. It has been the effect of their sense of perfect safety, in authorizing treasons, robberies, rapes,

5 The "two great recognized species" are gold and silver coin; the paper securities are the assignats.

assassinations, slaughters, and burnings throughout their harassed land. But the cause of all this was plain from the beginning.[6]

This unforced choice, this infatuated election of evil, would appear perfectly inexplicable if we did not consider the composition of the National Assembly. I do not mean its formal constitution, which, as it now stands, is objectionable enough, but the materials of which it is in great measure composed, which matter ten thousand times more than all the formalities in the world. If we knew nothing of this Assembly but its title and function, no colors could paint to the imagination anything more venerable. In that light the mind of an inquirer, overawed by so solemn an image as that of the virtue and wisdom of a whole people collected into a focus, would pause and hesitate to condemn even things of the very worst appearance. Instead of blameworthy, they would seem only mysterious. But no name, no power, no function, no artificial institution whatsoever can make the men of whom any system of authority is composed anything other than what God, and nature, and education, and their habits of life have made them. Capacities [59] beyond these the people have none to give. Virtue and wisdom may be the objects of their choice; but their choice confers neither the one nor the other on those on whom they lay their ordaining hands. They have neither the engagement of nature nor the promise of revelation for any such powers.

THE THIRD ESTATE

Burke describes the Third Estate as mostly provincial lawyers with no experience of governing.

After I had read over the list of the persons and descriptions elected to the *Tiers Etat*, nothing they afterwards did could appear astonishing. Among them, indeed, I saw some of known rank, some of shining talents; but of any practical experience in

6 In September 1789 members of the National Assembly made a patriotic gift of their silver shoe buckles to the treasury.

the state, not one man was to be found. The best were only men of theory. But whatever the distinguished few may have been, it is the substance and mass of the body that constitutes its character and must finally determine its direction. In all bodies, those who would lead must also, to a considerable degree, follow.[7] They must conform their proposals to the taste, talent, and disposition of those whom they wish to direct. Therefore, if an Assembly is viciously or feebly composed in a very great part of it, nothing but a supreme degree of virtue (such as very rarely appears in the world, and for that reason cannot enter into calculation) will keep the men of talent scattered through it from becoming merely the expert instruments of absurd projects! If, as is more likely, instead of that unusual degree of virtue, they are moved by sinister ambition and a lust for meretricious glory, then the feeble part of the [60] Assembly, to which at first they conform, becomes in its turn the dupe and instrument of their designs. In this political traffic the leaders will be obliged to bow to the ignorance of their followers, and the followers to become subservient to the worst designs of their leaders.

If the proposals made by the leaders of any public assembly are to have any sobriety, those leaders ought to respect, and perhaps in some degree to fear, the men they lead. If followers are to be led other than blindly, they must be qualified, if not as actors, at least as judges; and they must be judges of natural weight and authority. Nothing can secure steady and moderate conduct in such assemblies except that the body of them be respectably composed in station in life, in permanent property, in education, and in the kind of habits that enlarge and liberalize the understanding.

In the summoning of the states general of France, the first thing that struck me was a great departure from the ancient practice. I found the representation for the Third Estate composed of six hundred persons. They equaled in number the representatives of both the other orders together. If the orders were

7 *Tiers Etat*: the Third Estate, the deputies of the commons in the states general.

to act separately, the number would not,[8] apart from the question of expense, be of much consequence. But when it became apparent that the three orders were to be melted down into one, the purpose of this numerous representation, and its necessary effect, became obvious. A [61] very small desertion from either of the other two orders must throw the power of both into the hands of the third. In fact, the whole power of the state was soon resolved into that body. Its proper composition therefore became of infinitely greater importance.

Judge, sir, of my surprise when I found that a very great proportion of the Assembly (a majority, I believe, of the members who attended) consisted of practitioners of the law. It was composed not of distinguished magistrates, who had given their country pledges of their learning, prudence, and integrity; not of leading advocates, the glory of the bar; not of renowned university professors—but for the far greater part, as it must be in such a number, of the inferior, unlearned, mechanical, merely instrumental members of the profession. There were distinguished exceptions; but the general composition was of obscure provincial advocates, stewards of petty local jurisdictions, country attorneys, notaries, and the whole train of the ministers of municipal litigation, the instigators and managers of the petty war of village harassment. From the moment I read the list I saw distinctly, and very nearly as it has happened, all that was to follow.

The esteem in which any profession is held becomes the standard of the esteem in which its members hold themselves. Whatever the personal merits of many individual [62] lawyers might have been (and in many they were undoubtedly very considerable), in that military kingdom no part of the profession had been much regarded except the very highest, who often joined great family splendor to their professional offices and were invested with great power and authority. These were certainly highly respected, and even regarded with no small degree

8 In December 1788 the royal council granted the Third Estate double representation, equal to that of the clergy and nobility combined.

of awe. The next rank was not much esteemed; the mechanical part was held in very low repute.

Whenever supreme authority is vested in a body so composed, it must evidently produce the consequences of supreme authority placed in the hands of men not taught by habit to respect themselves; who had no prior fortune of reputation at stake; who could not be expected to bear with moderation, or to exercise with discretion, a power which they themselves, more than anyone else, must be surprised to find in their hands. Who could flatter himself that these men, suddenly and, as it were, by enchantment snatched from the humblest rank of subordination, would not be intoxicated with a greatness for which they were unprepared? Who could imagine that men who are habitually meddling, daring, subtle, active, of litigious dispositions and restless minds, would readily fall back into their old condition of obscure contention and laborious, low, unprofitable chicanery? Who could doubt that, at whatever [63] cost to the state, of which they understood nothing, they must pursue their private interests, which they understood all too well? It was not an event depending on chance or contingency. It was inevitable; it was necessary; it was planted in the nature of things. They must *join* (if their capacity did not allow them to *lead*) in any project that could procure them a *litigious constitution*, one that could open to them the innumerable lucrative opportunities for jobbery that follow in the train of all great convulsions and revolutions in the state, and especially of all great and violent transfers of property. Was it to be expected that they would attend to the stability of property, these men whose existence had always depended on whatever made property questionable, ambiguous, and insecure? Their aims would expand with their elevation, but their disposition and habits, and their way of accomplishing their designs, must remain the same.

Well! But these men were to be tempered and restrained by men of other kinds, of soberer minds and broader understanding. Were they, then, to be awed by the super-eminent authority and awesome dignity of a handful of country bumpkins who

have seats in that Assembly, some of whom are said to be unable to read and write? And by an equally small number of traders, who, though somewhat better instructed and more conspicuous in the order of society, had never known anything beyond their counting-house? [64] No! Both these kinds were better formed to be overborne and swayed by the intrigues and artifices of lawyers than to serve as their counterweight. With such a dangerous disproportion, the whole must necessarily be governed by them. To the faculty of law was joined a fairly considerable proportion of the faculty of medicine. This faculty, no more than that of law, had enjoyed its due esteem in France. Its members, therefore, must have the qualities of men not accustomed to sentiments of dignity. But even supposing they had ranked as they ought to, and as with us they actually do, the bedsides of the sick are not the academies for forming statesmen and legislators. Then came the dealers in stocks and funds, who must be eager, at any cost, to exchange their imaginary paper wealth for the more solid substance of land. To these were joined men of other kinds, from whom as little knowledge of, or attention to, the interests of a great state was to be expected, and as little regard for the stability of any institution: men formed to be instruments, not controls. Such in general was the composition of the *Tiers Etat* in the National Assembly, in which scarcely the slightest trace could be perceived of what we call the natural landed interest of the country.

We know that the British House of Commons, without shutting its doors to merit of any class, is, by the sure operation of adequate causes, [65] filled with everything illustrious in rank, in descent, in hereditary and acquired wealth, in cultivated talents, in military, civil, naval, and political distinction, that the country can supply. But supposing (what can hardly be supposed even as a hypothesis) that the House of Commons were composed in the same manner as the Tiers Etat in France, would this dominion of chicanery be borne with patience, or even conceived without horror? God forbid I should insinuate anything derogatory to that profession, which is another priesthood,

administering the rites of sacred justice. But while I revere men in the functions that belong to them, and would do as much as one man can to prevent their exclusion from any, I cannot, to flatter them, give the lie to nature. They are good and useful as part of the mixture; they must be harmful if they preponderate so far as virtually to become the whole. Their very excellence in their own special functions may be far from a qualification for others. Can it escape observation that when men are too much confined to the habits of their profession and faculty, and, as it were, hardened in the repeated work of that narrow circle, they are disabled rather than qualified for whatever depends on knowledge of mankind, on experience in mixed affairs, on a comprehensive, connected view of the various and complicated external and internal interests that go to form that multifarious thing called a state?

66 After all, if the House of Commons were to be composed wholly of the professions and faculties, what is the power of the House of Commons? It is circumscribed and shut in by the immovable barriers of laws, usages, and positive rules of doctrine and practice; it is counterbalanced by the House of Lords; and at every moment of its existence it lies at the discretion of the crown to continue, prorogue, or dissolve us. The power of the House of Commons, direct or indirect, is indeed great; and long may it be able to preserve its greatness, and the spirit belonging to true greatness, in full; and it will do so as long as it can keep the breakers of law in India from becoming the makers of law for England.[9] The power of the House of Commons, however, even when least diminished, is as a drop of water in the ocean compared with that residing in a settled majority of your National Assembly. That Assembly, since the destruction of the orders, has no fundamental law, no strict convention, no respected usage to restrain it. Instead of finding themselves obliged to conform to a fixed constitution, they have the power to make a

9 A thrust at East India Company men who bought seats in Parliament; Burke was then leading the impeachment of Warren Hastings, former governor-general of Bengal.

constitution that shall conform to their designs. Nothing in heaven or on earth can serve as a check on them. What must be the heads, the hearts, the dispositions that are qualified, or that dare, not only to make laws under a fixed constitution, but in a single heat to strike out a totally new constitution for a great kingdom, and for every part of it, from the monarch on the throne to the vestry of a [67] parish? But—"fools rush in where angels fear to tread." In such a state of unbounded power, for undefined and undefinable purposes, the evil of a moral and almost physical unfitness of the man for the function must be the greatest we can conceive of in the management of human affairs.[10]

THE CLERGY AND THE NOBLES WHO JOINED THEM

Poor country curates and discontented nobles joined the lawyers; Burke praises loving "the little platoon."

Having considered the composition of the Third Estate as it stood in its original form, I took a look at the representatives of the clergy. There too it appeared that the principles of their election paid just as little regard to the general security of property, or to the fitness of the deputies for their public purposes. That election was so contrived as to send a very large proportion of mere country curates to the great and arduous work of remodeling a state: men who had never seen the state so much as in a picture; men who knew nothing of the world beyond the bounds of an obscure village; who, sunk in hopeless poverty, could look on all property, whether secular or ecclesiastical, with no eye but that of envy; among whom there must be many who, for the smallest hope of the meanest share of the plunder, would readily join in any attack on a body of wealth in which they could hardly expect to have any share except in a general scramble.[11] Instead of balancing the power of the active chicaners in the

10 The quotation is from Alexander Pope, *An Essay on Criticism* (1711).

11 Burke's "curates" are the French *curés*, the parish priests, who made up the majority of the clergy's deputies.

other chamber, these curates must necessarily become the active collaborators, or at best the passive instruments, of those by whom they had habitually been guided in their petty village concerns. [68] Those, too, could hardly be the most conscientious of their kind who, presuming on their inadequate understanding, could intrigue for a trust that drew them from their natural relation to their flocks, and from their natural spheres of action, to undertake the regeneration of kingdoms. This preponderating weight, added to the force of the body of chicanery in the Tiers Etat, completed that momentum of ignorance, rashness, presumption, and lust for plunder which nothing has been able to resist.

To observant men it must have been apparent from the beginning that the majority of the Third Estate, in conjunction with such a deputation from the clergy as I have described, would, while pursuing the destruction of the nobility, inevitably become subservient to the worst designs of individuals within that class. In the spoil and humiliation of their own order these individuals would possess a sure fund for paying their new followers. To squander the things that made up the happiness of their fellows would be no sacrifice to them at all. Turbulent, discontented men of rank, in proportion as they are puffed up with personal pride and arrogance, generally despise their own order. One of the first symptoms they show of a selfish and mischievous ambition is a profligate disregard of a dignity they share with others. To be attached to the subdivision, to love the little platoon we belong to in society, is the first principle (the germ, as it were) of public affections. It is the first link in the series [69] by which we proceed toward a love of our country and of mankind. The interests of that portion of the social arrangement are a trust in the hands of all who compose it; and as none but bad men would justify its abuse, none but traitors would barter it away for their own personal advantage.

In the time of our civil troubles in England (I do not know whether you have any such people in your Assembly in France) there were several persons, like the then Earl of Holland, who

by themselves or their families had brought odium on the throne through its lavish dispensing of bounties to them, and who afterward joined in the rebellions that arose from the discontents they themselves had caused. These were men who helped to overthrow the throne to which some of them owed their very existence, and others all the power they then used to ruin their benefactor.[12] If any limits are set to the rapacious demands of people of that sort, or if others are allowed a share in the things they would monopolize, revenge and envy soon fill the craving void left in their avarice. Confused by a tangle of diseased passions, their reason is unsettled. Their views become vast and muddled, inexplicable to others and uncertain to themselves. In any fixed order of things they find limits on every side to their unprincipled ambition. But in the fog and haze of confusion everything is enlarged, and seems to have no limit.

70 When men of rank sacrifice every idea of dignity to an ambition with no distinct object, and work with low instruments for low ends, the whole composition becomes low and base. Does not something like this appear in France now? Does it not produce something ignoble and inglorious? A kind of meanness in all the policy that prevails? A tendency in everything that is done to lower, along with individuals, all the dignity and importance of the state? Other revolutions have been led by people who, while they attempted or carried out changes in the commonwealth, sanctified their ambition by advancing the dignity of the people whose peace they disturbed. They took long views. They aimed to rule their country, not to destroy it. They were men of great civil and great military talents, and if they were the terror of their age, they were also its ornament. They were not like Jew brokers competing with one another over who could best remedy, with fraudulent circulation and depreciated paper, the wretchedness and ruin their degenerate counsels had brought on their country. The compliment paid to one of the

12 Henry Rich, 1st Earl of Holland (1590–1649), a favorite loaded with grants by James I and Charles I, who sided with Parliament, changed sides more than once, and was executed in 1649.

great bad men of the old stamp (Cromwell) by his kinsman, a favorite poet of that time, shows what he set out to do, and what indeed he achieved to a great degree when his ambition succeeded:[13]

> "Still as *you* rise, the *state,* exalted too,
> Finds no distemper while 'tis changed by *you*;
> Changed like the world's great scene, when without noise
> The rising sun night's *vulgar* lights destroys."[14]

71 These disturbers were not so much like men usurping power as like men asserting their natural place in society. Their rising was to illuminate and beautify the world. They conquered their competitors by outshining them. The hand that, like a destroying angel, struck the country also gave it the force and energy under which it suffered. I do not say (God forbid), I do not say that the virtues of such men were to be taken as a counterweight to their crimes; but they were some corrective to their effects. Such, as I said, was our Cromwell. Such was your whole race of Guises, Condés, and Colignys. Such were the Richelieus, who in quieter times acted in the spirit of a civil war.[15] Such, as better men and in a less doubtful cause, were your Henry IV and your Sully, though they were nursed in civil confusion and not wholly free of its taint. It is a thing to wonder at, how very soon France, once she had a moment to breathe, recovered and emerged from the longest and most dreadful civil war ever known in any nation. Why? Because, amid all their massacres, they had not slain the *mind* in their country. A conscious dignity, a noble pride, a generous sense of glory and emulation, had not been extinguished. On the contrary, it was kindled and inflamed. The organs of the state, too, however shattered, still

13 Burke's hostile linking of Jews with financial speculation reflects a common prejudice of the period.

14 Edmund Waller, Cromwell's kinsman, "A Panegyric to My Lord Protector" (1655).

15 The Guises (Catholic) and the Condés and Admiral Coligny (Protestant) led rival factions in the French Wars of Religion (1562–98). Cardinal Richelieu was chief minister to Louis XIII.

existed.[16] All the prizes of honor and virtue, all the rewards, all the distinctions, remained. But your present confusion, like a palsy, has attacked the fountain [72] of life itself. Every person in your country who is in a position to be moved by a principle of honor is disgraced and degraded, and can feel no sensation of life except a mortified and humiliated indignation. But this generation will soon pass away. The next generation of the nobility will resemble the artisans and peasants, and money-jobbers, usurers, and Jews, who will always be their companions and sometimes their masters. Believe me, Sir, those who attempt to level never equalize. In all societies made up of various kinds of citizens, some kind must be uppermost. The levelers therefore only change and pervert the natural order of things. They overload the edifice of society by setting up in the air what the solidity of the structure requires to be on the ground. The associations of tailors and carpenters of which the republic (of Paris, for instance) is composed cannot be equal to the situation into which you are trying to force them by the worst of usurpations, a usurpation on the prerogatives of nature.

At the opening of the states general, the chancellor of France said, with a flourish of oratory, that all occupations were honorable. If he meant only that no honest employment was disgraceful, he would not have gone beyond the truth. But in asserting that anything is honorable, we imply some distinction in its favor. The occupation of a hairdresser, or of a working tallow-chandler, cannot be a matter of honor to any [73] person—to say nothing of a number of other, more servile employments. Such kinds of men ought not to suffer oppression from the state. But the state suffers oppression if people like them, either individu-

16 Henry IV (reigned 1589–1610) ended the Wars of Religion. His minister, the Duke of Sully, restored the kingdom's finances.

ally or collectively, are allowed to rule.[17] In this you think you are combating prejudice, but you are at war with nature[18].

I do not suppose, my dear Sir, that you are of that sophistical, captious spirit, or of that uncandid dullness, which demands, for every general observation or sentiment, an explicit list of all the correctives and exceptions that reason will presume are included in all general propositions coming from reasonable men. You do not imagine that I wish to confine power, authority, and distinction to blood, and names, and titles. No, Sir. There is no qualification for government [74] but virtue and wisdom, actual or presumptive. Wherever they are actually found, in whatever state, condition, profession, or trade, they have the passport of Heaven to human place and honor. Woe to the country that would madly and impiously reject the service of the talents and virtues, civil, military, or religious, that are given to grace and to serve it, and would condemn to obscurity everything formed to spread luster and glory around a state. Woe to that country too which, passing to the opposite extreme, considers a low education, a mean and narrow view of things, a sordid mercenary

17 Charles de Barentin, Keeper of the Seals, spoke at the opening on May 5, 1789. A tallow-chandler made and sold tallow candles.

18 BURKE'S NOTE. Ecclesiasticus, chapter 38, verses 24–25: "The wisdom of a learned man cometh by opportunity of leisure: and he that hath little business shall become wise."—"How can he get wisdom that holdeth the plough, and that glorieth in the goad; that driveth oxen; and is occupied in their labours; and whose talk is of bullocks."

Verse 27: "So every carpenter and work-master that laboureth night and day," etc.

Verse 33: "They shall not be sought for in public counsel, nor sit high in the congregation: They shall not sit on the judges' seat, nor understand the sentence of judgment: they cannot declare justice and judgment, and they shall not be found where parables are spoken."

Verse 34: "But they will maintain the state of the world."

I do not decide whether this book is canonical, as the Gallican church has (until lately) considered it, or apocryphal, as it is taken here. I am sure it contains a great deal of sense and truth.

TRANSLATOR'S NOTE. Burke quotes the King James version of the Apocrypha (the Wisdom of Sirach).

TRANSLATOR'S NOTE. The Gallican church is the Catholic Church of France, which counts Ecclesiasticus as Scripture. The Church of England places it among the Apocrypha.

occupation, as a better title to command. Everything ought to be open, but not indiscriminately to every man. No rotation, no appointment by lot, no mode of election operating in the spirit of sortition or rotation, can be generally good in a government that deals with extensive objects. Because they have no tendency, direct or indirect, to fit the man to the duty. I do not hesitate to say that the road to eminence and power from an obscure condition ought not to be made too easy, nor too much a matter of course. If rare merit is the rarest of all rare things, it ought to pass through some sort of probation. The temple of honor ought to be set on a height. If it is open through virtue, let it be remembered too that virtue is never tested except by some difficulty and some struggle.

PROPERTY AND REPRESENTATION

Burke argues that property, especially inherited wealth, must be heavily represented to be safe from ability and envy.

Nothing is a due and adequate representation of a state that does not represent its ability as [75] well as its property. But ability is a vigorous and active principle, while property is sluggish, inert, and timid. So property can never be safe from the invasions of ability unless it is predominant in the representation out of all proportion. It must also be represented in great masses of accumulation, or it is not rightly protected. The characteristic essence of property, formed out of the combined principles of its acquisition and its conservation, is to be *unequal.* The great masses, therefore, which excite envy and tempt rapacity, must be put beyond the possibility of danger. Then they form a natural rampart around the lesser properties in all their gradations. The same quantity of property, divided among many by the natural course of things, does not have the same effect. Its defensive power weakens as it is spread out. In this diffusion each man's portion is less than what, in the eagerness of his desires, he may flatter himself he could get by squandering the accumulations of others. The plunder of the few would indeed yield an

inconceivably small share when distributed among the many. But the many are not capable of making this calculation, and those who lead them to plunder never intend this distribution.

The perpetuation of property in our families is the most valuable and most interesting circumstance attending it. It shows most of a benevolent disposition in its owners, and it tends most to the perpetuation of society itself. The possessors of family wealth, and of the distinction that attends [76] hereditary possession, are (as those most concerned in it) the natural guarantees of this transmission. With us, the House of Peers is formed on this principle. It is wholly composed of hereditary property and hereditary distinction. It is therefore made the third branch of the legislature, and in the last resort the sole judge of all property in all its subdivisions.[19] The House of Commons too, though not necessarily, is in fact always composed this way for the far greater part. Let those large proprietors be what they will (and they have their chance of being among the best), at the very worst they are the ballast in the vessel of the commonwealth. Hereditary wealth, and the rank that goes with it, are too much idolized by creeping sycophants and the blind, abject admirers of power. But they are too rashly slighted in the shallow speculations of the petulant, presumptuous, short-sighted coxcombs of philosophy. Some decent, regulated pre-eminence, some preference (not exclusive appropriation) given to birth, is neither unnatural, nor unjust, nor impolitic.

It is said that twenty-four million ought to prevail over two hundred thousand. True, if the constitution of a kingdom is a problem in arithmetic. This sort of talk does well enough with the lamp-post for its second; to men who *may* reason calmly, it is ridiculous. The will of the many and their interest must very often differ,[20] and great will be the difference when they make an evil choice. A government of five hundred country attorneys [77] and obscure curates is not good for twenty-four million men,

19 The House of Lords was also the final court of appeal in Britain.

20 The lamp-post served the Paris crowds as an improvised gallows ("À la lanterne!"). A "second" backs a party in a duel.

even if it were chosen by forty-eight million. Nor is it any better for being guided by a dozen persons of quality who have betrayed their trust in order to obtain that power. At present you seem in everything to have strayed from the high road of nature. The property of France does not govern it. Naturally, then, property is destroyed, and rational liberty has no existence. All you have gained for the present is a paper circulation and a stockjobbing constitution. And as for the future, do you seriously think that the territory of France, on the republican system of eighty-three independent municipalities (to say nothing of the parts that compose them), can ever be governed as one body, or ever be set in motion by the impulse of one mind? When the National Assembly has completed its work, it will have accomplished its ruin.[21] These commonwealths will not long bear subjection to the republic of Paris. They will not bear that this one body should monopolize the captivity of the king and dominion over the assembly that calls itself National. Each will keep its own portion of the spoil of the church for itself. It will not allow that spoil, or the more just fruits of their industry, or the natural produce of their soil, to be sent to swell the insolence or pamper the luxury of the artisans of Paris. In this they will see none of the equality on the pretense of which they were tempted to throw off their allegiance [78] to their sovereign, as well as the ancient constitution of their country. There can be no capital city in a constitution such as they have lately made. They have forgotten that when they framed democratic governments, they had in effect dismembered their country. The person they persist in calling king has not a hundredth part of the power left to him that would be needed to hold this collection of republics together. The republic of Paris will indeed try to complete the debauching of the army, and to perpetuate the assembly illegally, without recourse to its constituents, as the means of continuing its despotism. It will try, by becoming the heart of a boundless paper circulation, to draw everything to itself, but in

21 In 1790 the Assembly divided France into eighty-three departments, replacing the old provinces.

vain. In the end all this policy will appear as feeble as it is now violent.

If this is your actual situation, compared with the situation to which you were called, as it were, by the voice of God and man, I cannot find it in my heart to congratulate you on the choice you have made, or on the success that has attended your efforts. Nor can I recommend to any other nation a conduct grounded on such principles and productive of such effects. That I must leave to those who can see further into your affairs than I can, and who know best how far your actions serve their designs. The gentlemen of the Revolution Society, who were so early with their congratulations, appear to be firmly of the opinion that there is some political scheme relating to this [79] country in which your proceedings may in some way be useful. For your Dr. Price, who seems to have speculated himself into no small degree of fervor on this subject, addresses his audience in the following very remarkable words: "I cannot conclude without recalling *particularly* to your recollection a consideration which I have *more than once alluded to,* and which probably your thoughts have *been all along anticipating*; a consideration with which my *mind is impressed more than I can express.* I mean the consideration of the *favorableness of the present times to all exertions in the cause of liberty.*"

PRICE'S DOCTRINE AND THE ENGLISH CONSTITUTION

Burke asks what Price's "exertions in the cause of liberty" would mean for England, and defends its representation.

It is plain that the mind of this *political* preacher was at the time big with some extraordinary design; and it is very probable that the thoughts of his audience, who understood him better than I do, did all along run ahead of him in his reflection, and in the whole train of consequences to which it led.

Before I read that sermon, I really thought I had lived in a free country; and it was an error I cherished, because it gave me a greater liking for the country I lived in. I was indeed aware that

a jealous, ever-waking vigilance, to guard the treasure of our liberty not only from invasion but from decay and corruption, was our best wisdom and our first duty. Still, I regarded that treasure as a possession to be secured rather than as a prize to be fought for. I did not see how the present time came to be so very favorable to all *exertions* in the cause of freedom. The present [80] time differs from any other only in what is being done in France. If the example of that nation is to have an influence on this one, I can easily understand why some of their proceedings, which have an unpleasant look and are not quite reconcilable with humanity, generosity, good faith, and justice, are excused with so much milky good nature toward the actors, and borne with so much heroic fortitude toward the sufferers. It is certainly not prudent to discredit the authority of an example we mean to follow. But granting this, we are led to a very natural question: What is that cause of liberty, and what are those exertions in its favor, to which the example of France is so singularly auspicious? Is our monarchy to be annihilated, with all the laws, all the courts, and all the ancient corporations of the kingdom? Is every landmark of the country to be done away with in favor of a geometrical and arithmetical constitution? Is the House of Lords to be voted useless? Is episcopacy to be abolished? Are the church lands to be sold to Jews and stockjobbers, or given away to bribe newly invented municipal republics into a share in sacrilege? Are all the taxes to be voted grievances, and the revenue reduced to a patriotic contribution, or patriotic gifts? Are silver shoe buckles to be substituted for the land tax and the malt tax, for the support of the naval strength of this kingdom? Are all orders, ranks, and distinctions to be jumbled together, so that out of universal anarchy, joined to national bankruptcy, [81] three or four thousand democracies may be formed into eighty-three, and that they may all, by some unknown power of attraction, be organized into one? For this great end, is the army to be seduced from its discipline and its loyalty, first by every kind of debauchery, and then by the terrible precedent of a donative in the form of increased pay? Are the parish priests to be seduced from their

bishops by holding out to them the delusive hope of a handout from the spoils of their own order? Are the citizens of London to be drawn from their allegiance by being fed at the expense of their fellow subjects? Are all the public revenues collected in their city to be put under their administration?[22] Is what remains of the plundered stock of public revenue to be spent on the wild project of maintaining two armies to watch over and fight each other?—If these are the ends and means of the Revolution Society, I admit they are well suited to each other; and France can supply them with precedents in point for both.[23]

I see that your example is held up to shame us. I know that we are supposed to be a dull, sluggish race, made passive by finding our situation tolerable, and kept by a middling degree of freedom from ever attaining its full perfection. Your leaders in France began by professing to admire, almost to adore, the British constitution; but as they went on they came to look on it with sovereign contempt. The friends of your National Assembly among us have just as low an opinion [82] of what was once thought the glory of their country. The Revolution Society has discovered that the English nation is not free. They are convinced that the inequality in our representation is a "defect in our constitution so *gross and palpable,* as to make it excellent chiefly in *form* and *theory*[24]." That representation in the legislature of a kingdom is the basis not only of all constitutional liberty in it, but of "*all legitimate government*; that without it a *government* is nothing but an *usurpation*"; —that "when the representation is *partial,* the kingdom possesses liberty only *partially*; and if extremely partial it gives only a *semblance*; and if not only extremely partial, but corruptly chosen, it becomes a *nuisance.*" Dr. Price considers this inadequacy of representation our *fundamental grievance*; and though, as to the corruption of this semblance of representation, he hopes it has not yet

22 A "donative" was the cash bounty Roman emperors gave the soldiers to buy their support.

23 The two armies are the regular royal army and the new National Guard.

24 BURKE'S NOTE. *Discourse on the Love of Our Country,* 3rd ed., p. 39.

reached its full perfection of depravity, he fears that "nothing will be done towards gaining for us this *essential blessing,* until some *great abuse of power* again provokes our resentment, or some *great calamity* again alarms our fears, or perhaps till the acquisition of a *pure and equal representation by other countries,* whilst we are *mocked* with the *shadow,* kindles our shame." To this he adds a note in these words: "A representation, chosen chiefly by the Treasury, and a *few* thousands [83] of the *dregs* of the people, who are generally paid for their votes."

You will smile here at the consistency of these democrats, who, when they are off their guard, treat the humbler part of the community with the greatest contempt, while at the same time they pretend to make them the depositories of all power. It would take a long discourse to point out to you the many fallacies that lurk in the vagueness and ambiguity of the term "inadequate representation." I shall only say here, in justice to that old-fashioned constitution under which we have long prospered, that our representation has been found perfectly adequate to all the purposes for which a representation of the people can be desired or devised. I defy the enemies of our constitution to show the contrary. To set out in detail the particulars in which it is found to serve its ends so well would require a treatise on our constitution in practice. I state the doctrine of the Revolutionists here only so that you and others may see what an opinion these gentlemen hold of the constitution of their country, and why they seem to think that some great abuse of power, or some great calamity, as offering a chance for the blessing of a constitution after their own ideas, would be much softened to their feelings; you see *why they* are so much in love with your fair and equal representation, which, once obtained, might produce the same effects here. You see they regard our House of Commons as only "a semblance," "a form," [84] "a theory," "a shadow," "a mockery," perhaps "a nuisance."

These gentlemen pride themselves on being systematic, and not without reason. They must therefore look on this gross and palpable defect of representation, this fundamental grievance

(as they call it), as a thing not only vicious in itself but as rendering our whole government absolutely *illegitimate,* and no better than a downright *usurpation.* Another revolution, to get rid of this illegitimate and usurped government, would of course be perfectly justifiable, if not absolutely necessary. Indeed their principle, if you look at it with any attention, goes much further than a change in the election of the House of Commons; for if popular representation, or choice, is necessary to the *legitimacy* of all government, the House of Lords is at one stroke bastardized and corrupted in blood. That house is no representative of the people at all, even "in semblance or in form." The case of the crown is every bit as bad. In vain may the crown try to shield itself against these gentlemen by the authority of the settlement made at the Revolution. The Revolution, which is appealed to for a title, itself lacks a title on their system.[25] The Revolution, according to their theory, is built on a foundation no more solid than our present formalities, since it was made by a House of Lords representing no one but themselves, and by a House of Commons exactly [85] like the present one—that is, as they put it, by a mere "shadow and mockery" of representation.

Some of them are so heated by their particular religious theories that they give more than hints that the fall of the civil powers, with all the dreadful consequences of that fall, would not be unwelcome to them, or very far from their wishes, provided it might serve their theories. A man among them of great authority, and certainly of great talents, speaking of a supposed alliance between church and state, says: "perhaps *we must wait for the fall of the civil powers* before this most unnatural alliance be broken. Calamitous no doubt will that time be. But what convulsion in the political world ought to be a subject of lamentation, if it be attended with so desirable an effect?"[26] You see

25 "Corruption of blood" was the legal penalty by which an attainted person lost the power to inherit or transmit titles and estates.

26 The writer is Joseph Priestley (1733–1804), the Dissenting minister and chemist, in his *History of the Corruptions of Christianity* (1782).

with what a steady eye these gentlemen are prepared to view the greatest calamities that can befall their country!

It is no wonder, then, that holding these ideas of everything in their constitution and government at home, in church or state, as illegitimate and usurped, or at best as an empty mockery, they look abroad with an eager and passionate enthusiasm. While they are possessed by these notions, it is useless to talk to them of the practice of their ancestors, the fundamental laws of their country, the fixed form of a constitution whose merits are confirmed by the solid test of long experience and by growing public strength and national prosperity. [86] They despise experience as the wisdom of unlettered men; and as for the rest, they have dug a mine underground that will blow up, in one grand explosion, all the examples of antiquity, all precedents, charters, and acts of Parliament. They have "the rights of men." Against these there can be no prescription; against these no agreement is binding; these admit no moderation and no compromise; anything withheld from their full demand is so much fraud and injustice. Against these, their rights of men, let no government look for security in the length of its continuance, or in the justice and mildness of its administration. The objections of these theorists, if its forms do not square with their theories, are as valid against such an old and beneficent government as against the most violent tyranny or the newest usurpation. They are always at odds with governments, not on a question of abuse, but on a question of competence and a question of title. I have nothing to say to the clumsy subtlety of their political metaphysics. Let it be their amusement in the schools.— "In *that* hall let Aeolus swagger—and rule in the closed prison of the winds." —But let them not break out of prison to burst forth like a *Levanter,* to sweep the earth with their hurricane, and to break up the fountains of the great deep to overwhelm us.[27]

27 Virgil, *Aeneid* 1.140–41, where Neptune confines Aeolus, god of the winds, to his own cave. A Levanter is the violent easterly wind of the Mediterranean; "the fountains of the great deep" echoes the Flood in Genesis 7:11.

THE REAL RIGHTS OF MEN

Burke sets the real rights of men in civil society against abstract metaphysical rights.

Far am I from denying in theory, and just as far is my heart from withholding in practice (if it were in my power to give or withhold), the *real* rights of men. In denying their false claims [87] of right, I do not mean to injure the rights that are real, which are exactly the ones their pretended rights would totally destroy. If civil society is made for the advantage of man, all the advantages for which it is made become his right. It is an institution of beneficence, and law itself is only beneficence acting by a rule. Men have a right to live by that rule. They have a right to justice between themselves and their fellows, whether those fellows hold political office or follow ordinary occupations. They have a right to the fruits of their industry, and to the means of making their industry fruitful. They have a right to what their parents acquired; to the nourishment and improvement of their children; to instruction in life, and to consolation in death. Whatever each man can do separately, without trespassing on others, he has a right to do for himself; and he has a right to a fair portion of all that society, with all its combinations of skill and force, can do on his behalf. But as for the share of power, authority, and direction that each individual ought to have in managing the state, that I must deny is among the direct original rights of man in civil society, for I have in view man in civil society, and no other. It is a thing to be settled by convention.

If civil society is the offspring of convention, that convention must be its law. That convention must limit and modify every kind of constitution formed under it. Every sort of legislative, judicial, or executive power is its creature. [88] They can have no existence in any other state of things. How can anyone claim, under the conventions of civil society, rights that do not even presuppose its existence? Rights that are flatly contrary to it?

One of the first motives for civil society, and one that becomes among its fundamental rules, is *that no man should be judge in his own cause.* By this each person at once divests himself of the first fundamental right of uncovenanted man, which is to judge for himself and to assert his own cause. He abdicates all right to be his own governor. By implication he largely abandons the right of self-defense, the first law of nature. Men cannot enjoy the rights of an uncivil and of a civil state at once. To obtain justice, he gives up his right to determine what justice is in the points most essential to him. To secure some liberty, he surrenders the whole of it in trust.

Government is not made by virtue of natural rights, which can and do exist wholly independent of it, and exist with much greater clearness and in a much greater degree of abstract perfection. But their abstract perfection is their practical defect. By having a right to everything, they want everything. Government is a contrivance of human wisdom to provide for human *wants.* Men have a right that these wants should be provided for by this wisdom. Among these wants must be counted the want, outside civil society, of a sufficient restraint upon their passions.[28] Society requires not [89] only that the passions of individuals be subdued, but that, in the mass and body as well as in individuals, men's inclinations should often be thwarted, their will controlled, and their passions brought into subjection. This can only be done *by a power outside themselves,* one that is not, in the exercise of its function, subject to the very will and passions it is its office to bridle and subdue. In this sense the restraints on men, as well as their liberties, are to be counted among their rights. But since the liberties and the restrictions vary with times and circumstances, and admit of infinite modifications, they cannot be settled by any abstract rule, and nothing is so foolish as to discuss them on that principle.

The moment you subtract anything from the full rights of men, each to govern himself, and allow any artificial, positive limitation on those rights, from that moment the whole organiz-

28 "Want" here has its old sense of lack or need, as in "human wants."

ation of government becomes a matter of convenience. This is what makes the constitution of a state, and the proper distribution of its powers, a matter of the most delicate and complicated skill. It requires a deep knowledge of human nature and human necessities, and of the things that help or hinder the various ends to be pursued by the machinery of civil institutions. The state must have reinforcements for its strength and remedies for its ailments. What is the use of discussing a man's abstract right to food or to medicine? The question is how to procure [90] and administer them. In that deliberation I shall always advise calling in the farmer and the physician rather than the professor of metaphysics. The science of constructing a commonwealth, or renovating it, or reforming it, is, like every other experimental science, not to be taught *a priori.* Nor can a short experience instruct us in that practical science, because the real effects of moral causes are not always immediate. What is harmful at first may be excellent in its remoter workings, and its excellence may even arise from the bad effects it produces at the beginning. The reverse also happens: very plausible schemes, with very pleasing beginnings, often have shameful and lamentable endings. In states there are often obscure and almost hidden causes, things that seem at first sight of little importance, on which a very great part of a state's prosperity or adversity may most essentially depend. The science of government, then, being so practical in itself and meant for such practical purposes, is a matter that requires experience, and even more experience than anyone can gain in his whole life, however shrewd and observant he may be. So it is only with infinite caution that anyone ought to venture to pull down a building that has served, to any tolerable degree, the common purposes of society for ages, or to build it up again without having models and patterns of proven usefulness before his eyes.

These metaphysical rights, entering into common [91] life like rays of light piercing a dense medium, are by the laws of nature refracted from their straight line. Indeed, in the gross and complicated mass of human passions and concerns, the primitive

rights of men undergo such a variety of refractions and reflections that it becomes absurd to talk of them as if they kept the simplicity of their original direction. The nature of man is intricate; the objects of society are of the greatest possible complexity; and therefore no simple arrangement or direction of power can suit either man's nature or the character of his affairs. When I hear simplicity of design aimed at and boasted of in any new political constitution, I have no trouble deciding that its builders are grossly ignorant of their trade or totally negligent of their duty. Simple governments are fundamentally defective, to say nothing worse of them. If you looked at society from only one point of view, all these simple forms of polity would be infinitely captivating. In fact each would serve its single end far more perfectly than the more complex one can achieve all its complex purposes. But it is better that the whole should be served imperfectly and irregularly than that some parts should be provided for with great exactness while others are totally neglected, or perhaps seriously injured, by overattention to a favorite member.

The pretended rights of these theorists are all extremes, and in proportion as they are metaphysically true, they are morally and politically [92] false. The rights of men lie in a sort of *middle,* incapable of definition but not impossible to discern. The rights of men in governments are their advantages, and these are often found in balances between different goods; sometimes in compromises between good and evil, and sometimes between evil and evil. Political reason is a computing principle: adding, subtracting, multiplying, and dividing true moral denominations, morally and not metaphysically or mathematically.

These theorists almost always sophistically confuse the right of the people with their power. The body of the community, whenever it can come to act, can meet with no effective resistance. But until power and right are the same, the whole body of them has no right inconsistent with virtue, and with the first of all virtues, prudence. Men have no right to what is not reasonable and what is not for their benefit. A witty writer said, *"Let*

poets have the right to perish," when one of them is said to have leaped in cold blood into the flames of a volcanic revolution —*"coolly he leaped into burning Etna."* But I consider such a frolic an unjustifiable poetic license rather than one of the privileges of Parnassus; and whether it was a poet, a clergyman, or a politician who chose to exercise this kind of right, I think wiser, because more charitable, thoughts would urge me to save the man rather than preserve his bronze slippers as monuments of his folly.[29]

93 The kind of anniversary sermons to which much of what I write refers will, if men are not shamed out of their present course, cheat many out of the principles of the Revolution they commemorate, even while commemorating the event, and deprive them of its benefits. I confess to you, Sir, I never liked this constant talk of resistance and revolution, or the practice of making the extreme medicine of the constitution its daily bread. It makes the condition of society dangerously sickly. It is like taking periodic doses of corrosive mercury, and swallowing repeated stimulants of Spanish fly to excite our love of liberty.[30]

This disease of remedy, once habitual, slackens and wears out, through vulgar and prostituted use, the spring of that spirit which is meant to be exerted on great occasions. It was in the most submissive period of Roman servitude that tyrannicide was the ordinary theme of schoolboy exercises—*"when the crowded class slays cruel tyrants."* In the ordinary state of things, in a country like ours, it produces the worst effects, even on the cause of the very liberty it abuses with the dissoluteness of extravagant speculation.[31] Almost all the high-bred republicans of my time have, after a short while, become the most decided, out-and-out courtiers. They soon left the business of a tedious,

29 Horace, *Ars Poetica* 465–66, on the philosopher Empedocles, who was said to have leaped into Mount Etna; legend held that the volcano threw back one of his bronze sandals.

30 The anniversary sermons are those preached to the Revolution Society on the anniversary of 1688, like Price's. Corrosive sublimate of mercury was a harsh medicine; cantharides (Spanish fly) was a notorious aphrodisiac.

31 Juvenal, *Satires* 7.151, on schoolboys declaiming set speeches against tyrants.

moderate, but practical resistance to those of us whom, in the pride and intoxication of their theories, they had slighted as little better than Tories. Hypocrisy, of course, delights in the [94] most sublime speculations, for, never intending to go beyond speculation, it costs nothing to make it magnificent. But even in cases where levity rather than fraud was to be suspected in these ranting speculations, the outcome has been much the same. These professors, finding their extreme principles inapplicable to cases that call only for a qualified—or, as I may say, a civil and legal—resistance, offer no resistance at all in such cases. With them it is war or revolution, or it is nothing. Finding their political schemes unsuited to the state of the world they live in, they often come to think lightly of all public principle, and are ready, for their part, to abandon for a very trivial interest what they find of very trivial value. Some, indeed, are of steadier and more persevering natures; but these are eager politicians outside parliament, who have little to tempt them to abandon their favorite projects. They constantly have some change in church or state, or both, in view. When that is the case, they are always bad citizens and utterly unreliable allies. For, regarding their speculative designs as of infinite value and the actual arrangement of the state as worth nothing, they are at best indifferent to it. They see no merit in good management of public affairs and no fault in bad; they rather rejoice in the bad, as more favorable to revolution. They see no merit or demerit in any man, any action, or any political principle, except insofar as it may advance or delay their design [95] of change. So one day they take up the most violent and overstretched prerogative, and another time the wildest democratic ideas of freedom, and pass from one to the other without any regard to cause, person, or party.

In France you are now in the crisis of a revolution, in the passage from one form of government to another, so you cannot see that type of man in exactly the situation in which we see it in this country. With us it is militant; with you it is triumphant; and you know how it can act when its power matches its will. I

would not be thought to confine these observations to any one class of men, or to include all men of any class within them—No! Far from it. I am as incapable of that injustice as I am of staying on terms with those who profess principles of extremes, and who, under the name of religion, teach little but wild and dangerous politics. The worst of these politics of revolution is this: they temper and harden the heart, to prepare it for the desperate strokes sometimes used on extreme occasions. But since these occasions may never arrive, the mind takes on a gratuitous taint, and the moral sentiments suffer not a little when their corruption serves no political purpose. People of this sort are so taken up with their theories about the rights of man that they have totally forgotten his nature. Without opening one new avenue to the understanding, they have succeeded in blocking those that lead to the heart. They have perverted [96] in themselves, and in those who listen to them, all the well-placed sympathies of the human breast.

October 1789 and the Age of Chivalry

The king and queen led captive to Paris, the Queen of France, and the passing of the age of chivalry; prejudice defended.

PRICE'S "NUNC DIMITTIS"

Burke condemns Price for greeting the king's forced journey to Paris with the song of Simeon.

This famous sermon of the Old Jewry breathes nothing but this spirit through all its political part. Plots, massacres, assassinations seem to some people a trivial price for obtaining a revolution. A cheap, bloodless reformation, a guiltless liberty, seem flat and stale to their taste. There must be a great change of scene; there must be a magnificent stage effect; there must be a grand spectacle to rouse the imagination, grown torpid with the lazy enjoyment of sixty years' security and the still, unexciting repose of public prosperity. The Preacher found all of these in the French revolution. It sends a youthful warmth through his whole frame. His enthusiasm kindles as he goes on, and by the time he reaches his peroration it is in a full blaze. Then, viewing from the Pisgah of his pulpit the free, moral, happy, flourishing, and glorious state of France, as in a bird's-eye landscape of a promised land, he breaks out into the following rapture:[1]

"What an eventful period is this! I am *thankful* that I have lived to it; I could almost say, *Lord now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation.*—I have lived to see a *diffusion* of knowledge, which has undermined supersti-

1 Pisgah: the mountain from which Moses was shown the Promised Land before he died (Deuteronomy 34).

tion and error.—I have lived to see *the rights of men* better understood than ever; and nations panting for liberty which seemed to have lost the idea of it.—I have lived to see *Thirty Millions* [97] *of People,* indignant and resolute, spurning at slavery, and demanding liberty with an irresistible voice. *Their King led in triumph, and an arbitrary monarch surrendering himself to his subjects*[2]."[3]

Before I go further, I must remark that Dr. Price seems rather to overvalue the great gains in enlightenment which he has acquired and spread in this age. The last century seems to me to have been quite as enlightened. It had, though in a different place, a triumph as memorable as Dr. Price's; and some of the great preachers of that period shared in it as eagerly as he has in the triumph of France. At the trial of the Rev. Hugh Peters for high treason, it was sworn in evidence that when King Charles was brought to London for his trial, the Apostle of Liberty of that day conducted the *triumph.* "I saw," says the witness, "his majesty in the coach with six horses, and Peters riding before the king *triumphing.*" Dr. Price, when he talks as if he had made a discovery, is only following a precedent; for after the king's trial had begun, this forerunner, the same Dr. Peters, concluding a long prayer at the royal chapel at Whitehall, [98] (he had chosen his place very triumphantly) said, "I have prayed and preached these twenty years; and now I may say with old Simeon, *Lord now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation*[4]." Peters did not enjoy the fruits of his prayer; for he departed neither as soon as he wished, nor in peace. He became (what I heartily hope none of his followers in this country may become) himself a sacrifice to the triumph he had led as high priest. At the Restoration they dealt, perhaps, too harshly

2 BURKE'S NOTE. Another of these reverend gentlemen, who witnessed some of the spectacles Paris has lately put on display, expresses himself thus: "*A king dragged in submissive triumph by his conquering subjects* is one of those appearances of grandeur which seldom rise in the prospect of human affairs, and which, during the remainder of my life, I shall think of with wonder and gratification." These gentlemen agree marvelously in their feelings.

3 Price quotes the song of Simeon, the "Nunc dimittis" (Luke 2:29–30).

4 BURKE'S NOTE. State Trials, vol. ii, p. 360, p. 363.

with this poor good man. But we owe it to his memory and his sufferings to say that he had as much illumination and as much zeal, and had as effectively undermined all *the superstition and error* that might obstruct the great business he was engaged in, as any of those who follow him and repeat after him in this age—an age that would claim for itself an exclusive title to the knowledge of the rights of men, and to all the glorious consequences of that knowledge.

After this outburst of the preacher of the Old Jewry—which differs only in place and time, but agrees perfectly in spirit and letter with the rapture of 1648—the Revolution Society, those fabricators of governments, that heroic band of *cashierers* of *monarchs,* electors of sovereigns, and leaders of kings in triumph, strutting with a proud consciousness of the diffusion of knowledge, of which every member had received so large a share in the handout, were in haste to make a generous diffusion of the knowledge [99] they had thus received free of charge. To make this bountiful communication, they adjourned from the church in the Old Jewry to the London Tavern, where the same Dr. Price, in whom the fumes of his oracular tripod had not entirely evaporated, moved and carried the resolution, or address of congratulation, sent by Lord Stanhope to the National Assembly of France.[5]

I find a preacher of the gospel profaning the beautiful and prophetic utterance commonly called the "*nunc dimittis,*" spoken at the first presentation of our Savior in the Temple, and applying it, with an inhuman and unnatural rapture, to the most horrid, atrocious, and afflicting spectacle that perhaps was ever exhibited to the pity and indignation of mankind. This "*leading in triumph,*" a thing unmanly and irreligious even in its best form, which fills our Preacher with such unholy transports, must shock, I believe, the moral taste of every well-born mind. Several English people were the stunned and indignant spectators of that triumph. It was (unless we have been strangely

5 The tripod was the seat of the priestess of Apollo at Delphi, who prophesied amid vapors.

deceived) a spectacle that much more resembled a procession of American Indigenous warriors entering Onondaga after some of their murders called victories, leading their captives into hovels hung round with scalps, overwhelmed by the jeers and blows of women as ferocious as themselves, than it resembled the triumphal pomp of a civilized martial nation—if a civilized nation, or any men with a sense of generosity, were capable of a personal triumph over the fallen and afflicted.[6]

100 This, my dear Sir, was not the triumph of France. I must believe that, as a nation, it overwhelmed you with shame and horror. I must believe that the National Assembly find themselves in the deepest humiliation at being unable to punish the authors of this triumph or the actors in it, and that they are in a situation in which any inquiry they might make into the matter must lack even the appearance of liberty or impartiality. The excuse for that Assembly lies in their situation; but when we approve what they *must* endure, it is in us the degenerate choice of a corrupted mind.

With a forced show of deliberation, they vote under the rule of a stern necessity. They sit, as it were, in the heart of a foreign republic: they reside in a city whose constitution has come neither from the charter of their king nor from their own legislative power. There they are surrounded by an army raised neither by the authority of their crown nor by their command—an army which, if they ordered it to dissolve itself, would instantly dissolve them. There they sit, after a gang of assassins has driven away all the men of moderate minds and moderating authority among them, leaving them as a kind of dregs and refuse, under the apparent lead of men in whom they do not even pretend to have any confidence. There they sit, in mockery of legislation, repeating in resolutions the words of those whom they detest and despise. Captives themselves, they compel a captive king to issue as royal edicts, at third hand, the polluted nonsense 101 of their most licentious and giddy coffeehouses. It is

6 Onondaga: the chief town of the Onondaga nation and council seat of the Iroquois Confederacy, in present-day New York State.

notorious that all their measures are decided before they are debated. It is beyond doubt that, under the terror of the bayonet, the lamp-post, and the torch to their houses, they are obliged to adopt all the crude and desperate measures proposed by clubs made up of a monstrous medley of all conditions, tongues, and nations. Among these are persons beside whom Catiline would be thought scrupulous, and Cethegus a man of sobriety and moderation. Nor is it in these clubs alone that public measures are deformed into monsters. They undergo a prior distortion in academies, meant as so many training schools for these clubs, which are set up in every place of public resort.[7] In these meetings of every sort, each proposal is taken as a mark of superior genius in proportion as it is daring, violent, and treacherous. Humanity and compassion are ridiculed as the fruits of superstition and ignorance. Tenderness to individuals is regarded as treason to the public. Liberty is always to be reckoned perfect in proportion as property is made insecure. Amid assassination, massacre, and confiscation, carried out or contemplated, they are drawing up plans for the good order of future society. Embracing the carcasses of base criminals, and promoting their relatives on the strength of their crimes, they drive hundreds of virtuous people to the same end, by forcing them to live by beggary or by crime.

102 The Assembly, their mouthpiece, performs before them the farce of deliberation with as little decency as liberty. They act like players at a fair before a riotous audience; they act amid the tumultuous cries of a mixed mob of ferocious men and of women lost to shame, who, as their insolent fancies take them, direct, control, applaud, or hiss them off—and sometimes mingle with them and take their seats among them, domineering over them with a strange mixture of servile petulance and proud, presumptuous authority. As they have inverted order in everything, the gallery is in the place of the house. This Assembly, which overthrows kings and kingdoms, has not even

7 Catiline led a conspiracy against the Roman Republic in 63 BC; Cethegus was his most violent associate.

the features and aspect of a grave legislative body—*it had neither the color of empire nor any countenance of a senate.* They have been given a power, like that of the evil principle, to subvert and destroy; but none to construct, except such machines as may be fitted for further subversion and further destruction.[8]

Who that admires national representative assemblies, and is attached to them from the heart, must not turn with horror and disgust from such a profane burlesque, such an abominable perversion of that sacred institution? Lovers of monarchy and lovers of republics must alike abhor it. The members of your Assembly must themselves groan under a tyranny of which they have all the shame, none of the direction, and little of the profit. I am sure that many of the members who make up even the majority of that body must feel as I do, notwithstanding the applause of the Revolution Society. [103] Miserable king! miserable Assembly! How silently scandalized that assembly must be by those of its members who could call a day that seemed to blot the sun out of heaven "a fine day[9]!" How inwardly indignant they must be at hearing others, who saw fit to declare to them "that the vessel of the state would fly forward in her course towards regeneration with more speed than ever," driven by the stiff gale of treason and murder that preceded our Preacher's triumph! What must they have felt when, with outward patience and inward indignation, they heard it said of the slaughter of innocent gentlemen in their own houses that "the blood spilled was not the most pure"?[10] What must they have felt when, besieged by complaints of disorders that shook their country to its foundations, they were compelled coolly to tell the complainants that they were under the protection of the law, and that the Assembly would petition the king (the captive king) to have the laws enforced for their protection—when the enslaved ministers of that captive king had formally informed them that there was

8 Lucan, *Pharsalia*, book 9.

9 BURKE'S NOTE. 6th of October 1789.

10 "Un beau jour" ("a fine day") was the phrase of Bailly, mayor of Paris, greeting the king on his forced arrival in the city.

neither law, nor authority, nor power left to protect anyone? What must they have felt at being obliged, by way of greeting for the present new year, to ask their captive king to forget the stormy period of the last, on account of the great good which *he* was likely to bring about for his people—postponing until that good was completely attained [104] the practical demonstrations of their loyalty, and assuring him of their obedience once he should no longer possess any authority to command?

This address was made with much good nature and affection, to be sure. But among the revolutions in France must be counted a considerable revolution in their ideas of politeness. In England we are said to learn our manners secondhand from your side of the water, and to dress our behavior in the frippery of France. If so, we are still in the old cut; we have not yet conformed so far to the new Parisian fashion in good breeding as to think it quite the most refined strain of delicate compliment (whether in condolence or congratulation) to tell the most humiliated creature that crawls upon the earth that great public benefits are derived from the murder of his servants, the attempted assassination of himself and his wife, and the mortification, disgrace, and degradation he has personally suffered. It is a topic of consolation that our chaplain of Newgate would be too humane to use to a criminal at the foot of the gallows.[11] I should have thought that the hangman of Paris, now that he has been raised to gentility by the vote of the National Assembly and allowed his rank and coat of arms in the Heralds' College of the rights of men, would be too generous, too gallant a man, too full of the sense of his new dignity, to offer that cutting consolation to any of the persons whom the *crime against the nation* might bring under the administration of his *executive powers.*[12]

A man is fallen indeed when he is flattered like this. [105] The soothing draught of oblivion, drugged in this way, is well suited

11 The Ordinary of Newgate was the chaplain of London's chief prison, who attended the condemned at their execution.

12 In December 1789 the Assembly declared executioners eligible for civil rights. The Heralds' College (College of Arms) grants English coats of arms; "lèse-nation," treason against the nation, was the revolutionary counterpart of lèse-majesté.

to keep up a galling wakefulness and to feed the living ulcer of a corroding memory. To administer the opiate potion of amnesty in this way, powdered with every ingredient of scorn and contempt, is to hold to his lips, instead of "the balm of hurt minds," the cup of human misery full to the brim, and to force him to drink it to the dregs.[13]

THE SIXTH OF OCTOBER

Burke recounts the attack on Versailles and the royal family's forced procession to Paris.

Yielding to reasons at least as forceful as those so delicately urged in the New Year's compliment, the king of France will probably try to forget these events, and that compliment. But history, who keeps a lasting record of all our acts and exercises her awful censure over the proceedings of every kind of sovereign, will not forget either those events or the era of this liberal refinement in the dealings of mankind. History will record that on the morning of the 6th of October 1789, the king and queen of France, after a day of confusion, alarm, dismay, and slaughter, lay down, under the pledged security of public faith, to indulge nature in a few hours of respite and troubled, melancholy repose. From this sleep the queen was first startled by the voice of the sentinel at her door, who cried out to her to save herself by flight—that this was the last proof of loyalty he could give—that they were upon him, and he was dead. Instantly he was cut down.[14] A band of cruel ruffians and assassins, reeking with his blood, rushed into the queen's chamber and pierced [106] with a hundred strokes of bayonets and daggers the bed from which this persecuted woman had barely had time to fly, almost naked. By passages unknown to the murderers she had escaped, to seek

13 "Balm of hurt minds": Shakespeare, *Macbeth*, act 2, scene 2, of sleep.
14 On October 5–6, 1789, a Paris crowd, followed by the National Guard under Lafayette, marched on Versailles. Lafayette had assured the royal family of their safety before the palace was broken into at dawn.

refuge at the feet of a king and husband who could not count on his own life for a moment.

This king, to say no more of him, and this queen, and their infant children (who once would have been the pride and hope of a great and generous people) were then forced to abandon the sanctuary of the most splendid palace in the world, which they left swimming in blood, polluted by massacre, and strewn with scattered limbs and mutilated corpses. From there they were led into the capital of their kingdom. Two had been singled out from the unprovoked, unresisted, indiscriminate slaughter of the gentlemen of birth and family who made up the king's body-guard. These two gentlemen, with all the parade of an execution of justice, were cruelly and publicly dragged to the block and beheaded in the great court of the palace. Their heads were stuck upon spears and led the procession, while the royal captives who followed in the train were moved slowly along amid the horrid yells, and shrilling screams, and frantic dances, and infamous insults, and all the unutterable abominations of the furies of hell, in the abused shape of the vilest of women.[15] After they had been made to taste, drop by drop, more than the bitterness of death, in the slow torture of a journey of twelve [107] miles drawn out to six hours, they were lodged in one of the old palaces of Paris, now converted into a Bastille for kings. Their guard was made up of the very soldiers who had conducted them through this famous triumph.[16]

Is this a triumph to be consecrated at altars? to be commemorated with grateful thanksgiving? to be offered to the divine humanity with fervent prayer and enthusiastic exclamation?—These Theban and Thracian orgies, acted in France and applauded only in the Old Jewry, kindle prophetic enthusiasm, I assure you, in the minds of very few people in this kingdom;[17] although a saint and apostle, who may have revelations of his

15 Burke's account is heightened here. Two of the guards were killed in the assault on the palace, and their heads were carried on pikes toward Paris.

16 The Tuileries, where the royal family was kept from October 1789.

17 Theban and Thracian orgies: the frenzied rites of Dionysus, in which (as in Euripides' *Bacchae*) a king is torn apart by maddened women.

own, and who has so completely vanquished all the low superstitions of the heart, may be inclined to think it pious and fitting to compare it with the entrance into the world of the Prince of Peace, proclaimed in a holy temple by a venerable sage, and announced not long before, no less worthily, by the voice of angels to the quiet innocence of shepherds.

At first I was at a loss to explain this fit of unguarded rapture. I knew, indeed, that the sufferings of monarchs make a delicious meal for some kinds of palate. There were considerations that might serve to keep this appetite within some bounds of temperance. But when I took one circumstance into account, I was obliged to admit that much allowance ought to be made for the Society, and that the temptation was too strong for ordinary discretion; I mean the Io [108] Paean of the triumph: the rousing cry that called "for *all* the BISHOPS to be hanged on the lamp-posts[18]" might well have brought forth a burst of enthusiasm over the foreseen consequences of this happy day.[19] I allow such enthusiasm some slight departure from prudence. I allow this prophet to break forth into hymns of joy and thanksgiving over an event that looks like the forerunner of the Millennium, and of the projected Fifth Monarchy, in the destruction of all church establishments. There was, however (as there is in all human affairs), something in the midst of this joy to exercise the patience of these worthy gentlemen and to try the long-suffering of their faith. The actual murder of the king and queen, and their child, was missing from the other auspicious circumstances of this "*beautiful day.*" The actual murder of the bishops was also missing, though so many holy exclamations had called for it.[20] A group of regicide and sacrilegious slaughter was indeed boldly sketched, but it was only sketched. Unhappily it was left unfinished, in this great history painting of the mas-

18 BURKE'S NOTE. "All the bishops to the lamp-post."

TRANSLATOR'S NOTE. French in the original: "Tous les Eveques à la lanterne."

19 Io Paean: the ancient Greek and Roman shout of triumph.

20 The Fifth Monarchy Men were seventeenth-century English millenarians awaiting Christ's reign on earth.

sacre of the innocents. What bold brush of a great master, from the school of the rights of men, will finish it remains to be seen. The age does not yet enjoy the complete benefit of that diffusion of knowledge which has undermined superstition and error. The king of France needs another object or two to consign to oblivion, [109] in consideration of all the good that is to arise from his own sufferings and the patriotic crimes of an enlightened age.[21] ... escaping by a miracle from twenty assassins, who had wanted to make his head one more trophy. That is what made me swear never again to set foot *in that cave of cannibals* [the National Assembly], where I no longer had the strength to raise my voice, where for six weeks I had raised it in vain.[22] For me, for Mounier, and for all honest men, the last effort left to make for the good was to get out of it. No thought of fear came near me. I would blush to defend myself against such a charge. Even on the road I had received, from this people (less guilty than those who have made them drunk with fury), cheers and applause by which others would have been flattered, and which made me shudder. It was to indignation, it was to horror, it was to the physical convulsions that the mere sight of blood brings on in me, that I gave way. One faces a single death; one faces it several times, when it can be of use. But no power under heaven, no opinion public or private, has the right to condemn me to suffer a thousand tortures a minute to no purpose, and to perish of despair and rage amid the *triumphs* of a crime I could not stop.

21 BURKE'S NOTE. It is proper here to refer to a letter written on this subject by an eyewitness. That eyewitness was one of the most honest, intelligent, and eloquent members of the National Assembly, and one of the most active and zealous reformers of the state. He was obliged to withdraw from the Assembly, and he afterward became a voluntary exile. The cause was the horrors of this pious triumph, and the dispositions of men who, profiting from crimes if not causing them, have taken the lead in public affairs.

EXTRACT of M. de Lally-Tollendal's Second Letter to a Friend.

TRANSLATOR'S NOTE. Trophime-Gérard, marquis de Lally-Tollendal, was a liberal noble deputy who left the Assembly after the October Days and went into exile in Switzerland.

22 From "escaping by a miracle" to the end of chunk 357, the text is part of the French extract from Lally-Tollendal's letter that Burke quotes in note [5]. It is given here in English. The man escaping is Mounier.

They will proscribe me; they will confiscate my property. I will plow the earth, and I will see them no more.—That is my justification. You may read it, show it, let it be copied. So much the worse for those who do not understand it; it will not then be I who was wrong to give it to them. This military man did not have such good nerves as the peaceable gentleman of the Old Jewry.—See Monsieur Mounier's narrative of these events; he too is a man of honor, and virtue, and talents, and therefore a fugitive.[23]

[110] This work of our new light and knowledge did not go as far as it was in all probability meant to be carried. Even so, I must think that such treatment of any human creatures must be shocking to any but those [111] who are made for accomplishing Revolutions. But I cannot stop here. Moved by the inborn feelings of my nature, and not illuminated by a single ray of this new-sprung modern light, I confess to you, Sir, that the exalted rank of the persons suffering—and particularly the sex, the beauty, and the amiable qualities of the descendant of so many kings and emperors, with the tender age of royal infants, insensible only through infancy and innocence of the cruel outrages to which their parents were exposed—far from being a subject of exultation, adds not a little to my feeling on that most melancholy occasion.

I hear that the august person who was the principal object of our preacher's triumph, though he bore himself up, felt much on that shameful occasion. As a man, it became him to feel for his wife and his children, and for the faithful guards of his person who were massacred in cold blood around him. As a prince, it became him to feel for the strange and frightful transformation of his civilized subjects, and to be more grieved for them than anxious for himself. It takes little from his fortitude, while it adds infinitely to the honor of his humanity. I am very sorry to

23 Jean-Joseph Mounier, leader of the moderate constitutional monarchists and president of the Assembly in October 1789, withdrew after the October Days and soon left France. He published a defense of his conduct.

say it, very sorry indeed, that such personages are in a situation in which it is not unbecoming to praise the virtues of the great.

I hear, and I rejoice to hear, that the great lady, the other object of the triumph, has borne that day (one cares that beings made for suffering should suffer well). I hear that she bears [112] all the days that have followed, that she bears the imprisonment of her husband, and her own captivity, and the exile of her friends, and the insulting flattery of addresses, and the whole weight of her accumulated wrongs, with a serene patience. She bears them in a manner suited to her rank and race, and becoming the daughter of a sovereign distinguished for her piety and her courage;[24] that like her she has lofty sentiments; that she feels with the dignity of a Roman matron; that in the last extremity she will save herself from the last disgrace; and that if she must fall, she will fall by no ignoble hand.

THE QUEEN OF FRANCE AND THE AGE OF CHIVALRY

Burke remembers Marie Antoinette at Versailles and mourns the passing of the age of chivalry.

It is now sixteen or seventeen years since I saw the queen of France, then the dauphiness, at Versailles; and surely never lighted on this orb, which she hardly seemed to touch, a more delightful vision. I saw her just above the horizon, decorating and cheering the elevated sphere she was just beginning to move in—glittering like the morning star, full of life, and splendor, and joy. Oh! what a revolution! and what a heart must I have, to contemplate without emotion that elevation and that fall![25] Little did I dream, when she added titles of veneration to those of enthusiastic, distant, respectful love, that she should ever be obliged to carry the sharp antidote against disgrace concealed in that bosom. Little did I dream that I should have lived to see such disasters fall upon her in a nation of gallant men, in

24 Marie Antoinette was the daughter of the Empress Maria Theresa of Austria.
25 Burke saw Marie Antoinette at Versailles in 1773, three years after her marriage to the future Louis XVI.

a nation of men of honor and of cavaliers. I thought ten thousand swords must have leaped from their scabbards to avenge [113] even a look that threatened her with insult.—But the age of chivalry is gone.—That of sophisters, economists, and calculators has succeeded; and the glory of Europe is extinguished for ever.[26] Never, never more shall we behold that generous loyalty to rank and sex, that proud submission, that dignified obedience, that subordination of the heart, which kept alive, even in servitude itself, the spirit of an exalted freedom. The unbought grace of life, the cheap defense of nations, the nurse of manly sentiment and heroic enterprise, is gone! It is gone, that sensibility of principle, that chastity of honor, which felt a stain like a wound, which inspired courage while it mitigated ferocity, which ennobled whatever it touched, and under which vice itself lost half its evil, by losing all its grossness.

This mixed system of opinion and sentiment had its origin in the ancient chivalry. The principle, though varied in its appearance by the varying state of human affairs, survived and exerted its influence through a long succession of generations, even to the time we live in. If it should ever be totally extinguished, the loss, I fear, will be great. It is this which has given its character to modern Europe. It is this which has distinguished it under all its forms of government, and distinguished it to its advantage, from the states of Asia, and possibly from those states which flourished in the most brilliant periods of the ancient world. It was this which, without confounding ranks, had produced a noble equality, and handed it down through all the gradations [114] of social life. It was this opinion which softened kings into companions, and raised private men to be fellows with kings. Without force or opposition, it subdued the fierceness of pride and power. It obliged sovereigns to submit to the soft collar of social esteem, compelled stern authority to submit to elegance, and caused a power that could overcome laws to be subdued by manners.

26 Sophisters: sophists, specious reasoners. Economists: the French Physiocrats (Quesnay, Turgot and their school), whom Burke calls “oeconomists.”

But now all is to be changed. All the pleasing illusions which made power gentle and obedience liberal, which harmonized the different shades of life, and which, by a bland assimilation, incorporated into politics the sentiments that beautify and soften private society, are to be dissolved by this new conquering empire of light and reason. All the decent drapery of life is to be rudely torn off. All the superadded ideas, furnished from the wardrobe of a moral imagination, which the heart owns and the understanding ratifies as necessary to cover the defects of our naked, shivering nature and to raise it to dignity in our own estimation, are to be exploded as a ridiculous, absurd, and antiquated fashion.

On this scheme of things, a king is but a man; a queen is but a woman; a woman is but an animal; and an animal not of the highest order. All homage paid to the sex in general as such, and without any particular object in view, is to be regarded as romance and folly. Regicide, and parricide, and sacrilege are but fictions of superstition, corrupting jurisprudence by destroying
115 its simplicity. The murder of a king, or a queen, or a bishop, or a father, is only common homicide; and if the people are by any chance, or in any way, gainers by it, a sort of homicide much the most pardonable, and one into which we ought not to inquire too severely.

On the scheme of this barbarous philosophy, which is the offspring of cold hearts and muddy understandings, and which is as void of solid wisdom as it is destitute of all taste and elegance, laws are to be upheld only by their own terrors, and by the concern that each individual may find in them from his own private speculations, or can spare for them from his own private interests. In the groves of *their* academy, at the end of every vista, you see nothing but the gallows. Nothing is left that engages the affections on the part of the commonwealth.[27] On the principles of this mechanical philosophy, our institutions can never be embodied, if I may use the expression, in persons,

27 "The groves of academy" echoes Horace (*Epistles* 2.2.45), on seeking truth among the trees of Plato's Academy.

so as to create in us love, veneration, admiration, or attachment. But the kind of reason that banishes the affections cannot fill their place. These public affections, combined with manners, are needed sometimes as supplements, sometimes as correctives, always as aids to law. The rule that a wise man, who was also a great critic, gave for the making of poems is just as true of states: *It is not enough for poems to be beautiful; they must also be charming*. There ought to be a system of manners in every nation that a well-formed [116] mind would be disposed to relish.[28] To make us love our country, our country ought to be lovely.

But power of one kind or another will survive the shock in which manners and opinions perish, and it will find other and worse means to support itself. The usurpation which, in order to overthrow ancient institutions, has destroyed ancient principles, will hold power by arts like those by which it acquired it. When the old feudal and chivalrous spirit of *Fealty*, which, by freeing kings from fear, freed both kings and subjects from the precautions of tyranny, is extinct in the minds of men, plots and assassinations will be forestalled by preventive murder and preventive confiscation, and by that long roll of grim and bloody maxims that make up the political code of all power that does not stand on its own honor and on the honor of those who are to obey it. Kings will be tyrants from policy when subjects are rebels from principle.

When ancient opinions and rules of life are taken away, the loss cannot possibly be estimated. From that moment we have no compass to guide us, nor can we know clearly to what port we are steering. Europe, taken as a whole, was undoubtedly in a flourishing condition on the day your Revolution was completed. How much of that prosperity was owing to the spirit of our old manners and opinions is not easy to say; but since such causes cannot be indifferent in their effects, we must presume that, on the whole, their effects were beneficial.

[117] We are all too apt to take things in the state in which we find them, without paying enough attention to the causes that

28 Horace, *Ars Poetica* 99.

produced them and that may perhaps keep them up. Nothing is more certain than that our manners, our civilization, and all the good things connected with manners and with civilization have, in this European world of ours, depended for ages on two principles; and were indeed the result of both combined. I mean the spirit of a gentleman and the spirit of religion. The nobility and the clergy, the one by profession, the other by patronage, kept learning alive even in the midst of arms and confusion, and while governments were still in their causes rather than formed. Learning paid back what it had received to nobility and to priesthood, and paid it back with interest, by enlarging their ideas and furnishing their minds. Happy if they had all continued to know their indissoluble union and their proper place! Happy if learning, not debauched by ambition, had been content to remain the instructor, and had not aspired to be the master! Along with its natural protectors and guardians, learning will be cast into the mire and trodden down under the hoofs of a swinish multitude.

If, as I suspect, modern letters owe more than they are always willing to admit to ancient manners, so do other interests that we value fully as much as they are worth. Even commerce, and trade, and manufacture, the gods of our political economists, are themselves perhaps only [118] creatures; are themselves only effects, which we choose to worship as first causes. They certainly grew up under the same shade in which learning flourished. They too may decay along with their natural protecting principles. With you, for the present at least, they all threaten to disappear together. Where a people lacks trade and manufactures, but the spirit of nobility and religion remains, sentiment supplies their place, and not always badly; but if commerce and the arts should be lost in an experiment to see how well a state can stand without these old fundamental principles, what sort of thing must a nation be of gross, stupid, ferocious, and at the same time poor and sordid barbarians, destitute of religion, honor, or manly pride, possessing nothing at present and hoping for nothing hereafter?

I hope you are not heading fast, and by the shortest route, to that horrible and disgusting condition. Already there appears a poverty of conception, a coarseness and vulgarity, in all the proceedings of the Assembly and of all their instructors. Their liberty is not liberal. Their science is presumptuous ignorance. Their humanity is savage and brutal.

It is not clear whether we in England learned those grand and decorous principles and manners, of which considerable traces still remain, from you, or whether you took them from us. But to you, I think, we trace them best. You seem to me to be—*the cradle of our race.* France has always more or less influenced manners in England; and when your fountain is choked up and polluted, [119] the stream will not run long, or not run clear, with us, or perhaps with any nation. This gives all Europe, in my opinion, an all too close and connected concern in what is done in France.[29] Forgive me, then, if I have dwelt too long on the atrocious spectacle of the sixth of October 1789, or have given too much room to the reflections that arose in my mind on the occasion of the most important of all revolutions, which may be dated from that day: I mean a revolution in sentiments, manners, and moral opinions. As things now stand, with everything worthy of respect destroyed outside us, and an attempt being made to destroy every principle of respect within us, one is almost forced to apologize for harboring the common feelings of men.

WHY BURKE FEELS AS HE DOES

Burke defends his feelings as natural and the English as men of untaught, traditional sentiments.

Why do I feel so differently from the Reverend Dr. Price, and from those of his lay flock who will choose to adopt the sentiments of his sermon? For this plain reason—because it is *natural* that I should; because we are so made as to be moved, at such spectacles, to melancholy thoughts on the unstable condition of

29 Adapted from Virgil, *Aeneid* 3.105 ("gentis cunabula nostrae"), said there of Crete.

mortal prosperity and the tremendous uncertainty of human greatness; because in those natural feelings we learn great lessons; because in events like these our passions instruct our reason; because when kings are hurled from their thrones by the Supreme Director of this great drama, and become objects of insult to the base and of pity to the good, we look on such disasters in the moral order as we should look on a miracle in the physical order of things. We are startled into [120] reflection; our minds (as was observed long ago) are purified by terror and pity; our weak, unthinking pride is humbled under the dispensations of a mysterious wisdom.—[30] Some tears might be drawn from me if such a spectacle were put on the stage. I should be truly ashamed to find in myself that superficial, theatrical feeling for painted distress while I could exult over the same thing in real life. With so perverted a mind, I could never dare to show my face at a tragedy. People would think the tears that Garrick in former days, or Siddons not long ago, wrung from me were the tears of hypocrisy; I should know them to be the tears of folly.[31]

Indeed the theater is a better school of moral sentiments than churches where the feelings of humanity are outraged in this way. Poets, who have to deal with an audience not yet graduated in the school of the rights of men, and who must address themselves to the moral constitution of the heart, would not dare to present such a triumph as a cause for exultation. There, where men follow their natural impulses, they would not tolerate the odious maxims of a Machiavellian policy, whether applied to gaining a monarchical or a democratic tyranny. They would reject them on the modern stage, as they once did on the ancient, where audiences could not bear even the hypothetical proposal of such wickedness in the mouth of a tyrant played by an actor, though it suited the character he represented. No

30 Aristotle's account of tragedy in the *Poetics,* which purges the emotions through pity and fear.

31 David Garrick (1717–1779) and Sarah Siddons (1755–1831), the great tragic actors of the London stage.

theater audience in Athens would tolerate what has been [121] tolerated in the midst of the real tragedy of this triumphal day: a principal actor weighing, as it were in scales hung in a shop of horrors,—so much actual crime against so much possible advantage,—and, after putting weights in and taking them out, declaring that the balance lay on the side of the advantages. They would not bear to see the crimes of the new democracy entered as in a ledger against the crimes of the old despotism, and the bookkeepers of politics finding democracy still in debt, but by no means unable or unwilling to pay the balance. In the theater, the first intuitive glance, without any elaborate process of reasoning, would show that this method of political accounting would justify crime to any extent. The audience would see that on these principles, even where the very worst acts were not committed, this was owing to the luck of the conspirators rather than to their thrift in spending treachery and blood. They would soon see that criminal means, once tolerated, are soon preferred. They offer a shorter cut to the goal than the highway of the moral virtues. Once perfidy and murder are justified for the public benefit, the public benefit would soon become the pretext, and perfidy and murder the end, until rapacity, malice, revenge, and fear more dreadful than revenge could satisfy their insatiable appetites. Such must be the consequences of losing, in the splendor of these triumphs of the rights of men, all natural sense of wrong and right.

But the Reverend Pastor exults in this "leading [122] in triumph" because, if you please, Louis XVI was "an arbitrary monarch"; that is, in other words, neither more nor less than because he was Louis XVI, and because he had the misfortune to be born king of France, with the prerogatives that a long line of ancestors and a long acquiescence of the people, without any act of his own, had put in his possession. It has indeed turned out to be a misfortune for him that he was born king of France. But misfortune is not crime, nor is indiscretion always the greatest guilt. I shall never think that a prince the acts of whose whole reign were a series of concessions to his subjects, who was willing to

relax his authority, to give up his prerogatives, to call his people to a share of freedom not known, perhaps not desired, by their ancestors; such a prince, even if he were subject to the common frailties of men and of princes, even if he had once thought it necessary to provide force against the desperate designs plainly being carried on against his person and the remnants of his authority; even taking all this into consideration, I shall find it very hard to think that he deserves the cruel and insulting triumph of Paris, and of Dr. Price. I tremble for the cause of liberty, given such an example to kings. I tremble for the cause of humanity, given the unpunished outrages of the most wicked of mankind. But there are some people of that low and degenerate cast of mind who look up with a sort of complacent awe and admiration to kings who know how [123] to keep firm in their seats, to hold a strict hand over their subjects, to assert their prerogative, and, by the wakeful vigilance of a severe despotism, to guard against the very first approaches of freedom. Against such kings as these they never raise their voices. Deserters from principle, enlisted with fortune, they never see any good in suffering virtue, nor any crime in prosperous usurpation.

If it could have been made clear to me that the king and queen of France (I mean those who were such before the triumph) were inexorable and cruel tyrants, that they had formed a deliberate scheme to massacre the National Assembly (I think I have seen something like this last insinuated in certain publications), I should think their captivity just. If this is true, much more ought to have been done—but done, in my opinion, in another manner. The punishment of real tyrants is a noble and awful act of justice; and it has been said with truth to be a consolation to the human mind. But if I were to punish a wicked king, I should have regard to dignity in avenging the crime. Justice is grave and decorous, and in its punishments seems rather to submit to a necessity than to make a choice. Had Nero, or Agrippina, or Louis XI, or Charles IX been the subject; if Charles XII of Sweden after the murder of Patkul, or his prede-

cessor Christina after the murder of Monaldeschi, had fallen into your hands, Sir, or into mine, I am sure our conduct would have been different.[32]

124 If the French King, or King of the French (or whatever name he goes by in the new vocabulary of your constitution), has in his own person, and in that of his queen, really deserved these unacknowledged but unavenged attempts at murder, and the indignities that followed, more cruel than murder, such a person would hardly deserve even that subordinate executive trust which I understand is to be placed in him; nor is he fit to be called chief of a nation he has outraged and oppressed. A worse choice for such an office in a new commonwealth than a deposed tyrant could not possibly be made.[33] But to degrade and insult a man as the worst of criminals, and afterward to trust him with your highest concerns as a faithful, honest, and zealous servant, is not consistent in reasoning, nor prudent in policy, nor safe in practice. Those who could make such an appointment must be guilty of a more flagrant breach of trust than any they have yet committed against the people. Since this is the only crime in which your leading politicians could have acted inconsistently, I conclude that there is no ground whatever for these horrid insinuations. I think no better of all the other slanders.

In England we give them no credit. We are generous enemies; we are faithful allies. We spurn with disgust and indignation the slanders of those who bring us their anecdotes vouched for by the fleur-de-lis branded on their shoulder. We have Lord George Gordon fast in Newgate. Neither his being a public convert 125 to Judaism, nor his having raised a mob (excuse the term, it is still in use here) which, in his zeal against Catholic priests and every sort of clergy, pulled down all our prisons, has preserved for him a liberty he did not make himself worthy of by a virtuous

32 Johann Patkul, a Livonian noble, was executed on Charles XII's orders in 1707; Gian Rinaldo Monaldeschi, Queen Christina's equerry, was killed at her command at Fontainebleau in 1657.

33 "King of the French" was the title the National Assembly gave Louis XVI in place of "King of France."

use of it. We have rebuilt Newgate, and given the mansion its tenant.[34] We have prisons almost as strong as the Bastille for those who dare to libel the queens of France. In this spiritual retreat let the noble libeler remain. Let him meditate there on his Talmud until he learns a conduct more becoming his birth and talents, and less disgraceful to the ancient religion he has converted to. Or let him stay until some persons from your side of the water, to please your new Hebrew brethren, ransom him. He may then be able to buy, with the old hoards of the synagogue and a very small percentage on the long compound interest of the thirty pieces of silver (Dr.[35] Price has shown us what miracles compound interest will perform in 1,790 years) the lands which have lately been discovered to have been usurped by the Gallican church. Send us your popish Archbishop of Paris, and we will send you our Protestant rabbi. We shall treat the man you send us in exchange like a gentleman and an honest man, as he is. But please let him bring with him the fund of his hospitality, bounty, and charity; and, depend upon it, we shall never confiscate a shilling of that honorable and pious fund, nor think of enriching the treasury with the spoils of the poor-box.[36]

To tell you the truth, my dear Sir, I think the [126] honor of our nation is somewhat at stake in disowning the proceedings of this society of the Old Jewry and the London Tavern. I hold no man's proxy. I speak only for myself when I disclaim, as I do with all possible earnestness, all fellowship with the actors in

34 French criminals were branded with the fleur-de-lis. Burke means Jeanne de La Motte, branded for the Diamond Necklace affair, who published libels on Marie Antoinette from London. Lord George Gordon led the anti-Catholic riots of 1780, in which Newgate was burned; he later converted to Judaism and was imprisoned in 1788 for libeling the French queen.

35 In January 1790 the National Assembly had granted citizenship to the Sephardic Jews of Bordeaux and Avignon.

36 Price had calculated that a penny put out at compound interest at the birth of Christ would by now be worth an immense mass of gold. The Archbishop of Paris, Leclerc de Juigné, was famed for his charity and had fled France in 1789.

that triumph, or with its admirers.[37] When I assert anything else about the people of England, I speak from observation, not from authority. But I speak from the experience I have had in a fairly extensive and mixed acquaintance with the inhabitants of this kingdom, of all descriptions and ranks, and after a course of attentive observation begun early in life and continued for nearly forty years. We are divided from you by only a slender ditch of about twenty-four miles, and the traffic between the two countries has lately been very great. Considering this, I have often been astonished to find how little you seem to know of us. I suspect this comes from your judging this nation by certain publications, which represent the opinions and dispositions generally prevailing in England very wrongly, if they represent them at all. Several petty cabals try to hide their utter lack of importance in bustle and noise, and puffing, and quoting one another. Their vanity, restlessness, petulance, and spirit of intrigue make you imagine that our contemptuous neglect of their abilities is a sign of general agreement with their opinions. No such thing, I assure you. Because half a dozen grasshoppers under a fern make the field ring 127 with their importunate chirping, while thousands of great cattle, resting beneath the shadow of the British oak, chew the cud and are silent, pray do not imagine that those who make the noise are the only inhabitants of the field; that, of course, they are many in number; or that, after all, they are anything but the little shriveled, meager, hopping, though loud and troublesome, insects of the hour.

I almost venture to affirm that not one in a hundred of us shares in the "triumph" of the Revolution Society. Suppose the king and queen of France and their children were to fall into our hands by the chance of war, in the most bitter of all hostilities (God forbid such an event, God forbid such hostility). They would then be treated to another sort of triumphal entry into

37 The London Tavern was where the Revolution Society held its dinner after Price's sermon.

London. We once had a king of France in that situation;[38] you have read how he was treated by the victor in the field, and how he was afterward received in England. Four hundred years have passed over us; but I believe we have not materially changed since then. Thanks to our sullen resistance to innovation, thanks to the cold sluggishness of our national character, we still bear the stamp of our forefathers. We have not, I believe, lost the generosity and dignity of thought of the fourteenth century; nor have we yet refined ourselves into the uncivilized. We are not the converts of Rousseau; we are not the disciples of Voltaire; Helvétius has made no progress among us. Atheists are not our preachers; madmen are not our lawgivers. We [128] know that *we* have made no discoveries, and we think that no discoveries are to be made, in morality; nor many in the great principles of government, nor in the ideas of liberty, which were understood long before we were born altogether as well as they will be after the grave has heaped its earth upon our presumption, and the silent tomb has imposed its law on our pert loquacity. In England we have not yet been completely disemboweled of our natural entrails. We still feel within us, and we cherish and cultivate, those inbred sentiments which are the faithful guardians, the active monitors of our duty, the true supporters of all liberal and manly morals. We have not been drawn and trussed so that we may be filled, like stuffed birds in a museum, with chaff and rags and paltry, blurred shreds of paper about the rights of man. We still keep the whole of our feelings native and entire, uncorrupted by pedantry and infidelity. We have real hearts of flesh and blood beating in our breasts. We fear God; we look up with awe to kings; with affection to parliaments; with duty to magistrates; with reverence to priests; and with respect

38 John II of France, captured by Edward the Black Prince at Poitiers in 1356 and brought to London with every mark of honor.

to nobility[39]. Why? Because when such [129] ideas are brought before our minds, it is *natural* to be so affected. All other feelings are false and spurious. They tend to corrupt our minds, to vitiate our primary morals, and to make us unfit for rational liberty. They teach us a servile, licentious, and abandoned insolence, to be our low sport for a few holidays, and so make us perfectly fit for, and justly deserving of, slavery through the whole course of our lives.

PREJUDICE

Burke defends prejudice as wisdom made habitual, against men who value only their own reason.

You see, Sir, that in this enlightened age I am bold enough to confess that we are generally men of untaught feelings. Instead of casting away all our old prejudices, we cherish them to a very considerable degree; and, to take more shame to ourselves, we cherish them because they are prejudices; and the longer they have lasted, and the more generally they have prevailed, the more we cherish them. We are afraid to set men to live and trade each on his own private stock of reason. We suspect that this stock in each man is small, and that individuals would do better to draw on the general bank and capital of nations and of ages. Many of our men of speculation, instead of exploding general prejudices, employ their sagacity to discover the latent wisdom that prevails in them. If they find what they seek, and they seldom fail, they think it wiser to [130] continue the prejudice, with the reason wrapped up in it, than to cast away the coat of prejudice and leave nothing but the naked reason; because prejudice, with its reason, has a motive to set that reason in action, and an

39 BURKE'S NOTE. The English are, I believe, misrepresented in a letter published in one of the papers by a gentleman thought to be a Dissenting minister. Writing to Dr. Price about the spirit that prevails at Paris, he says: "The spirit of the people in this place has abolished all the proud *distinctions* which the *king* and *nobles* had usurped in their minds." Whether they talk of "the king, the noble, or the priest, *their whole language is that of the most* enlightened and liberal amongst the English." If this gentleman means to confine the terms *enlightened and liberal* to one set of men in England, it may be true. It is not generally so.

affection that will give it permanence. Prejudice is ready for use in an emergency. It engages the mind beforehand in a steady course of wisdom and virtue, and does not leave a man hesitating at the moment of decision, skeptical, puzzled, and unresolved. Prejudice makes a man's virtue his habit, and not a series of unconnected acts. Through just prejudice, his duty becomes a part of his nature.

Your literary men and your politicians, and the whole clan of the enlightened among us too, differ essentially on these points. They have no respect for the wisdom of others; but they make up for it with a very full measure of confidence in their own. With them it is reason enough to destroy an old scheme of things that it is an old one. As to the new, they have no fear at all about how long a building run up in haste will last. Duration is no object to those who think little or nothing was done before their time, and who place all their hopes in discovery. They hold, very systematically, that everything which gives perpetuity is mischievous, and therefore they are at inexpiable war with all establishments. They think that government may change like fashions in dress, and with as little ill effect. They think no principle of attachment to any constitution of the state is needed, except a sense [131] of present convenience. They always speak as if they believed there were a peculiar species of compact between them and their magistrates. In their view it binds the magistrate but has nothing reciprocal in it, and the majesty of the people has a right to dissolve it without any reason but its will. Their attachment to their country itself extends only so far as it agrees with some of their fleeting projects; it begins and ends with whatever scheme of polity falls in with their opinion of the moment.

These doctrines, or rather sentiments, seem to prevail among your new statesmen. But they are wholly different from those on which we have always acted in this country.

I hear it is sometimes given out in France that what is being done among you follows the example of England. I beg leave to affirm that scarcely anything done with you has originated from

the practice or the prevailing opinions of this people, either in the act or in the spirit of the proceeding. Let me add that we are as unwilling to learn these lessons from France as we are sure that we never taught them to that nation. The cabals here who take a sort of share in your transactions still consist of only a handful of people. They may, unfortunately, draw considerable numbers into their faction by their intrigues, their sermons, their publications, and a confidence drawn from an expected union with the counsels and forces of the French nation. [132] They may then make a serious attempt at something here in imitation of what has been done with you. If so, I dare venture to prophesy the outcome: with some trouble to their country, they will soon accomplish their own destruction. This people refused to change their law in remote ages out of respect for the infallibility of popes. They will not alter it now out of a pious, implicit faith in the dogmatism of philosophers—though the former was armed with the anathema and the crusade, and though the latter should act with the libel and the lamp-iron.

Formerly your affairs were your own concern alone. We felt for them as men; but we kept aloof from them, because we were not citizens of France. But when we see the model held up to ourselves, we must feel as Englishmen, and, feeling, we must provide as Englishmen. Your affairs, in spite of us, are made a part of our interest, at least so far as to keep your panacea, or your plague, at a distance. If it is a panacea, we do not want it. We know the consequences of unnecessary medicine. If it is a plague, it is such a plague that the precautions of the strictest quarantine ought to be established against it.

I hear on all sides that a cabal calling itself philosophic receives the glory for many of the late proceedings, and that their opinions and systems are the true animating spirit of them all. I have never heard of any party in England, literary or political, at any time, known by such a description. It is not composed, with you, of those men, is it, whom the common people, in their blunt, [133] homely style, commonly call atheists and infidels? If it is, I admit that we too have had writers of that descrip-

tion, who made some noise in their day. At present they rest in lasting oblivion. Who, born within the last forty years, has read one word of Collins, and Toland, and Tindal, and Chubb, and Morgan, and that whole race who called themselves Free-thinkers? Who now reads Bolingbroke? Who ever read him through? Ask the booksellers of London what has become of all these lights of the world. In as few years their few successors will go to the family vault of "all the Capulets." But whatever they were, or are, with us, they were and are wholly unconnected individuals. With us they kept the common nature of their kind, and were not gregarious.[40] They never acted as a body. They were never known as a faction in the state, and never presumed to influence any of our public affairs in that name or character, or for the purposes of such a faction. Whether they ought to exist in that way, and be permitted to act so, is another question. Such cabals have not existed in England. Nor has their spirit had any influence in establishing the original frame of our constitution, or in any one of the several repairs and improvements it has undergone. The whole has been done under the auspices, and is confirmed by the sanctions, of religion and piety. The whole has flowed from the simplicity of our national character, and from a sort of native plainness and directness of understanding. For a long time this characterized 134 the men who have successively obtained authority among us. This disposition still remains, at least in the great body of the people.

40 Anthony Collins, John Toland, Matthew Tindal, Thomas Chubb and Thomas Morgan were English deists of the early eighteenth century. Bolingbroke's philosophical works appeared posthumously in 1754. "All the Capulets" echoes the family vault in *Romeo and Juliet*.

Religion, the Church and the Seizure of Its Property

Religion as the basis of civil society, society as a partnership across generations, and the confiscation of the French Church's lands.

RELIGION, THE BASIS OF CIVIL SOCIETY

Burke declares religion the basis of civil society and explains why England consecrates the state through an established church.

We know, and what is better, we feel inwardly, that religion is the basis of civil society and the source of all good and of all comfort[1]. In England we are so convinced of this that there is no rust of superstition, with which the accumulated absurdity of the human mind might have crusted it over in the course of ages, that ninety-nine in a hundred of the people of England would not prefer to impiety. We shall never be such fools as to call in an enemy to the substance of any system to remove its corruptions, to supply its defects, or to perfect its construction. If our religious tenets should ever need further elucidation, we shall not call on atheism to explain them. We shall not light up

1 BURKE'S NOTE. Let this, then, be impressed upon citizens from the very beginning: that the gods are the lords and rulers of all things; that what is done is done by their power, authority, and divine will; that they deserve the very best of the human race; that they observe what sort of person each one is, what he does, what wrongs he allows himself, with what mind and what piety he keeps religious observances; and that they take account of the pious and the impious. For minds steeped in these things will hardly shrink from a useful and true opinion. Cicero, On the Laws, book 2.

TRANSLATOR'S NOTE. Cicero, De Legibus 2.7.15–16, from the preamble to his laws on religion.

our temple from that unhallowed fire. It will be illuminated with other lights. It will be perfumed with other incense than the infectious stuff imported by the smugglers of adulterated metaphysics. If our ecclesiastical establishment should need revision, it is not avarice or rapacity, public or private, that we shall employ to audit, receive, or apply its consecrated revenue. —Violently condemning neither [135] the Greek nor the Armenian, nor, now that passions have cooled, the Roman system of religion, we prefer the Protestant; not because we think it has less of the Christian religion in it, but because, in our judgment, it has more. We are Protestants, not from indifference but from zeal.

We know, and it is our pride to know, that man is by his constitution a religious animal; that atheism is against not only our reason but our instincts; and that it cannot prevail long. But if, in a moment of riot, in a drunken delirium from the hot spirit drawn out of the alembic of hell, which in France is now boiling so furiously, we should uncover our nakedness by throwing off that Christian religion which has until now been our boast and comfort, and one great source of civilization among us and among many other nations, we are afraid (knowing well that the mind will not endure a void) that some uncouth, pernicious, and degrading superstition might take its place.[2]

For that reason, before we take from our establishment the natural human means of esteem and give it up to contempt, as you have done—and in doing so have incurred the penalties you well deserve to suffer—we ask that some other be presented to us in its place. We shall then form our judgment.

On these ideas, instead of quarreling with establishments, as some do who have made a philosophy and a religion of their hostility to such institutions, we cling closely to them. We are resolved to keep an established church, an [136] established monarchy, an established aristocracy, and an established democracy, each in the degree in which it exists, and in no greater. I shall show you shortly how much of each of these we possess.

2 An alembic is a distilling apparatus.

It has been the misfortune (not, as these gentlemen think it, the glory) of this age that everything is to be debated, as if the constitution of our country were always to be a subject of altercation rather than of enjoyment. For this reason, and also for the satisfaction of those among you (if you have any such among you) who may wish to profit from examples, I venture to trouble you with a few thoughts on each of these establishments. I do not think they were unwise in ancient Rome who, when they wished to remodel their laws, sent commissioners to examine the best-constituted republics within their reach.[3]

First, I beg leave to speak of our church establishment, which is the first of our prejudices—not a prejudice destitute of reason, but one involving profound and extensive wisdom. I speak of it first. It is first, and last, and midst in our minds. For, taking our ground on the religious system we now possess, we continue to act on the early received and uniformly continued sense of mankind. That sense has not only, like a wise architect, built up the august fabric of states, but, like a provident proprietor, to preserve the structure from profanation and ruin, as a sacred temple purged of all the impurities of fraud and violence and injustice and tyranny, has solemnly and forever consecrated the commonwealth and all who officiate in it. This consecration is made so that all who administer [137] in the government of men, in which they stand in the person of God himself, should have high and worthy notions of their function and destination; that their hope should be full of immortality; that they should look not to the paltry pelf of the moment, nor to the temporary and transient praise of the crowd, but to a solid, permanent existence in the permanent part of their nature, and to a permanent fame and glory in the example they leave as a rich inheritance to the world.

Such sublime principles ought to be instilled into persons in exalted stations, and religious establishments provided that may continually revive and enforce them. Every sort of moral,

3 Livy (3.31–33) relates that Rome sent envoys to Athens and other Greek cities before drawing up the Twelve Tables in the 450s BC.

every sort of civil, every sort of political institution, aiding the rational and natural ties that connect the human understanding and affections to the divine, is no more than necessary to build up that wonderful structure, Man; whose prerogative it is to be in great degree a creature of his own making, and who, when made as he ought to be made, is destined to hold no trivial place in the creation. But whenever man is put over men, as the better nature ought always to preside, in that case more particularly he should be brought as near as possible to his perfection.

The consecration of the state by a religious establishment of the state is necessary also to work a wholesome awe upon free citizens, because, in order to secure their freedom, they must enjoy some definite portion of power. To [138] them, therefore, a religion connected with the state, and with their duty toward it, becomes even more necessary than in societies where the people, by the terms of their subjection, are confined to private sentiments and the management of their own family concerns. All persons possessing any portion of power ought to be strongly and awfully impressed with the idea that they act in trust, and that they are to account for their conduct in that trust to the one great master, author, and founder of society.

This principle ought to be impressed even more strongly on the minds of those who compose the collective sovereignty than on those of single princes. Without instruments, these princes can do nothing. Whoever uses instruments, in finding helps, finds also impediments. Their power is therefore by no means complete, nor are they safe in extreme abuse. Such persons, however elevated by flattery, arrogance, and self-conceit, must be aware that, whether or not positive law covers it, in some way or other they are accountable even here for the abuse of their trust. If they are not cut off by a rebellion of their people, they may be strangled by the very Janissaries kept to secure them against every other rebellion.[4] Thus we have seen the king of France sold by his soldiers for an increase of pay. But where

4 The Janissaries were the elite infantry of the Ottoman sultans, who more than once deposed or killed them.

popular authority is absolute and unrestrained, the people have an infinitely greater, because a far better founded, confidence in their own power. They are themselves, in great measure, [139] their own instruments. They are nearer to their objects. Besides, they are less answerable to one of the greatest controlling powers on earth, the sense of fame and esteem. The share of infamy likely to fall to each individual in public acts is small indeed, since the operation of opinion is in inverse ratio to the number of those who abuse power.[5] Their own approval of their own acts has to them the appearance of a public judgment in their favor. A perfect democracy is therefore the most shameless thing in the world. As it is the most shameless, it is also the most fearless. No man fears that he can in his own person be made subject to punishment. Certainly the people at large never ought to be: for as all punishments are by way of example, for the preservation of the people at large, the people at large can never become the object of punishment by any human hand[6]. It is therefore of infinite importance that they should not be allowed to imagine that their will, any more than that of kings, is the standard of right and wrong. They ought to be persuaded that they are fully as little entitled, and far less qualified, with safety to themselves, to use any arbitrary power whatsoever; that therefore they are not—under a false show of liberty, but in truth exercising an unnatural, inverted domination—to exact tyrannically from those who officiate in the state not an entire devotion to their interest, which is their right, [140] but an abject submission to their passing will; thereby extinguishing, in all who serve them, all moral principle, all sense of dignity, all use of judgment, and all consistency of character, while by the very same process they give themselves up as a proper, a suitable, but a most contemptible prey to the servile ambition of popular sycophants or courtly flatterers.

5 Burke alludes to the defection of the French Guards and other troops to the Paris crowd in the summer of 1789.

6 BURKE'S NOTE. Whatever wrong is done by many goes unpunished.

TRANSLATOR'S NOTE. Lucan, Pharsalia 5.260.

When the people have emptied themselves of all the lust of selfish will, which without religion it is utterly impossible they ever should; when they are conscious that they exercise—and exercise perhaps in a higher link of the order of delegation—the power which, to be legitimate, must accord with that eternal, immutable law in which will and reason are the same, they will be more careful how they place power in base and incapable hands. In their nominations to office, they will appoint to the exercise of authority not as to a pitiful job but as to a holy function; not according to their sordid selfish interest, nor their wanton caprice, nor their arbitrary Will; but they will confer that power (which any man may well tremble to give or to receive) only on those in whom they can discern that predominant proportion of active virtue and wisdom, taken together and fitted to the charge, that is to be found in the great and inevitable mixed mass of human imperfections and infirmities.

When they are habitually convinced that no evil can be acceptable, either in the doing or the permitting, to him whose essence is good, they [141] will be better able to root out of the minds of all magistrates, civil, ecclesiastical, or military, anything that bears the least resemblance to a proud and lawless domination.

But one of the first and most leading principles on which the commonwealth and the laws are consecrated is to prevent the temporary possessors and life-renters in it, unmindful of what they have received from their ancestors or of what is due to their posterity, from acting as if they were the entire masters, or thinking it among their rights to cut off the entail, or commit waste on the inheritance, by destroying at their pleasure the whole original fabric of their society—risking leaving to those who come after them a ruin instead of a habitation, and teaching these successors as little to respect their contrivances as they themselves had respected the institutions of their forefathers.[7] By this unprincipled readiness to change the state as often,

7 "Life-renters" hold property only for their lifetime; "waste" is the legal term for damage a tenant does to an estate he does not own outright.

as much, and in as many ways as there are floating fancies or fashions, the whole chain and continuity of the commonwealth would be broken. No one generation could link with another. Men would become little better than the flies of a summer.

And first of all the science of jurisprudence, the pride of the human intellect, which, with all its defects, redundancies, and errors, is the collected reason of ages, combining the principles of original justice with the infinite variety of human concerns, would no longer be studied, as a heap of old exploded errors. [142] Personal self-sufficiency and arrogance (the sure companions of all who have never experienced a wisdom greater than their own) would usurp the tribunal. Of course, no settled laws, establishing invariable grounds of hope and fear, would keep the actions of men in a certain course or direct them to a certain end. Nothing stable in the ways of holding property or exercising office could form a solid ground on which any parent could plan the education of his children or a choice for their future establishment in the world. No principles would be worked early into the habits. As soon as the ablest teacher had completed his laborious course of instruction, instead of sending forth his pupil accomplished in a virtuous discipline, fitted to win him attention and respect in his place in society, he would find everything altered, and that he had turned out a poor creature to the contempt and derision of the world, ignorant of the true grounds of esteem. Who would ensure that a tender and delicate sense of honor beats almost with the first pulses of the heart, when no man could know what the test of honor would be in a nation that is continually varying the standard of its coin? No part of life would keep its acquisitions. Barbarism in science and literature, unskillfulness in arts and manufactures, would infallibly follow the lack of a steady education and settled principle; and thus the commonwealth itself would, in a few generations, crumble away, be disconnected into the [143] dust and powder of individuality, and at length be dispersed to all the winds of heaven.

To avoid, therefore, the evils of inconstancy and fickleness, ten thousand times worse than those of obstinacy and the blindest prejudice, we have consecrated the state, so that no man should approach to look into its defects or corruptions but with due caution; that he should never dream of beginning its reformation by its subversion; that he should approach the faults of the state as he would the wounds of a father, with pious awe and trembling solicitude. By this wise prejudice we are taught to look with horror on those children of their country who are quick to hack that aged parent rashly in pieces and put him into the magicians' kettle, in hopes that by their poisonous weeds and wild incantations they may regenerate the paternal constitution and renew their father's life.[8]

SOCIETY AS A PARTNERSHIP OF THE GENERATIONS

Society is a contract and a partnership between the living, the dead, and those yet to be born.

Society is indeed a contract. Lesser contracts, for objects of merely occasional interest, may be dissolved at will—but the state ought not to be regarded as nothing better than a partnership agreement in a trade in pepper and coffee, calico or tobacco, or some other such low concern, taken up for a little temporary interest and dissolved at the whim of the parties. It is to be looked on with a different reverence, because it is not a partnership in things that serve only the gross animal existence of a temporary and perishable nature. It is a partnership in all science; a partnership in all art; a partnership in every virtue, and in all perfection. As the [144] ends of such a partnership cannot be attained in many generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born. Each contract of each particular state is only a clause in the great primeval contract of eternal society, linking the lower

8 The allusion is to Medea, who persuaded the daughters of Pelias to cut up their father and boil him, promising to restore his youth (Ovid, Metamorphoses 7).

with the higher natures, connecting the visible and the invisible world, according to a fixed compact sanctioned by the inviolable oath that holds all physical and all moral natures, each in their appointed place. This law is not subject to the will of those who, by an obligation above them and infinitely superior, are bound to submit their will to that law. The municipal corporations of that universal kingdom are not morally free, at their pleasure and on their speculations about some possible improvement, to separate wholly and tear apart the bonds of their subordinate community, and dissolve it into an unsocial, uncivil, unconnected chaos of elementary principles. Only the first and supreme necessity—a necessity that is not chosen but chooses, a necessity above deliberation, that admits no discussion and demands no evidence—can justify a resort to anarchy. This necessity is no exception to the rule, because this necessity is itself also part of that moral and physical order of things to which man must be obedient, by consent or by force. But if what is only submission to necessity should be made the object of choice, the law is [145] broken, nature is disobeyed, and the rebellious are outlawed, cast out, and exiled from this world of reason, and order, and peace, and virtue, and fruitful penitence, into the opposing world of madness, discord, vice, confusion, and fruitless sorrow.

These, my dear Sir, are, have been, and I think will long be the sentiments of not the least learned and reflective part of this kingdom. Those included in this description form their opinions on the grounds on which such persons ought to form them. The less inquiring receive them from an authority on which those whom Providence has destined to live on trust need not be ashamed to rely. These two sorts of men move in the same direction, though in a different place. Both move with the order of the universe. They all know or feel this great ancient truth: "To that supreme and all-powerful God who rules this whole world, nothing that is done on earth is more acceptable than the councils and assemblies of men bound together by law, which are called states." They take this tenet of the head and heart not

from the great name it immediately bears, nor from the greater one from which it is derived, but from what alone can give true weight and sanction to any learned opinion: the common nature and common relation of men.[9] Persuaded that all things ought to be done with reference to something, and referring everything to that point of reference to which all should be directed, they think themselves bound not only as individuals in the sanctuary of the heart, or as gathered together in that [146] personal capacity, to renew the memory of their high origin and nature, but also in their corporate character to pay their national homage to the founder, author, and protector of civil society—without which civil society man could not possibly arrive at the perfection of which his nature is capable, nor even make a remote and faint approach to it. They believe that He who gave us our nature to be perfected by our virtue also willed the necessary means of its perfection—He therefore willed the state—He willed its connection with the source and original archetype of all perfection. Those who are convinced of this will of his, which is the law of laws and the sovereign of sovereigns, cannot think it blameworthy that this corporate fealty and homage of ours, this recognition of a paramount lordship—I had almost said this offering up of the state itself, as a worthy offering on the high altar of universal praise—should be performed as all public solemn acts are performed: in buildings, in music, in decoration, in speech, in the dignity of persons, according to the customs of mankind, taught them by their nature; that is, with modest splendor, with unassuming state, with mild majesty and sober pomp. For these purposes they think some part of the wealth of the country is employed as usefully as it could be in feeding the luxury of individuals. It is the public ornament. It is the public consolation. It nourishes the public hope. The poorest man finds his own importance and dignity [147] in it, while the wealth and pride of individuals at every moment make the man of humble rank and fortune conscious of his

9 The Latin is from Cicero, "The Dream of Scipio" (*On the Republic* 6.13); the "greater" name behind it is presumably Plato.

inferiority, and degrade and debase his condition. It is for the man in humble life—to raise his nature, and to remind him of a state in which the privileges of wealth will cease, when he will be equal by nature and may be more than equal by virtue—that this portion of the general wealth of his country is employed and sanctified.

I assure you I am not aiming at originality. I am giving you opinions that have been accepted among us, from very early times to this moment, with continued and general approval, and that are indeed so worked into my mind that I cannot distinguish what I have learned from others from the results of my own reflection.

THE ENGLISH CHURCH ESTABLISHMENT

How the English bind church to state, educate through the clergy, and give bishops independent property and rank.

It is on some such principles that the majority of the people of England, far from thinking a religious national establishment unlawful, hardly think it lawful to be without one. In France you are entirely mistaken if you do not believe us attached to it above all other things, and more than any other nation; and when this people has acted unwisely and unjustifiably in its favor (as in some instances it most certainly has), in its very errors you will at least discover its zeal.

This principle runs through the whole system of their polity. They do not regard their church establishment as convenient, but as essential to their state; not as something foreign and separable, something added for convenience, [148] which they may either keep up or set aside according to their passing ideas of convenience. They regard it as the foundation of their whole constitution, with which, and with every part of which, it holds an indissoluble union. Church and state are ideas inseparable in their minds, and the one is scarcely ever mentioned without the other.

Our education is so shaped as to confirm and fix this impression. Our education is in a way wholly in the hands of clergymen, at every stage from infancy to manhood. Even when our young people leave schools and universities and enter that most important period of life which begins to link experience and study together, and when with that aim they visit other countries, instead of the old household servants we have seen serving as tutors to men of rank from other parts, three-quarters of those who go abroad with our young nobility and gentlemen are clergymen—not as stern masters, nor as mere attendants, but as friends and companions of a graver character, and not seldom persons as well born as themselves. With them, as with relatives, they most commonly keep up a close connection throughout life. By this connection we believe that we attach our gentlemen to the church; and we liberalize the church through its association with the leading figures of the country.

So tenacious are we of the old ecclesiastical modes and forms of instruction that very little change has been made in them since the fourteenth or fifteenth century—holding in this particular, [149] as in everything else, to our old settled maxim, never to depart from antiquity entirely or all at once. We found these old institutions, on the whole, favorable to morality and discipline; and we thought they could be amended without changing their foundation. We thought them capable of receiving and improving, and above all of preserving, the additions of science and literature as the order of Providence should successively produce them. And after all, with this Gothic and monkish education (for that is what it is at bottom), we may claim as large and as early a share in all the improvements in science, in the arts, and in literature that have illuminated and adorned the modern world as any other nation in Europe; and we think one main cause of this improvement was that we did not despise the inheritance of knowledge left us by our forefathers.

It is from our attachment to a church establishment that the English nation did not think it wise to entrust that great fundamental interest of the whole to what they entrust no part of their

civil or military public service—that is, to the unsteady and precarious contributions of individuals. They go further. They certainly have never allowed, and never will allow, the fixed estate of the church to be converted into a pension, to depend on the treasury, and to be delayed, withheld, or perhaps extinguished by fiscal difficulties—difficulties that may sometimes be pretended for political purposes, and are in fact often brought on by the extravagance, [150] negligence, and greed of politicians. The people of England think they have constitutional motives, as well as religious ones, against any project of turning their independent clergy into ecclesiastical pensioners of the state. They tremble for their liberty from the influence of a clergy dependent on the crown; they tremble for public tranquillity from the disorders of a factious clergy, if it were made to depend on anything other than the crown. They therefore made their church, like their king and their nobility, independent.

From the combined considerations of religion and constitutional policy, and from their sense of a duty to make sure provision for the consolation of the weak and the instruction of the ignorant, they have incorporated and identified the estate of the church with the mass of *private property*, of which the state is not the owner, either for use or for dominion, but only the guardian and the regulator. They have ordained that the provision for this establishment should be as stable as the earth on which it stands, and should not ebb and flow with the Euripus of funds and shares.[10]

The men of England—the men, I mean, of light and leading in England, whose wisdom (if they have any) is open and direct—would be ashamed, as of a silly and deceitful trick, to profess in name any religion that by their actions they appeared to despise. If by their conduct (the only language that rarely lies) they seemed to regard the great ruling principle of the moral and the natural world as a mere invention to [151] keep the common people in obedience, they fear that by such conduct they would

10 The Euripus, the strait between Euboea and mainland Greece, was proverbial for its shifting currents; "actions" (French *actions*) are shares in stock.

defeat the political purpose they have in view. They would find it hard to make others believe in a system to which they plainly gave no credit themselves. The Christian statesmen of this land would indeed provide first for the *multitude*, because it is the *multitude*, and is therefore, as such, the first object in the ecclesiastical institution, as in all institutions. They have been taught that the fact of the gospel's being preached to the poor was one of the great tests of its true mission. They think, therefore, that those who do not take care that it is preached to the poor do not believe it. But as they know that charity is not confined to any one class, but ought to extend itself to all men who have wants, they are not without a due and anxious feeling of pity for the distresses of the miserable great. They are not driven away by a fastidious delicacy, at the stench of their arrogance and presumption, from a healing attention to their mental blotches and running sores. They are aware that religious instruction matters more to them than to anyone else: from the greatness of the temptation to which they are exposed; from the serious consequences that follow their faults; from the contagion of their bad example; from the necessity of bowing the stubborn neck of their pride and ambition to the yoke of moderation and virtue; from a consideration of the fat stupidity and gross ignorance about [152] what most concerns men to know, which prevails at courts, and at the head of armies, and in senates, as much as at the loom and in the field.

The English people are satisfied that to the great the consolations of religion are as necessary as its instructions. They too are among the unhappy. They feel personal pain and domestic sorrow. In these they have no privilege, but must pay their full share of the levies imposed on mortality. They need this sovereign balm for their gnawing cares and anxieties, which, being less concerned with the limited wants of animal life, range without limit and are varied by infinite combinations in the wild and unbounded regions of imagination. Some charitable dole is needed for these often very unhappy brethren of ours, to fill the gloomy void that reigns in minds that have nothing on

earth to hope or fear; something to relieve the killing languor and overworked weariness of those who have nothing to do; something to stir an appetite for existence in the jaded satiety that attends all pleasures that can be bought, where nature is not left to her own course, where even desire is anticipated, and enjoyment therefore defeated, by premeditated schemes and contrivances of delight, and no interval, no obstacle, is placed between the wish and its fulfillment.

The people of England know how little influence the teachers of religion are likely to have [153] with the wealthy and powerful of long standing, and how much less with the newly fortunate, if they appear in a manner in no way suited to those with whom they must associate, and over whom they must even exercise, in some cases, something like authority. What must those people think of that body of teachers, if they see it in no respect above the level of their own household servants? If the poverty were voluntary, there might be some difference. Strong instances of self-denial work powerfully on our minds; and a man who has no wants has gained great freedom and firmness, and even dignity. But as the bulk of any class of men are only men, and their poverty cannot be voluntary, the disrespect that attends all lay poverty will not leave clerical poverty alone. Our provident constitution has therefore taken care that those who are to instruct presumptuous ignorance, those who are to be censors over insolent vice, should neither incur their contempt nor live on their alms; nor will it tempt the rich to neglect the true medicine of their minds. For these reasons, while we provide first for the poor, and with a parental concern, we have not banished religion (like something we were ashamed to show) to obscure towns or country villages. No! We will have her raise her mitered head in courts and parliaments. We will have her mixed throughout the whole mass of life, and blended with all the classes of society. The people of England will show the haughty [154] potentates of the world, and their talking sophists, that a free, a generous, an informed nation honors the high magistrates of its church; that it will not allow the insolence of wealth and

titles, or any other kind of proud pretension, to look down with scorn on what the nation looks up to with reverence; nor to presume to trample on that acquired personal nobility which they intend always to be, and which often is, the fruit, not the reward (for what could be the reward?), of learning, piety, and virtue. They can see, without pain or grudging, an Archbishop take precedence over a Duke. They can see a Bishop of Durham, or a Bishop of Winchester, in possession of ten thousand pounds a year, and cannot see why it is in worse hands than estates of the same amount in the hands of this Earl or that Squire—though it may be true that the former do not keep so many dogs and horses, fed with the food that ought to nourish the children of the people. It is true that the whole church revenue is not always spent on charity, down to every shilling; nor perhaps ought it to be; but something generally is so spent. It is better to cherish virtue and humanity by leaving much to free will, even at some loss to the object, than to try to make men mere machines and instruments of a political benevolence. The world on the whole will gain by a liberty without which virtue cannot exist.

THE CONFISCATION OF CHURCH PROPERTY

Burke condemns the French seizure of church estates as tyranny, comparing it with Roman proscriptions and Henry VIII.

Once the commonwealth has established [155] the estates of the church as property, it cannot consistently listen to any talk of more or less. Too much and too little are treason against property. What harm can come from the quantity in any one hand, so long as the supreme authority keeps full, sovereign supervision over this, as over all property, to prevent every kind of abuse, and, whenever it notably strays, to give it a direction suited to the purposes for which it was instituted?

In England most of us believe that it is envy and malice toward those who are often the founders of their own fortune, and not any love of the self-denial and mortification of the ancient church, that makes some people look askance at the dis-

tinctions, and honors, and revenues which, taken from no one, are set apart for virtue. The ears of the people of England are discerning. They catch the broad accent in these men's speech. Their tongue gives them away. Their language is the *patois* of fraud, the cant and gibberish of hypocrisy. The people of England must think so when these chatterers pretend to bring the clergy back to that primitive evangelical poverty which, in spirit, ought always to exist in them (and in us too, however little we may like it), but which in substance must vary when the relation of that body to the state has changed—when manners, when ways of life, when indeed the whole order of human affairs has undergone a total revolution. We shall believe these reformers to be honest enthusiasts, and not, as we now think them, [156] cheats and deceivers, when we see them throwing their own goods into a common stock and submitting their own persons to the austere discipline of the early church.

With these ideas rooted in their minds, the commons of Great Britain will never, in national emergencies, look for relief to the confiscation of the estates of the church and the poor. Sacrilege and proscription are not among the ways and means of our committee of supply. The Jews in Change Alley have not yet dared to hint at their hopes of a mortgage on the revenues belonging to the see of Canterbury.[11] I am not afraid of being contradicted when I assure you that there is not *one* public man in this kingdom whom you would wish to quote—no, not one of any party or kind—who does not condemn the dishonest, treacherous, and cruel confiscation that the National Assembly has been compelled to make of the very property it was their first duty to protect.

It is with the exultation of a little natural pride that I tell you that those among us who wanted to pledge the societies of Paris in the cup of their abominations have been disappointed. The robbery of your church has proved a security for the posses-

11 The committee of supply was the House of Commons committee that voted money for the government. Change Alley was the lane in the City of London where stocks were traded.

sions of ours. It has roused the people. They look with horror and alarm on that enormous and shameless act of proscription. It has opened, and will more and more open, their eyes to the selfish enlargement of mind and the narrow liberality of sentiment [157] of insidious men, which, beginning in secret hypocrisy and fraud, have ended in open violence and plunder. At home we see similar beginnings. We are on our guard against similar conclusions.

I hope we shall never be so utterly lost to all sense of the duties laid on us by the law of social union as to confiscate, on any pretext of public service, the goods of a single unoffending citizen. Who but a tyrant (a name that expresses everything that can corrupt and degrade human nature) could think of seizing the property of men unaccused, unheard, untried, by whole categories, by hundreds and thousands at a time? Who that had not lost every trace of humanity could think of casting down men of exalted rank and sacred office, some of them of an age that calls at once for reverence and compassion—of casting them down from the highest station in the commonwealth, where they were supported by their own landed property, into a state of poverty, depression, and contempt?

The confiscators, to be sure, have made their victims some allowance from the scraps and fragments of the victims' own tables, from which they have been so harshly driven, and which have been so lavishly spread as a feast for the harpies of usury. But to drive men from independence to live on alms is itself great cruelty. What might be a tolerable condition for men in one station of life, and not used to anything else, may, when all these circumstances are changed, be a [158] dreadful revolution—one to which a virtuous mind would be pained to condemn any guilt short of what would demand the offender's life. But to many minds this punishment of *degradation* and *infamy* is worse than death. It is undoubtedly an infinite aggravation of this cruel suffering that persons who were taught a double prejudice in favor of religion, by their education and by the place they held in the administration of its offices, should receive the rem-

nants of their property as alms from the profane and impious hands of those who had robbed them of all the rest; should receive, not from the charitable contributions of the faithful but from the insolent tenderness of known and avowed atheism, the maintenance of religion, measured out to them by the standard of the contempt in which it is held, and for the purpose of making those who receive the allowance vile and of no account in the eyes of mankind.

But this seizure of property, it seems, is a judgment at law, and not a confiscation. They have discovered, it seems, in the academies of the *Palais Royal* and the *Jacobins*, that certain men had no right to the possessions they held under law, custom, the decisions of courts, and the accumulated prescription of a thousand years.[12] They say that ecclesiastics are fictitious persons, creatures of the state, whom they may destroy at pleasure, and therefore limit and modify in every particular; that the goods they possess are not properly [159] theirs but belong to the state that created the fiction; and that we are therefore not to trouble ourselves about what they may suffer in their natural feelings and natural persons on account of what is done to them in this, their constructive character. What does it matter under what names you injure men and deprive them of the just earnings of a profession which the state not only permitted but encouraged them to enter, and on the supposed certainty of whose earnings they had planned their lives, contracted debts, and led multitudes into entire dependence on them?

You do not imagine, sir, that I am going to pay this miserable distinction of persons the compliment of any long discussion. The arguments of tyranny are as contemptible as its force is dreadful. Had your confiscators not gained, by their early crimes, a power that secures impunity for all the crimes they have since committed or may yet commit, it is not the logician's syllogism but the executioner's lash that would have refuted a

12 The Palais Royal, the Duke of Orléans's Paris palace, whose gardens and cafés were a center of radical agitation; the Jacobins, the club that met in the former Dominican ("Jacobin") convent.

sophistry which makes itself an accomplice of theft and murder. The sophist tyrants of Paris are loud in their declamations against the departed royal tyrants who in former ages harassed the world. They are this bold because they are safe from the dungeons and iron cages of their old masters. Shall we be more tender toward the tyrants of our own time when we see them acting worse tragedies [160] before our eyes? Shall we not use the same liberty they use, when we can use it with the same safety—when speaking honest truth requires only contempt for the opinions of those whose actions we abhor?

This outrage on all the rights of property was at first covered with what, given the whole system of their conduct, was the most astonishing of all pretexts—a regard for national faith. The enemies of property at first professed a most tender, delicate, and scrupulous anxiety to keep the king's engagements with the public creditor. These professors of the rights of men are so busy teaching others that they have no leisure to learn anything themselves; otherwise they would have known that it is to the property of the citizen, and not to the demands of the state's creditor, that the first and original faith of civil society is pledged. The citizen's claim is prior in time, paramount in title, superior in equity. The fortunes of individuals, whether held by acquisition, by inheritance, or by virtue of a share in the goods of some community, were no part of the creditor's security, expressed or implied. They never so much as entered his head when he made his bargain. He knew perfectly well that the public, whether represented by a monarch or by a senate, can pledge nothing but the public estate; and it can have no public estate except what it derives from a just and proportioned levy on the citizens at large. This was pledged, [161] and nothing else could be pledged, to the public creditor. No man can mortgage his injustice as a pawn for his fidelity.

It is impossible to avoid some comment on the contradictions produced by the extreme rigor and the extreme laxity of the new public faith that operated in this transaction—and that operated not according to the nature of the obligation but

according to the kind of persons to whom it was owed. No acts of the old government of the kings of France are held valid in the National Assembly except its financial engagements—of all its acts, those of the most doubtful legality. The other acts of that royal government are regarded in so odious a light that to have a claim under its authority is looked on as a kind of crime. A pension given as a reward for service to the state is surely as good a ground of property as any security for money advanced to the state. It is a better one, for money is paid, and well paid, to obtain that service. Yet we have seen multitudes of people of this kind in France, who had never been deprived of their allowances by the most arbitrary ministers in the most arbitrary times, robbed without mercy by this assembly of the rights of men. In answer to their claim to the bread earned with their blood, they were told that their services had not been rendered to the country that now exists.

This laxity of public faith is not confined to those unfortunate people. The Assembly, with [162] perfect consistency, it must be admitted, is engaged in a respectable deliberation on how far it is bound by the treaties made with other nations under the former government, and its committee is to report which of them it ought to ratify and which not. In this way they have put the external fidelity of this virgin state on a par with its internal.

It is not easy to see on what rational principle the royal government should not, of the two, rather have possessed the power of rewarding service and making treaties by virtue of its prerogative than that of pledging to creditors the revenue of the state, actual and possible. The nation's treasure, of all things, has been the least conceded to the prerogative of the king of France, or to the prerogative of any king in Europe. To mortgage the public revenue implies sovereign dominion, in the fullest sense, over the public purse. It goes far beyond the trust even of a temporary and occasional taxation. Yet the acts of that dangerous power (the distinctive mark of a boundless despotism) have alone been held sacred. Where did this preference come from—a preference given by a democratic assembly to a body of prop-

erty that derives its title from the most critical and objectionable of all the exercises of monarchical authority? Reason can furnish nothing to reconcile inconsistency, nor can partial favor be explained on equitable principles. But the contradiction and partiality that admit no justification are not for that reason [163] without an adequate cause; and that cause I do not think it hard to discover.

THE MONIED INTEREST AND THE MEN OF LETTERS

The new monied interest and the political men of letters combine against the church and the old landed nobility.

Through the vast debt of France a great monied interest had imperceptibly grown up, and with it a great power. Under the ancient customs that prevailed in that kingdom, the general circulation of property, and in particular the mutual convertibility of land into money and of money into land, had always been a matter of difficulty. Family settlements, somewhat more general and more strict than they are in England; the *jus retractus*; the great mass of landed property held by the crown, and by a maxim of French law held inalienably; the vast estates of the ecclesiastical corporations—all these had kept the landed and monied interests more separate in France, less miscible, and the owners of the two distinct kinds of property not so well disposed to each other as they are in this country.[13]

The monied property was long looked on by the people with rather an evil eye. They saw it connected with their distresses and aggravating them. It was no less envied by the old landed interests, partly for the same reasons that made it odious to the people, but much more because it eclipsed, by the splendor of an ostentatious luxury, the unendowed pedigrees and bare titles of many among the nobility. Even when the nobility, who represented the more permanent landed interest, united themselves by marriage (which sometimes happened) with the other

13 *Jus retractus* ("right of buying back"): the right of a seller's kin to reclaim family land sold to an outsider by repaying the price (the French *retrait lignager*).

sort, the wealth that saved the family from ruin [164] was thought to contaminate and degrade it. Thus the enmities and heart-burnings of these parties were increased even by the usual means by which discord is ended and quarrels are turned into friendship. Meanwhile the pride of the wealthy men who were not noble, or only newly noble, increased with its cause. They felt with resentment an inferiority whose grounds they did not acknowledge. There was no measure they were not willing to lend themselves to, in order to be revenged for the insults of this rival pride and to raise their wealth to what they considered its natural rank and estimation. They struck at the nobility through the crown and the church. They attacked them particularly on the side where they thought them most vulnerable—that is, the possessions of the church, which, through the patronage of the crown, generally passed to the nobility. The bishoprics and the great commendatory abbeys were, with few exceptions, held by that order.[14]

In this state of real, though not always perceived, warfare between the noble ancient landed interest and the new monied interest, the greatest strength, because the most usable, was in the hands of the latter. The monied interest is by nature readier for any venture, and its possessors more disposed to new enterprises of any kind. Being of recent acquisition, it falls in more naturally with any novelty. It is therefore the kind of wealth that all who wish for change will turn to.

[165] Along with the monied interest, a new kind of men had grown up, with whom that interest soon formed a close and marked union: I mean the political men of letters. Men of letters, fond of distinguishing themselves, are rarely averse to innovation. After the decline of the life and greatness of Louis XIV, they were not cultivated as much, whether by him, by the regent, or by his successors on the throne. Nor were they bound to the court by favors and salaries as systematically as during

14 Commendatory abbeys were held *in commendam*: their revenues went to an abbot, often a non-resident cleric of noble family, who did not govern the monastery himself.

the splendid period of that ostentatious and not impolitic reign.[15] What they lost in the old protection of the court they tried to make up by forming a sort of corporation of their own. The two academies of France contributed not a little to this, and so afterwards did the vast undertaking of the Encyclopedia, carried on by a society of these gentlemen.[16]

Some years ago the literary cabal had formed something like a regular plan for the destruction of the Christian religion. They pursued this object with a degree of zeal that had until then been found only in the propagators of some system of piety. They were possessed by a spirit of proselytism in the most fanatical degree. From there, by an easy progress, they were possessed by the spirit of persecution, so far as their means allowed. What could not be done toward their great end by any direct or immediate act might be accomplished by a longer process, through the medium of opinion. To command that opinion, the first step is to establish dominion over those who direct it. They contrived to take possession, [166] with great method and perseverance, of all the avenues to literary fame. Many of them did indeed stand high in the ranks of literature and science. The world had done them justice, and for the sake of their general talents it forgave the evil tendency of their particular principles. This was true liberality; and they repaid it by trying to confine the reputation for sense, learning, and taste to themselves or their followers. I will venture to say that this narrow, exclusive spirit has done no less harm to literature and to taste than to morals and true philosophy. These atheistical fathers have a bigotry of their own, and they have learned to talk against monks with the spirit of a monk. But in some things they are men of the world. The resources of intrigue are called in to make up for the defects of argument and wit. To this system of literary monopoly they joined an unremitting industry in black-

15 The regent was Philippe, duke of Orléans, who governed for the young Louis XV from 1715 to 1723.

16 The Académie française and the Académie des sciences. The Encyclopédie, edited by Diderot and d'Alembert, appeared from 1751 to 1772.

ening and discrediting, in every way and by every means, all those who did not hold to their faction. Those who have observed the spirit of their conduct have long seen that only one thing was lacking: the power to turn the intolerance of the tongue and the pen into a persecution that would strike at property, liberty, and life.

The desultory and feeble persecution carried on against them came more from compliance with form and decency than from serious resentment, and it neither weakened their strength nor relaxed their efforts. The upshot of it all was that, what with opposition and what with success, a violent and malignant zeal, of a kind hitherto unknown in [167] the world, had taken entire possession of their minds. It made their whole conversation, which would otherwise have been pleasing and instructive, utterly disgusting. A spirit of cabal, intrigue, and proselytism pervaded all their thoughts, words, and actions. And since controversial zeal soon turns its thoughts to force, they began to work their way into a correspondence with foreign princes. They hoped that through the authority of these princes, which at first they flattered, they might bring about the changes they had in view. It made no difference to them whether these changes were accomplished by the thunderbolt of despotism or by the earthquake of popular commotion. The correspondence between this cabal and the late king of Prussia will throw no small light on the spirit of all their proceedings.[17] For the same purpose for which they intrigued with princes, they cultivated the monied interest of France with marked attention. Partly through the means supplied by those whose particular offices gave them the most extensive and certain means of communication, they carefully occupied all the avenues to opinion.

Writers have great influence on the public mind, especially when they act in a body and in one direction. The alliance of these writers with the monied interest therefore had no small effect in removing the popular hatred and envy that attended

17 Frederick II (the Great), who died in 1786, corresponded at length with Voltaire, d'Alembert and other philosophes.

that kind of wealth. Like the propagators of all novelties, these writers professed a great zeal for the poor and the lower orders, while in their satires they used every exaggeration to make hateful the faults of courts, [168] of nobility, and of priesthood. They became a sort of demagogues. They served as a link to unite, in favor of one object, odious wealth with restless and desperate poverty.

These two kinds of men appear as the principal leaders in all the recent transactions, and so their junction and their politics will serve to account—not on any principles of law or of policy, but as a *cause*—for the general fury with which all the landed property of ecclesiastical corporations has been attacked, and for the great care that, contrary to their professed principles, has been taken of a monied interest originating in the authority of the crown. All the envy against wealth and power was artificially directed against other kinds of riches. The ecclesiastical possessions had withstood so many successive ages and so many shocks of civil violence, and were guarded at once by justice and by prejudice. Yet they have been applied to the payment of debts that were comparatively recent, invidious, and contracted by a discredited and overthrown government. On what principle other than the one I have stated can we account for so extraordinary and unnatural a spectacle?

Was the public estate a sufficient stake for the public debts? Assume that it was not, and that a loss *must* be incurred somewhere. The only estate lawfully possessed was the one the contracting parties had in mind when they made their bargain. When that estate happens to fail, who ought to bear the loss, according to the principles of natural and legal equity? Certainly it ought to be either the party who trusted, or the party who persuaded him to trust, or both; [169] and not third parties who had nothing to do with the transaction. In any insolvency, those ought to suffer who were weak enough to lend on bad security, or those who fraudulently held out a security that was not valid. The laws know no other rules of decision. But by the new institute of the rights of men, the only persons who in equity ought

to suffer are the only persons who are to be held harmless. The debt is to be answered by those who were neither lenders nor borrowers, neither mortgagers nor mortgagees.

What had the clergy to do with these transactions? What had they to do with any public engagement beyond the extent of their own debt? To that debt, to be sure, their estates were bound to the last acre. This assembly sits for public confiscation, with its new equity and its new morality, and nothing shows its true spirit more clearly than its proceedings with regard to this debt of the clergy. The body of confiscators, true to that monied interest for which they were false to every other, have found the clergy competent to incur a legal debt.[18] So of course they declared them legally entitled to the property that their power of incurring the debt and mortgaging the estate implied. They recognized the rights of those persecuted citizens in the very act in which they so grossly violated them.

As I said, if anyone besides the public at large is to make good deficiencies to the public creditor, it must be those who managed the agreement. Why, then, are the estates of all the comptrollers general not confiscated? 170 Why not those of the long succession of ministers, financiers,[19] and bankers who have grown rich while their dealings and their counsels impoverished the nation? Why is the estate of Mr. Laborde not declared forfeit, rather than that of the archbishop of Paris, who has had nothing to do with the creation or the jobbing of the public funds? Or, if you must confiscate old landed estates for the benefit of the money-jobbers, why is the penalty confined to one class of people?[20] The duke de Choiseul received immense sums from his master's bounty during a reign that contributed largely, by every kind of prodigality in war and peace, to the present

18 The French clergy as a corporate body had borrowed heavily, chiefly to fund its "free gifts" to the crown. The Assembly took over this debt along with the church lands.

19 The comptroller general was the chief minister of finance under the old monarchy.

20 Jean-Joseph de Laborde (1724–1794), court banker to Louis XV, who made an immense fortune in state finance.

debt of France. I do not know whether his expenses have left anything of those sums. If anything remains, why is it not confiscated? I remember being in Paris under the old government. I was there just after the duke d'Aiguillon had been snatched from the block (as was generally thought) by the hand of a protecting despotism. He was a minister, and had some part in the affairs of that prodigal period.[21] Why do I not see his estate handed over to the municipalities in which it lies? The noble family of Noailles have long been servants of the crown of France (meritorious servants, I admit), and have naturally had some share in its bounties. Why do I hear nothing of their estates being applied to the public debt? Why is the estate of the duke de Rochefoucault more sacred than that of the cardinal de Rochefoucault?[22] The former is, I do not doubt, a worthy [171] person, and he makes good use of his revenues (if it were not a sort of profanity to speak of the use as affecting the title to property). But it is no disrespect to him to say what authentic information fully warrants me in saying: his brother the cardinal archbishop of Rouen made a far more laudable and far more public-spirited use of a property that was equally valid. Can one hear of the proscription of such persons, and the confiscation of their goods, without indignation and horror? He is not a man who does not feel such emotions on such occasions. He does not deserve the name of a free man who will not express them.

Few barbarous conquerors have ever made so terrible a revolution in property. The heads of the Roman factions set up "*that cruel spear*" at all their auctions of plunder, yet none of them ever put up the goods of the conquered citizen for sale to so enormous an amount. It must be granted, in favor of those tyrants of antiquity, that what they did could hardly be said to be done in cold blood. Their passions were inflamed, their tempers soured, and their understandings confused by the spirit of

21 Choiseul was Louis XV's leading minister from 1758 to 1770. In 1770 the king halted the Parlement's proceedings against d'Aiguillon. Burke visited Paris in 1773.
22 La Rochefoucauld: the duke, a liberal noble, sat in the Assembly. The cardinal, Dominique de La Rochefoucauld, was archbishop of Rouen and in fact a kinsman, not a brother.

revenge, and by the countless inflictions and retaliations of blood and plunder, recent and given back and forth.[23] They were driven beyond all bounds of moderation by the fear that if property returned to the families of those they had injured beyond all hope of forgiveness, power would return with it.

These Roman confiscators were still only 172 in the rudiments of tyranny. They had not been instructed in the rights of men to practice every kind of cruelty on one another without provocation, and so they thought it necessary to put a sort of color over their injustice. They regarded the vanquished party as made up of traitors who had borne arms or had otherwise acted with hostility against the commonwealth. They regarded them as persons who had forfeited their property by their crimes. With you, in your improved state of the human mind, there was no such formality. You seized five million pounds sterling of annual rent, and turned forty or fifty thousand human creatures out of their houses, because "such was your pleasure."[24] The tyrant Henry the Eighth of England was no better enlightened than the Roman Mariuses and Sullas, and had not studied in your new schools. He therefore did not know what an effective instrument of despotism was to be found in that great arsenal of offensive weapons, the rights of men. When he resolved to rob the abbeys, as the club of the Jacobins have robbed all the clergy, he began by setting up a commission to examine the crimes and abuses that prevailed in those communities. As might be expected, his commission reported truths, exaggerations, and falsehoods. But truly or falsely, it reported abuses and offenses.[25] Still, abuses might be corrected, and not every crime of individuals implies a forfeiture on the part of communities. Nor had property, in that dark age, yet been discovered to be a creature of prejudice. So

23 Latin "crudelem illam hastam." A spear was planted at Roman public auctions of confiscated goods. The phrase echoes Cicero, De officiis 2.29 ("hastam illam cruentam," that bloody spear).

24 An ironic echo of the old royal formula "car tel est notre plaisir" (for such is our pleasure).

25 Marius and Sulla led the rival factions in Rome's civil wars of the 80s BC. Henry VIII's visitation of the monasteries (1535) preceded their dissolution.

all those abuses (and there were enough [173] of them) were hardly thought sufficient ground for such a confiscation as suited his purposes. He therefore procured the formal surrender of these estates. He was one of the most decided tyrants in the rolls of history, yet he adopted all these laborious proceedings as necessary preliminaries. Only after them would he venture to demand that an act of parliament confirm his iniquitous proceedings, and to do it he bribed the members of his two servile houses with a share of the spoil and held out to them an eternal exemption from taxation. Had fate reserved him for our times, four technical terms would have done his business and saved him all this trouble. He would have needed nothing more than one short formula of incantation—"*Philosophy, Light, Liberality, the Rights of Men.*"

I can say nothing in praise of those acts of tyranny, and no voice has ever yet commended them under any of their false colors. Yet in these false colors despotism paid a homage to justice. The power that was above all fear and all remorse was not set above all shame. While shame keeps its watch, Virtue is not wholly extinguished in the heart, nor will Moderation be utterly exiled from the minds of tyrants.

I believe every honest man shares the reflections of our political poet on that occasion. Whenever these acts of rapacious despotism present themselves to his sight or his imagination, he will pray to avert the omen:[26]

26 Sir John Denham (1615–1669), in his poem Cooper's Hill (1642), on the ruins of Chertsey Abbey.

—"May no such storm
Fall on our times, where ruin must reform.
174 Tell me (my muse) what monstrous, dire offense,
What crimes could any Christian king incense
To such a rage? Was't luxury, or lust?
Was *he* so temperate, so chaste, so just?
Were these their crimes? they were his own much more;
But wealth is crime enough to him that's poor."[27]

This same wealth, which under every form of polity is always treason and *lèse-nation* to an indigent and rapacious despotism, was your temptation to violate property, law, and religion, united in one object. But was the state of France so wretched and ruined that no resource but plunder remained to preserve its existence? On this point I would like some information.

27 BURKE'S NOTE. The rest of the passage is this—

"Who having spent the treasures of his crown, / Condemns their luxury to feed his own. / And yet this act, to varnish o'er the shame / Of sacrilege, must bear devotion's name. / No crime so bold, but would be understood / A real, or at least a seeming good, / Who fears not to do ill, yet fears the name; / And, free from conscience, is a slave to fame. / Thus he the church at once protects, and spoils: / But princes' swords are sharper than their styles. / And thus to th' ages past he makes amends, / Their charity destroys, their faith defends. / Then did religion in a lazy cell, / In empty airy contemplations dwell; / And, like the block, unmoved lay: but ours, / As much too active, like the stork devours. / Is there no temp'rate region can be known, / Betwixt their frigid, and our torrid zone? / Could we not wake from that lethargic dream, / But to be restless in a worse extreme? / And for that lethargy was there no cure, / But to be cast into a calenture? / Can knowledge have no bound, but must advance / So far, to make us wish for ignorance? / And rather in the dark to grope our way, / Than, led by a false guide, to err by day? / Who sees these dismal heaps, but would demand, / What barbarous invader sacked the land? / But when he hears, no Goth, no Turk did bring / This desolation, but a Christian king; / When nothing, but the name of zeal, appears / 'Twixt our best actions, and the worst of theirs, / What does he think our sacrilege would spare, / When such th' effects of our devotion are?"

Cooper's Hill, by Sir John Denham.

TRANSLATOR'S NOTE. "Styles" puns on pens and on royal titles: Henry kept the title "Defender of the Faith."

TRANSLATOR'S NOTE. From Aesop's fable of the frogs who asked for a king. Jupiter first gave them a log, which lay still, and then a stork, which ate them.

TRANSLATOR'S NOTE. A calenture was a delirious tropical fever.

When the states met,[28] was the condition [175] of the finances of France such that, after economizing (on principles of justice and mercy) through every department, no fair distribution of burdens upon all the orders could possibly restore them? If such an equal levy would have been enough, you well know it could easily have been made. Mr. Necker, in the budget he laid before the Orders assembled at Versailles, gave a detailed account of the state of the French nation[29].[30]

NECKER'S REPORT: NO NEED FOR CONFISCATION

Necker's own figures showed the deficit could be met without confiscation; the clergy had offered to pay.

If we believe him, there was no need to resort to any new taxes whatever to balance the receipts of France against its expenditures. He put the permanent charges of every kind, including the interest on a new loan of four hundred million, [176] at 531,444,000 livres, and the fixed revenue at 475,294,000. That made the deficit 56,150,000, or a little short of £2,200,000 sterling. But to balance it, he brought forward savings and improvements of revenue (regarded as entirely certain) amounting to rather more than that deficit; and he concludes with these emphatic words (p. 39): "What a country, gentlemen, is that in which, *without taxes* and with mere *unnoticed* items, one can make vanish a deficit that has caused so much stir in Europe!" As for repayment, the sinking of debt, and the other great objects of public credit and political arrangement indicated in M. Necker's speech, there could be no doubt that a very moderate and proportioned

28 *Lèse-nation*: "injury to the nation," the revolutionary coinage modeled on *lèse-majesté* (treason against the sovereign).

29 BURKE'S NOTE. Report of the director general of finances, made by order of the King at Versailles, May 5, 1789.

TRANSLATOR'S NOTE. Burke cites the French title, *Rapport de Mons. le directeur général des finances*: Necker's address at the opening of the states general.

30 Jacques Necker (1732–1804), Louis XVI's Genevan-born director general of finances, recalled in 1788.

assessment on the citizens without distinction would have provided for all of them to the full extent of their demands.[31]

If this representation of M. Necker's was false, then the assembly are guilty in the highest degree. They forced the king to accept as his minister, and since the king's deposition they have employed as *their* minister, a man capable of abusing so notoriously the confidence of his master and their own, and in a matter of the highest importance, belonging directly to his own office. But if the representation was accurate (as, having always, like you, felt a high degree of respect for Mr. Necker, I have no doubt it was), then what can be said for those who, instead of a moderate, reasonable, and general contribution, have in cold blood, and driven by [177] no necessity, resorted to a partial and cruel confiscation?

Was that contribution refused on a pretext of privilege, either by the clergy or by the nobility? Certainly not. As for the clergy, they even ran ahead of the wishes of the third order. Before the states met, they had in all their instructions expressly directed their deputies to renounce every immunity that set them on a footing distinct from that of their fellow subjects. In this renunciation the clergy were even more explicit than the nobility.[32]

But let us suppose the deficit had remained at the 56 million (or £2,200,000 sterling), as Mr. Necker first stated it. Let us grant that all the resources he set against that deficit were impudent and groundless fictions, and that the assembly (or their lords of articles[33] at the Jacobins) were therefore justified in laying the whole burden of that deficit on the clergy. Yet even granting all this, a need of £2,200,000 sterling will not justify a confiscation amounting to five million. A levy of £2,200,000 on the clergy, being partial, would have been oppressive and unjust, but it would not have been altogether ruinous to those it fell on; and

31 Burke quotes in French from Necker's report of May 5, 1789, p. 39.

32 The "instructions" are the *cahiers*, the mandates each order drew up for its deputies in 1789.

33 BURKE'S NOTE. Under the constitution of Scotland in the reigns of the Stuarts, a committee sat to prepare bills, and none could pass except those it had first approved. This committee was called the lords of articles.

therefore it would not have served the real purpose of the managers.

178 People unacquainted with the state of France may hear that the clergy and the nobility were privileged in matters of taxation, and imagine that before the revolution these bodies contributed nothing to the state. This is a great mistake. They certainly did not contribute equally with each other, and neither of them contributed equally with the commons. Both, however, contributed largely. Neither nobility nor clergy enjoyed any exemption from the excise on consumable goods, from customs duties, or from any of the other numerous *indirect* taxes, which in France as well as here make up so very large a proportion of all payments to the public. The nobility paid the capitation.[34] They also paid a land tax called the twentieth penny, at a rate sometimes of three and sometimes of four shillings in the pound. Both were *direct* taxes, no light burden and no trivial source of revenue. The clergy of the provinces annexed to France by conquest (which make up about an eighth of the whole in extent, but a much larger share in wealth) likewise paid the capitation and the twentieth penny, at the rate paid by the nobility. The clergy in the old provinces did not pay the capitation; but they had bought themselves off at a cost of about 24 million, or a little more than a million sterling.[35] They were exempt from the twentieths; but then they made free gifts, they contracted debts on behalf of the state, and they were subject to some other charges, the whole computed at about a thirteenth part of 179 their net income. To be on a par with the contribution of the nobility, they would have had to pay about forty thousand pounds more each year.[36]

When the terrors of this tremendous proscription hung over the clergy, they offered a contribution, through the archbishop of Aix, which for its very extravagance ought not to have been

34 The capitation was a graded poll tax first levied in 1695.

35 The twentieth penny: the *vingtième*, nominally a 5 percent tax on income, often levied doubled or tripled.

36 The "free gift" (*don gratuit*) was the lump sum the clergy voted to the crown in their periodic assemblies.

accepted. But it was plainly and obviously more advantageous to the public creditor than anything the confiscation could rationally promise. Why was it not accepted? The reason is plain. There was no desire that the church should be brought to serve the state. The service of the state was made a pretext to destroy the church. One great end of the project would have been defeated if the plan of extortion had been adopted in place of the scheme of confiscation.[37] The new landed interest connected with the new republic, and dependent on it for its very existence, could not have been created. This was the reason why that extravagant ransom was not accepted.

The madness of the project of confiscation, on the plan first professed, soon became apparent. This unwieldy mass of landed property had been enlarged by the confiscation of the whole vast landed domain of the crown, and to throw it onto the market all at once was obviously to defeat the profits proposed by the confiscation. It would depress the value of those lands, and indeed of all the landed estates throughout France. Such a sudden diversion of all the country's circulating money from trade to land must be a further mischief. What [180] step was taken? Once the assembly saw the inevitable ill effects of their projected sale, did they go back to the offers of the clergy? No distress could compel them to take a course disgraced by any appearance of justice. Giving up all hope of a general immediate sale, they seem to have turned to another project. They proposed to take government stock in exchange for the church lands. In that project great difficulties arose in matching the value of the things to be exchanged. Other obstacles also appeared, which threw them back again on some project of sale. The municipalities had taken alarm. They would not hear of transferring the whole plunder of the kingdom to the stockholders in Paris. Many of those municipalities had been (systematically) reduced to the most deplorable poverty. Money was nowhere to be seen. They were therefore brought to the point so ardently desired.

37 Jean de Dieu-Raymond de Boisgelin, archbishop of Aix, offered on the clergy's behalf a loan of 400 million livres secured on church property (April 1790).

They longed for a currency of any kind that might revive their dying industry. The municipalities were then to be admitted to a share in the spoils, which plainly made the first scheme (if it had ever been seriously entertained) altogether impracticable. Public needs pressed on every side. The minister of finance repeated his call for supply in a most urgent, anxious, and foreboding voice. Thus pressed on every side, they gave up the first plan of turning their bankers into bishops and abbots. Instead of paying the old debt, they contracted a new debt at 3 percent, creating a new paper currency founded on an eventual sale of the church lands.[38] They issued 181 this paper currency chiefly to satisfy, in the first instance, the demands made on them by the *Bank of discount*, the great machine, or paper mill, of their fictitious wealth.[39]

The spoil of the church had now become the only resource of all their financial operations, the vital principle of all their politics, and the sole security for the existence of their power. It was necessary by every means, even the most violent, to put every individual on the same footing, and to bind the nation in one guilty interest to uphold this act and the authority of those who had done it. To force even the most reluctant into a share of their pillage, they made their paper currency compulsory in all payments. Those who see that their schemes generally tend toward this one object as a center, and that all their later measures radiate from this center, will not think that I dwell too long on this part of the proceedings of the National Assembly.

To cut off every appearance of connection between the crown and public justice, and to bring the whole under implicit obedience to the dictators in Paris, the old independent judiciary of the parliaments, with all its merits and all its faults, was wholly abolished. While the parliaments existed, it was evident that the people might at some time or other turn to them, and rally

38 These are the assignats, first issued in December 1789 and made legal tender bearing interest in April 1790.

39 The *Caisse d'escompte*, a Paris discount bank founded in 1776, which had made large advances to the treasury.

under the standard of their ancient laws. It became, however, a matter for consideration that the magistrates and officers of the courts now abolished *had bought their places* at a very high price, for which, as well as for the [182] duty they performed, they received only a very low return of interest.[40] Simple confiscation is a boon reserved for the clergy only. Toward the lawyers some appearances of equity are to be observed, and they are to receive compensation to an immense amount. Their compensation becomes part of the national debt, and for paying off that debt there is the one inexhaustible fund. The lawyers are to receive their compensation in the new church paper, which is to march with the new principles of judicature and legislature. The dismissed magistrates are to take their share of martyrdom with the clergy, or else to receive their own property from such a fund and in such a manner as all those who have been formed by the ancient principles of jurisprudence, and who had been the sworn guardians of property, must look upon with horror. Even the clergy are to receive their miserable allowance out of the depreciated paper, which is stamped with the indelible character of sacrilege and with the symbols of their own ruin. Either they take it, or they starve. The alliance of bankruptcy and tyranny, at any time or in any nation, has seldom exhibited so violent an outrage on credit, property, and liberty as this compulsory paper currency.

In the course of all these operations, the grand *arcanum* at last comes out. In reality, and in a fair sense, the lands of the church (so far as anything certain can be gathered from their proceedings) are not to be sold at all. By the recent resolutions of the National Assembly they are indeed to be delivered to the highest bidder. But it should be observed that *only a certain portion of the purchase money* [183] *is to be paid down.* A period of twelve years is to be allowed for paying the rest. The philosophic purchasers are therefore to be put at once into possession of the estate on pay-

40 The *parlements* were the sovereign law courts of the old regime (Paris and the provinces), suspended in 1789 and abolished in 1790. Their offices were purchased and heritable.

ment of a sort of fine.[41] It becomes in some respects a sort of gift to them, to be held on the feudal tenure of zeal for the new establishment. This project is plainly meant to let in a body of purchasers without money. The consequence will be that these purchasers, or rather grantees, will pay not only from the rents as they come in, which might as well be received by the state, but from stripping the materials of buildings, from waste in the woods, and from whatever money they can wring from the miserable peasant, with hands practiced in the grasping ways of usury. He is to be handed over to the mercenary and arbitrary discretion of men who will be spurred to every kind of extortion by the growing demands on the growing profits of an estate held under the precarious settlement of a new political system.

All the frauds, impostures, violences, robberies, burnings, murders, confiscations, compulsory paper currencies, and every kind of tyranny and cruelty employed to bring about and uphold this revolution have their natural effect: they shock the moral sentiments of all virtuous and sober minds. When they do, the abettors of this philosophic system at once strain their throats in declaiming against the old monarchical government of France. When they have painted that deposed power black enough, [184] they then argue as if all who disapprove of their new abuses must of course be partisans of the old, and as if those who condemn their crude and violent schemes of liberty ought to be treated as advocates of servitude. I admit that their necessities do compel them to this base and contemptible fraud. Nothing can reconcile men to their proceedings and projects except the supposition that there is no third option between them and some tyranny as odious as any the records of history, or the invention of poets, can supply. This prattle of theirs hardly deserves the name of sophistry. It is nothing but plain impudence. Have these gentlemen never heard, in the whole circle of the worlds of theory and practice, of anything between the despotism of the monarch and the despotism of the multi-

41 *Arcanum*: Latin, a secret (the alchemists' word for a hidden remedy). A "fine" here is the lump sum a tenant paid on entering a holding.

tude? Have they never heard of a monarchy directed by laws, controlled and balanced by the great hereditary wealth and hereditary dignity of a nation? And of both of these controlled in turn by a judicious check from the reason and feeling of the people at large, acting through a suitable and permanent organ? Is it then impossible that a man may be found who, without criminal ill intent or pitiable absurdity, prefers such a mixed and tempered government to either of the extremes? Or that he may judge a nation destitute of all wisdom and all virtue when, having it in its power to obtain such a government with ease, *or rather to confirm it when it was actually possessed,* it thought fit to commit a thousand crimes, and [185] to subject its country to a thousand evils, in order to avoid it? Is it then a truth so universally acknowledged that a pure democracy is the only tolerable form into which human society can be thrown, that a man may not hesitate about its merits without being suspected of being a friend to tyranny, that is, a foe to mankind?

Was the Old Order Past Reform?

Burke defends the old monarchy, nobility and clergy as faulty but reformable, and asks what reform without destruction would have looked like.

A DEMOCRACY TENDING TO TYRANNY

Pure democracy can oppress minorities as cruelly as tyranny; was the French monarchy really beyond reform?

I do not know under what description to class the present ruling authority in France. It pretends to be a pure democracy, though I think it is on a direct course to becoming, before long, a mischievous and ignoble oligarchy. But for the present I grant that it is a contrivance of the nature and effect it claims. I condemn no form of government merely on abstract principles. There may be situations in which the purely democratic form will become necessary. There may be some (very few, and very particularly circumstanced) where it would be clearly desirable. I do not take this to be the case of France, or of any other great country. Until now, we have seen no examples of considerable democracies. The ancients knew them better. Since I am not wholly unread in the authors who had seen the most of those constitutions and understood them best, I cannot help agreeing with their opinion that an absolute democracy, no more than an absolute monarchy, is to be counted among the legitimate forms of government. They think it the corruption and degeneracy of a republic rather than its sound constitution. If I remember rightly, Aristotle observes [186] that a democracy has many strik-

ing points of resemblance with a tyranny[1]. Of this I am certain: that in a democracy the majority of the citizens is capable of exercising the most cruel oppressions on the minority whenever strong divisions prevail in that kind of polity, as they often must; and that this oppression of the minority will extend to far greater numbers, and will be carried on with far greater fury, than can almost ever be feared from the rule of a single scepter. In such a popular persecution, individual sufferers are in a much more deplorable condition than in any other. Under a cruel prince they have the balm of mankind's compassion to soothe the smart of their wounds; they have the applause of the people to animate their generous constancy under their sufferings. But those who are wronged by multitudes are deprived of all outward consolation. [187] They seem deserted by mankind, overpowered by a conspiracy of their whole species.

But granting that democracy does not have that inevitable tendency to party tyranny which I suppose it to have, and granting that it has as much good in it when unmixed as I am sure it has when compounded with other forms—does monarchy, for its part, contain nothing at all to recommend it? I do not often quote Bolingbroke, nor have his works in general left any lasting impression on my mind. He is a presumptuous and a superficial

1 BURKE'S NOTE. When I wrote this I quoted from memory, many years after I had read the passage. A learned friend has found it, and it is as follows:

"The character is the same, and both rule despotically over the better citizens; and the decrees are like the edicts there; and the demagogue and the flatterer are the same, or analogous; and each has the most power with its own—the flatterers with tyrants, the demagogues with democracies of this kind."—

"The ethical character is the same; both exercise despotism over the better class of citizens; and decrees are in the one what ordinances and *arrêts* are in the other. The demagogue, too, and the court favorite are not infrequently the very same men, and always bear a close analogy; and these hold the principal power, each in their respective form of government—favorites with the absolute monarch, and demagogues with a people such as I have described." Aristotle, *Politics*, book IV, chapter 4.

TRANSLATOR'S NOTE. Aristotle, Politics IV.4 (1292a), in Greek; Burke supplies his own freer English version in the next paragraph.

TRANSLATOR'S NOTE. Arrêts: decrees issued by the French royal council and the parlements.

writer. But he has one observation which, in my opinion, is not without depth and solidity.[2] He says that he prefers a monarchy to other governments, because you can better graft any kind of republic onto a monarchy than anything of monarchy onto the republican forms. I think him perfectly right. It is so as a matter of history, and it agrees well with theory.

I know how easy a topic it is to dwell on the faults of fallen greatness. By a revolution in the state, the fawning sycophant of yesterday is turned into the stern critic of the present hour. But steady, independent minds, when they have before them an object of such serious concern to mankind as government, will disdain to play the part of satirists and declaimers. They will judge human institutions as they judge human characters. They will sort out the good from the evil, which is mixed in mortal institutions as it is in mortal men.

Your government in France, though usually—and I think justly—reputed the best of the unqualified [188] or ill-qualified monarchies, was still full of abuses. These abuses had piled up over a length of time, as they must pile up in every monarchy not under the constant inspection of a popular representative. I am no stranger to the faults and defects of the overthrown government of France, and I think I am not inclined by nature or by policy to make a panegyric on anything that is a just and natural object of censure. But the question now is not about the vices of that monarchy, but about its existence. Is it true, then, that the French government was such as to be incapable or undeserving of reform, so that it was absolutely necessary to pull down the whole fabric at once and clear the ground for the erection of a theoretical, experimental edifice in its place? All France was of a different opinion at the beginning of the year 1789. The instructions to the representatives to the states general, from every district in that kingdom, were filled with projects for reforming that government, without the remotest suggestion of a design to destroy it. Had such a design even been hinted at then, I believe

2 Henry St John, Viscount Bolingbroke (1678–1751), Tory statesman and political writer.

there would have been but one voice, and that voice for rejecting it with scorn and horror. Men have sometimes been led by degrees, sometimes hurried, into things which, if they could have seen the whole of them together, they would never have allowed even the most remote approach to. When those instructions were given, there was no question that abuses existed and that they demanded reform; nor is there now. In the interval between the instructions and the revolution, things changed their shape; and in consequence of that change, the true question at present is, [189] who are in the right: those who would have reformed, or those who have destroyed?

THE OLD MONARCHY: POPULATION AND WEALTH

France's growing population and great wealth show that the old monarchy was not a ruinous despotism.

To hear some men speak of the late monarchy of France, you would imagine they were talking of Persia bleeding under the ferocious sword of Tahmas Kouli Khan; or at least describing the barbarous, anarchic despotism of Turkey, where the finest countries in the most genial climates in the world are wasted more by peace than any countries have been ravaged by war; where arts are unknown, where manufactures languish, where science is extinguished, where agriculture decays, where the human race itself melts away and perishes before the observer's eyes. Was this the case of France? I have no way of deciding the question but by reference to facts. The facts do not support this resemblance.[3] Along with much evil, there is some good in monarchy itself; and the French monarchy must have received some corrective to its evil from religion, from laws, from manners, from opinions—which made it (though by no means a free, and therefore by no means a good, constitution) a despotism in appearance rather than in reality.

Among the standards by which the effects of a government on any country are to be judged, I must consider the state of its

population not the least certain. No country in which population flourishes and is steadily improving can be under a *very* mischievous government. About sixty years ago, the Intendants of the generalities of France made,[4] among other matters, a report on the population of their several districts. I do [190] not have the books, which are very voluminous, at hand, nor do I know where to get them (I am obliged to speak from memory, and therefore the less positively); but I think they estimated the population of France, even at that period, at twenty-two million souls. At the end of the last century it had generally been calculated at eighteen. On either of these estimates France was not thinly peopled. Mr. Necker, who for his own time is an authority at least equal to the Intendants for theirs, reckons, on apparently sure principles, the people of France in the year 1780 at twenty-four million six hundred and seventy thousand. But was this likely to be the final limit under the old establishment? Dr. Price is of the opinion that the growth of population in France was by no means at its *acme* in that year. I certainly defer to Dr. Price's authority a good deal more in these speculations than I do in his politics generally. This gentleman, taking his ground on Mr. Necker's data, is very confident that since the time of that minister's calculation the French population has increased rapidly—so rapidly that for the year 1789 he will not consent to put the people of that kingdom at a lower number than thirty million. After deducting much (and much, I think, ought to be deducted) from Dr. Price's sanguine calculation, I have no doubt that the population of France did increase considerably during this later period; but supposing it increased by no more than enough to bring the 24,670,000 up to 25 million, still a population of 25 million, and that [191] still increasing, on an area of about twenty-seven thousand square leagues, is immense. It is, for instance, a good deal more than the proportional population

3 Tahmasp Quli Khan, better known as Nadir Shah (1688–1747), the ruler of Persia notorious for his conquests and cruelty.

4 The Intendants were the crown's chief administrators in the generalities, the fiscal and administrative districts of old-regime France.

of this island, or even than that of England, the best-peopled part of the United Kingdom.

It is not universally true that France is a fertile country. Considerable tracts of it are barren, and labor under other natural disadvantages. In those parts of the territory where things are more favorable, as far as I can discover, the numbers of the people correspond to the generosity of nature[5]. The Generality of Lille (this, I admit, is the strongest example), on an extent of 404 ½ leagues, contained about ten years ago 734,600 souls, which is 1,772 inhabitants to each square league. The average for the rest of France is about 900 inhabitants to the same measure.

I do not credit this population to the deposed government, because I do not like to compliment the contrivances of men with what is due in great measure to the bounty of Providence. But that much-decried government could not have obstructed, and most probably favored, the operation of those causes (whatever they were)—whether of nature in the soil, or of habits of industry among the people—which have produced so large a number of the species throughout that whole kingdom, and displayed in some particular places such [192] prodigies of population. I will never suppose that fabric of a state to be the worst of all political institutions which experience shows to contain a principle favorable (however latent it may be) to the increase of mankind.

The wealth of a country is another standard, and no contemptible one, by which we may judge whether, on the whole, a government is protective or destructive. France far exceeds England in the multitude of her people; but I take it that her comparative wealth is much inferior to ours—that it is not so equal in its distribution, nor so ready in its circulation. I believe the difference in the form of the two governments to be among the causes of this advantage on England's side. I speak of England,

5 BURKE'S NOTE. *De l'Administration des Finances de la France,* by M. Necker, vol. i, p. 288.

TRANSLATOR'S NOTE. Necker's "On the Administration of the Finances of France," a three-volume survey of French public finance.

not of the whole British dominions, which, if compared with those of France, will somewhat weaken the comparative rate of wealth on our side. But wealth that will not bear comparison with the riches of England may still amount to a very respectable degree of opulence. Mr. Necker's book, published in 1785[6], contains an accurate and interesting collection of facts on public economy and political arithmetic, and his reflections on the subject are generally wise and liberal. In that work he gives an idea of the state of France very far from the portrait of a country whose government was a perfect grievance, an absolute evil, admitting no cure but the violent and uncertain remedy of a total revolution.[7] [193] He states that from the year 1726 to the year 1784 there was coined at the French mint, in gold and silver coin, to the amount of about one hundred million pounds sterling[8].

It is impossible that Mr. Necker should be mistaken in the amount of bullion coined at the mint. It is a matter of official record. The reasonings of this able financier about the quantity of gold and silver that remained in circulation when he wrote in 1785—that is, about four years before the deposition and imprisonment of the French king—are not equally certain; but they rest on grounds so apparently solid that it is not easy to withhold a considerable degree of assent from his calculation. He calculates the *numéraire*, or what we call *specie*, then actually existing in France at about eighty-eight million in the same English money. A great accumulation of wealth for one country, large as that country is! Mr. Necker, writing in 1785, was so far from thinking this influx of wealth likely to cease that he assumes a future annual increase of two percent on the money brought into France during the periods from which he made his computation.

Some adequate cause must originally have brought into that kingdom all the money coined at its mint; and some cause just as effective must have kept at home, or drawn back into its

6 BURKE'S NOTE. *De l'Administration des Finances de la France*, by M. Necker.
7 Political arithmetic: the period's term for economic and demographic statistics.
8 BURKE'S NOTE. Vol. iii, chap. 8 and chap. 9.

bosom, the vast flood of treasure that Mr. Necker calculates to remain for domestic circulation. Make any reasonable deductions from M. Necker's computation; [194] the remainder must still amount to an immense sum. Causes so powerful to acquire and to retain cannot be found in discouraged industry, insecure property, and a positively destructive government. Indeed, when I consider the face of the kingdom of France; the multitude and opulence of her cities; the useful magnificence of her spacious highways and bridges; the advantage of her artificial canals and waterways, opening the conveniences of maritime communication through a solid continent of such immense extent; when I turn my eyes to the stupendous works of her ports and harbors, and to her whole naval apparatus, whether for war or for trade; when I bring before my view the number of her fortifications, built with such bold and masterly skill, and made and maintained at such prodigious cost, presenting an armed front and an impenetrable barrier to her enemies on every side; when I recall how very small a part of that extensive region is uncultivated, and to what complete perfection the culture of many of the best products of the earth has been brought in France; when I reflect on the excellence of her manufactures and fabrics, second to none but ours, and in some particulars not second; when I contemplate her grand foundations of charity, public and private; when I survey the state of all the arts that beautify and polish life; when I count the men she has bred to extend her fame in war, her able statesmen, the multitude of her profound lawyers and theologians, her philosophers, her critics, her historians and antiquaries, her poets, and her orators [195] sacred and profane—I see in all this something that awes and commands the imagination, that checks the mind on the brink of hasty and indiscriminate censure, and that demands that we examine very seriously what the hidden vices are, and how great, that could authorize us to level so splendid a fabric with the ground at a stroke. I do not recognize, in this view of things, the despotism of Turkey. Nor do I discern the character of a government that has been, on the whole, so oppressive, or so cor-

rupt, or so negligent, as to be utterly unfit *for all reformation.* I must think that such a government well deserved to have its excellences heightened, its faults corrected, and its capacities improved into a British constitution.

Whoever has looked into the proceedings of that deposed government over the past several years cannot fail to have noticed, amid the inconstancy and fluctuation natural to courts, an earnest effort toward the prosperity and improvement of the country. He must admit that it had long been at work, in some instances wholly removing and in many considerably correcting the abusive practices and usages that had prevailed in the state. He must also admit that even the unlimited power of the sovereign over the persons of his subjects, inconsistent as it undoubtedly was with law and liberty, had been growing milder in its exercise every day. So far from refusing reform, that government was open, with a blameworthy degree of readiness, to every sort of project and projector on the subject. Rather too much encouragement was given to the spirit of innovation, [196] which was soon turned against those who had fostered it, and ended in their ruin. It is only cold, and not very flattering, justice to that fallen monarchy to say that for many years it went wrong more through frivolity and want of judgment in several of its schemes than from any lack of diligence or of public spirit. To compare the government of France over the last fifteen or sixteen years with wise and well-constituted establishments, during that or any other period, is not to act fairly. But if it is compared with any of the earlier reigns in its extravagance in spending money, or in its severity in exercising power, I believe candid judges will give little credit to the good intentions of those who dwell endlessly on the gifts to favorites, or on the expenses of the court, or on the horrors of the Bastille in the reign of Louis XVI.

Whether the system now built on the ruins of that ancient monarchy, if it deserves the name, will be able to give a better account of the population and wealth of the country it has taken under its care is very doubtful. Far from gaining by the change, I

fear that a long run of years must pass before the country can recover in any degree from the effects of this philosophic revolution, and before the nation can be restored to its former footing. If Dr. Price should see fit, a few years from now, to favor us with an estimate of the population of France, he will hardly be able to make up his count of thirty million souls, as computed in 1789, or the Assembly's figure of twenty-six million for that year, or even [197] Mr. Necker's twenty-five million in 1780. I hear that there are considerable emigrations from France, and that many people, leaving that voluptuous climate and that seductive *Circean* liberty, have taken refuge in the frozen regions of Canada, under British despotism.[9]

With coin vanishing as it now is, no one could believe this the same country in which the present minister of finance was able to find eighty million pounds sterling in specie. From its general appearance one would conclude that it had been for some time under the special direction of the learned academicians of Laputa and Balnibarbi[10]. Already the population of Paris has fallen so far that Mr. Necker told the National Assembly that the provision for feeding the city could be set a fifth lower than what had formerly been found necessary. It is said, and I have never heard it contradicted, that a hundred thousand people are out of work in that city, though it has become the seat of the imprisoned court and of the National Assembly. Nothing, I am reliably told, can exceed the shocking and disgusting spectacle of begging on display in that capital. Indeed, the votes of the National Assembly leave no doubt of the fact. They have lately appointed a standing committee on begging. They are devising both a vigorous police on this subject and, for the first time, a tax to maintain the poor, for whose present relief great sums

9 Canada had been governed without an elected assembly under the Quebec Act of 1774, hence Burke's ironic "British despotism." Circe was the enchantress in Homer's *Odyssey* who turned men into swine.

10 BURKE'S NOTE. See *Gulliver's Travels* for the idea of countries governed by philosophers.

appear on the face of the public accounts for the [198] year[11].[12] Meanwhile the leaders of the legislative clubs and coffee-houses are intoxicated with admiration of their own wisdom and ability. They speak with the most sovereign contempt of the rest of the world. To comfort the people in the rags they have clothed them in, they tell them that they are a nation of philosophers; and sometimes by every art of quack parade, by show, tumult, and bustle, sometimes by alarms of plots and invasions, they try to drown the cries of the destitute and to divert the observer's eyes from the ruin and wretchedness of the state. A brave people will certainly prefer liberty accompanied by a virtuous poverty to a depraved and wealthy servitude. But before the price of comfort and wealth is paid, one ought to be quite sure that it is real liberty being bought, and that she can be bought at no other price. I shall always, however, regard as very doubtful in her appearance any liberty that does not have wisdom and justice for her companions, and does not lead prosperity and plenty in her train.

THE NOBILITY

Burke defends the French nobility as honorable and humane, with faults that reform could have corrected.

[199] The advocates of this revolution, not content with exaggerating the vices of their old government, strike at the reputation of their country itself, painting almost everything that could have

11 BURKE'S NOTE. Charitable works to relieve the lack of employment in Paris and in the provinces Liv. 3,866,920 Stg £. 161,121 *s.* 13 *d.* 4 / Suppression of vagrancy and begging 1,671,417 69,642 7 6 / Bounties for the importation of grain 5,671,907 236,329 9 2 / Liv. 11,210,244 Stg 467,093 10 0 / As I am not entirely satisfied about the nature and extent of the item appended below in the public accounts, I do not include it in the reference above; but if it is to be understood as the purchase of provisions for the poor, it is immense indeed, and swells the total to a formidable size. / Expenses relating to provisions, after deducting the sums recovered 39,871,790 1,661,324 11 8 / Total — Liv. 51,082,034 Stg 2,128,418 1 8

TRANSLATOR'S NOTE. The entries are from the French public accounts of 1790; "Liv." is livres, converted by Burke into pounds, shillings, and pence sterling.

12 "Police" here means civil administration and regulation, not a police force.

drawn the attention of foreigners, I mean their nobility and their clergy, as objects of horror. If this were only a libel, there would not be much in it. But it has practical consequences. Suppose your nobility and gentry, who made up the great body of your landowners and the whole of your military officers, had resembled those of Germany at the time when the Hanseatic towns were forced to confederate against the nobles in defense of their property. Suppose they had been like the *Orsini* and *Vitelli* in Italy, who used to sally out of their fortified dens to rob the merchant and the traveler, or like the *Mamelukes* in Egypt or the *Nayars* on the coast of Malabar. In that case I admit that too exacting an inquiry into the means of freeing the world from such a nuisance might not be advisable. The statues of Equity and Mercy might be veiled for a moment.[13] The tenderest minds, bewildered by that dreadful emergency in which morality submits to the suspension of its own rules for the sake of its own principles, might look away while fraud and violence accomplished the destruction of a pretended nobility that disgraced human nature even as it persecuted it. Those who most abhor blood, and treason, and arbitrary confiscation might remain silent spectators of this civil war between the vices.

But did the privileged nobility who met at Versailles in 1789 under the king's summons, or their [200] constituents, deserve to be regarded as the *Nayars* or *Mamelukes* of this age, or as the *Orsini* and *Vitelli* of former times? Had I asked the question then, I would have been taken for a madman. What have they done since, that they should be driven into exile, their persons hunted down, mangled, and tortured, their families scattered, their houses burned to ashes? What have they done, that their order should be abolished, and its very memory extinguished if possible, by a decree obliging them to change the very names by which they were commonly known? Read their instructions to

13 The Orsini and Vitelli were feuding noble houses of Renaissance Italy; the Mamelukes were the military caste that dominated Egypt; the Nayars were a warrior caste of Malabar in southwestern India.

their representatives.[14] They breathe the spirit of liberty as warmly, and urge reform as strongly, as those of any other order. Their privileges with respect to taxation were voluntarily surrendered, just as the king had from the beginning surrendered every claim to a right of taxation. On a free constitution there was only one opinion in France. The absolute monarchy was at an end. It breathed its last without a groan, without a struggle, without convulsion. All the struggle, all the dissension came afterward, over the preference of a despotic democracy to a government of reciprocal control. The triumph of the victorious party was over the principles of a British constitution.

I have noticed the affectation, prevalent in Paris for many years now and carried to a perfectly childish degree, of idolizing the memory of your Henry IV. If anything could put one out of humor with that ornament of the kingly character, it would be this overdone style of insidious praise. The people who have worked this engine most busily are those who have [201] ended their eulogies by dethroning his successor and descendant;[15] a man at least as good-natured as Henry IV, every bit as fond of his people, and one who has done infinitely more to correct the ancient vices of the state than that great monarch did, or than we can be sure he ever meant to do. It is lucky for his admirers that they do not have him to deal with. For Henry of Navarre was a resolute, active, and shrewd prince. He did indeed possess great humanity and mildness, but a humanity and mildness that never stood in the way of his interests. He never sought to be loved without first putting himself in a position to be feared. He used soft language with determined conduct. He asserted and maintained his authority in the gross, and handed out his concessions only in the detail. He spent the income of his prerogatives nobly, but he took care not to break into the capital. He never abandoned for a moment any of the claims he made under the fundamental laws, nor did he spare the blood of those

14 In June 1790 the Assembly abolished hereditary nobility and noble titles.
15 Henry IV (reigned 1589–1610), the first Bourbon king of France, Louis XVI's ancestor.

who opposed him, often in the field, sometimes on the scaffold. Because he knew how to make his virtues respected by the ungrateful, he has earned the praise of people whom, had they lived in his time, he would have shut up in the Bastille and brought to punishment along with the regicides he hanged after he had starved Paris into surrender.[16]

If these admirers are sincere in their admiration of Henry IV, they must remember that they cannot think more highly of him than he did of the noblesse of France, whose virtue, honor, courage, patriotism, and loyalty were his constant theme.

[202] But the nobility of France have degenerated since the days of Henry IV.—That is possible. But it is more than I can believe to be true to any great degree. I do not claim to know France as precisely as some others do; but I have tried throughout my life to acquaint myself with human nature, or I would be unfit to take even my humble part in the service of mankind. In that study I could not pass over a vast portion of our nature as it appeared, modified, in a country only twenty-four miles from the shore of this island. From my best observation, compared with my best inquiries, I found your nobility for the most part composed of men of high spirit and a delicate sense of honor, both with regard to themselves individually and with regard to their whole body, over which they kept, more than is common in other countries, a censor's eye. They were tolerably well-bred; very obliging, humane, and hospitable; frank and open in their conversation; with a good military tone; and reasonably tinctured with literature, particularly with the authors of their own language. Many had claims well beyond this description. I speak of those one generally met.

As for their behavior toward the lower classes, they seemed to me to conduct themselves toward them with good nature, and with something closer to familiarity than is usual with us in the dealings between the higher and lower ranks of life. To strike anyone, even in the most abject condition, was almost

16 Henry besieged and starved Paris in 1590 during the Wars of Religion; the city finally opened its gates to him in 1594.

unknown, and would have been highly disgraceful. Instances of other ill-treatment of [203] the humble part of the community were rare; and as for attacks on the property or personal liberty of the commons, I never heard of any whatever from *them*; nor, while the laws were in force under the old government, would such tyranny by subjects have been permitted. As landowners, I found no fault with their conduct, though I found much to criticize, and much I wished changed, in many of the old tenures. Where they let their land for rent, I could not discover that their agreements with their farmers were oppressive; nor, when they were in partnership with the farmer, as was often the case, have I heard that they took the lion's share. The proportions did not seem unfair. There may have been exceptions, but they were certainly only exceptions.[17] I have no reason to believe that in these respects the landed noblesse of France were worse than the landed gentry of this country; and they were certainly in no respect more vexatious than the landowners of their own nation who were not noble. In the cities the nobility had no power at all; in the country very little. You know, Sir, that much of the civil government, and the most essential parts of the police, were not in the hands of the nobility who first come to mind.[18] The revenue, whose system and collection were the most oppressive parts of the French government, was not administered by the men of the sword; nor were they answerable for the vices of its principle, or for the vexations in its management, where any such existed.[19]

Denying, as I am fully entitled to do, that the nobility had any considerable share in the oppression [204] of the people, in cases where real oppression existed, I am ready to admit that they were not without considerable faults and errors. A foolish imitation of the worst part of English manners, which impaired their

17 In the partnership arrangement (*métayage*), landlord and tenant divided the produce between them.

18 Burke means the old military nobility; much of the civil administration lay with the judicial nobility and royal officials.

19 "Men of the sword" translates *noblesse d'épée*, the old military nobility, as distinct from the *noblesse de robe* of the law courts and offices.

natural character without putting in its place what they perhaps intended, has certainly made them worse than they used to be. Habitual dissoluteness of manners, continued beyond the pardonable age of life, was more common among them than it is with us; and it reigned with less hope of remedy, though possibly with somewhat less harm, because it was covered with more outward decorum. They gave too much countenance to that licentious philosophy which has helped to bring on their ruin. There was another error among them, a more fatal one. Those of the commons who approached or exceeded many of the nobility in wealth were not fully admitted to the rank and esteem which wealth, in reason and good policy, ought to confer in every country—though not, I think, equally with the rank of the other nobility. The two kinds of aristocracy were kept too punctiliously apart; less so, however, than in Germany and some other nations. This separation, as I have already taken the liberty of suggesting to you, I take to be one principal cause of the destruction of the old nobility. The military, in particular, was too exclusively reserved for men of family. But after all, this was an error of opinion, which a contrary opinion would have corrected. A permanent assembly, in which the commons had their share of power, would soon have abolished whatever was too invidious and insulting in these distinctions; and even the faults in the morals of the nobility [205] would probably have been corrected by the greater variety of occupations and pursuits to which a constitution by orders would have given rise.

All this violent outcry against the nobility I take to be a mere work of art. To be honored, and even privileged, by the laws, opinions, and inveterate customs of our country, growing out of the prejudice of ages, has nothing in it to provoke horror and indignation in anyone. Even to cling too tenaciously to those privileges is not absolutely a crime. The strong struggle in every individual to keep possession of what he has found to belong to him and to distinguish him is one of the securities against injustice and despotism implanted in our nature. It operates as an instinct to secure property and to keep communities in a

settled state. What is there in this to shock anyone? Nobility is a graceful ornament to the civil order. It is the Corinthian capital of polished society. *All of us good men always favor the nobility*, was the saying of a wise and good man. It is indeed one sign of a liberal and benevolent mind to lean toward it with a certain partial inclination. He feels no ennobling principle in his own heart who wishes to level all the artificial institutions that have been adopted to give a body to opinion,[20] and permanence to fleeting esteem. It is a sour, malignant, envious disposition, with no taste for the reality of virtue or for any image or representation of it, that sees with joy the unmerited fall of what had long flourished in splendor and in honor. I do not like to see anything destroyed; any void produced in society; any ruin on the face of the land. It was therefore with no disappointment or dissatisfaction that my [206] inquiries and observation showed me no incorrigible vices in the noblesse of France, nor any abuse that could not be removed by a reform falling far short of abolition. Your noblesse did not deserve punishment; but to degrade is to punish.

THE CLERGY

The French clergy, whom Burke met, were learned and decent; present persecution punishes them for past churchmen's crimes.

It was with the same satisfaction that I found the result of my inquiry concerning your clergy to be much the same. It is no soothing news to my ears that great bodies of men are incurably corrupt. I listen with little credulity to anyone who speaks evil of those he is about to plunder. I rather suspect that vices are invented or exaggerated when profit is expected from their punishment. An enemy is a bad witness; a robber is a worse. Vices and abuses there undoubtedly were in that order, and must be. It was an old establishment, and not often revised. But I saw no crimes in the individuals that deserved the confiscation of their property, nor those cruel insults and degradations, and that

20 The Latin is Cicero, *Pro Sestio* 9.21: "Omnes boni nobilitati semper favemus."

unnatural persecution, which have been put in the place of reforming regulation.

If there had been any just cause for this new religious persecution, the atheistic libelers who act as trumpeters to rouse the populace to plunder love nobody so well that they would refrain from dwelling with relish on the vices of the existing clergy. This they have not done. They find themselves obliged to rake through the histories of former ages (which they have ransacked with a malignant and shameless industry) for every instance of oppression and persecution committed by that body or on its behalf, in order to justify, on very iniquitous—because very illogical—principles of retaliation, [207] their own persecutions and their own cruelties. After destroying all other genealogies and family distinctions, they invent a sort of pedigree of crimes. It is not very just to chastise men for the offenses of their natural ancestors; but to take the fiction of ancestry in a corporate succession as grounds for punishing men who have no connection with guilty acts except in names and general descriptions is a sort of refinement in injustice belonging to the philosophy of this enlightened age. The Assembly punishes men many—if not most—of whom abhor the violent conduct of churchmen in former times as much as their present persecutors can, and who would be as loud and as strong in expressing that feeling if they were not well aware of the purposes for which all this declamation is employed.

Corporate bodies are immortal for the good of their members, but not for their punishment. Nations themselves are such corporations. We in England might as well think of waging inexpiable war on all Frenchmen for the evils they have brought on us in the various periods of our mutual hostilities. You, for your part, might think yourselves justified in falling on all Englishmen on account of the unparalleled calamities brought on the people of France by the unjust invasions of our Henrys and our Edwards.[21] Indeed we should be mutually justified in this war of

21 English kings who invaded France during the Hundred Years' War, such as Edward III and Henry V.

extermination on each other, every bit as much as you are in the unprovoked persecution of your present countrymen on account of the conduct of men of the same name in other times.

THE MISUSE OF HISTORY

Using history to revive old hatreds; the Paris stage's Saint Bartholomew massacre turned against today's clergy.

We do not draw the moral lessons from history that we might. On the contrary, without care it [208] may be used to corrupt our minds and to destroy our happiness. In history a great volume is unrolled for our instruction, drawing the materials of future wisdom from the past errors and infirmities of mankind. Perverted, it may serve as an arsenal, furnishing offensive and defensive weapons for parties in church and state, supplying the means of keeping alive or reviving dissensions and animosities, and adding fuel to civil fury. History consists, for the most part, of the miseries brought upon the world by pride, ambition, avarice, revenge, lust, sedition, hypocrisy, ungoverned zeal, and the whole train of disorderly appetites, which shake the public with the same

—"troublous storms that toss / The private state, and render life unsweet."[22]

These vices are the *causes* of those storms. Religion, morals, laws, prerogatives, privileges, liberties, rights of men are the *pretexts.* The pretexts are always found in some plausible appearance of a real good. You would not secure men from tyranny and sedition by rooting out of the mind the principles to which these fraudulent pretexts apply? If you did, you would root out everything that is valuable in the human breast. As these are the pretexts, so the ordinary actors and instruments in great public evils are kings, priests, magistrates, senates, parliaments, national assemblies, judges, and captains. You would not cure the evil by resolving that there should be no more monarchs, nor ministers of state or of the gospel; no interpreters of law; no

22 Burke is quoting Spenser, *The Faerie Queene*, Book II.

general officers; no public councils. You might change [209] the names. The things themselves must remain in some shape. A certain *quantum* of power must always exist in the community, in some hands, and under some name. Wise men will apply their remedies to vices, not to names; to the causes of evil, which are permanent, not to the occasional organs through which they act and the transitory forms in which they appear. Otherwise you will be wise historically, a fool in practice. Seldom do two ages have the same fashion in their pretexts and the same modes of mischief. Wickedness is a little more inventive. While you are discussing the fashion, the fashion has gone by. The very same vice takes on a new body. The spirit transmigrates; and, far from losing its principle of life by the change in its appearance, it is renewed in its new organs with the fresh vigor of youthful activity. It walks abroad; it continues its ravages; while you are gibbeting the carcass or demolishing the tomb. You are terrifying yourself with ghosts and apparitions while your house is the haunt of robbers. So it is with all those who, attending only to the shell and husk of history, think they are waging war on intolerance, pride, and cruelty, while, under color of abhorring the bad principles of antiquated parties, they are authorizing and feeding the same odious vices in different factions, and perhaps in worse ones.

Your citizens of Paris once lent themselves as ready instruments for slaughtering the followers of Calvin in the infamous massacre of St. Bartholomew. What should we say to anyone who could think of retaliating on the Parisians of today for the abominations and horrors of that time? They are [210] indeed brought to abhor *that* massacre. Ferocious as they are, it is not hard to make them dislike it, because the politicians and fashionable teachers have no interest in giving their passions exactly the same direction. Still, they find it in their interest to keep the same savage dispositions alive.[23] Only the other day they had this very massacre acted on the stage for the entertain-

23 The massacre of Protestants (Huguenots) in Paris that began on St. Bartholomew's Day, August 24, 1572.

ment of the descendants of those who committed it. In this tragic farce they brought on the Cardinal of Lorraine in his official robes, ordering a general slaughter. Was this spectacle meant to make the Parisians abhor persecution and loathe the shedding of blood?—No, it was to teach them to persecute their own pastors; it was to excite them, by raising disgust and horror at their clergy, to an eagerness in hunting down to destruction an order which, if it ought to exist at all, ought to exist not only in safety but in reverence.[24] It was to stimulate their cannibal appetites (which one would think had been gorged enough already) with variety and seasoning, and to quicken them to readiness for new murders and massacres, should it suit the purpose of the Guises of the day. An assembly in which sat a multitude of priests and prelates was obliged to suffer this indignity at its door. The author was not sent to the galleys, nor the players to the house of correction.[25] Not long after this exhibition, those players came forward to the Assembly to claim the rites of the very religion they had dared to expose, and to show their prostituted faces in the senate, while the archbishop of Paris, whose office was known to his people only by 211 his prayers and blessings, and his wealth only by his alms, is forced to abandon his house and to flee from his flock (as from ravenous wolves) because—if you please—in the sixteenth century the Cardinal of Lorraine was a rebel and a murderer.[26]

Such is the effect of the perversion of history by those who, for the same wicked purposes, have perverted every other branch of learning. But those who will stand on that height of reason which places centuries under our eye and brings things to the true point of comparison, which obscures little names

24 Marie-Joseph Chénier's tragedy *Charles IX*, first performed in Paris in November 1789. The Cardinal of Lorraine was Charles de Guise (1524–1574), a leader of the Catholic party.

25 The Guise family led the militant Catholic faction in the sixteenth-century Wars of Religion.

26 Actors, then denied the sacraments by the church, petitioned the Assembly in December 1789. The archbishop, Antoine-Éléonore-Léon Le Clerc de Juigné, left Paris in October 1789.

and effaces the colors of little parties, and to which nothing can ascend but the spirit and moral quality of human actions, will say to the teachers of the Palais Royal—the Cardinal of Lorraine was the murderer of the sixteenth century; you have the glory of being the murderers of the eighteenth; and this is the only difference between you. But history in the nineteenth century, better understood and better employed, will, I trust, teach a civilized posterity to abhor the misdeeds of both these barbarous ages. It will teach future priests and magistrates not to retaliate on the speculative and inactive atheists of future times for the enormities committed by the present practical zealots and furious fanatics of that wretched error, which, even in its quiet state, is more than punished whenever it is embraced. It will teach posterity not to make war on either religion or philosophy for the abuse that the hypocrites of both have made of the two most valuable blessings conferred on us by the bounty of the universal Patron, [212] who in all things eminently favors and protects the human race.

If your clergy, or any clergy, should show themselves vicious beyond the fair bounds allowed to human weakness, and to those professional faults that can hardly be separated from professional virtues, then—though their vices can never justify the exercise of oppression—I do admit that they would naturally have the effect of greatly abating our indignation against the tyrants who exceed measure and justice in punishing them. I can allow in clergymen, through all their divisions, some tenacity in their own opinions; some overflowing of zeal for spreading them; some partiality for their own state and office; some attachment to the interest of their own body; some preference for those who listen with docility to their doctrines over those who scorn and deride them. I allow all this, because I am a man who has to deal with men, and who would not, through a violence of toleration, run into the greatest of all intolerance. I must bear with infirmities until they fester into crimes.

Undoubtedly, the natural progress of the passions from frailty to vice ought to be prevented by a watchful eye and a firm

hand. But is it true that the body of your clergy had passed those limits of a just allowance? From the general tone of your recent publications of every kind, one would be led to believe that your clergy in France were a sort of monsters: a horrible compound of superstition, ignorance, sloth, fraud, avarice, and tyranny. But [213] is this true? Is it true that the passage of time, the ending of conflicting interests, and the woeful experience of the evils that flow from party rage have had no influence whatever in gradually improving their minds? Is it true that they were daily renewing their encroachments on the civil power, disturbing the domestic peace of their country, and making the operations of its government feeble and precarious? Is it true that the clergy of our times have pressed down the laity with an iron hand, and were everywhere lighting the fires of a savage persecution? Did they try by every fraud to increase their estates? Were they in the habit of exceeding the due demands on estates that were their own? Or, rigidly screwing right up into wrong, did they turn a legal claim into a vexatious extortion? When they did not possess power, were they filled with the vices of those who envy it? Were they inflamed with a violent, litigious spirit of controversy? Goaded on by the ambition of intellectual sovereignty, were they ready to fly in the face of all magistracy, to set fire to churches, to massacre the priests of other denominations, to pull down altars, and to make their way over the ruins of overthrown governments to an empire of doctrine—sometimes flattering, sometimes forcing men's consciences out of the jurisdiction of public institutions into submission to their personal authority, beginning with a claim of liberty and ending with an abuse of power?

These, or some of these, were the vices charged—and not wholly without foundation—against several of the churchmen of former times who belonged to [214] the two great parties that then divided and distracted Europe.[27]

If there was in France, as there visibly is in other countries, a great lessening of these vices rather than any increase, then

27 The Catholic and Protestant parties of the Reformation and the wars of religion.

instead of loading the present clergy with the crimes of other men and the odious character of other times, common fairness requires that they be praised, encouraged, and supported in their departure from a spirit that disgraced their predecessors, and for having taken on a temper of mind and manners better suited to their sacred function.

When my affairs took me to France, toward the close of the late reign, the clergy in all their forms engaged a good part of my curiosity. So far from finding (except from one set of men, not then very numerous though very active) the complaints and discontents against that body which some publications had led me to expect, I perceived little or no public or private uneasiness on their account. On further examination, I found the clergy in general to be people of moderate minds and decorous manners; I include the secular clergy, and the regulars of both sexes.[28] I did not have the good fortune to know a great many of the parish clergy, but in general I received a thoroughly good account of their morals and of their attention to their duties. With some of the higher clergy I had a personal acquaintance, and about the rest of that class I had very good means of information. They were almost all of noble birth. They resembled others of their own rank; and where there was [215] any difference, it was in their favor. They were more fully educated than the military nobility, so that they in no way disgraced their profession by ignorance or by unfitness for the exercise of their authority. They seemed to me, beyond the clerical character, liberal and open, with the hearts of gentlemen and men of honor, neither insolent nor servile in their manners and conduct. They seemed to me rather a superior class: a set of men among whom you would not be surprised to find a *Fénelon.* I saw among the clergy in Paris (not many of that description are to be met with anywhere) men of great learning and candor; and I had reason to believe that this description was not confined to Paris. What I found in other places, I know, came by chance, and is therefore

28 "Secular" clergy served parishes and dioceses; "regulars" were monks, friars, and nuns living under a religious rule.

to be presumed a fair sample.[29] I spent a few days in a provincial town where, in the bishop's absence, I passed my evenings with three clergymen, his vicars general, men who would have done honor to any church. They were all well informed; two of them were of deep, general, and extensive learning, ancient and modern, Eastern and Western, particularly in their own profession. They had a wider knowledge of our English divines than I expected, and they entered into the genius of those writers with critical accuracy.[30] One of these gentlemen, the Abbé *Morangis,* has since died. I pay this tribute willingly to the memory of that noble, reverend, learned, and excellent man; and I would do the same, with equal cheerfulness, for the merits of the others, who I believe are still living, [216] if I did not fear harming those whom I am unable to serve.

Some of these ecclesiastics of rank are, on every ground, people deserving of general respect. They deserve gratitude from me and from many English people. If this letter should ever reach them, I hope they will believe that there are those of our nation who feel for their undeserved fall, and for the cruel confiscation of their fortunes, with no common sensibility. What I say of them is a testimony, as far as one feeble voice can carry, which I owe to truth. Whenever the question of this unnatural persecution arises, I will pay it. No one shall prevent me from being just and grateful. The time suits the duty; and it is especially fitting to show our justice and gratitude when those who have deserved well of us and of mankind are laboring under popular abuse and the persecutions of oppressive power.

Before your revolution you had about a hundred and twenty bishops. A few of them were men of eminent holiness and of charity without limit. When we talk of heroic virtue, we of course talk of rare virtue. I believe instances of eminent depravity may be as rare among them as those of transcendent good-

29 François Fénelon (1651–1715), archbishop of Cambrai and author of *Télémaque*, celebrated for his piety, gentleness, and learning.

30 Vicars general were a bishop's deputies in governing his diocese. The town is generally identified as Auxerre, which Burke visited in 1773.

ness. Examples of avarice and of licentiousness may be picked out, I do not doubt it, by those who delight in the kind of investigation that leads to such discoveries. A man as old as I am will not be astonished that several, in every class of men, do not lead that perfect life of self-denial with regard to wealth or pleasure which is wished for by all, expected by some, but demanded with more rigor by none than by [217] those who are most attentive to their own interests or most indulgent to their own passions. When I was in France, I am certain that the number of vicious prelates was not great. Certain individuals among them, not distinguished for the regularity of their lives, made some amends for their lack of the severe virtues by their possession of the liberal ones, and were endowed with qualities that made them useful in church and state. I am told that, with few exceptions, Louis the Sixteenth had paid more attention to character in his promotions to that rank than his immediate predecessor; and I believe (as some spirit of reform has prevailed through the whole reign) that this may be true. But the present ruling power has shown a disposition only to plunder the church. It has punished *all* prelates—which is to favor the vicious, at least in point of reputation. It has made a degrading establishment of pensioners, to which no man of liberal ideas or liberal station will destine his children. It must settle down into the lowest classes of the people. Since with you the lower clergy are not numerous enough for their duties; since those duties are beyond measure minute and toilsome; since you have left no middle classes of clergy in easy circumstances—in future nothing of knowledge or learning can exist in the Gallican church. To complete the project, without the least regard for the rights of patrons, the Assembly has provided for an elected clergy in future—an arrangement that will drive out of the clerical profession all men of sobriety, all who can claim independence in their function or their conduct, and that will throw the whole direction of the public mind into the [218] hands of a set of licentious, bold, crafty, factious, flattering wretches, of such condition and such habits of life as will make their contemptible pensions (com-

pared with which the salary of an excise officer is lucrative and honorable) an object of low and illiberal intrigue.[31] Those officers whom they still call bishops are to be elected to a comparatively paltry provision, by the same arts (that is, electioneering arts), and by men of every religious belief that is known or can be invented. The new lawgivers have laid down nothing whatsoever about their qualifications, either in doctrine or in morals; no more than they have for the subordinate clergy; nor does anything appear to prevent both the higher and the lower from practicing or preaching, at their discretion, any form of religion or irreligion they please. I do not yet see what the jurisdiction of bishops over their subordinates is to be, or whether they are to have any jurisdiction at all.

In short, Sir, it seems to me that this new ecclesiastical establishment is meant to be only temporary, and preparatory to the utter abolition of the Christian religion in any of its forms, whenever men's minds are prepared for this final stroke against it by the completion of the plan for bringing its ministers into universal contempt. Those who will not believe that the philosophical fanatics who lead in these matters have long harbored such a design are utterly ignorant of their character and proceedings. These zealots do not hesitate to declare their opinion that a state can subsist better without any religion than with one, and that they can supply the place of whatever [219] good there may be in it by a project of their own—namely, by a kind of education they have devised, founded on a knowledge of men's physical wants and carried progressively to an enlightened self-interest, which, when properly understood, will, they tell us, coincide with a more enlarged and public interest. The scheme of this education has long been known. Lately they distinguish it (having acquired an entirely new nomenclature of technical terms) by the name of a *Civic Education.*

I hope their partisans in England (to whom I attribute very thoughtless conduct rather than the ultimate object of this

31 The Civil Constitution of the Clergy (July 1790) made bishops and parish priests elected by the local electoral assemblies and paid by the state.

detestable design) will succeed neither in plundering the clergy nor in introducing a principle of popular election into our bishoprics and parish livings. This, in the present condition of the world, would be the final corruption of the church, the utter ruin of the clerical character, and the most dangerous shock the state has ever received through a misconceived arrangement of religion. I know well enough that bishoprics and livings under royal and seigneurial patronage, as they now are in England and as they have lately been in France, are sometimes obtained by unworthy means; but the other method, ecclesiastical canvassing, exposes them infinitely more surely and more generally to all the evil arts of low ambition, which, working on and through greater numbers, will produce mischief in proportion.

Those of you who have robbed the clergy think they will easily reconcile their conduct with all Protestant nations, because the clergy whom they have thus plundered, degraded, and 220 given over to mockery and scorn are of the Roman Catholic persuasion—that is, of *their own* pretended persuasion. I have no doubt that some wretched bigots will be found here as well as elsewhere, who hate sects and parties different from their own more than they love the substance of religion, and who are angrier with those who differ from them in their particular plans and systems than displeased with those who attack the foundation of our common hope. These men will write and speak on the subject in the way one would expect from their temper and character. Burnet says that when he was in France, in the year 1683, "the method which carried over the men of the finest parts to popery was this—[32] they brought themselves to doubt of the whole Christian religion. When that was once done, it seemed a more indifferent thing of what side or form they continued outwardly." If this was then the ecclesiastical policy of France, it is something they have since had only too much reason to repent. They preferred atheism to a form of religion not agreeable to their ideas. They succeeded in destroying that

32 Gilbert Burnet (1643–1715), Whig bishop of Salisbury; the passage is from his *History of His Own Time*.

form; and atheism has succeeded in destroying them. I can readily believe Burnet's story, because I have observed too much of a similar spirit (for a little of it is "much too much") among ourselves. The disposition, however, is not general.

The teachers who reformed our religion in England bore no resemblance whatever to your present reforming doctors in Paris. Perhaps they were (like those they opposed) rather more than [221] could be wished under the influence of a party spirit; but they were most sincere believers, men of the most fervent and exalted piety, ready to die (as some of them did die) like true heroes in defense of their particular ideas of Christianity—as they would have done, with equal fortitude and more cheerfully, for that stock of general truth whose branches they contended for with their blood. These men would have disowned with horror those wretches who claimed fellowship with them on no other grounds than their having plundered the people with whom the reformers had carried on their controversies, and their having despised the common religion, for whose purity the reformers exerted themselves with a zeal that unmistakably showed their deepest reverence for the substance of the system they wished to reform. Many of their descendants have kept the same zeal, but (being less engaged in conflict) with more moderation. They do not forget that justice and mercy are substantial parts of religion. Impious men do not recommend themselves to their communion by iniquity and cruelty toward any class of their fellow creatures.

We hear these new teachers constantly boasting of their spirit of toleration. That those people should tolerate all opinions who think none of them of any value is a matter of small merit. Equal neglect is not impartial kindness. The kind of benevolence that springs from contempt is no true charity. There are in England plenty of men who tolerate in the true spirit of toleration. They think the dogmas of religion, [222] though in different degrees, are all of importance, and that among them there is, as among all things of value, a just ground of preference. They favor, therefore, and they tolerate. They tolerate, not because they despise

opinions, but because they respect justice. They would reverently and affectionately protect all religions, because they love and venerate the great principle on which they all agree and the great object toward which they are all directed. They begin more and more plainly to see that we all have a common cause, as against a common enemy. They will not be so misled by the spirit of faction as to fail to distinguish what is done in favor of their own subdivision from those acts of hostility which, through some particular denomination, are aimed at the whole body in which they themselves, under another name, are included. It is impossible for me to say what the character of every description of men among us may be. But I speak for the greater part; and for them, I must tell you, sacrilege is no part of their doctrine of good works; so far from calling you into their fellowship on such a claim, if those who profess your principles are admitted to their communion, they must carefully conceal their doctrine of the lawfulness of proscribing innocent men, and they must make restitution of all stolen goods whatsoever. Till then they are none of ours.

CONFISCATION AS A PRECEDENT

Seizing property from any class threatens all property and every country burdened by public debt.

You may suppose that we disapprove of your confiscation of the revenues of bishops, and deans, and chapters, and parish clergy holding independent [223] estates in land, because we have the same sort of establishment in England. That objection, you will say, cannot apply to the confiscation of the goods of monks and nuns and the abolition of their order. It is true that this particular part of your general confiscation does not touch England as a direct precedent: but the reasoning applies, and it goes a great way. The Long Parliament confiscated the lands of deans and chapters in England on the same ideas on which your Assembly

put the lands of the monastic orders up for sale.[33] But the danger lies in the principle of injustice, not in the kind of persons on whom it is first practiced. I see, in a country very near us, a course of policy pursued that defies justice, the common concern of mankind. With the National Assembly of France, possession is nothing; law and usage are nothing. I see the National Assembly openly condemn the doctrine of prescription, which[34] one of the greatest of their own lawyers tells us, with great truth, is a part of the law of nature. He tells us that fixing its limits with certainty, and securing it from invasion, were among the reasons for which civil society itself was instituted. Once prescription is shaken, no kind of property is secure as soon as it becomes an object large enough to tempt the greed of needy power. I see a practice perfectly in keeping with their contempt for this great fundamental part of natural law. I see the confiscators begin with bishops, and chapters, and monasteries; [224] but I do not see them end there. I see the princes of the blood, who by the oldest usages of that kingdom held large landed estates, stripped of their possessions (hardly with the courtesy of a debate), and, in place of their stable, independent property, reduced to hoping for some precarious charitable pension at the pleasure of an assembly that will naturally pay little regard to the rights of pensioners at pleasure when it despises those of legal proprietors. Flushed with the insolence of their first inglorious victories, and pressed by the distresses brought on by their lust for unhallowed gain, disappointed but not discouraged, they have at last ventured to overturn completely all property of every kind throughout the extent of a great kingdom.[35] They have compelled all men, in every transaction of commerce, in the disposal of lands, in civil dealings, and throughout

33 The Long Parliament (1640–60) abolished deans and chapters and sold their lands in 1649.

34 BURKE'S NOTE. Domat.

TRANSLATOR'S NOTE. Jean Domat (1625–96), French jurist, author of *Les lois civiles dans leur ordre naturel* (The Civil Laws in Their Natural Order).

35 The princes of the blood held "apanages," crown lands granted to younger members of the royal family; the Assembly abolished them in 1790.

the whole intercourse of life, to accept as full payment and good and lawful tender the tokens of their speculation on a projected sale of their plunder. What traces of liberty or property have they left? The tenant's right to a cabbage garden, a year's interest in a hovel, the goodwill of an alehouse or a baker's shop, the very shadow of a constructive property, are treated with more ceremony in our Parliament than the oldest and most valuable landed possessions in the hands of the most respectable persons are treated with you, or than the whole body of the monied and commercial interest of your country is treated.[36] We hold a high opinion of legislative authority; but we have never dreamed that parliaments had any right whatever to violate property, to 225 override prescription, or to force a currency of their own invention in place of the one that is real and recognized by the law of nations. But you, who began by refusing to submit to the most moderate restraints, have ended by establishing an unheard-of despotism. I find that the ground your confiscators stand on is this: that their proceedings, it is true, could not be upheld in a court of justice, but that the rules of prescription cannot bind a legislative assembly[37]. So this legislative assembly of a free nation sits, not for the security but for the destruction of property: and not of property only, but of every rule and maxim that can give it stability, and of the only instruments that can give it circulation.

When the Anabaptists of Münster, in the sixteenth century, had filled Germany with confusion by their system of leveling and their wild opinions about property, what country in Europe did the progress of their fury not give just cause for alarm? Of all things, wisdom is most terrified by epidemic fanaticism, because of all enemies it is the one against which she is least able to find any resource. We cannot be unaware of the spirit of

36 "Constructive property": property that exists only by legal inference.

37 BURKE'S NOTE. Speech of M. Camus, published by order of the National Assembly.

TRANSLATOR'S NOTE. Armand-Gaston Camus (1740–1804), lawyer and deputy, a leading figure in the Assembly's legislation on the church.

atheistic fanaticism that is being inspired by a multitude of writings, spread abroad with incredible diligence and expense, and by sermons delivered in all the streets and public places of Paris.[38] These writings and sermons have filled the populace with a [226] black and savage atrocity of mind, which overrides in them the common feelings of nature as well as all sentiments of morality and religion; so much so that these wretches are brought to bear with sullen patience the intolerable distresses inflicted on them by the violent convulsions and reshufflings of property[39]. The spirit of proselytism goes along with this spirit of fanaticism. They have societies to plot and correspond at home and abroad for spreading their tenets. The republic of Bern, one of [227] the happiest, the most prosperous, and the best governed countries on earth, is one of the great objects whose destruction they aim at.[40] I am told they have to some extent succeeded in sowing the seeds of discontent there. They are

38 Radical Anabaptists seized the city of Münster in Westphalia in 1534–35 and set up a communistic theocracy before the city was retaken.

39 BURKE'S NOTE. Whether the following description is strictly true I do not know; but it is what the publishers would have pass for true, in order to rouse others. In a letter from Toul, printed in one of their papers, is the following passage about the people of that district: "In the present Revolution they have resisted all the *seductions of bigotry, the persecutions and harassments* of the Enemies of the Revolution. *Forgetting their own greatest interests* in order to pay homage to the views of general order that have guided the National Assembly, they watch, *without complaining,* the suppression of that host of ecclesiastical establishments by which *they made their living*; and even the loss of their episcopal see, the one resource among all of these that could, or rather *that in all equity ought to,* have been left to them; condemned *to the most frightful poverty,* without having *been heard, or been able to be heard, they do not murmur,* they remain faithful to the principles of the purest patriotism; they are still ready to *shed their blood* to uphold the Constitution, which is about to reduce their town *to the most deplorable insignificance."* These people are not supposed to have endured these sufferings and injustices in a struggle for liberty, for the same account states, truly, that they had always been free. Their patience in beggary and ruin, and their enduring without protest the most flagrant and admitted injustice, if strictly true, can be nothing but the effect of this dreadful fanaticism. A great multitude all over France is in the same condition and the same frame of mind.

TRANSLATOR'S NOTE. Toul, a cathedral town in Lorraine whose bishopric was suppressed under the new church settlement. The French is translated here.

40 Bern was then an aristocratic republic and the largest canton of the Swiss Confederation.

busy throughout Germany. Spain and Italy have not gone untried. England is not left out of the comprehensive scheme of their malignant charity; and in England we find those who stretch out their arms to them, who recommend their example from more than one pulpit, and who choose, at more than one periodic meeting, publicly to correspond with them, to applaud them, and to hold them up as models for imitation; who receive from them tokens of brotherhood, and banners consecrated amid their rites and mysteries[41]; who propose to them leagues of perpetual friendship at the very moment when the power to which our constitution has exclusively entrusted the federative capacity of this kingdom may find it expedient to make war on them.[42]

What I dread is not that our church property may be confiscated on this French example, though I think that would be no trifling evil. The great source of my anxiety is lest it should ever come to be regarded in England as the policy of a state to seek a resource in confiscations of any kind; or lest any one class of citizens should be brought to regard any of the others as [228] their

41 BURKE'S NOTE. See the proceedings of the federation at *Nantes.*

TRANSLATOR'S NOTE. In 1789–90 patriotic "federations" of National Guards met in towns across France, Nantes among them.

42 "Federative" (Locke's term): the power of war, peace and treaties, which in Britain belongs to the Crown.

proper prey[43]. Nations are wading deeper and deeper into an ocean of boundless debt. Public debts, which at first were a security to governments by giving many people a stake in the public tranquillity, are likely in their excess to become the means of overthrowing them. If governments provide for these debts by heavy taxes, they perish by becoming odious to the people. If they do not provide for them, they will be undone by the efforts of the most dangerous of all parties: I mean an extensive, discontented monied interest, injured but not destroyed. The men who make up this interest look for their security first to the good faith of government, and second to its power. If they find the old governments effete, worn out, and 229
with their springs slackened, so that they lack the vigor for their purposes, they may seek new ones possessed of more energy; and this energy will come, not from acquiring resources, but from contempt of justice. Revolutions are favorable to confiscation; and it is impossible to know under what odious names the next confiscations will be authorized. I am sure that the prin-

43 BURKE'S NOTE. "If those to whom property has been wrongfully given are more numerous than those from whom it has been unjustly taken, do they therefore count for more? These things are judged not by number but by weight. And what equity is there in this: that a man who never had land should possess a field held for many years or even centuries, while the man who had it loses it? It was for this kind of wrong that the Spartans banished the ephor Lysander and put King Agis to death (a thing that had never happened among them before); and from that time such discords followed that tyrants arose, the nobles were driven out, and a most admirably constituted commonwealth fell to pieces. Nor did it fall alone: it also overthrew the rest of Greece by the contagion of evils that spread from the Spartans and flowed far and wide." —After speaking of the conduct of that model of true patriots, Aratus of Sicyon, which was in a very different spirit, he says: "This is the right way to deal with fellow citizens—not, as we have already seen twice, to plant the spear in the forum and put citizens' goods under the auctioneer's cry. But that Greek (as befitted a wise and excellent man) thought that the interests of all must be consulted; and this is the highest reason and wisdom of a good citizen: not to tear apart the interests of citizens, but to hold them all together by the same equity." Cicero, *De officiis*, book 2.

TRANSLATOR'S NOTE. Cicero, *De officiis* (On Duties) 2.79–80, rendered in English; Lysander here is the ephor who backed Agis IV's redistribution of land.

TRANSLATOR'S NOTE. A spear set up in the forum marked a public auction of confiscated property; the two occasions are Sulla's and Caesar's confiscations. Aratus (271–213 BC) restored exiles at Sicyon by compensating both old and new owners.

ciples now dominant in France reach a great many persons, and classes of persons, in every country, who think their harmless idleness their security. This kind of innocence in proprietors may be argued into uselessness, and uselessness into unfitness to hold their estates. Many parts of Europe are in open disorder. In many others there is a hollow murmuring underground; a confused movement is felt that threatens a general earthquake in the political world. Already confederacies and correspondences of the most extraordinary nature are forming in several countries[44]. In such a state of things we ought to keep on our guard. In all changes (if changes there must be), the circumstance that will do most to blunt the edge of their mischief, and to promote whatever good may be in them, is that they should find us with minds tenacious of justice and tender of property.

But it will be argued that this confiscation in France ought not to alarm other nations. They say it does not come from wanton greed; that it is a [230] great measure of national policy, adopted to remove an extensive, inveterate, superstitious evil. I find it extremely difficult to separate policy from justice. Justice is itself the great standing policy of civil society; and any marked departure from it, under any circumstances, lies under the suspicion of being no policy at all.

When men are encouraged by the existing laws to enter a certain way of life, and protected in it as a lawful occupation—when they have fitted all their ideas and all their habits to it—when the law has long made their keeping its rules a ground of reputation, and their breaking them a ground of disgrace and even of penalty—I am sure it is unjust for the legislature, by an arbitrary act, to do sudden violence to their minds and feelings; to degrade them by force from their state and condition, and to brand with shame and infamy the character and customs that

44 BURKE'S NOTE. See two books entitled *Einige Originalschriften des Illuminatenordens* and *System und Folgen des Illuminatenordens*.

Munich, 1787.

TRANSLATOR'S NOTE. "Some Original Writings of the Order of Illuminati" and "System and Consequences of the Order of Illuminati," on the Bavarian secret society suppressed in 1785.

had before been made the measure of their happiness and honor. If to this is added their expulsion from their homes and the confiscation of all their goods, I am not shrewd enough to discover how this despotic sport made of men's feelings, consciences, prejudices and properties can be told apart from the rankest tyranny.

If the injustice of the course pursued in France is clear, the policy of the measure—that is, the public benefit to be expected from it—ought to be at least as evident, and at least as important. A man who acts under the influence of no passion, who [231] has nothing in view in his projects but the public good, will at once be struck by a great difference between what policy would dictate when such institutions are first introduced, and what it would dictate on the question of abolishing them entirely, once they have struck their roots wide and deep, and once, by long habit, things more valuable than themselves have been so adapted to them, and in a manner so interwoven with them, that the one cannot be destroyed without seriously impairing the other. He might be at a loss if the case were really as the sophists represent it in their paltry style of debating. But in this, as in most questions of state, there is a middle way. There is something besides the bare alternative of absolute destruction or unreformed existence. *Sparta is your lot; make it beautiful.* This is, in my opinion, a rule of profound sense, and it ought never to leave the mind of an honest reformer. I cannot conceive how any man can have worked himself up to such a pitch of presumption as to regard his country as nothing but a *carte blanche* on which he may scribble whatever he pleases.[45] A man full of warm speculative benevolence may wish his society were constituted otherwise than he finds it; but a good patriot and a true politician always considers how he can make the most of the existing materials of his country. A disposition to preserve and an ability to improve, taken together, would be my standard of a states-

45 Latin version of a line from Euripides' lost *Telephus*, quoted by Cicero (*Letters to Atticus* 4.6): make the best of the place that has fallen to you.

man. Everything else is vulgar in the conception, perilous in the execution.

REFORM WITHOUT DESTRUCTION: THE MONASTERIES

Wise statesmen would have reformed and used the monasteries and church estates rather than sold them.

There are moments in the fortunes of states when particular men are called on to make improvements [232] by great mental exertion. In those moments, even when they seem to enjoy the confidence of their prince and their country, and to be invested with full authority, they do not always have the right instruments. A politician who would do great things looks for a *power*, what our workmen call a *purchase*; and if he finds that power, in politics as in mechanics he will have no trouble applying it. In the monastic institutions, in my opinion, a great *power* was to be found for the machinery of political benevolence.[46] Here were revenues with a public direction. Here were men wholly set apart and dedicated to public purposes, with no ties and no principles but public ones; men with no possibility of turning the estate of the community into a private fortune; men who had renounced self-interest, whose avarice is for some community; men to whom personal poverty is an honor, and in whom implicit obedience takes the place of freedom. A man will look in vain for some way to make such things when he wants them. The winds blow as they please. These institutions are the products of enthusiasm; they are the instruments of wisdom. Wisdom cannot create its materials; they are the gifts of nature or of chance. Her pride is in the use. The perpetual existence of corporate bodies and their fortunes is particularly suited to a man who takes long views, who plans designs that need time in the shaping and that are meant to last once accomplished. He does not deserve to rank high, or even to be mentioned among great statesmen, who, having gained command and direction of

46 A "purchase" is a workman's term for a hold or leverage that lets force be applied.

such a power as [233] existed in the wealth, the discipline, and the habits of corporations like those you have rashly destroyed, cannot find any way of turning it to the great and lasting benefit of his country. On a view of this subject, a thousand uses suggest themselves to an inventive mind. To destroy any power that grows wild from the rank, productive force of the human mind is, in the moral world, almost the same as destroying the evidently active properties of bodies in the material world. It would be like trying to destroy (if it were in our power to destroy them) the expansive force of fixed air in nitre, or the power of steam, or of electricity, or of magnetism. These energies always existed in nature, and they could always be perceived.[47] Some of them seemed useless, some harmful, some no better than toys for children, until contemplative ability, joined with practical skill, tamed their wild nature, subdued them to use, and made them at once the most powerful and the most tractable agents, serving the great views and designs of men. Did fifty thousand persons, whose mental and bodily labor you might have directed, and so many hundred thousand a year of a revenue that was neither lazy nor superstitious, seem too big for your abilities to wield? Had you no way of using the men except by turning monks into pensioners? Had you no way of turning the revenue to account except through the improvident resource of a [234] spendthrift sale? If you were that destitute of mental resources, the proceeding follows its natural course. Your politicians do not understand their trade, and so they sell their tools.

But these institutions smack of superstition in their very principle, and they nourish it by a permanent and standing influence. I do not mean to dispute this. But it ought not to stop you from drawing from superstition itself whatever resources it may furnish for the public advantage. You draw benefits from many dispositions and many passions of the human mind that are of as doubtful a color, to the moral eye, as superstition itself. It was your business to correct and soften everything harmful in

47 "Fixed air" was the 18th-century name for carbon dioxide. By "fixed air in nitre" Burke means the gas released explosively from saltpeter, as in gunpowder.

this passion, as in all the passions. But is superstition the greatest of all possible vices? In its possible excess, I think it becomes a very great evil. It is, however, a moral matter, and so it admits of all degrees and all modifications. Superstition is the religion of feeble minds, and they must be allowed some mixture of it, in one shape or another, trifling or enthusiastic, or you will deprive weak minds of a resource that even the strongest find necessary. The substance of all true religion consists, to be sure, in obedience to the will of the sovereign of the world, in trust in his declarations, and in imitation of his perfections. The rest is our own. It may hinder the great end; it may help it. Wise men, who as such are not *admirers* (not admirers, at least, of *the gifts of the earth*), are not violently attached to these things, nor do they [235] violently hate them. Wisdom is not the harshest corrector of folly. It is the rival follies that wage so unrelenting a war on each other, and that make so cruel a use of their advantages whenever they manage to enlist the intemperate multitude on one side or the other of their quarrels.[48] Prudence would stay neutral. But if, in the contest between doting attachment and fierce antipathy over things not by nature made to produce such heat, a prudent man were forced to choose which errors and excesses of enthusiasm he would condemn and which he would bear, perhaps he would think the one that builds more tolerable than the one that demolishes—the one that adorns a country than the one that disfigures it—the one that endows than the one that plunders—the one that inclines to mistaken generosity than the one that spurs to real injustice—the one that leads a man to deny himself lawful pleasures than the one that snatches from others the meager subsistence of their self-denial. That, I think, is very nearly the state of the question between the ancient founders of monkish superstition and the superstition of the pretended philosophers of the hour.

For now I postpone all consideration of the supposed public profit of the sale, which I take, however, to be wholly illusory.

Here I shall consider it only as a transfer of property. On the policy of that transfer I shall trouble you with a few thoughts.

In every prosperous community, more is produced than goes to the immediate support of [236] the producer. This surplus forms the income of the landed capitalist. It will be spent by a proprietor who does not labor. But this idleness is itself the spring of labor; this repose is the spur to industry. The state's only concern is that the capital taken as rent from the land should be returned to the industry it came from, and that it should be spent with the least possible harm to the morals of those who spend it, and of the people to whom it returns.

In every respect of income, expenditure, and personal employment, a sober legislator would carefully compare the possessor he was being urged to expel with the stranger proposed to take his place. Before we incur the inconveniences that *must* attend every violent revolution in property through widespread confiscation, we ought to have some rational assurance that the purchasers of the confiscated property will be considerably more industrious, more virtuous, more sober, less disposed to extort an unreasonable share of the laborer's earnings or to consume on themselves more than is fit for one individual, or that they will be better qualified to distribute the surplus in a steadier and more even way, so as to serve the purposes of a politic expenditure, than the old possessors—call those possessors bishops, or canons, or commendatory abbots, or monks, or what you please. The monks are lazy. So be it. Suppose they do nothing but sing in the choir. They are as usefully employed as those who neither sing nor say. [237] As usefully, even, as those who sing on the stage. They are as usefully employed as if they worked from dawn to dark in the countless servile, degrading, unseemly, unmanly, and often most unwholesome and pestilential occupations to which the social economy inevitably dooms so many wretches. If it were not generally harmful to disturb the

48 Burke alludes to Horace, *Epistles* 1.6, which opens "*Nil admirari*" ("to admire nothing") and goes on to ask what one should think of the *munera terrae*, "the gifts of the earth."

natural course of things, and to impede in any degree the great wheel of circulation that is turned by the strangely directed labor of these unhappy people, I would be infinitely more inclined to rescue them by force from their miserable industry than to disturb violently the tranquil repose of monastic quiet. Humanity, and perhaps policy, would better justify me in the one than in the other. It is a subject I have often reflected on, and never without feeling. I am sure that nothing can justify tolerating such trades and employments in a well-regulated state, except the necessity of submitting to the yoke of luxury and the despotism of fancy, which in their own imperious way will distribute the surplus product of the soil. But for this purpose of distribution, it seems to me that the idle expenses of monks are quite as well directed as the idle expenses of us lay idlers.

When the advantages of the existing possession and of the project are equal, there is no motive for a change. But in the present case perhaps they are not equal, and the difference favors the possession. It does not seem to me that the spending of those you are about to expel actually takes a course so directly and so generally tending to corrupt and [238] degrade and make miserable those it passes through, as the spending of the favorites you are thrusting into their houses. Why should the expenditure of a great landed property, which is a dispersion of the surplus product of the soil, seem intolerable to you or to me, when it takes its course through the accumulation of vast libraries, which are the history of the strength and weakness of the human mind; through great collections of ancient records, medals, and coins, which attest and explain laws and customs; through paintings and statues that, by imitating nature, seem to extend the limits of creation; through grand monuments of the dead, which carry the regards and connections of life beyond the grave; through collections of specimens of nature, which become a representative assembly of all the classes and families of the world, and which by their arrangement make science easier and, by exciting curiosity, open the avenues to it? If great permanent establishments secure all these objects of expense

better against the fickle play of personal whim and personal extravagance, are they worse than if the same tastes prevailed in scattered individuals? Does not the sweat of the mason and the carpenter, who toil so as to share in the sweat of the peasant, flow as pleasantly and as healthily in building and repairing the majestic edifices of religion as in the painted booths and sordid sties of vice and luxury; as honorably and as profitably in repairing those sacred works that grow hoary with countless years as on the momentary receptacles of passing voluptuousness—in opera houses, and brothels, and gaming houses, [239] and clubhouses, and obelisks in the Champ de Mars?[49] Is the surplus product of the olive and the vine worse employed in the frugal sustenance of persons whom the fictions of a pious imagination raise to dignity by regarding them as engaged in the service of God, than in pampering the countless multitude of those who are degraded by being made useless servants to the pride of man? Are the decorations of temples an expenditure less worthy of a wise man than ribbons, and laces, and national cockades, and little pleasure houses, and intimate suppers, and all the countless fopperies and follies in which wealth sports away the burden of its superfluity?[50]

We tolerate even these, not from love of them but for fear of worse. We tolerate them because property and liberty, to a degree, require that toleration. But why proscribe the other use of estates, which is surely in every respect the more praiseworthy? Why, through the violation of all property and an outrage on every principle of liberty, forcibly carry them from the better to the worse?

This comparison between the new individuals and the old corporations assumes that no reform could be made in the latter. But in a question of reform, I always consider corporate bodies, whether sole or consisting of many, to be far more open to

49 The Champ de Mars in Paris was decorated with temporary monuments for the Festival of the Federation, July 14, 1790.

50 Burke's French is *petits maisons* and *petit soupers*: private houses kept for discreet pleasures, and late, intimate supper parties.

public direction by the power of the state, in the use of their property and in the regulation of the ways and habits of life of their members, than private citizens ever can be, or perhaps ought to be; and this [240] seems to me a very important consideration for anyone who undertakes anything that deserves the name of a political enterprise.—So much for the estates of monasteries.[51]

As for the estates held by bishops and canons and commendatory abbots, I cannot discover any reason why some landed estates may not be held otherwise than by inheritance. Can any philosophic despoiler undertake to demonstrate the positive or the comparative evil of having a certain portion of landed property, and a large one at that, pass in succession through persons whose title to it is—always in theory, and often in fact—an eminent degree of piety, morals, and learning; a property which by its purpose, in turn and on the ground of merit, gives the noblest families renewal and support, and the lowest the means of dignity and advancement; a property held on condition of performing some duty (whatever value you may choose to set on that duty), and whose proprietors' character demands at least an outward decorum and gravity of manners; who are to exercise a generous but temperate hospitality; who are to regard part of their income as a trust for charity; and who, even when they fail in their trust, when they slip from their character and degenerate into a mere ordinary secular nobleman or gentleman, are in no respect worse than those who may succeed them in their forfeited possessions? Is it better for estates to be held by those who have no duty than by those who have one?—by those whose character and calling point to virtues, than by those who have no [241] rule or direction in spending their estates but their own will and appetite? Nor are these estates held entirely in the manner, or with the evils, supposed to be inherent in mortmain. They pass from hand to hand in a quicker circulation than any

51 In English law a "corporation sole" is a single office-holder with perpetual succession, such as a bishop; a corporation aggregate consists of many members.

other.[52] No excess is good, and so too great a proportion of landed property may be held by office for life. But it does not seem to me any serious injury to a commonwealth that there should be some estates that can be acquired by some other means than first acquiring money.

52 "Mortmain" (literally "dead hand") is the holding of land by a corporation, especially the church, so that it can never be sold or inherited.

The New Constitution Examined

The legislature built on territory, population and contribution; the cement of paper money and Paris; the executive, the judges, the army and the finances; Burke's last word.

WHAT THE ASSEMBLY HAS DONE

The Assembly seized power by usual arts but legislates by untried theory, destroying instead of reforming.

This letter has grown very long, though it is in fact short compared with the endless extent of the subject. Various other business has from time to time drawn my mind away from it. I was not sorry to give myself time to see whether, in the proceedings of the National Assembly, I might find reasons to change or qualify some of my first views. Everything has confirmed me more strongly in my first opinions. My original plan was to survey the principles of the National Assembly with regard to the great and fundamental institutions, and to compare the whole of what you have put in place of what you have destroyed with the several parts of our British constitution. But this plan is larger than I first reckoned, and I find that you have little wish to profit from any examples. For now I must content myself with some remarks on your new institutions, and keep for another time what I [242] meant to say about the spirit of our British monarchy, aristocracy, and democracy, as they actually work in practice.

I have reviewed what has been done by the governing power in France. I have certainly spoken of it freely. Those whose principle is to despise the ancient, enduring sense of mankind, and to set up a scheme of society on new principles, must naturally

expect that those of us who think better of the judgment of the human race than of theirs will regard both them and their inventions as men and schemes on trial. They must take it for granted that we pay close attention to their reasoning, but none at all to their authority. They have not one of the great prejudices that sway mankind on their side. They openly declare their hostility to opinion. Naturally, then, they can expect no support from that influence which, along with every other authority, they have thrown down from its seat of jurisdiction.

I can never regard this assembly as anything other than a voluntary association of men who have taken advantage of circumstances to seize the power of the state. They do not have the sanction and authority of the capacity in which they first met. They have assumed another of a very different nature, and have completely altered and turned upside down all the relations in which they originally stood. They do not hold the authority they exercise under any constitutional law of the state. They have departed from the instructions of the people who [243] sent them; and those instructions, since the assembly did not act by virtue of any ancient usage or settled law, were the sole source of their authority. The most important of their acts have not been passed by large majorities; and in close divisions of this sort, which carry the authority of the whole body only by legal inference, outsiders will weigh the reasons as well as the resolutions.

If they had set up this new experimental government as a necessary substitute for an overthrown tyranny, mankind would anticipate the work of prescription, which, through long usage, mellows into legality governments that were violent in their beginnings. All those whose affections lead them to preserve civil order would recognize the child as legitimate, even in its cradle, if it had been born of those principles of compelling necessity to which all just governments owe their birth, and by which they justify their continuance. But they will be slow and reluctant to give any kind of support to the operations of a power that was born of no law and no necessity, but on the contrary had its origin in those vices and sinister practices by

which the union of society is often disturbed and sometimes destroyed. This assembly has scarcely a year's prescription. We have their own word for it that they have made a revolution. To make a revolution is a step that, on the face of it, requires an apology. To make a revolution is to overturn the ancient state of our country; and no ordinary reasons are needed to justify so violent a proceeding. The sense of mankind [244] entitles us to examine how new power was acquired, and to criticize the use made of it, with less awe and reverence than is usually granted to a settled and recognized authority.

In gaining and securing their power, the assembly acts on principles the most opposite to those that seem to guide them in using it. A look at this difference will let us into the true spirit of their conduct. Everything they have done, or continue to do, to gain and keep their power is done by the most ordinary arts. They proceed exactly as their forebears in ambition did before them. Trace them through all their tricks, frauds, and violence, and you will find nothing at all that is new. They follow precedents and examples with the punctilious exactness of a lawyer pleading a case. They never depart one iota from the authentic formulas of tyranny and usurpation. But in all the measures concerning the public good, the spirit has been the very reverse. There they hand everything over to the mercy of untried speculations; they abandon the dearest interests of the public to loose theories to which none of them would choose to trust the smallest of his private affairs. They make this difference because in their desire to gain and secure power they are thoroughly in earnest; there they travel the beaten road. The public interests, because they have no real concern about them, they abandon wholly to chance—I say to chance, because their schemes have nothing in experience to show that they tend to do good.

[245] We must always regard with a pity not unmixed with respect the errors of those who are timid and doubtful of themselves on points where the happiness of mankind is at stake. But in these gentlemen there is nothing of the tender parental anxiety that fears to cut up the infant for the sake of an experiment.

In the vastness of their promises and the confidence of their predictions, they far outdo all the boasting of quacks. The arrogance of their claims in a way provokes us, and challenges us, to inquire into their foundations.

I am convinced that there are men of considerable ability among the popular leaders in the National Assembly. Some of them show eloquence in their speeches and writings. That cannot be without powerful and cultivated talents. But eloquence may exist without a proportionate degree of wisdom. When I speak of ability, I must make distinctions. What they have done to keep their system standing shows they are no ordinary men. In the system itself, taken as the plan of a republic built to secure the prosperity and safety of the citizen and to promote the strength and greatness of the state, I confess I am unable to find anything that shows, in a single instance, the work of a comprehensive and ordering mind, or even the provisions of common prudence. Their aim everywhere seems to have been to dodge and slip aside from *difficulty.* Yet it has been the glory of the great masters in all the arts to confront difficulty and overcome it; and, having overcome the first difficulty, to turn [246] it into an instrument for new conquests over new difficulties; and so to extend the empire of their science, and even to push forward the landmarks of human understanding itself beyond the reach of their own original thoughts. Difficulty is a severe instructor, set over us by the supreme decree of a parental guardian and lawgiver, who knows us better than we know ourselves, as he loves us better too. *The Father himself did not wish the way of tillage to be easy.* He who wrestles with us strengthens our sinews and sharpens our skill. Our antagonist is our helper. This friendly struggle with difficulty forces us into an intimate acquaintance with our object, and compels us to consider it in all its relations. It will not let us be superficial. It is the lack of intellectual sinew for such a task—it is the degenerate fondness for tricky shortcuts and petty, deceptive conveniences—that has in so many parts of the world created governments with arbitrary powers. They created the late arbitrary monarchy

of France. They have created the arbitrary republic of Paris.[1] With them, defects in wisdom are to be made up by an abundance of force. They gain nothing by it. Beginning their labors on a principle of laziness, they share the common fate of lazy men. The difficulties they had dodged rather than escaped meet them again along the way; they multiply and crowd in on them; they become entangled, through a labyrinth of confused detail, in a toil without limit and without direction; and in the end the whole of their work turns out feeble, faulty, and insecure.

247 It is this inability to wrestle with difficulty that has forced the arbitrary assembly of France to begin their schemes of reform with abolition and total destruction. But is it in destroying and pulling down that skill is shown? Your mob can do this at least as well as your assemblies. The shallowest understanding, the crudest hand, is more than equal to that task. Rage and frenzy will pull down more in half an hour than prudence, deliberation, and foresight can build up in a hundred years. The errors and defects of old institutions are visible and obvious. It takes little ability to point them out; and where absolute power is given, a single word is enough to abolish both the abuse and the institution together. The same lazy but restless disposition, which loves idleness and hates peace, guides these politicians when they come to the work of filling the place of what they have destroyed. To make everything the reverse of what they have seen is quite as easy as to destroy. No difficulties arise in what has never been tried. Criticism is almost at a loss to find the defects of what has never existed; and eager enthusiasm and deceiving hope have the whole wide field of imagination in which to roam with little or no opposition.

TO PRESERVE AND TO REFORM

Real reform preserves while it improves, works slowly, and draws on many minds over time.

To preserve and to reform at the same time is quite another matter. When the useful parts of an old institution are kept, and what is added must be fitted to what is retained, a vigorous mind, steady and persevering attention, varied powers of comparison and combination, and the resources [248] of an understanding fertile in expedients all have to be exercised; and they have to be exercised in a continual struggle against the combined force of opposite vices: the obstinacy that rejects all improvement, and the frivolity that grows tired of and disgusted with everything it possesses. But you may object: "A process of this kind is slow. It does not suit an assembly that glories in accomplishing in a few months the work of ages. Such a way of reforming might take many years." No doubt it might; and it ought to. It is one of the merits of a method in which time is among the helpers that it works slowly, and in some cases almost imperceptibly. If circumspection and caution are part of wisdom when we work only on lifeless matter, surely they become part of duty too when the object of our demolition and construction is not brick and timber but sentient beings, whose sudden change of state, condition, and habits may make multitudes miserable. But it seems to be the prevailing opinion in Paris that an unfeeling heart and an undoubting confidence are the only qualifications for a perfect legislator. Very different are my ideas of that high office. The true lawgiver ought to have a heart full of sensibility. He ought to love and respect his kind, and to fear himself. His temperament may be allowed to grasp his ultimate object at an intuitive glance; but his movements toward it ought to be deliberate. Political arrangement, being a work for social ends, can be brought about only by social means. [249] There mind must work together with mind. Time is

1 Virgil, Georgics 1.121–22: "Pater ipse colendi haud facilem esse viam voluit."

needed to produce that union of minds which alone can produce all the good we aim at. Our patience will achieve more than our force. If I may venture to appeal to something so out of fashion in Paris—I mean experience—I would tell you that in my career I have known great men, and in my own measure have worked with them; and I have never yet seen any plan that was not improved by the observations of those far inferior in understanding to the person who led the business. By slow but well-sustained progress, the effect of each step is watched; the good or bad success of the first gives us light for the second; and so, from light to light, we are led safely through the whole series. We see that the parts of the system do not clash. The evils hidden in the most promising contrivances are dealt with as they arise. One advantage is sacrificed to another as little as possible. We compensate, we reconcile, we balance. We are able to unite into a consistent whole the various anomalies and contending principles found in the minds and affairs of men. From this arises not an excellence in simplicity, but one far superior: an excellence in composition. Where the great interests of mankind are at stake through a long succession of generations, that succession ought to be given some share in the councils that are to affect them so deeply. If justice requires this, the work itself requires the help of more minds than one age can supply. It is from this view of things [250] that the best legislators have often been content to establish some sure, solid, and ruling principle in government—a power like what some philosophers have called a plastic nature—and, having fixed the principle, have afterwards left it to its own operation.[2]

To proceed in this way—that is, to proceed with a presiding principle and a fertile energy—is for me the test of profound wisdom. What your politicians take for the marks of a bold, daring genius are only proofs of a deplorable lack of ability. By their violent haste, and their defiance of the process of nature, they are handed over blindly to every schemer and adventurer, to

2 "Plastic nature": a formative power working within things, a notion associated with the Cambridge Platonist Ralph Cudworth.

every alchemist and quack. They despair of making use of anything that is ordinary. Diet has no place in their system of remedies. The worst of it is that this despair of curing common illnesses by regular methods arises not only from a lack of understanding but, I fear, from some malice of disposition. Your legislators seem to have taken their opinions of all professions, ranks, and offices from the declamations and buffooneries of satirists, who would themselves be astonished if they were held to the letter of their own descriptions. By listening only to these, your leaders see everything only from the side of its vices and faults, and view those vices and faults in every color of exaggeration. It is undoubtedly true, though it may seem paradoxical, that in general those who are habitually employed in finding and displaying faults are unfit for the work of reform, [251] because their minds are not only unstocked with patterns of the fair and the good, but by habit they come to take no delight in contemplating such things. By hating vices too much, they come to love men too little. It is therefore no wonder that they should be disinclined and unable to serve them. Hence arises the temperamental disposition of some of your guides to pull everything to pieces. At this malicious game they display the whole of their *four-handed* activity.[3] As for the rest, the paradoxes of eloquent writers, brought out purely as a play of fancy, to try their talents, to rouse attention, and to excite surprise, are taken up by these gentlemen not in the spirit of the original authors, as a means of cultivating their taste and improving their style. With them these paradoxes become serious grounds of action, on which they proceed in regulating the most important concerns of the state. Cicero humorously describes Cato as trying to act in the commonwealth on the school paradoxes that exercised the wits of junior students of Stoic philosophy. If this was true of Cato, these gentlemen copy him in the manner of certain people

3 Burke's "quadrimanous" means four-handed, like an ape: the reformers tear things apart with monkey-like busyness.

who lived around his time—they ape Cato with a bare foot. Mr.[4] Hume told me that he had learned from Rousseau himself the secret of his principles of composition. That acute, though eccentric, observer had perceived that to strike and interest the public, the marvelous must be produced; that the marvelous of pagan mythology had long since lost its effect; that the giants, magicians, fairies, and heroes of romance [252] which followed it had exhausted the share of credulity that belonged to their age;[5] that now nothing was left to a writer but that kind of the marvelous which might still be produced, and with as great an effect as ever, though in another way: that is, the marvelous in life, in manners, in characters, and in extraordinary situations, giving rise to new and unexpected strokes in politics and morals. I believe that, were Rousseau alive and in one of his lucid intervals, he would be shocked at the practical frenzy of his disciples, who in their paradoxes are servile imitators, and even in their unbelief reveal an implicit faith.

Men who undertake considerable things, even in a regular way, ought to give us ground to presume ability. But the physician of the state who, not satisfied with curing diseases, undertakes to regenerate constitutions ought to show uncommon powers. Some very unusual signs of wisdom ought to appear on the face of the designs of those who appeal to no practice and copy no model. Has any such wisdom been shown? I shall take a view (and for the subject it shall be a very short one) of what the Assembly has done with regard, first, to the constitution of the legislature; next, to that of the executive power; then to that of the judiciary; afterward to the model of the army; and I shall conclude with the system of finance. I want to see whether we can discover in any part of their schemes the portentous ability that might justify these bold undertakers in the superiority they assume over mankind.

4 Cicero mocks Cato's Stoic paradoxes in *Pro Murena* 61–66. The Latin *pede nudo Catonem* is from Horace, *Epistles* 1.19.12–14, on imitators who copy Cato's bare feet and scanty toga but not his virtue.

5 David Hume, the Scottish philosopher, sheltered Rousseau in England in 1766 before the two quarreled bitterly.

THE LEGISLATURE: TERRITORY, POPULATION, CONTRIBUTION

The new electoral system built on territory, population, and tax contribution is inconsistent and divides France.

253 It is in the model of the sovereign and presiding part of this new republic that we should expect their grand display. Here they were to prove their title to their proud claims. For the plan itself in full, and for the reasons on which it is grounded, I refer to the journals of the Assembly of September 29, 1789, and to the later proceedings that have made any changes in the plan. So far as I can see light in a somewhat confused matter, the system remains substantially as it was originally framed.[6] My few remarks will concern its spirit, its tendency, and its fitness for framing a popular commonwealth, which they profess theirs to be, suited to the ends for which any commonwealth, and particularly such a commonwealth, is made. At the same time I mean to consider its consistency with itself and with its own principles.

Old establishments are tested by their effects. If the people are happy, united, wealthy, and powerful, we presume the rest. We conclude that what good is derived from must be good. In old establishments various correctives have been found for their departures from theory. Indeed, they are the results of various necessities and expediencies. They are seldom built according to any theory; theories are rather drawn from them. In them we often see the end best achieved where the means seem not perfectly reconcilable with what we may imagine was the original scheme. The means taught by experience may be better suited to political ends than those devised in the original project. They in turn react on the original constitution, and 254 sometimes improve the very design from which they seem to have depar-

6 On September 29, 1789, the Assembly's constitutional committee, through its spokesman Jacques-Guillaume Thouret, presented its plan for representation and the new division of France.

ted. I think all this might be illustrated in fine detail in the British constitution. At worst, the errors and deviations of every kind in the reckoning are found and computed, and the ship proceeds on her course. This is the case with old establishments. But in a new and merely theoretical system, it is expected that every contrivance shall appear, on its face, to answer its end—especially where the projectors are in no way hampered by any effort to fit the new building to an old one, either in the walls or in the foundations.

The French builders, clearing away as mere rubbish whatever they found, and, like their ornamental gardeners, reducing everything to an exact level, propose to rest the whole local and general legislature on three bases of three different kinds: one geometrical, one arithmetical, and the third financial. The first they call the *basis of territory*; the second, the *basis of population*; and the third, the *basis of contribution.* To accomplish the first of these purposes they divide the area of their country into eighty-one pieces, regularly square, of eighteen leagues by eighteen.[7] These large divisions are called *Departments.* These they divide, proceeding by square measurement, into seventeen hundred and twenty districts called *Communes.* These again they subdivide, still proceeding by square measurement, into smaller districts called *Cantons,* making 6,400 in all.

At first view this geometrical basis of theirs offers little to admire or to blame. It calls [255] for no great legislative talents. Nothing more than an accurate land surveyor, with his chain, sight, and theodolite, is needed for such a plan as this. In the old divisions of the country, various accidents at various times, and the ebb and flow of various properties and jurisdictions, settled their boundaries. These boundaries were certainly not made on any fixed system. They were subject to some inconveniences. But they were inconveniences for which use had found remedies, and to which habit had brought accommodation and

7 Burke follows the committee's first plan. A French league was roughly two and a half to three miles. The Assembly in the end created eighty-three departments of irregular shape.

patience. In this new pavement of square within square, and this organization and semi-organization made on the system of Empedocles and Buffon, and not on any political principle, innumerable local inconveniences, to which men are not accustomed, cannot fail to arise. But these I pass over, because to specify them requires an accurate knowledge of the country, which I do not possess.[8]

When these state surveyors came to look over their work of measurement, they soon found that in politics the most deceptive of all things was geometrical demonstration. They then resorted to another basis (or rather buttress) to support the building that tottered on that false foundation. It was evident that the goodness of the soil, the number of the people, their wealth, and the size of their contribution made such infinite variations between square and square as to make measurement a ridiculous standard of power in the commonwealth, and equality in geometry the most unequal of all measures in the distribution [256] of men. Still, they could not give it up. Instead, dividing their political and civil representation into three parts, they allotted one of those parts to the square measurement. They did so without a single fact or calculation to establish whether this territorial proportion of representation was fairly assigned, and ought on any principle really to be a third. Having, however, given geometry this portion (a third, for her dower), out of compliment, I suppose, to that sublime science, they left the other two to be scuffled for between the other parts, population and contribution.[9]

When they came to provide for population, they could not proceed quite so smoothly as they had in the field of their geometry. Here their arithmetic came to bear on their juridical metaphysics. Had they stuck to their metaphysical principles, the arithmetical process would have been simple indeed. Men,

8 Empedocles, the Greek philosopher of the fifth century BC, had living things assembled from separately formed parts. Buffon, the French naturalist, built living bodies out of "organic molecules."

9 Under English law a widow's dower was a third of her husband's estate.

for them, are strictly equal and are entitled to equal rights in their own government. On this system each head would have its vote, and every man would vote directly for the person who was to represent him in the legislature. "But soft—by regular degrees, not yet." This metaphysical principle, to which law, custom, usage, policy, and reason were all to yield, must itself yield to their pleasure.[10] There must be many degrees, and some stages, before the representative can come into contact with his constituent. Indeed, as we shall soon see, these two persons are to have no sort of communion with each other. First, the voters in the *Canton,* who make up what they call *primary assemblies,* are to have a *qualification.* What! a [257] qualification on the indefeasible rights of men? Yes; but it shall be a very small qualification. Our injustice shall be only a little oppressive: merely the local value of three days' labor paid to the public. Why, this is not much, I readily admit, for anything but the utter subversion of your equalizing principle.[11] As a qualification it might as well be left alone, for it serves none of the purposes for which qualifications are established. And on your own ideas it excludes from a vote the man of all others whose natural equality most needs protection and defense— I mean the man who has nothing but his natural equality to guard him. You order him to buy the right which you had already told him nature gave him free at his birth, and of which no authority on earth could lawfully deprive him. As for the person who cannot come up to your market, you, who claim to be the sworn enemy of a tyrannical aristocracy, have established one against him.

The gradation goes on. These primary assemblies of the *Canton* elect deputies to the *Commune,* one for every two hundred qualified inhabitants. Here is the first intermediary placed between the primary elector and the representative legislator. And here a new turnpike is set up to tax the rights of men with a

10 Adapted from Pope, *Epistle to Burlington*: "But soft—by regular approach—not yet."

11 This was the tax qualification for an "active citizen": a direct tax equal to three days' local wages.

second qualification: for no one can be elected to the *Commune* who does not pay the amount of ten days' labor. Nor are we done yet. There is still to be another gradation. These *Communes,* chosen by the *Canton,* choose to the *Department*; and the deputies of the *Department* choose their [258] deputies to the *National Assembly.* Here is a third barrier of a senseless qualification.[12] Every deputy to the National Assembly must pay, in direct tax, the value of a *mark of silver.* Of all these qualifying barriers we must think the same: that they are powerless to secure independence, and strong only to destroy the rights of men.[13]

In all this process, which in its fundamental elements claims to consider only *population* on a principle of natural right, there is a manifest attention to *property*. However just and reasonable on other schemes, on theirs this is perfectly indefensible.

When they come to their third basis, that of *Contribution,* we find that they have lost sight of their rights of men still more completely. This last basis rests *entirely* on property. A principle totally different from the equality of men, and utterly irreconcilable with it, is thereby admitted. But no sooner is this principle, which concerns property, admitted than (as usual) it is subverted; and it is not subverted (as we shall see in a moment) to bring the inequality of riches closer to the level of nature. The additional share in the third portion of representation (a portion reserved exclusively for the higher contribution) is made to depend on the *district* only, and not on the individuals in it who pay. It is easy to see, from the course of their reasoning, how much they were embarrassed by their contradictory ideas of the rights of men and the privileges of riches. The committee of constitution all but admit that the two are wholly irreconcilable. [259] "The relation with regard to contributions is without doubt *null* (they say) when the question is the balance of political rights as between individual and individual; without which *personal equality would be destroyed,* and *an aristocracy of the rich* would be

12 A turnpike was a toll gate on a road.

13 The *marc d'argent* was equivalent to about fifty livres in tax, far beyond most Frenchmen.

established. But this inconvenience entirely disappears when the proportional relation of the contribution is considered only in the *great masses,* and solely between province and province. In that case it serves only to form a just reciprocal proportion between the cities, without affecting the personal rights of the citizens."

Here the principle of *contribution,* taken between man and man, is condemned as *null* and destructive of equality, and as harmful too, because it leads to the establishment of an *aristocracy of the rich.* Still, it must not be abandoned. The way to get rid of the difficulty is to establish the inequality between department and department, leaving all the individuals in each department on an exact par. Note that this parity between individuals had already been destroyed when the qualifications within the departments were settled. Nor does it seem to matter much whether the equality of men is injured in masses or individually. An individual does not carry the same importance in a mass represented by a few as in a mass represented by many. It would be too much to tell a man jealous of his equality that the elector who votes for three members has the same franchise as the one who votes for ten.

Now take it from the other point of view, and suppose [260] their principle of representation according to contribution, that is, according to *riches,* to be well founded and a necessary basis for the republic. How have they provided for the rich by giving to the district, that is to say, to the poor in the district of the *Canton* and the *Commune,* who are the majority, the power of electing an additional number of members on account of the greater contribution of the wealthy? Suppose one man (it is an easy supposition) contributes ten times more than ten of his neighbors. For this contribution he has one vote out of ten. The poor outvote him by nine voices, by virtue of his greater contribution, for (say) *ten* members, instead of outvoting him for only one member. Why are the rich complimented with an aristocratic preference which they can never feel either as a gratification to their pride or as a security for their fortune? The rich do indeed

need additional security against the dangers they are exposed to when a popular power prevails. But it is impossible to guess how, on this system of unequal masses, they are protected, because the aristocratic mass is generated from democratic principles, and the preponderance in the general representation has no connection whatever with those on account of whose property this superiority is given. If the designers of this scheme meant any kind of favor to the rich in return for their contribution, they ought to have conferred the privilege either on rich individuals or on some class made up of rich persons. The contest between the rich and the poor is not a struggle between corporation and corporation, but a contest between men [261] and men: a competition not between districts, but between classes of people. The scheme would serve its purpose better if it were inverted, so that the votes of the masses were made equal and the votes within each mass were proportioned to property. In any other light, I see nothing but danger in the inequality of the masses.

If, indeed, the masses were to supply the general treasury by separate quotas, and if the revenue did not include (as it does) many taxes running through the whole country, which fall on men individually and not corporately, and which by their nature cut across all territorial boundaries, something might be said for the basis of contribution as founded on masses. But of all things, this representation, to be measured by contribution, is the hardest to settle on principles of equity in a country that treats its districts as members of a whole. A great city such as Bordeaux or Paris appears to pay an enormous body of duties, almost out of all assignable proportion to other places, and its mass is reckoned accordingly. But are these cities the true contributors in that proportion? No. The consumers of the goods imported into Bordeaux, who are scattered all over France, pay the import duties of Bordeaux. The produce of the vintage in Guienne and Languedoc gives that city the means of its contribution, which grows out of an export trade. The landowners who spend their incomes in Paris, and are thereby the creators

of that city, contribute for Paris from the provinces their revenues come from.[14]

If in equity this basis of contribution, as locally [262] fixed by masses, is unjust, it is impolitic too. If one of the objects is to preserve the weak from being crushed by the strong (as in all society it undoubtedly is), how are the smaller and poorer of these masses to be saved from the tyranny of the wealthier? Is it by adding to the wealthier masses' means of oppressing them? When we come to a balance of representation between corporate bodies, provincial interests, rivalries, and jealousies are fully as likely to arise among them as among individuals. Their divisions are likely to produce much hotter dissension, and something that comes much nearer to war.

Let us compare the three bases together, not on their political reason but on the ideas the Assembly works from, and test its consistency with itself. We cannot help observing that the principle the committee calls the basis of *population* does not begin to operate from the same point as the two other principles, called the bases of *territory* and of *contribution,* which are both aristocratic in nature. The consequence is that, where all three begin to operate together, the action of the first on the two latter principles produces the most absurd inequality. Every canton covers four square leagues and is estimated to contain, on average, 4,000 inhabitants, or 680 voters in the *primary assemblies.* These assemblies vary in number with the population of the canton, and send *one deputy* to the *commune* for every 200 voters. *Nine cantons* make a *commune.*

Now let us take *a canton* containing *a seaport town of trade* or *a great manufacturing town.* Let us suppose the population of this canton to be [263] 12,700 inhabitants, or 2,193 voters, forming *three primary assemblies* and sending *ten deputies* to the *commune.*

Set against this *one* canton *two* others of the remaining eight in the same commune. We may suppose these to have their fair population of 4,000 inhabitants and 680 voters each, or 8,000

14 Guienne (Guyenne) and Languedoc: wine-growing provinces of southwestern and southern France whose produce was shipped through Bordeaux.

inhabitants and 1,360 voters together. These will form only *two primary assemblies* and send only *six* deputies to the *commune.*

When the assembly of the *commune* comes to vote on the *basis of territory,* which is the principle first admitted to operate in that assembly, the *single canton,* which has *half* the territory of the *other two,* will have *ten* voices to *six* in the election of *three deputies* to the assembly of the department, deputies chosen on the express ground of representing territory.

Striking as this inequality is, it will be greatly aggravated if we suppose, as we fairly may, that the *several* other cantons of the *commune* fall proportionably short of the average population by as much as the *principal canton* exceeds it. Now as to *the basis of contribution,* which is also a principle first admitted to operate in the assembly of the *commune.* Let us again take *one* canton, such as described above. If the whole of the direct taxes paid by a great trading or manufacturing town is divided equally among its inhabitants, each individual will be found to pay much more than an individual living in the country, on the same average. The whole paid by the inhabitants of the former will be more than [264] the whole paid by the inhabitants of the latter; we may fairly assume one-third more. Then the 12,700 inhabitants, or 2,193 voters, of the canton will pay as much as 19,050 inhabitants, or 3,289 voters, of the *other cantons,* which is nearly the estimated number of inhabitants and voters of *five* other cantons. Now the 2,193 voters will, as I said before, send only *ten* deputies to the assembly; the 3,289 voters will send *sixteen.* So, for an *equal* share in the contribution of the whole *commune,* there will be a difference of *sixteen* voices to *ten* in voting for deputies who are to be chosen on the principle of representing the general contribution of the whole *commune.*

By the same method of calculation we shall find that 15,875 inhabitants, or 2,741 voters, of the *other* cantons, who pay *one-sixth* LESS toward the contribution of the whole *commune,* will have *three* voices MORE than the 12,700 inhabitants, or 2,193 voters, of the *one* canton.

Such is the fantastic and unjust inequality between mass and mass in this curious distribution of the rights of representation arising from *territory* and *contribution.* The qualifications these confer are in truth negative qualifications, which give a right in inverse proportion to the possession of them.

Consider this whole contrivance of the three bases in any light you please. I do not see a variety of objects reconciled into one consistent whole. I see several contradictory principles, reluctantly and irreconcilably brought and held together by your philosophers, like wild beasts shut up in a cage, to [265] claw and bite one another to their mutual destruction.

I am afraid I have gone too far into their way of thinking about the making of a constitution. They have much metaphysics, but bad; much geometry, but bad; much proportionate arithmetic, but false. Yet if it were all as exact as metaphysics, geometry, and arithmetic ought to be, and if their schemes were perfectly consistent in all their parts, it would only make a fairer and more sightly vision. It is remarkable that in a great arrangement of mankind not one reference whatever is to be found to anything moral or anything political, nothing that relates to the concerns, the actions, the passions, the interests of men. *They have no taste of man.*[15]

You see that I consider this constitution only as electoral, leading by steps to the National Assembly. I do not go into the internal government of the departments and their genealogy through the communes and cantons. In the original plan, these local governments are to be composed as nearly as possible in the same manner and on the same principles as the elective assemblies. Each of them is a body perfectly compact and rounded in itself.

You cannot fail to see that this scheme has a direct and immediate tendency to split France into a number of republics and to make them wholly independent of one another. They would have no direct constitutional means of coherence, connection,

15 *Hominem non sapiunt*: Burke turns around Martial's boast about his own epigrams, "hominem pagina nostra sapit" ("our page tastes of man"), *Epigrams* 10.4.

or subordination, except what may come from their acquiescence in the decisions of the general congress of [266] the ambassadors from each independent republic. Such in reality is the National Assembly. Such governments, I admit, do exist in the world, though in forms infinitely better suited to the local and habitual circumstances of their peoples. But such associations, rather than bodies politic, have generally been the effect of necessity, not choice. I believe the present French power is the very first body of citizens who, having obtained full authority to do what they pleased with their country, have chosen to dismember it in this barbarous manner.

It is impossible not to observe that, in the spirit of this geometrical distribution and arithmetical arrangement, these pretended citizens treat France exactly like a conquered country. Acting as conquerors, they have imitated the policy of the harshest of that harsh race. The policy of such barbarous victors, who despise a subdued people and insult their feelings, has always been, as far as lay in their power, to destroy every trace of the ancient country, in religion, in polity, in laws, and in manners; to confound all territorial boundaries; to produce a general poverty; to put up their properties at auction; to crush their princes, nobles, and pontiffs; to lay low everything that had raised its head above the level, or that could serve to unite or rally the disbanded people, in their distress, under the standard of old opinion. They have made France free in the way in which those sincere friends of the rights of mankind, the Romans, freed Greece, Macedon, and other nations. They destroyed the bonds of their union, under [267] pretense of providing for the independence of each of their cities.[16]

These new bodies of cantons, communes, and departments are arrangements deliberately produced through the medium of confusion. When their members begin to act, they will find themselves, to a great extent, strangers to one another. Throughout, and especially in the rural *cantons,* the electors and the elec-

16 Rome proclaimed the "freedom" of the Greek cities in 196 BC and, after defeating Macedon in 168 BC, broke the kingdom into four separate republics.

ted will often lack any civil habits or connections, or any of that natural discipline which is the soul of a true republic. Magistrates and tax collectors are no longer acquainted with their districts, bishops with their dioceses, or parish priests with their parishes. These new colonies of the rights of men bear a strong resemblance to the kind of military colonies that Tacitus remarks on in the declining policy of Rome. In better and wiser days (whatever course they took with foreign nations) they were careful to make the elements of a methodical subordination and of settlement come into being together, and even to lay the foundations of civil discipline in the military discipline[17]. But when all the good arts had fallen into ruin, they proceeded, as your Assembly does, on the equality of men, with as little judgment and as little care for the things that make a republic tolerable [268] or durable. In this, as in almost every instance, your new commonwealth is born, and bred, and fed in those corruptions which mark degenerate and worn-out republics. Your child comes into the world with the symptoms of death. The Hippocratic face gives its features their character and foretells its fate.[18]

They even declare that the confusion which attends all such proceedings is one of their objects. They hope to secure their constitution by the terror of a return of the evils that attended its making. "By this," they say, "its destruction will become difficult to authority, which cannot break it up without the entire disorganization of the whole state." They presume that if this

17 BURKE'S NOTE. "Not, as of old, were whole legions settled with their tribunes and centurions and the soldiers of each rank, so that by their concord and affection they might form a commonwealth. Instead, men unknown to one another, from different companies, without a leader, without mutual attachment, were suddenly collected in one place as if from another race of mortals: a number rather than a colony." Tacitus, *Annals,* book 14, section 27. All this will apply still more to the unconnected, rotating, biennial national assemblies of this absurd and senseless constitution.

TRANSLATOR'S NOTE. Tacitus, *Annals* 14.27, on the failed settlement of veterans at Tarentum and Antium in AD 60.

18 *Facies Hippocratica*: the pinched, sunken face of the dying, described by Hippocrates in his *Prognostic* as a sign of approaching death.

authority should ever attain the same degree of power they have acquired, it would make a more moderate and chastened use of it, and would piously tremble to disorganize the state entirely in the savage manner they have done. They expect from the virtues of a returning despotism the security that is to be enjoyed by the offspring of their popular vices.

It is this resolve to break their country up into separate republics that has driven them into most of their difficulties and contradictions. But for this, all the questions of exact equality, and these never-to-be-settled balances of individual rights, population, and contribution, would be wholly useless. Representation, though drawn from the parts, would be a duty that regarded the whole equally. Each deputy to the assembly would be the representative of France and of all its classes of people—of the many and of the [269] few, of the rich and of the poor, of the great districts and of the small. All these districts would themselves be subordinate to some standing authority, existing independently of them: an authority in which their representation, and everything belonging to it, originated, and toward which it was directed. This standing, unalterable, fundamental government would make that territory truly and properly a whole, and it is the only thing that could. With us, when we elect popular representatives, we send them to a council in which each man individually is a subject, submitted to a government complete in all its ordinary functions. With you the elective assembly is the sovereign, and the sole sovereign; all its members are therefore integral parts of this sole sovereignty. But with us it is totally different. With us the representative, separated from the other parts, can have no action and no existence. The government is the point of reference for the several members and districts of our representation. This is the center of our unity. This government of reference is a trustee for the *whole*, and not for the parts. So is the other branch of our public council—I mean the House of Lords. With us the king and the lords are, severally and jointly, guarantees of the equality of each district, each province, each city. When did you ever hear in Great Britain of

any province suffering from the inequality of its representation, or of any district suffering from having no representation at all? Not only do our monarchy and our peerage secure the equality on which our unity depends; it is the spirit of the House of Commons itself. The very inequality of [270] representation, which is so foolishly complained of, is perhaps the very thing that keeps us from thinking or acting as members for districts. Cornwall elects as many members as all Scotland. But is Cornwall better cared for than Scotland? Outside a few giddy clubs, few people trouble their heads about any of your bases. Most of those who wish for any change, on any plausible grounds, want it for different reasons.[19]

Your new constitution is the very reverse of ours in its principle, and I am astonished that anyone could dream of holding up anything done in it as an example for Great Britain. With you there is little, or rather no, connection between the last representative and the first constituent. The member who goes to the National Assembly is not chosen by the people, nor is he accountable to them. There are three elections before he is chosen: two sets of magistracy stand between him and the primary assembly, so as to make him, as I have said, an ambassador of a state, and not the representative of the people within a state. By this the whole spirit of the election is changed; nor can any corrective your constitution-mongers have devised make him anything other than what he is. The very attempt would inevitably bring in a confusion, if possible, more horrid than the present one. There is no way to make a connection between the original constituent and the representative except by roundabout means: the candidate would have to apply in the first instance to the primary electors, so that by their authoritative instructions (and something more, perhaps) these primary electors might force the two succeeding bodies of [271] electors to make a choice agreeable to their wishes. But this would plainly subvert the whole scheme. It would plunge them back into that

19 Your bases: the three French bases of representation—territory, population, and tax contribution—discussed in the preceding pages.

tumult and confusion of popular election which they mean to avoid by their interposed gradation of elections, and would in the end risk the whole fortune of the state with those who have the least knowledge of it and the least interest in it. This is a perpetual dilemma, into which they are thrown by the vicious, weak, and contradictory principles they have chosen. Unless the people break up and level this gradation, it is plain that they do not in substance elect to the assembly at all; indeed they elect as little in appearance as in reality.

What is it we all seek in an election? To answer its real purposes, you must first have the means of knowing your man's fitness; and then you must keep some hold on him through personal obligation or dependence. For what purpose are these primary electors complimented, or rather mocked, with a choice? They can never know anything of the qualities of the man who is to serve them, nor has he any obligation whatsoever to them. Of all the powers unfit to be delegated by those who have any real means of judging, the most peculiarly unfit is the one that concerns a *personal* choice. In case of abuse, that body of primary electors can never call the representative to account for his conduct. He is too far removed from them in the chain of representation. If he acts improperly at the end of his two years' lease, it does not concern him for two years more. By the new French constitution, the best and wisest representatives go [272] equally with the worst into this *Limbus Patrum*. Their bottoms are supposed foul, and they must go into dock to be refitted. Every man who has served in an assembly is ineligible for two years afterward. Just as these magistrates begin to learn their trade, they are, like chimney sweeps, disqualified from practicing it.[20] Superficial, raw, petulant learning, and interrupted, sluggish, broken, ill-kept recollection—this is to be the destined character of all your future governors. Your constitution has too much jealousy in it to have much sense. You treat the represent-

20 *Limbus Patrum*: the "limbo of the fathers," where in Catholic theology the righteous of the Old Testament awaited Christ. Chimney sweeps were small boys, who outgrew the work just as they mastered it.

ative's breach of trust as so much the principal concern that you pay no attention at all to the question of his fitness to carry out that trust.

This purgatorial interval is not unfavorable to a faithless representative, who may be as good a canvasser as he was a bad governor. In this time he may intrigue his way into a superiority over the wisest and most virtuous. And since, in the end, all the members of this elective constitution are equally fleeting, and exist only for the election, the people to whom he must answer when he solicits a renewal of his trust may no longer be the same people who chose him. To call all the secondary electors of the *Commune* to account is ridiculous, impracticable, and unjust; they may themselves have been deceived in their choice, as the third set of electors, those of the *Department*, may be in theirs. In your elections responsibility cannot exist.

The legislators who framed the ancient republics knew that their business was too arduous to be accomplished with no better equipment than the metaphysics of an undergraduate and the mathematics [273] and arithmetic of an exciseman. They had to deal with men, and they were obliged to study human nature. They had to deal with citizens, and they were obliged to study the effects of those habits that are communicated by the circumstances of civil life.[21] They were aware that the operation of this second nature on the first produced a new combination; and from this arose many diversities among men, according to their birth, their education, their professions, the periods of their lives, their residence in towns or in the country, their several ways of acquiring and fixing property, and the quality of the property itself—all of which made them, as it were, so many different species of animals. From this they thought themselves obliged to arrange their citizens into such classes, and to place them in such stations in the state, as their particular habits might qualify them to fill; to allot them such appropriate privileges as might secure to them what their specific needs

21 Exciseman: an officer who collected excise duties, work that called for gauging casks and simple reckoning.

required; and to furnish each class with such strength as might protect it in the conflict caused by the diversity of interests that must exist, and must contend, in every complex society: for the legislator would have been ashamed that the coarse farmer should know well how to sort and use his sheep, horses, and oxen, and should have common sense enough not to abstract and equalize them all into animals without providing for each kind its appropriate food, care, and employment, while he, the steward, disposer, and shepherd of his own kindred, sublimating himself into an airy metaphysician, [274] resolved to know nothing of his flocks except as men in general. It is for this reason that Montesquieu observed, very justly, that in their classification of the citizens the great legislators of antiquity made the greatest display of their powers, and even soared above themselves. It is here that your modern legislators have gone deep into the negative series, and sunk even below their own nothing. Whereas the first sort of legislators attended to the different kinds of citizens and combined them into one commonwealth, the others, the metaphysical and alchemical legislators, have taken the directly opposite course. They have tried to merge all sorts of citizens, as well as they could, into one homogeneous mass; and then they divided this amalgam of theirs into a number of incoherent republics.[22] They reduce men to loose counters, merely for the sake of simple counting, and not to figures whose value is to arise from their place in the table. The elements of their own metaphysics might have taught them better lessons. The roll call of their table of categories might have told them that there was something else in the intellectual world besides *substance* and *quantity*. They might learn from the catechisms of metaphysics that there were eight more heads[23] in every complex deliberation, which they have never thought of,

22 Montesquieu, *The Spirit of the Laws*, Book 2, chapter 2. "The negative series" is a mathematical jibe: numbers below zero.

23 BURKE'S NOTE. Quality, Relation, Action, Passion, Place, Time, Position, State.

TRANSLATOR'S NOTE. Burke gives in Latin the remaining eight of Aristotle's ten categories (*Qualitas, Relatio, Actio, Passio, Ubi, Quando, Situs, Habitus*).

though these, of all the ten, are the subject on which human skill can work at all.[24]

275 Far from following the skillful arrangement of some of the old republican legislators, which tracks the moral conditions and propensities of men with anxious accuracy, they have leveled and crushed together all the orders they found, even under the coarse, unartful arrangement of the monarchy—a form of government in which the classing of citizens is not of so much importance as in a republic. It is true, however, that every such classification, if properly ordered, is good in all forms of government; it forms a strong barrier against the excesses of despotism, just as it is the necessary means of giving effect and permanence to a republic. For want of something of this kind, if the present project of a republic should fail, all securities for a moderated freedom fail along with it; all the indirect restraints that mitigate despotism are removed; so much so that if monarchy should ever again gain an entire ascendancy in France, under this or any other dynasty, it will probably be—unless it is voluntarily tempered at the outset by the wise and virtuous counsels of the prince—the most completely arbitrary power that has ever appeared on earth. This is to play a most desperate game.

THE CEMENT: CONFISCATION, PAPER MONEY AND PARIS

Confiscation with paper money and the supremacy of Paris are meant to hold the new republics together.

Finding no principle of coherence of any sort among the several new republics of France in their nature and constitution, I considered what cement the legislators had provided for them from outside materials. Their confederations, their *spectacles*, their civic feasts, and their enthusiasm I take no notice of; they are nothing but 276 mere tricks. But tracing their policy through their actions, I think I can make out the arrangements by which they

24 The ten categories of Aristotle, the standard table of the school logic; Burke's "troll" means the recitation of the list.

propose to hold these republics together. The first is the *confiscation*, with the compulsory paper currency attached to it; the second is the supreme power of the city of Paris; the third is the general army of the state. Of this last I shall reserve what I have to say until I come to consider the army as a head of its own.

As for the operation of the first (the confiscation and paper currency) merely as a cement, I cannot deny that these, the one depending on the other, may for some time form some sort of cement—if their madness and folly in managing it, and in tempering the parts together, do not produce a repulsion at the very outset. But granting the scheme some coherence and some duration, it seems to me that if, after a while, the confiscation should not prove sufficient to support the paper coinage (as I am morally certain it will not), then, instead of cementing, it will add infinitely to the dissociation, distraction, and confusion of these confederate republics, both in their relations with one another and among the several parts within each. But if the confiscation should succeed so far as to sink the paper currency, the cement is gone with the circulation. Meanwhile its binding force will be very uncertain, and it will tighten or loosen with every variation in the credit of the paper.

One thing only is certain in this scheme—an effect seemingly collateral, but, I have no doubt, direct in the minds of those who conduct this [277] business: namely, its effect in producing an *oligarchy* in every one of the republics. A paper circulation not founded on any real money deposited or pledged, already amounting to forty-four million pounds in English money; this currency forcibly substituted for the coin of the kingdom, and thereby becoming the substance of its revenue as well as the medium of all its commercial and civil dealings—such a circulation must put the whole of whatever power, authority, and influence is left, in whatever form it may take, into the hands of the managers and conductors of this circulation.

In England we feel the influence of the bank, though it is only the center of voluntary dealings. He knows little indeed of the influence of money on mankind who does not see the force that

comes from managing a monied concern far more extensive than any of ours, and by its nature far more dependent on its managers. But if we take into account the other part essentially connected with it (the continual drawing out of portions of the confiscated land for sale, this continual exchange of land for paper, and this mixing of land into circulation), we may form some idea of how intensely it will operate. By this means the spirit of money-jobbing and speculation enters into the mass of land itself and becomes part of it. Through this kind of operation that species of property becomes, as it were, volatilized. It takes on an unnatural and monstrous activity, and so throws into the hands of the various managers, principal and subordinate, Parisian and provincial, [278] everything that represents money, and perhaps a full tenth of all the land in France. That land has now acquired the worst and most pernicious part of the evil of a paper circulation: the greatest possible uncertainty in its value. They have reversed Latona's kindness to the landed property of Delos.[25] They have sent theirs to be blown about like the light fragments of a wreck, *around the shores and coasts*. The new dealers, all adventurers by habit, with no fixed habits or local attachments, will buy in order to sell again, whenever the market in paper, or in money, or in land offers an advantage.[26] For though a holy bishop thinks that agriculture will gain great advantages from the "*enlightened*" usurers who are to buy up the confiscated church lands, I, who am not a good farmer but an old one, with great humility beg leave to tell his late lordship that usury is no tutor of agriculture. And if the word "enlightened" is understood according to the new dictionary, as it always is in your new schools, I cannot conceive how a man's not believing in God can teach him to cultivate the earth with the least added skill or encouragement. "I sow for the immortal gods," said an old Roman, as he held one handle of the plow

25 In Greek legend Delos was a floating island, made fast to the seabed so that Latona (Leto) could give birth there to Apollo and Artemis.
26 Virgil, Aeneid 3.75, describing Delos drifting before it was fixed in place.

while Death held the other.[27] Though you were to put all the directors of the two academies on the commission together with the directors of the *Caisse d'Escompte*, one old, experienced peasant is worth them all. I have gained more information on one curious and interesting branch of husbandry in one short conversation with a Carthusian monk than from all the bank directors I have ever conversed [279] with. However, there is no reason to fear that money-dealers will meddle with rural economy. These gentlemen are too wise in their generation.[28] At first, perhaps, their tender and impressionable imaginations may be captivated by the innocent and unprofitable delights of pastoral life. But in a little while they will find that agriculture is a trade far more laborious and far less lucrative than the one they left. After singing its praises, they will turn their backs on it like their great forerunner and prototype. They may, like him, begin by singing "*Happy the man*," but what will be the end? "When the usurer Alphius had said all this, now on the very point of turning farmer, he called in all his money on the Ides, and on the Kalends looks to lend it out again." They will cultivate the *caisse d'Église*, under the sacred auspices of this prelate, with far more profit than its vineyards or its cornfields.[29] They will employ their talents according to their habits and their interests. They will not follow the plow while they can direct treasuries and govern provinces.

Your legislators, new in everything, are the very first who have founded a commonwealth on gambling and breathed this spirit into it as its breath of life. The great aim of these politics is to transform France from a great kingdom into one great gaming table; to turn its inhabitants into a nation of gamblers; to make speculation as extensive as life; to mix it into all life's concerns; and to divert all the hopes and fears of [280] the people from

27 The bishop is Talleyrand, bishop of Autun, who proposed the confiscation of church property. The Roman's saying is from Cicero, On Old Age 7.25.
28 "Wise in their generation" echoes Luke 16:8.
29 Horace, Epodes 2, a hymn to country life that turns out to be spoken by a moneylender (lines 1 and 67–70). The *caisse d'Église* is the "church fund," a pun on the Caisse d'Escompte.

their usual channels into the impulses, passions, and superstitions of those who live on chance. They loudly proclaim their opinion that their present system of a republic cannot possibly exist without this kind of gambling fund, and that the very thread of its life is spun from the raw stuff of these speculations. The old gambling in the funds was mischievous enough, no doubt, but only to individuals. Even at its greatest extent, in the Mississippi and South Sea schemes, it affected comparatively few;[30] and where it extends further, as in lotteries, the spirit has only a single object. But by carrying the currency of gambling into the smallest matters, and drawing everybody into it, in everything, they have spread a more dreadful epidemic of this disease than the world has yet seen. With you a man can neither earn nor buy his dinner without a speculation. What he receives in the morning will not have the same value at night. What he is compelled to take as payment for an old debt will not be accepted at the same value when he comes to contract a new one; nor will it be worth the same when he tries to avoid contracting any debt at all by paying promptly. Industry must wither away. Thrift must be driven from your country. Careful provision for the future will cease to exist. Who will labor without knowing the amount of his pay? Who will strive to increase what no one can estimate? Who will accumulate when he does not know the value of what he saves? Take away its uses in gambling, and to hoard your paper wealth would be not the foresight of a man but the diseased instinct of a jackdaw.

281 The truly melancholy part of this policy of systematically making a nation of gamblers is that, though all are forced to play, few can understand the game, and fewer still are in a position to profit from the knowledge. The many must be the dupes of the few who run the machine of these speculations. What effect this must have on country people is plain to see. When the peasant first brings his corn to market, the magistrate in the town obliges him to take the assignat at face value; when he

30 John Law's Mississippi scheme in France and the South Sea Bubble in England both collapsed in 1720.

goes to the shop with this money, he finds it seven percent worse for crossing the street. He will not readily come back to this market. The townsman can calculate from day to day; the countryman cannot. The townspeople will be inflamed! They will force the country people to bring in their corn. Resistance will begin, and the murders of Paris and Saint-Denis may be repeated throughout France.[31]

What do the empty compliments paid to the countryside amount to, when you give it perhaps more than its share in the theory of your representation? Where have you placed the real power over the circulation of money and land? Where have you placed the means of raising and lowering the value of every man's freehold? All the power obtained by this revolution will settle in the towns, among the burghers and the monied directors who lead them. The landed gentleman, the yeoman, and the peasant have none of them the habits, inclinations, or experience that could lead them to any share in this, the sole source of power and influence now left in France. The very nature of country life, [282] the very nature of landed property, in all the occupations and all the pleasures they afford, make combination and organization (the only way of gaining and exercising influence) all but impossible among country people. Combine them with all the art and all the effort you can, and they are always dissolving back into individuals. Anything in the nature of incorporation is almost impracticable among them. Hope, fear, alarm, jealousy, the passing tale that does its work and dies in a day: all these, the reins and spurs by which leaders check or urge on the minds of their followers, are hard to use, or hardly usable at all, among a scattered people. They assemble, they arm, they act only with the utmost difficulty and at the greatest expense. Their efforts, if they can ever be begun, cannot be sustained. They cannot proceed systematically. If the country gentlemen try to exert influence through the mere income of their property, what is that compared with the influence of those who

31 At Saint-Denis in August 1789 a municipal official was murdered by a crowd during a dispute over the price of bread.

have ten times their income to sell, and who can ruin the value of their property by bringing their plunder to compete with it on the market? If he wants to mortgage, he lowers the value of his land and raises the value of the assignats. He increases the power of his enemy by the very means he must use to contend with him. The country gentleman, therefore, the officer by sea and land, the man of liberal views and habits attached to no profession, will be as completely excluded from the government of his country as if he were outlawed by statute. It is obvious that in the towns everything that conspires against the country gentleman combines in favor [283] of the money manager and director. In towns combination is natural. The habits of burghers, their occupations, their amusements, their business, their idleness, continually bring them into contact with one another. Their virtues and their vices are sociable; they are always in garrison, and they come already embodied and half-disciplined into the hands of those who mean to shape them for civil or for military action. Those whose operations can take ten percent from, or add ten percent to, the possessions of every man in France must be the masters of every man in France.

All these considerations leave me in no doubt that, if this monster of a constitution can last, France will be wholly governed by the agitators in corporations, by societies in the towns made up of directors of assignats and trustees for the sale of church lands, attorneys, agents, money-jobbers, speculators, and adventurers, composing an ignoble oligarchy founded on the destruction of the crown, the church, the nobility, and the people. Here end all the deceitful dreams and visions of the equality and rights of men. In "the Serbonian bog" of this base oligarchy they are all swallowed up, sunk, and lost forever.[32]

Though human eyes cannot trace them, one would be tempted to think that some great offenses in France must cry out to heaven, which has seen fit to punish it with subjection to a vile and inglorious domination, in which no comfort or compensa-

32 "The Serbonian bog," a treacherous marsh in Egypt said to swallow whole armies, is from Milton, Paradise Lost 2.592.

tion is to be found in any of those false splendors, even, which play about other tyrannies and keep mankind from feeling themselves [284] dishonored even while they are oppressed. I must confess I am touched with sorrow, mixed with some indignation, at the conduct of a few men, once of great rank and still of great character, who, deluded by plausible names, have engaged in a business too deep for the line of their understanding to fathom; who have lent their good reputation and the authority of their high-sounding names to the designs of men they could not have known; and who have thereby made their very virtues work toward the ruin of their country.

So much for the first cementing principle.

The second material of cement for their new republic is the supremacy of the city of Paris; and this, I admit, is closely connected with the other cementing principle, paper circulation and confiscation. It is in this part of the project that we must look for the cause of the destruction of all the old boundaries of provinces and jurisdictions, ecclesiastical and secular, and of the dissolution of all the ancient combinations of things, as well as of the formation of so many small, unconnected republics. The power of the city of Paris is evidently one great mainspring of all their politics. It is through the power of Paris, now become the center and focus of jobbing, that the leaders of this faction direct, or rather command, the whole legislative and the whole executive government. Everything must therefore be done that can confirm the authority of that city over the other republics. Paris is compact; she has an enormous strength, wholly out of proportion to the force of any of the square republics; and this strength is gathered and concentrated within a narrow compass. [285] Paris has a natural and easy connection among its parts, which no scheme of a geometrical constitution will affect; nor does it much matter whether its share of representation is greater or smaller, since it has the whole catch of fish in its dragnet. The other divisions of the kingdom, hacked and torn to pieces and cut off from all their habitual means, and even principles, of union, cannot, for some time at least, combine against

her. It was plain that the new corporation of the city of Paris could not completely and conclusively dominate France in any other way than by breaking, in every other part of it, those connections that might balance her power. Nothing, therefore, was to be left in all the subordinate members but weakness, disconnection, and confusion. To confirm this part of the plan, the assembly has lately resolved that no two of their republics shall have the same commander in chief.

To someone who takes a view of the whole, the strength of Paris, formed in this way, will appear a system of general weakness. It is boasted that the geometrical policy has been adopted so that all local ideas may be sunk, and the people may no longer be Gascons, Picards, Bretons, Normans, but Frenchmen, with one country, one heart, and one assembly. But instead of all being Frenchmen, the greater likelihood is that the inhabitants of that region will shortly have no country at all. No man was ever attached, by a sense of pride, partiality, or real affection, to a description in square measurement. He will never glory in belonging to the Checker [286] No. 71, or to any other badge-ticket. We begin our public affections in our families. No cold relation is a zealous citizen. We pass on to our neighborhoods and our habitual provincial connections. These are inns and resting places. Such divisions of our country as have been formed by habit, and not by a sudden jerk of authority, were so many little images of the great country, in which the heart found something it could fill. Love of the whole is not extinguished by this subordinate partiality. Perhaps it is a sort of elementary training for those higher and larger regards by which alone men come to be moved, as by their own concern, by the prosperity of a kingdom as extensive as France. In that general territory itself, as in the old names of the provinces, the citizens take an interest out of old prejudices and unreasoned habits, and not on account of the geometric properties of its shape. The power and preeminence of Paris certainly does press down on these republics and hold them together, as long as it lasts. But for the reasons I have already given you, I think it cannot last very long.

Passing from the civil creating, and the civil cementing principles of this constitution, to the National Assembly, which is to appear and act as sovereign, we see a body with every possible power in its constitution, and no possible external control. We see a body without fundamental laws, without established maxims, without respected rules of proceeding, which nothing can keep firm to any system whatsoever. Their idea of their powers is always taken at the utmost stretch of legislative competence, [287] and their examples for common cases from the exceptions of the most urgent necessity. The future assembly is to be in most respects like the present one; but, by the mode of the new elections and the tendency of the new circulations, it will be purged of the small degree of internal control that exists in a minority chosen originally from various interests and still preserving something of their spirit. If possible, the next assembly must be worse than the present. The present one, by destroying and altering everything, will leave its successors apparently nothing popular to do. They will be roused by emulation and example to enterprises the boldest and the most absurd. To suppose such an assembly sitting in perfect quiet is ridiculous.

Your all-sufficient legislators, in their hurry to do everything at once, have forgotten one thing that seems essential, and which, I believe, no designer of a republic has ever omitted, in theory or in practice. They have forgotten to constitute a *Senate*, or something of that nature and character. Never before this time was there heard of a body politic composed of one legislative and active assembly, and its executive officers, without such a council; without something to which foreign states might connect themselves; something to which, in the ordinary detail of government, the people could look up; something which might give a bias and steadiness, and preserve something like consistency in the proceedings of state. Kings generally have such a body as a council. A monarchy may exist without it; but it seems to be of the very essence of republican government. It [288] holds a sort of middle place between the supreme power exercised by the people, or immediately delegated by them, and the mere

executive. Of this there are no traces in your constitution; and in providing nothing of the kind, your Solons and Numas have revealed, as much as in anything else, a sovereign incapacity.[33]

THE EXECUTIVE

The king is reduced to a powerless instrument, and his ministers bear responsibility without authority.

Let us now turn our eyes to what they have done toward forming an executive power. For this they have chosen a degraded king. This, their first executive officer, is to be a machine, without any deliberative discretion in any single act of his function. At best he is only a channel to convey to the National Assembly such matter as that body may need to know. If he had been made the exclusive channel, the power would not have been without its importance, though infinitely perilous to those who might choose to exercise it. But public intelligence and statements of fact may pass to the assembly, with equal authenticity, through any other conveyance. As a means, therefore, of giving direction to measures through the statement of an authorized reporter, this office of intelligence is as nothing.

To consider the French scheme of an executive officer in its two natural divisions, civil and political—In the first, it must be observed that, under the new constitution, the higher parts of the judiciary, in either of its lines, are not in the king. The king of France is not the fountain of justice. The judges, neither those of first instance nor those of appeal, are of his nomination. He neither proposes [289] the candidates nor has a veto on the choice. He is not even the public prosecutor. He serves only as a notary to authenticate the choice of judges made in the several districts. Through his officers he is to execute their sentences. When we look into the true nature of his authority, he appears to be nothing more than a chief of bumbailiffs, sergeants-at-mace, catchpoles, jailers, and hangmen. It is impossible to place any-

33 Solon was the lawgiver of ancient Athens; Numa Pompilius, the legendary second king of Rome, was credited with founding its laws and religion.

thing called royalty in a more degrading light. It would have been a thousand times better for the dignity of this unhappy prince to have had nothing at all to do with the administration of justice, deprived as he is of all that is venerable and all that is consoling in that function, without power to originate any process, without a power of suspension, mitigation, or pardon. Everything in justice that is vile and odious is thrown upon him.[34] It was not for nothing that the assembly took such pains to remove the stigma from certain offices, when they were resolved to place the person who had lately been their king in a situation only one degree above the executioner, and in an office of nearly the same quality. It is not in nature that, situated as the king of the French now is, he can respect himself or be respected by others.[35]

View this new executive officer on the side of his political capacity, as he acts under the orders of the National Assembly. To execute laws is a royal office; to execute orders is not to be a king. Still, a political executive magistracy, even if it is merely that, is a great trust. It is a trust indeed [290] on whose faithful and diligent performance much depends, both in the person presiding over it and in all his subordinates. Means of performing this duty ought to be given by regulation; and dispositions toward it ought to be instilled by the circumstances that attend the trust. It ought to be surrounded with dignity, authority, and consideration, and it ought to lead to glory. The office of execution is an office of exertion. It is not from impotence that we are to expect the tasks of power. What sort of person is a king to command executive service, when he has no means whatsoever of rewarding it? Not with a permanent office; not with a grant of land; no, not with a pension of fifty pounds a year; not with the vainest and most trivial title. In France the king is no more the fountain of honor than he is the fountain of justice. All rewards, all dis-

34 Bumbailiffs, sergeants-at-mace and catchpoles were the lowest officers of the law, who made arrests for debt and served writs.

35 By a decree of December 1789 the Assembly admitted executioners, among others formerly excluded, to full civic rights.

tinctions are in other hands. Those who serve the king can be moved by no natural motive but fear—a fear of everything except their master. His functions of internal coercion are as odious as those he exercises in the department of justice. If relief is to be given to any municipality, the assembly gives it. If troops are to be sent to reduce them to obedience to the assembly, the king is to execute the order; and on every occasion he is to be spattered with the blood of his people. He has no veto; yet his name and authority are used to enforce every harsh decree. Nay, he must concur in the butchery of those who shall attempt to free him from his imprisonment, or show the slightest attachment to his person or to his ancient authority.

[291] Executive magistracy ought to be constituted in such a way that those who compose it are disposed to love and to venerate those whom they are bound to obey. A purposeful neglect, or, what is worse, a literal but perverse and malignant obedience, must be the ruin of the wisest counsels. In vain will the law attempt to anticipate or to follow such studied neglects and fraudulent attentions. To make men act zealously is not within the competence of law. Kings, even those who are truly kings, may and ought to bear the freedom of subjects who are disagreeable to them. They may also, without lowering themselves, bear even the authority of such persons if it promotes their service. Louis XIII mortally hated Cardinal Richelieu; but his support of that minister against his rivals was the source of all the glory of his reign and the solid foundation of his throne itself. Louis XIV, when he came to the throne, did not love Cardinal Mazarin; but for his own interests he kept him in power. When old, he detested Louvois; but for years, while Louvois faithfully served his greatness, he endured his person. When George II took Mr. Pitt, who was certainly not agreeable to him, into his councils, he did nothing that could humble a wise sovereign.[36] But these ministers, who were chosen by affairs, not by affections, acted in the name of kings and in trust for them, and not as their

36 Louvois was Louis XIV's war minister (d. 1691). William Pitt the Elder was brought into office by a reluctant George II in 1756–57.

avowed, constitutional, and ostensible masters. I think it impossible that any king, once he has recovered from his first terrors, can cordially infuse vivacity and vigor into measures which he knows [292] to be dictated by those whom he must be persuaded are in the highest degree ill-disposed toward his person. Will any ministers who serve such a king (or whatever he may be called) with even a decent appearance of respect cordially obey the orders of those whom only the other day they had committed to the Bastille in his name? will they obey the orders of those whom, while they were exercising despotic justice upon them, they believed they were treating with leniency, and for whom they thought they had provided an asylum in a prison? If you expect such obedience, then among your other innovations and regenerations you ought to make a revolution in nature, and provide a new constitution for the human mind. Otherwise your supreme government cannot harmonize with its executive system. There are cases in which we cannot make do with names and abstractions. You may call half a dozen leading individuals, whom we have reason to fear and hate, the nation. It makes no other difference than to make us fear and hate them the more. If it had been thought justifiable and expedient to make such a revolution by such means, and through such persons, as you have made yours, it would have been wiser to complete the business of the fifth and sixth of October. The new executive officer would then owe his situation to his real masters; and he might be bound by interest, by the fellowship of crime, and (if there could be virtues in crimes) by gratitude, to serve those who had promoted him to a place of great lucre and great sensual indulgence—and of something more: for more he must have [293] received from those who certainly would not have limited a creature they had raised up as they have limited a submitting antagonist.[37]

A king circumstanced as the present one is, if he is so totally stupefied by his misfortunes as to think it not the necessity but

37 A veiled allusion to the Duke of Orléans, widely suspected of having instigated the October Days in hope of the crown.

the reward and privilege of life to eat and sleep, without any regard to glory, can never be fit for the office. If he feels as men commonly feel, he must be aware that an office so circumstanced is one in which he can obtain no fame or reputation. He has no generous interest that can excite him to action. At best his conduct will be passive and defensive. To inferior people such an office might be a matter of honor. But to be raised to it and to descend to it are different things, and suggest different feelings. Does he *really* name the ministers? They will have a sympathy with him. Are they forced upon him? The whole business between them and the nominal king will be mutual counteraction. In all other countries the office of minister of state is of the highest dignity. In France it is full of peril and incapable of glory. Yet rivals they will have, even in their nothingness, as long as shallow ambition exists in the world, or the desire of a miserable salary is an incentive to short-sighted avarice. Your constitution enables these competitors of the ministers to attack them in their vital parts, while the ministers have no means of answering the charges except in the degrading character of culprits. The ministers of state in France are the only persons in that country who are barred from any share in the national councils. What ministers! What [294] councils! What a nation!—But they are responsible. It is a poor service that is to be had from responsibility. The elevation of mind to be derived from fear will never make a nation glorious. Responsibility prevents crimes. It makes all attempts against the laws dangerous. But as a principle of active and zealous service, none but idiots could think of it.[38] Is the conduct of a war to be entrusted to a man who may abhor its principle; who, in every step he takes to make it successful, confirms the power of those by whom he is oppressed? Will foreign states seriously negotiate with one who has no prerogative of peace or war—no, not so much as a single vote, by himself or his ministers, or by anyone he can possibly

38 In November 1789 the Assembly decreed that no deputy could become a minister, and ministers could not sit in the Assembly.

influence? A state of contempt is no state for a prince: better to get rid of him at once.

I know it will be said that these humors in the court and executive government will last only through this generation, and that the king has been brought to declare that the dauphin shall be educated in conformity with his situation. If he is made to conform to his situation, he will have no education at all. His training must be worse even than that of an arbitrary monarch. If he reads—whether he reads or not, some good or evil genius will tell him his ancestors were kings. From then on his object must be to assert himself and to avenge his parents. This, you will say, is not his duty.[39] That may be; but it is Nature; and while you provoke Nature against you, you are unwise to trust to Duty. In this futile scheme [295] of polity the state nurses in its bosom, for the present, a source of weakness, perplexity, counteraction, inefficiency, and decay; and it prepares the means of its final ruin. In short, I see nothing in the executive force (I cannot call it authority) that has even an appearance of vigor, or that has the smallest degree of just correspondence or symmetry, or amicable relation, with the supreme power, either as it now exists or as it is planned for the future government.

By an economy as perverse as the policy, you have set up two establishments of government, one real and one fictitious. Both are kept up at vast expense, but the fictitious one, I think, at the greater. A machine like the latter is not worth the grease on its wheels. The expense is exorbitant, and neither the show nor the use is worth a tenth of the cost. Oh! but I am not doing justice to the talents of the legislators. I am not making the allowance I ought for necessity. Their scheme of executive force was not their choice. This pageant had to be kept. The people would not consent to part with it. Right; I understand you. You do—in spite of your grand theories, to which you would have heaven and earth bend—you do know how to conform yourselves to the nature and circumstances of things. But once you were obliged

39 In his address to the Assembly of February 4, 1790, Louis XVI promised to raise his son, the dauphin, in the principles of the new constitution.

to conform this far to circumstances, you ought to have carried your submission further, and to have made what you were obliged to take into a proper instrument, useful to its end. That was in your power. For instance, among many other things, it was in [296] your power to leave your king the right of peace and war. What! leave to the executive magistrate the most dangerous of all prerogatives? I know of none more dangerous, and of none that it is more necessary to entrust to him. I do not say that this prerogative ought to be entrusted to your king unless he also held other, auxiliary trusts along with it, which he does not now hold. But if he did possess them, hazardous as they undoubtedly are, such a constitution would bring advantages more than making up for the risk. There is no other way of keeping foreign potentates from intriguing directly and personally with the members of your assembly, from meddling in all your concerns, and from fomenting in the heart of your country the most pernicious of all factions: factions in the interest and under the direction of foreign powers. From that worst of evils, thank God, we are still free. Your skill, if you had any, would be well employed in finding indirect correctives and checks on this perilous trust. If you did not like the ones we have chosen in England, your leaders might have exerted their abilities in devising better. If it were necessary to illustrate what an executive government like yours does to the management of great affairs, I would refer you to M. de Montmorin's recent reports to the National Assembly, and to all the other proceedings concerning the dispute between Great Britain and Spain. It would be treating your understanding with disrespect to point them out to you.[40]

I hear that the persons who are called ministers have signified an intention of resigning their [297] places. I am rather astonished that they did not resign long ago. Not for the whole world would I have stood in the situation they have been in for this

40 Armand Marc, comte de Montmorin, French foreign minister. The Nootka Sound crisis of 1790 between Britain and Spain raised the question of France's treaty obligations to Spain and led the Assembly to strip the king of sole power over war and peace (May 1790).

past year. They wished the Revolution well, I take it for granted. Be that as it may, placed as they were on an eminence, though an eminence of humiliation, they could not help being the first to see collectively, and to feel each in his own department, the evils that revolution has produced. In every step they took, or held back from taking, they must have felt the degraded situation of their country and their own utter incapacity to serve it. They are in a kind of subordinate servitude in which no men before them were ever seen. They have the confidence neither of their sovereign, on whom they were forced, nor of the assembly that forced them on him; and all the noble functions of their office are carried out by committees of the assembly, without any regard whatever to their personal or their official authority. They are to execute, without power; they are to be responsible, without discretion; they are to deliberate, without choice. In their bewildering situation, under two sovereigns, over neither of whom they have any influence, they must act in such a way as (in effect, whatever they may intend) sometimes to betray the one, sometimes the other, and always to betray themselves. Such has been their situation; such must be the situation of those who succeed them. I have much respect and many good wishes for Mr. Necker. I am obliged to him for courtesies. When his enemies [298] had driven him from Versailles, I thought his exile a matter for the most serious congratulation—*but many cities and the prayers of the public prevailed.* He is now sitting on the ruins of the finances and of the monarchy of France.[41]

A great deal more might be said about the strange constitution of the executive part of the new government; but fatigue must set bounds to the discussion of subjects that in themselves have hardly any limits.

41 Necker was dismissed on July 11, 1789, and recalled after the fall of the Bastille. The Latin is Juvenal, Satires 10.284: of Pompey, whose recovery from a fever, prayed for by the cities, spared him only for a worse end.

THE JUDGES

The independent parlements are replaced by elected local judges bound to obey the Assembly's orders.

I can perceive just as little genius and talent in the plan of judicature formed by the National Assembly. Following their invariable course, the framers of your constitution began by abolishing the parliaments outright. These venerable bodies, like the rest of the old government, needed reform, even if no change were to be made in the monarchy. They required a good many further alterations to fit them to the system of a free constitution. But there were features of their constitution, and not a few, that deserved the approval of the wise. They possessed one fundamental excellence: they were independent. The most questionable feature of their office, that it could be bought and sold, nevertheless contributed to this independence of character. They held their places for life; indeed, they may be said to have held them by inheritance. Appointed by the monarch, they were regarded as almost beyond his power. The most determined exertions of that authority against them only showed how radically independent they were. They formed permanent bodies politic, constituted to resist arbitrary innovation; and from that corporate [299] constitution, and from most of their forms, they were well suited to give the laws both certainty and stability. They had been a safe asylum for those laws through all the revolutions of humor and opinion. They had preserved that sacred deposit of the country through the reigns of arbitrary princes and the struggles of arbitrary factions. They kept alive the memory and record of the constitution. They were the great security of private property, which (when personal liberty did not exist) might be said to have been in fact as well guarded in France as in any other country. Whatever is supreme in a state ought, as far as possible, to have its judicial authority so constituted that it not only does not depend on that supreme power but in some sort balances it. It ought to give its justice a security

against its power. It ought to make its judicature, as it were, something outside the state.

These parliaments had supplied, not the best corrective certainly, but a considerable one, to the excesses and vices of the monarchy. Such an independent judicature was ten times more necessary once a democracy became the absolute power of the country. Under that constitution, elective, temporary, local judges such as you have devised, exercising their dependent functions in a narrow society, must be the worst of all tribunals. It will be vain to look to them for any appearance of justice toward strangers, toward the rich who have made themselves unpopular, toward the minority of defeated parties, toward everyone who supported unsuccessful candidates at the election. It will be impossible to keep the new tribunals clear of the worst spirit of faction. All [300] devices by ballot, we know from experience, are vain and childish as means of keeping people's inclinations from being discovered. Where they best serve the purpose of concealment, they serve to produce suspicion, and that is a still more mischievous cause of partiality.

If the parliaments had been preserved, instead of being dissolved at such ruinous cost to the nation, they might have served in this new commonwealth perhaps not precisely the same purposes (I do not mean an exact parallel), but nearly the same purposes, as the court and senate of the Areopagus served in Athens: that is, as one of the balances and correctives to the evils of a fickle and unjust democracy. Everyone knows that this tribunal was the great support of that state; everyone knows with what care it was upheld, and with what religious awe it was consecrated.[42] The parliaments were not wholly free from faction, I admit; but this evil was external and accidental, not so much a vice of their constitution itself as it must be in your new contrivance of elective courts with six-year terms. A number of Englishmen praise the abolition of the old tribunals on the supposition that they decided everything by bribery and corrup-

42 The Areopagus: the ancient council and court of Athens, named for the hill on which it met.

tion. But they have stood the test of both monarchic and republican scrutiny. The court was eager enough to prove corruption against those bodies when they were dissolved in 1771. Those who have dissolved them again would have done the same if they could. But since both inquisitions failed, I conclude that gross financial corruption must have been rather rare among them.[43]

301 It would have been prudent to preserve, along with the parliaments, their ancient power of registering, and at least of remonstrating against, all the decrees of the National Assembly, as they did with the decrees passed under the monarchy. It would be a means of bringing the occasional decrees of a democracy into line with some principles of general jurisprudence. What ruined the ancient democracies was that they ruled, as you do, by occasional decrees, *psephismata.* This practice soon broke in on the tenor and consistency of the laws; it lessened the people's respect for them; and in the end it destroyed them altogether.[44]

To vest the power of remonstrance, which under the monarchy belonged to the parliament of Paris, in your principal executive officer, whom, in spite of common sense, you persist in calling king, is the height of absurdity. You ought never to allow remonstrance from the one who is to execute. That is to understand neither counsel nor execution, neither authority nor obedience. The person you call king ought either not to have this power, or to have more.

Your present arrangement is strictly judicial. Instead of imitating your monarchy and seating your judges on a bench of independence, your aim is to reduce them to the blindest obedience. As you have changed everything, you have invented new principles of order. First you appoint judges, who, I suppose, are

43 In 1771 the chancellor Maupeou, with Louis XV's backing, dissolved the parlements and replaced them; Louis XVI restored them in 1774.

44 The parlements had to register royal edicts before they took effect and could address remonstrances to the king against them. *Psephismata* (Greek): decrees voted by the Athenian assembly for the occasion, as distinct from settled laws; Aristotle criticizes rule by them in the *Politics*.

to decide according to law; and then you let them know that at some time or other you intend to give them some law by which they are to decide. Whatever studies [302] they have made (if they have made any) are to be useless to them. But to make up for those studies, they are to be sworn to obey all the rules, orders, and instructions they are to receive from time to time from the National Assembly. If they submit to these, they leave the subject no ground of law to stand on. They become complete and most dangerous instruments in the hands of the governing power, which, in the middle of a case, or with one in prospect, may change the rule of decision entirely. If these orders of the National Assembly turn out to be contrary to the will of the people who locally choose those judges, such confusion must follow as is terrible to think of. For the judges owe their place to the local authority, while the commands they are sworn to obey come from those who have no share in appointing them. Meanwhile they have the example of the court of the *Châtelet* to encourage and guide them in the exercise of their functions. That court is to try criminals sent to it by the National Assembly or brought before it by other channels of accusation. Its judges sit under a guard, to save their own lives. They do not know by what law they judge, under what authority they act, or by what tenure they hold their places. It is thought that they are sometimes obliged to condemn at the peril of their lives.[45] This is perhaps not certain, nor can it be established; but when they acquit, we know, they have seen the persons they discharged hanged at the door of their court, with perfect impunity for those who did it.

The assembly does indeed promise to form a body of law that shall be short, simple, clear, [303] and so forth. That is, by their short laws they will leave much to the discretion of the judge, while they have discredited the authority of all the learning that could make judicial discretion (a perilous thing at best) deserve to be called a *sound* discretion.

45 The Châtelet: the old royal court of Paris, given jurisdiction in 1789 over crimes of "lèse-nation," and tried amid crowd pressure.

It is curious to observe that the administrative bodies are carefully exempted from the jurisdiction of these new tribunals. That is, the persons exempted from the power of the laws are the very ones who ought to be most entirely subject to them. Those who carry out public financial trusts ought, of all men, to be held most strictly to their duty. One would have thought that, unless you meant those administrative bodies to be really sovereign, independent states, one of your earliest cares must have been to form an awe-inspiring tribunal, like your late parliaments or like our King's Bench, where all corporate officers could obtain protection in the lawful exercise of their functions, and would meet with coercion if they transgressed their legal duty. But the reason for the exemption is plain. These administrative bodies are the great instruments of the present leaders in their progress through democracy to oligarchy. They must therefore be put above the law. It will be said that the courts of law you have made are unfit to coerce them. They undoubtedly are.[46] They are unfit for any rational purpose. It will be said too that the administrative bodies will be accountable to the general assembly. This, I fear, is to speak without much consideration of the nature of that assembly [304] or of these corporations. In any case, to be subject to the pleasure of that assembly is not to be subject to law, either for protection or for restraint.

THE ARMY

The army is mutinous, and mixing soldiers with municipal clubs will end in rule by a popular general.

Has more wisdom been shown in the constitution of your army than can be found in your plan of judicature? Arranging this part ably is all the more difficult, and calls for all the more skill and attention. It is a great concern in itself, and it is also the third cementing principle in the new body of republics that you call the French nation. Truly it is not easy to guess what that

46 The Court of King's Bench: the English superior court of common law, with authority over inferior courts and public officers.

army may become in the end. You have voted a very large one, and on good pay, at least fully equal to your apparent means of paying it. But what is the principle of its discipline? Or whom is it to obey? You have got the wolf by the ears, and I wish you joy of the happy position you have chosen to put yourselves in, where you are so well placed for free deliberation about that army, or about anything else.[47]

The minister and secretary of state for the war department is M. de la Tour du Pin. This gentleman, like his colleagues in the administration, is a most zealous champion of the revolution, and an ardent admirer of the new constitution that grew out of it. His statement of facts about the military of France is important,[48] not only because of his official and personal authority, but because it shows very clearly the actual condition of the army in France. It also throws light on the principles by which the assembly proceeds in administering this critical [305] matter. It may help us judge how far it would be wise in this country to imitate the military policy of France.

On the 4th of last June, M. de la Tour du Pin comes to give an account of the state of his department as it exists under the auspices of the National Assembly. No man knows it so well; no man can express it better. Addressing the National Assembly, he says, "His Majesty has *this day* sent me to inform you of the multiplying disorders of which *every day* he receives the most distressing reports. The army (le corps militaire) threatens to fall into the most turbulent anarchy. Entire regiments have dared to violate, all at once, the respect due to the laws, to the King, to the order established by your decrees, and to the oaths they have taken with the most awful solemnity. Duty compels me to inform you of these excesses, and my heart bleeds when I consider who has committed them. Those against whom I cannot hold back the most grievous complaints are part of that very sol-

47 The Latin proverb "to hold a wolf by the ears" (Terence, *Phormio* 506) describes a danger one can neither keep hold of nor safely let go.

48 Jean-Frédéric de La Tour du Pin Gouvernet (1727–1794), minister of war from August 1789 to November 1790.

diery which until this day has been so full of honor and loyalty, and among whom I have lived for fifty years as comrade and friend."

"What incomprehensible spirit of delirium and delusion has suddenly led them astray? While you labor tirelessly to establish uniformity throughout the empire, and to mold the whole into one coherent and consistent body; while you teach the French both the respect that the 306 laws owe to the rights of man and the respect that citizens owe to the laws, the administration of the army presents nothing but disturbance and confusion. I see in more than one corps the bonds of discipline relaxed or broken; the most unheard-of claims declared openly and without any disguise; the ordinances without force; the commanders without authority; the regimental funds and the colors carried off; the authority of the King himself [*can you keep from laughing?*] proudly defied; the officers despised, degraded, threatened, driven away, and some of them prisoners in the midst of their own units, dragging out a precarious life amid disgust and humiliation. To fill up the measure of all these horrors, the commanders of garrison towns have had their throats cut before the eyes, and almost in the arms, of their own soldiers."[49]

"These evils are great; but they are not the worst consequences such military insurrections may produce. Sooner or later they may threaten the nation itself. *The nature of things requires* that the army should never act except as *an instrument.* The moment it sets itself up as a deliberative body and acts on its own resolutions, the *government, whatever it may be, will immediately degenerate into a military democracy*—a kind of political monster that has always ended by devouring those who produced it."

"After all this, who can fail to be alarmed at the irregular consultations and turbulent committees formed in some regiments by the 307 common soldiers and noncommissioned officers, without the knowledge of their superiors, or even in contempt

49 The bracketed interjection is Burke's own: *risum teneatis,* from Horace, *Ars Poetica* 5 ("could you keep from laughing, friends?").

of their authority? And yet the presence and concurrence of those superiors could give no authority to such monstrous democratic assemblies [comices]."

There is no need to add much to this finished picture. It is finished as far as its canvas allows; but, as I take it, it does not take in the whole nature and complexity of the disorders of this military democracy. As the minister of war truly and wisely observes, such a democracy, wherever it exists, must be the true constitution of the state, whatever formal name it goes by. He tells the assembly that the greater part of the army has not thrown off its obedience but is still attached to its duty. Yet travelers who have seen the units with the best conduct observe in them the absence of mutiny rather than the presence of discipline.

I cannot help pausing here for a moment to reflect on the expressions of surprise this minister has let fall about the excesses he relates. To him the troops' departure from their ancient principles of loyalty and honor seems quite inconceivable. Surely those he is addressing know its causes only too well. They know the doctrines they have preached, the decrees they have passed, the practices they have countenanced. The soldiers remember the 6th of October. They remember the French Guards. They have not forgotten the taking of the King's castles in Paris and 308 at Marseilles. That they murdered the governors in both places with impunity has not passed out of their minds.[50] They do not abandon the principles of the equality of men, laid down so ostentatiously and so laboriously. They cannot shut their eyes to the degradation of the whole nobility of France, and the suppression of the very idea of a gentleman. The total abolition of titles and distinctions is not lost on them. Yet Mr. du Pin is astonished at their disloyalty, because the doctors of the assembly have at the same time taught them the respect due to laws. It is easy to judge which of the two kinds of lessons

50 The French Guards went over to the people in July 1789. At the Bastille (July 14, 1789) and at the Marseilles forts (seized April–May 1790) the commanders were killed.

men with arms in their hands are likely to learn. As to the authority of the King, we may gather from the minister himself (if any argument on that point were not quite superfluous) that it counts for no more with these troops than it does with everybody else. "The King," he says, "has repeated his orders over and over again to put a stop to these excesses. But in so terrible a crisis *your* [the assembly's] concurrence has become indispensably necessary to prevent the evils that threaten the state. *You* join to the force of the legislative power *that of opinion,* which is still more important." To be sure, the army can have no opinion of the power or authority of the king. Perhaps the soldier has learned by now that the assembly itself enjoys hardly more liberty than that royal figure.

Let us now see what has been proposed in this emergency, one of the greatest that can befall a state. The minister asks the assembly [309] to array itself in all its terrors and to call forth all its majesty. He wants the grave and severe principles they announce to give vigor to the King's proclamation. After this we should have looked for courts civil and martial; the breaking of some corps, the decimating of others, and all the terrible means that necessity has used in such cases to halt the progress of the most terrible of all evils. In particular, one might expect a serious inquiry into the murder of commandants in full view of their soldiers.[51] Not one word of all this, or of anything like it. After being told that the soldiery trampled on the decrees of the assembly promulgated by the King, the assembly passes new decrees, and authorizes the King to issue new proclamations. After the Secretary at War had stated that the regiments had paid no regard to oaths *taken with the most imposing solemnity*—they propose—what? More oaths. They renew decrees and proclamations as fast as they find them insufficient, and they multiply oaths in proportion as they weaken the sanctions of religion in men's minds.[52] I hope that handy abridgments of the

51 To "break" a regiment was to disband it, and to "decimate" one was to execute every tenth man.

52 Burke quotes La Tour du Pin's French: *prêtés avec la plus imposante solemnité.*

excellent sermons of Voltaire, d'Alembert, Diderot, and Helvétius on the Immortality of the Soul, on a particular superintending Providence, and on a Future State of Rewards and Punishments are sent down to the soldiers along with their civic oaths. Of this I have no doubt. I understand that a certain kind of reading makes up no small part of their military exercises, and that they are fully as well supplied with the ammunition of pamphlets as with cartridges.

310 To prevent the mischiefs arising from conspiracies, irregular consultations, seditious committees, and monstrous democratic assemblies ['comitia, comices'] of the soldiers, and all the disorders arising from idleness, luxury, dissipation, and insubordination, I believe the most astonishing means have been used that ever occurred to men, even among all the inventions of this prolific age. It is no less than this: the King has sent circular letters to all the regiments giving his direct authority and encouragement for the various corps to join the clubs and confederations in the various municipalities, and to mix with them in their feasts and civic entertainments![53] This jolly discipline, it seems, is to soften the ferocity of their minds, to reconcile them to their drinking companions of other descriptions, and to merge particular conspiracies in more general associations[54]. I can readily believe that this remedy would please the soldiers as M. de la Tour du Pin describes them. I can also believe that, however mutinous they are otherwise, they will dutifully submit to *these* royal proclamations. But I should question whether all this civic swearing, clubbing, and feasting would dispose

53 *Comitia* were the popular assemblies of ancient Rome, and *comices* is the French equivalent.

54 BURKE'S NOTE. As His Majesty has recognized in them not a system of particular associations, but a union of the wills of all Frenchmen for liberty and the common prosperity, and so for the maintenance of public order, he has thought it fitting that every regiment should take part in these civic festivals, to multiply contacts and tighten the bonds of union between the citizens and the troops.—In case I should not be believed, I insert the words authorizing the troops to feast with the popular confederacies.

TRANSLATOR'S NOTE. Burke gives in French the passage from the King's circular letter to the regiments, and it is translated here.

them to obey their officers any more than they are disposed to now, [311] or teach them better to submit to the austere rules of military discipline. It will make them admirable citizens in the French manner, but not quite such good soldiers in any manner. A doubt might well arise whether the conversation at these good tables would fit them a great deal better for the character of *mere instruments,* which, as this veteran officer and statesman justly observes, the nature of things always requires an army to be.

This improvement in discipline is to come through the free conversation of the soldiers with the festive municipal societies, which royal authority and sanction thus officially encourage. We may judge how likely it is from the state of the municipalities themselves, as the war minister describes it to us in this very speech. From the good disposition of certain regiments he conceives good hopes that his efforts to restore order will succeed *for the present*; but he finds the future somewhat cloudy. As to preventing the return of confusion, "for this, the administration (he says) cannot be answerable to you, as long as they see the municipalities claiming for themselves an authority over the troops which your institutions have reserved wholly to the monarch. You have fixed the limits of the military authority and the municipal authority. You have limited the action you permitted the latter over the former to the right of requisition. But never did the letter or the spirit of your decrees authorize the commons in these municipalities to cashier the officers, to try [312] them, to give orders to the soldiers, to drive them from the posts entrusted to their guard, to stop them on marches ordered by the King, or, in a word, to enslave the troops to the whim of each of the cities, or even market towns, through which they are to pass."

Such is the character and disposition of the municipal society that is to reclaim the soldiery, bring them back to the true principles of military subordination, and make them machines in the hands of the supreme power of the country! Such are the distempers of the French troops! Such is their cure! As the army is, so is the navy. The municipalities override the orders of the

assembly, and the sailors in their turn override the orders of the municipalities. From my heart I pity the plight of a respectable public servant like this war minister. In his old age he is obliged to pledge the assembly in their civic cups, and to enter with a hoary head into all the fantastic whims of these juvenile politicians. Such schemes are not like proposals coming from a man with fifty years' wear and tear among mankind. They seem rather the kind of thing to be expected from those grand compounders in politics who shorten the road to their degrees in the state, and who have a certain inward fanatical assurance and illumination on all subjects. On the strength of it, one of their doctors has seen fit, with great applause and greater success, to warn the assembly not to listen to old men, or to anyone who prided himself on his experience. I suppose all the ministers of state must qualify, [313] and take this test, wholly abjuring the errors and heresies of experience and observation. Every man has his own taste.[55] But I think that, if I could not attain the wisdom of age, I would at least keep something of its stiff and peremptory dignity. These gentlemen deal in regeneration; but at any price I should hardly yield my rigid fibers to be regenerated by them. Nor would I begin, in my grand climacteric, to squall in their new accents, or to stammer, in my second cradle, the elementary sounds of their barbarous metaphysics. *If they granted me the chance to become a boy again and wail in their cradle, I would firmly refuse!*[56]

The feebleness of any part of the puerile and pedantic system they call a constitution cannot be laid open without revealing the utter insufficiency and mischief of every other part it comes in contact with, or that bears even the remotest relation to it. You cannot propose a remedy for the incompetence of the crown without displaying the debility of the assembly. You cannot deliberate on the confusion in the army of the state without

55 At the English universities a "grand compounder" was a man of means who paid higher fees for his degree. The "test" recalls the oaths of the Test Acts, which required office-holders to abjure certain doctrines.

56 The Latin is adapted from Cicero, *On Old Age* 83. The "grand climacteric" was the sixty-third year, thought a critical point in life, and Burke was then sixty-one.

disclosing the worse disorders of the armed municipalities. The military lays open the civil anarchy, and the civil betrays the military. I wish everybody would carefully read the eloquent speech (for such it is) of M. de la Tour du Pin. He attributes the salvation of the municipalities to the good conduct of some of the troops. These troops are to protect the well-disposed part of those municipalities, which is admitted to be the weakest, from pillage by the worst-disposed, which is the strongest. But the municipalities affect a sovereignty, and [314] will command the very troops they need for their protection. Indeed, they must either command them or court them. The municipalities, by the necessity of their situation and by the republican powers they have obtained, must stand toward the military as masters, or servants, or confederates, or each in turn; or they must make a jumble of all of these together, as circumstances dictate. What government is there to coerce the army but the municipality, or the municipality but the army? To preserve concord where authority is extinguished, whatever the consequences, the assembly tries to cure the diseases by the diseases themselves; and they hope to save themselves from a purely military democracy by giving it a debauched interest in the municipal one.

If the soldiers once come to mix for any length of time in the municipal clubs, cabals, and confederacies, an elective attraction will draw them to the lowest and most desperate part. Their habits, affections, and sympathies will go with them. The military conspiracies that are to be remedied by civic confederacies; the rebellious municipalities that are to be made obedient by furnishing them with the means of seducing the very armies of the state that are to keep them in order—all these chimeras of a monstrous and portentous policy must aggravate the confusions from which they arose. There must be blood.[57] The want of common judgment shown in the construction of all their kinds of forces, and of all their kinds of civil and judicial authority, will make it flow. Disorders may be quieted at one time and in one

57 "Elective attraction" is a term from the chemistry of the day (elective affinity): the tendency of a substance to combine with one thing in preference to another.

place. [315] They will break out in others, because the evil is radical and intrinsic. All these schemes of mixing mutinous soldiers with seditious citizens must weaken more and more the military bond between soldiers and their officers, as well as add military and mutinous audacity to turbulent artisans and peasants. To secure a real army, the officer should be first and last in the soldier's eye; first and last in his attention, deference, and esteem. There are to be officers, it seems, whose chief qualification must be temper and patience. They are to manage their troops by electioneering arts. They must carry themselves as candidates, not as commanders. But since by such means power may at times fall into their hands, the authority that is to nominate them becomes highly important.

What you may finally do is not clear; nor does it matter much, so long as the strange and contradictory relation between your army and all the parts of your republic, as well as the tangled relation of those parts to each other and to the whole, remain as they are. You seem to have given the provisional nomination of officers, in the first instance, to the king, subject to approval by the National Assembly. Men with an interest to pursue are extremely shrewd at discovering the true seat of power. They must soon see that those who can veto indefinitely in reality appoint. The officers must therefore look to intrigue in that assembly as the only sure road to promotion. Still, under your new constitution they must begin their solicitation [316] at court. This double negotiation for military rank seems to me a contrivance as well suited, as if it had been designed for no other end, to promote faction in the assembly itself over this vast military patronage; and then to poison the corps of officers with factions of a kind still more dangerous to the safety of government, on whatever foundation it may be placed, and destructive in the end to the efficiency of the army itself. Those officers who lose the promotions the crown intended for them must join a faction opposed to the assembly that rejected their claims, and must nourish discontent against the ruling powers in the heart of the army. Those officers, on the other hand, who carry their point

through influence in the assembly, and feel themselves at best only second in the goodwill of the crown though first in that of the assembly, must slight an authority that would not advance their promotion and could not retard it. If, to avoid these evils, you will have no rule for command or promotion other than seniority, you will have an army of formality; at the same time it will become more independent, and more of a military republic. Not they but the king is the machine. A king is not to be deposed by halves. If he is not everything in the command of an army, he is nothing. What is the effect of a power placed nominally at the head of the army, who is to that army an object neither of gratitude nor of fear? Such a cipher is not fit to administer the most delicate of all things, the supreme command of [317] military men. They must be held in check (and their inclinations lead them toward what their necessities require) by a real, vigorous, effective, decided, personal authority. The authority of the assembly itself suffers by passing through so debilitating a channel as the one they have chosen. The army will not long look to an assembly acting through an organ of false show and palpable imposture. They will not seriously obey a prisoner. They will either despise a pageant or pity a captive king. This relation of your army to the crown will, if I am not greatly mistaken, become a serious dilemma in your politics.

It must also be considered whether an assembly like yours, even supposing it possessed another sort of organ through which its orders were to pass, is fit to promote obedience and discipline in an army. It is well known that armies have so far yielded a very precarious and uncertain obedience to any senate or popular authority; and they will yield it least of all to an assembly that is to last only two years. The officers must entirely lose the characteristic temper of military men if they look on with perfect submission and due admiration at the dominion of pleaders; especially when they find that they must pay court anew to an endless succession of those pleaders, whose military policy and genius for command (if they should have any) must be as uncertain as their tenure is brief. With one kind of author-

ity weak and every kind fluctuating, the officers of an army will [318] remain for some time mutinous and full of faction, until some popular general, who understands the art of winning over the soldiery and possesses the true spirit of command, draws all eyes upon himself. Armies will obey him for his own sake. There is no other way of securing military obedience in this state of things. But the moment that happens, the man who really commands the army is your master; the master (that is a small thing) of your king, the master of your assembly, the master of your whole republic.

How did the assembly come by its present power over the army? Chiefly, of course, by debauching the soldiers from their officers. They have begun with a most terrible operation. They have touched the central point around which the particles that compose armies are at rest. They have destroyed the principle of obedience in the great, essential, critical link between officer and soldier, just where the chain of military subordination begins, and on which that whole system depends. The soldier is told that he is a citizen and has the rights of man and citizen. The right of a man, he is told, is to be his own governor, and to be ruled only by those to whom he delegates that self-government. It is very natural for him to think that he ought most of all to have his choice where he is to yield the greatest degree of obedience. He will therefore, in all probability, do systematically what he now does occasionally; that is, he will exercise at least a veto in the choice of his officers. At present the [319] officers are known to hold their posts at best only on sufferance and during good behavior. In fact, there have been many instances of their being cashiered by their own corps. Here is a second veto on the choice of the king—at least as effectual as the assembly's. The soldiers already know that it has been raised as a question, and not ill received in the National Assembly, whether they ought not to have the direct choice of their officers, or of some proportion of them. When such matters are under deliberation, it is no extravagant supposition that they will lean toward the opinion most favorable to their claims. They will not bear to be

thought the army of an imprisoned king, while another army in the same country, with which they are moreover to feast and confederate, is to be regarded as the free army of a free constitution. They will cast their eyes on that other and more permanent army—I mean the municipal one. That corps, they know well, does actually elect its own officers.[58] They may well be unable to discern the grounds of distinction on which they are not to elect a Marquis de la Fayette (or whatever his new name is) of their own. If this election of a commander in chief is part of the rights of men, why not of theirs? They see elective justices of the peace, elective judges, elective curates, elective bishops, elective municipalities, and elective commanders of the Parisian army.[59] Why should they alone be excluded? Are the brave troops of France the only men in that nation who are not fit judges of military merit and of the qualifications needed in a commander in chief? Are they paid by the state, 320 and do they therefore lose the rights of men? They are themselves a part of that nation, and contribute to that pay. And is not the king paid, is not the National Assembly, and are not all who elect the National Assembly? Instead of seeing all these forfeit their rights by receiving a salary, they perceive that in every one of these cases a salary is given for the exercise of those rights. All your resolutions, all your proceedings, all your debates, all the works of your doctors in religion and politics, have been diligently put into their hands; and you expect them to apply to their own case just as much of your doctrines and examples as suits your pleasure.

Everything depends on the army in a government such as yours; for you have diligently destroyed all the opinions and prejudices, and, as far as lay in your power, all the instincts, that support government. Therefore, the moment any difference arises between your National Assembly and any part of the

58 The "municipal" army is the National Guard, the citizen militia formed in 1789, which elected its own officers.

59 Lafayette commanded the Paris National Guard. The Assembly abolished titles of nobility in June 1790, so the marquis was officially reduced to his family name, Motier.

nation, you must resort to force. Nothing else is left to you; or rather, you have left nothing else to yourselves. You see from the report of your war minister that the army is distributed largely with a view to internal coercion[60]. You must rule by an army; and you have instilled into that army by which you rule, as into the whole body of the nation, principles that after a time must disable you from the use you resolve to make of it. 321 The king is to call out troops to act against his people, when the world has been told—and the assertion is still ringing in our ears—that troops ought not to fire on citizens. The colonies claim for themselves an independent constitution and free trade. They must be coerced by troops.[61] In what chapter of your code of the rights of men can they read that it is part of the rights of men to have their commerce monopolized and restricted for the benefit of others? As the colonists rise against you, the enslaved Africans rise against them. Troops again—massacre, torture, hanging! These are your rights of men! These are the fruits of metaphysical declarations wantonly made and shamefully retracted! Only the other day the farmers of land in one of your provinces refused to pay certain kinds of rent to the lord of the soil.[62] In consequence you decree that the country people shall pay all rents and dues except those you have abolished as grievances; and if they refuse, you order the king to march troops against them. You lay down metaphysical propositions that carry universal consequences, and then you try to limit logic by despotism. The leaders of the present system tell them of their rights, as men, to take fortresses, to murder guards, to seize kings without the slightest appearance of authority even from the

60 BURKE'S NOTE. Courier François, July 30, 1790. Assemblée Nationale, No. 210. TRANSLATOR'S NOTE. The Courier François was a Paris newspaper that reported the proceedings of the National Assembly.

61 The French Caribbean colonies, above all Saint-Domingue (Haiti), where colonial assemblies in 1790 claimed self-government and freedom from the trade monopoly of the mother country.

62 Burke refers to the unrest in the French Caribbean in 1790; the great slave insurrection in Saint-Domingue, which began the Haitian Revolution, broke out in August 1791.

assembly, while that assembly, as the sovereign legislative body, was sitting in the name of the nation—and yet these leaders presume to order out the troops that took part in these very disorders, to coerce those who shall judge on the [322] principles, and follow the examples, that have been guaranteed by their own approval.

The leaders teach the people to abhor and reject all feudalism as the barbarism of tyranny, and then they tell them how much of that barbarous tyranny they are to bear with patience. They are lavish with light about grievances, and the people find them sparing in the extreme about redress. The people know that certain quit-rents and personal duties, which you have permitted them to redeem (but have furnished no money for the redemption), are as nothing compared with those burdens for which you have made no provision at all.[63] They know that almost the whole system of landed property is feudal in its origin; that it is the distribution of the possessions of the original proprietors, made by a barbarous conqueror to his barbarous instruments; and that the most grievous effects of the conquest are the land rents of every kind, as without question they are.

The peasants are in all probability the descendants of those ancient proprietors, Romans or Gauls. But if they fall short at all in the titles they make out on the principles of antiquaries and lawyers, they retreat into the citadel of the rights of men. There they find that men are equal, and that the earth, the kind and equal mother of all, ought not to be monopolized to feed the pride and luxury of any men who by nature are no better than themselves, and who, if they do not labor for their bread, are worse. They find that by the laws of nature the occupier and subduer of the soil is the true proprietor; that there [323] is no prescription against nature; that the agreements (where there are any) made with their landlords during the time of slavery are only the effect of duress and force; and that when the people reentered into the rights of men, those agreements were made as void as everything else that had been settled while the old

63 Quit-rents: small fixed rents paid in place of feudal services.

feudal and aristocratic tyranny prevailed. They will tell you that they see no difference between an idler with a hat and a national cockade and an idler in a cowl or in a rochet.[64] If you ground the title to rents on succession and prescription, they answer you from the speech of Mr. *Camus,* published by the National Assembly for their instruction: that things badly begun cannot claim the benefit of prescription; that the title of these lords was vicious in its origin; and that force is at least as bad as fraud. As to title by succession, they will tell you that the succession of those who have cultivated the soil is the true pedigree of property, not rotten parchments and silly substitutions; that the lords have enjoyed their usurpation too long; and that if the peasants allow these lay monks any charitable pension, they ought to be thankful for the bounty of the true proprietor, who is so generous toward a false claimant to his goods.[65]

When the peasants hand you back that coin of sophistical reason on which you have stamped your own image and superscription, you cry it down as base money, and tell them that from now on you will pay in French guards, dragoons, and hussars. To chastise them you hold up the secondhand authority of a king [324] who is only an instrument of destruction, without any power to protect either the people or his own person. Through him, it seems, you will make yourselves obeyed. They answer: You have taught us that there are no gentlemen; and which of your principles teaches us to bow to kings whom we have not elected?[66] We know, without your teaching, that lands were given for the support of feudal dignities, feudal titles, and feudal offices. When you took away the cause as a grievance, why should the more grievous effect remain? Since there are now no hereditary honors and no distinguished families, why are we taxed to maintain what you tell us ought not to exist? You have

64 The national cockade was the revolutionary tricolor badge; a cowl is a monk's hood, a rochet a bishop's vestment.

65 Substitutions: the French legal device for entailing an estate on a fixed line of heirs.

66 "Image and superscription": an echo of Christ's words on the tribute coin (Matthew 22:20).

sent our old aristocratic landlords back to us in no other character, and with no other title, than that of exactors under your authority. Have you tried to make these rent-collectors of yours respectable to us? No. You have sent them to us with their arms reversed, their shields broken, their devices defaced; so stripped of their plumes, so degraded and transformed, such unfeathered two-legged things, that we no longer know them. They are strangers to us. They do not even go by the names of our ancient lords. Physically they may be the same men—though on your new philosophical doctrines of personal identity we are not quite sure even of that. In every other respect they are totally changed. We do not see why we have not as good a right to refuse them their rents as you have to abolish all their honors, titles, and distinctions.[67] This we never commissioned you to do; and it is one instance, among many indeed, of your assumption of undelegated power. 325 We see the burghers of Paris, through their clubs, their mobs, and their national guards, directing you as they please, and giving you as law what is passed on to us as law under your authority. Through you, these burghers dispose of the lives and fortunes of us all. Why should you not attend as much to the wishes of the hardworking farmer about our rent, which affects us in the most serious way, as you do to the demands of these insolent burghers about distinctions and titles of honor, which affect neither them nor us at all? But we find you pay more regard to their fancies than to our necessities. Is it among the rights of man to pay tribute to his equals? Before this measure of yours, we might have thought we were not perfectly equal. We might have kept some old, habitual, meaningless partiality for those landlords; but we cannot imagine with what purpose, other than destroying all respect for them, you could have made the law that degrades them. You have forbidden us to treat them with any of the old forms of respect, and now you send troops to saber and bayonet

67 "Unfeathered two-legged things" recalls the old definition of man, attributed to Plato, as a featherless biped.

us into a submission to fear and force, which you would not let us yield to the mild authority of opinion.

The ground of some of these arguments is horrid and ridiculous to all rational ears; but to the politicians of metaphysics, who have opened schools for sophistry and founded establishments for anarchy, it is solid and conclusive. It is obvious that, on a mere consideration of [326] the right, the leaders in the Assembly would not have had the slightest scruple about abolishing the rents along with the titles and family insignia. It would only be following through the principle of their reasoning and completing the analogy of their conduct. But they had just taken possession of a great body of landed property by confiscation. They had this commodity on the market; and the market would have been wholly destroyed if they let the farmers run riot in the speculations with which they had so freely intoxicated themselves. The only security that property of any one kind enjoys comes from the interest their rapacity has in some other kind. They have left nothing but their own arbitrary pleasure to decide what property is to be protected and what overthrown. Nor have they left any principle by which any of their municipalities can be bound to obedience, or even obliged in conscience not to separate from the whole, become independent, or attach itself to some other state. The people of Lyon, it seems, have lately refused to pay taxes. Why should they not? What lawful authority is left to exact them? The king imposed some of them. The old states, organized by orders, settled the more ancient ones. They may say to the Assembly: Who are you, who are not our kings, nor the states we elected, nor sitting on the principles on which we elected you? And who are we, that when we see the gabelles you ordered to be paid wholly thrown off, and that act of disobedience afterward ratified by yourselves —who are we, that we are [327] not to judge what taxes we ought or ought not to pay, and are not to make use of the same powers whose validity you have approved in others? To this the answer is: We will send troops. The last argument of kings is always the first with your Assembly. This military aid may serve for a time,

while the impression of their raise in pay lasts and their vanity at being umpires in every dispute is flattered.[68] But this weapon will snap short, faithless to the hand that wields it. The Assembly keeps a school where, systematically and with unremitting perseverance, they teach principles and frame regulations destructive of all spirit of subordination, civil and military —and then they expect to hold an anarchic people in obedience by an anarchic army.

The municipal army, which under their new policy is to balance this national army, is, considered in itself alone, of a much simpler constitution and in every respect less objectionable. It is a purely democratic body, unconnected with the crown or the kingdom; armed, trained, and officered at the pleasure of the districts to which its several corps belong; and the personal service of the individuals who compose it, or the fine paid in lieu of personal service, is directed by the same authority[69]. Nothing is more uniform. If, however, it is considered in any relation to the crown, to [328] the National Assembly, to the public courts, or to the other army, or with a view to any coherence or connection among its parts, it looks like a monster, and can hardly fail to end its confused movements in some great national calamity. It is a worse safeguard of a general constitution than the systasis of Crete, or the confederation of Poland, or any other ill-devised corrective yet imagined in the necessities produced by a badly constructed system of government.[70]

68 The gabelle was the hated salt tax. "The last argument of kings" translates *ultima ratio regum*, the motto Louis XIV had cast on his cannon.

69 BURKE'S NOTE. I see from Mr. Necker's account that the national guards of Paris have received, over and above the money raised within their own city, about £145,000 sterling from the public treasury. Whether this is an actual payment for the nine months of their existence, or an estimate of their yearly cost, I cannot clearly make out. It is of no great importance, since they can certainly take whatever they please.

70 Aristotle (*Politics* II) describes the Cretan *systasis*, factions combining to depose the magistrates; Polish "confederations" were armed leagues of nobles lawfully formed to resist the king.

THE FINANCES

The Assembly has lost a third of the revenue and relies on gifts, confiscation, and ever more assignats.

Having concluded my few remarks on the constitution of the supreme power, the executive, the judiciary, and the military, and on the mutual relation of all these establishments, I shall say something about the ability your legislators have shown with regard to the revenue.

In their proceedings on this subject, still fewer traces, if possible, appear of political judgment or financial resource. When the states met, the great object seemed to be to improve the system of revenue, to widen its collection, to cleanse it of oppression and vexation, and to set it on the most solid footing. Great were the expectations on that score throughout Europe. It was by this grand arrangement that France was to stand or fall; and this became, very properly in my opinion, the test by which the skill and patriotism of those who ruled in that assembly would be tried. The revenue of the state is the state. [329] In effect everything depends on it, whether for support or for reform. The dignity of every occupation depends wholly on the quantity and the kind of virtue that can be exercised in it. All the great qualities of mind that operate in public, and are not merely suffering and passive, require force for their display—I had almost said for their unequivocal existence; and so the revenue, which is the spring of all power, becomes in its administration the sphere of every active virtue. Public virtue, being by nature magnificent and splendid, instituted for great things and occupied with great concerns, needs abundant scope and room; it cannot spread and grow under confinement, in circumstances straitened, narrow, and sordid. Only through the revenue can the body politic act in its true genius and character; and so it will display just as much of its collective virtue, and as much of the virtue that may characterize those who move it and are, as it were, its life and guiding principle, as it possesses of a just rev-

enue. For from this source not only magnanimity, liberality, beneficence, fortitude, foresight, and the guardian protection of all the good arts draw their food and the growth of their organs; but continence, self-denial, labor, vigilance, frugality, and whatever else shows the mind rising above the appetite, are nowhere more in their proper element than in the raising and distribution of the public wealth. It is not without reason, then, that the science of finance, speculative and practical, which must call to its aid so many auxiliary branches of knowledge, stands high in the esteem not only of [330] ordinary people but of the wisest and best men; and as this science has grown with the progress of its object, the prosperity and improvement of nations have generally increased with the increase of their revenues; and both will continue to grow and flourish as long as what is left to strengthen the efforts of individuals and what is collected for the common efforts of the state stand in a due proportion to each other, and are kept in close correspondence and communication. And perhaps it is owing to the greatness of revenues, and to the urgency of the state's necessities, that old abuses in the constitution of finances are discovered, and that their true nature and rational theory come to be more perfectly understood; so much so that a smaller revenue might have been more distressing in one period than a far greater one proves to be in another, even with proportionate wealth remaining the same. In this state of things, the French Assembly found something in their revenues to preserve, to secure, and to administer wisely, as well as something to abolish and alter. Though their proud pretensions might justify the severest tests, in judging their abilities by their financial proceedings I would consider only the plain, obvious duty of an ordinary finance minister, and test them by that, not by models of ideal perfection.

A financier's objects, then, are these: to secure an ample revenue; to impose it with judgment and equality; to spend it economically; and, when necessity forces him to use credit, to secure its foundations in that instance and forever, [331] by the clearness and candor of his proceedings, the exactness of his

calculations, and the solidity of his funds. Under these heads we may take a short and distinct look at the merits and abilities of those in the National Assembly who have taken on themselves the management of this arduous business. Far from any increase of revenue in their hands, I find, from a report by M. Vernier of the finance committee, dated the second of August last, that the national revenue, compared with what it yielded before the revolution, had fallen by two hundred million, or *eight million sterling*, of annual income: considerably more than a third of the whole![71]

If this is the result of great ability, surely ability was never displayed in a more distinguished manner, or with so powerful an effect. No common folly, no vulgar incapacity, no ordinary official negligence, not even official crime, no corruption, no embezzlement, hardly any open hostility we have seen in the modern world, could in so short a time have so completely overthrown the finances, and with them the strength, of a great kingdom.—*Tell me, how did you lose so great a state of yours so quickly?*[72]

As soon as the assembly met, the sophists and declaimers began by decrying the ancient constitution of the revenue in many of its most essential branches, such as the public monopoly of salt. They charged it, truly but unwisely, with being ill-contrived, oppressive, and partial. They were not content to use this charge in speeches leading up to some 332 plan of reform; they declared it in a solemn resolution, a public sentence passed on the tax as if by a court, and they circulated it throughout the nation. In the same decree, and with the same gravity, they ordered this very absurd, oppressive, and partial tax to be paid until they could find a revenue to replace it. The consequence was inevitable. The provinces that had always been exempt from the salt monopoly, some of which paid other contributions, perhaps equivalent, were wholly unwilling to bear any part of the burden that an equal distribution would lift from the

71 Théodore Vernier, a deputy to the National Assembly who reported on the state of the finances in August 1790.

72 A line of the Roman poet Naevius, quoted in Cicero, *On Old Age* 20.

others. As for the assembly, busy as it was with declaring and violating the rights of men, and with its arrangements for general confusion, it had neither the leisure nor the capacity to devise, nor the authority to enforce, any plan of any kind for replacing the tax or equalizing it, or compensating the provinces, or bringing them round to some accommodation with the other districts that were to be relieved.

The people of the salt provinces, chafing under taxes condemned by the very authority that ordered them paid, soon found their patience exhausted. They thought themselves as skillful at demolishing as the assembly could be. They relieved themselves by throwing off the whole burden. Encouraged by this example, each district, or part of a district, judging its own grievance by its own feeling and its remedy by its own opinion, did as it pleased with the other taxes.

[333] We are next to see how they have managed in devising equal taxes, proportioned to the means of the citizens and least likely to weigh heavily on the active capital employed in generating the private wealth from which the public fortune must be drawn. By allowing the several districts, and several individuals in each district, to decide which part of the old revenue they might withhold, they introduced, in place of better principles of equality, a new inequality of the most oppressive kind. Payment depended on inclination. The parts of the kingdom that were most submissive, most orderly, or most attached to the commonwealth bore the whole burden of the state. Nothing turns out to be so oppressive and unjust as a feeble government. To make up all the shortfalls in the old taxes, and the new shortfalls of every kind that were to be expected, what was left to a state without authority? The National Assembly called for a voluntary benevolence: a fourth part of every citizen's income, to be assessed on the honor of those who were to pay. They got something more than could rationally have been reckoned on, but what was very far indeed from meeting their real needs, and

still further from their fond expectations.[73] Rational people could have hoped for little from this tax of theirs disguised as a benevolence: a tax weak, ineffective, and unequal; a tax that screened luxury, avarice, and selfishness, and threw the load on productive capital, on integrity, generosity, and public spirit—a tax 334 levied by rule upon virtue. At last the mask is thrown off, and they are now trying (with little success) to exact their benevolence by force.

This benevolence, the rickety offspring of weakness, was to be propped up by another resource, the twin brother of the same prolific imbecility. The patriotic donations were to make good the failure of the patriotic contribution. John Doe was to stand surety for Richard Roe. By this scheme they took things of great price from the giver that were of comparatively little value to the receiver; they ruined several trades; they stripped the crown of its ornaments, the churches of their plate, and the people of their personal jewelry. The invention of these juvenile pretenders to liberty was in reality nothing more than a servile imitation of one of the poorest resources of doting despotism.[74] They took a huge old full-bottomed wig out of the wardrobe of Louis XIV's antiquated cast-offs to cover the premature baldness of the National Assembly. They brought out this old-fashioned formal folly although it had been so amply exposed in the Memoirs of the Duke de Saint-Simon, if reasonable men had needed any arguments to show its mischief and insufficiency. A device of the same kind was tried within my memory by Louis XV, but it never answered. Still, the necessities of ruinous wars were some excuse for desperate projects. The deliberations of calamity are rarely wise. But here was a season for orderly planning and foresight.[75] It was in a time of profound 335 peace, already enjoyed for five years and promising to last much longer, that

73 A "benevolence" was a supposedly voluntary gift to the sovereign, in practice a disguised tax. This was the *contribution patriotique* of October 1789.

74 John Doe and Richard Roe were fictitious names used in English legal proceedings: one nobody vouching for another.

75 Saint-Simon's memoirs of Louis XIV's court describe the king's melting down of plate and appeals for gifts during his wars.

they resorted to this desperate trifling. They were sure to lose more reputation by playing, in their serious situation, with these toys and playthings of finance, which have filled half their journals, than could possibly be made up by the poor temporary supply they yielded. It seemed as if those who adopted such projects were wholly ignorant of their circumstances, or wholly unequal to their needs. Whatever virtue there may be in these devices, it is obvious that neither the patriotic gifts nor the patriotic contribution can ever be resorted to again. The resources of public folly are soon exhausted. Indeed, their whole scheme of revenue is to make, by any artifice, a show of a full reservoir for the hour, while at the same time they cut off the springs and living fountains of perennial supply. The account recently given by Mr. Necker was meant, no doubt, to be favorable. He gives a flattering view of the means of getting through the year; but he expresses, as is natural, some apprehension about the year to follow. On this last forecast, instead of going into the grounds of his apprehension, so as to prevent the forecast evil by proper foresight, Mr. Necker receives a sort of friendly reprimand from the president of the assembly.

As for their other schemes of taxation, nothing can be said of them with certainty, because they have not yet come into operation; but nobody [336] is so sanguine as to imagine they will fill any perceptible part of the wide gaping breach their incapacity has made in their revenues. At present their treasury sinks every day further in cash and swells every day further in fictitious representations of it. When so little is now found within or without but paper—the representative not of wealth but of want, the creature not of credit but of power—they imagine that our flourishing state in England is owing to our bank paper, and not the bank paper to the flourishing condition of our commerce, to the solidity of our credit, and to the total exclusion of any idea of power from every part of the transaction. They forget that in England not one shilling of paper money of any kind is accepted except by choice; that the whole of it originated in cash actually deposited; and that it can be turned back into cash at will, in an

instant, and without the smallest loss. Our paper has value in commerce because in law it has none. It is powerful on the Exchange because in Westminster Hall it is impotent. In payment of a debt of twenty shillings a creditor may refuse all the paper of the Bank of England. Nor is there among us a single public security, of any quality or nature whatsoever, that is enforced by authority. In fact it could easily be shown that our paper wealth, instead of lessening the real coin, tends to increase it; that instead of being a substitute for money, it only eases its entry, its exit, and its circulation; that it is the symbol of prosperity, not the badge of distress.[76] Never in this nation has there been complaint of a scarcity of cash and a glut of paper.

337 Well! but the cutting of prodigal expenses, and the economy introduced by the virtuous and sapient assembly, make up for the losses in revenue. In this at least they have done a financier's duty. Have those who say so looked at the expenses of the National Assembly itself, of the municipalities, of the city of Paris, of the increased pay of the two armies, of the new civil administration, of the new courts? Have they even carefully compared the present pension list with the former one? These politicians have been cruel, not economical.[77] Comparing the expenses of the former prodigal government, in relation to its revenues at the time, with the expenses of this new system set against the state of its new treasury, I believe the present will be found beyond all comparison more costly.

It remains only to consider the proofs of financial ability furnished by the present French managers when they have to raise supplies on credit. Here I am somewhat at a loss; for credit, properly speaking, they have none. The credit of the ancient government was not, indeed, the best; but it could always command money on some terms, not only at home but from most of the countries of Europe where surplus capital had accumulated;

76 Westminster Hall housed the chief English law courts. Bank of England notes were not legal tender in 1790.

77 The "two armies" are the regular army and the new National Guard.

and the credit of that government was improving daily. The establishment of a system of liberty would naturally be supposed to give it new strength; and so it actually would have done, if a system of liberty had been established. What offers has their government of pretended liberty had from Holland, from Hamburg, from Switzerland, from [338] Genoa, from England, to deal in their paper? Why should these nations of commerce and economy enter into any money dealings with a people who try to reverse the very nature of things; among whom they see the debtor prescribing to the creditor, at bayonet point, the medium in which he will pay; discharging one of his obligations with another; turning his very poverty into his resource; and paying his interest with his rags?

Their fanatical confidence in the omnipotence of church plunder has led these philosophers to neglect all care of the public estate, just as the dream of the philosopher's stone leads dupes, under the more plausible delusion of the hermetic art, to neglect every rational means of improving their fortunes. With these philosophic financiers, this universal medicine made of church mummy is to cure all the ills of the state. These gentlemen perhaps do not believe much in the miracles of piety; but there is no question that they have an unwavering faith in the prodigies of sacrilege.[78] Is there a debt pressing on them?—Issue *assignats.*—Are compensations to be paid, or a maintenance decreed, to those they have robbed of their freehold in their offices or expelled from their professions?—*Assignats.* Is a fleet to be fitted out?—*Assignats.* If sixteen million sterling of these *assignats,* forced on the people, leave the wants of the state as urgent as ever—issue, says one, thirty million sterling in *assignats*—says another, issue eighty million more in *assignats.* The only difference among their financial factions is over the greater or lesser quantity of *assignats* to be imposed on the public's endurance. [339] They are all professors of *assignats.* Even those whose natural good sense and knowledge of commerce, not yet erased by

78 The hermetic art is alchemy. Powdered "mummy" from embalmed bodies was long sold as a drug.

philosophy, supply decisive arguments against this delusion end their arguments by proposing an issue of *assignats.* I suppose they must talk of *assignats,* since no other language would be understood. No amount of experience of their failure discourages them in the least. Are the old *assignats* depreciated on the market? What is the remedy? Issue new *assignats.—But if the malady, obstinate, will not get itself cured, what to do for it? Assignare—then assignare;*[79] *and after that assignare.* The word is slightly altered. The Latin of your present doctors may be better than that of your old comedy; their wisdom and the variety of their resources are the same. They have no more notes in their song than the cuckoo; though, far from the softness of that harbinger of summer and plenty, their voice is as harsh and as ominous as the raven's.

Who but the most desperate adventurers in philosophy and finance could ever have thought of destroying the settled revenue of the state, the sole security for public credit, in the hope of rebuilding it out of the materials of confiscated property? If, however, an excessive zeal for the state should have led a pious and venerable prelate (by anticipation a father of the church[80]) to pillage his own order, and, for the good of the church and the people, to take on himself the post of grand financier of confiscation and controller general of sacrilege, then he and his coadjutors were, in my opinion, bound to show, [340] by their later conduct, that they knew something of the office they had assumed. Once they had resolved to appropriate to the *Fisc* a certain portion of the landed property of their conquered country, it was their business to make their bank a real fund of credit, so far as such a bank was capable of becoming one.[81]

79 Burke parodies the mock-Latin degree ceremony in Molière's *Le Malade imaginaire* (1673), where the candidate answers every case with "Clysterium donare, postea seignare, ensuitta purgare" ("give an enema, then bleed, then purge").

80 BURKE'S NOTE. La Bruyère of Bossuet.

TRANSLATOR'S NOTE. Jean de La Bruyère said of the great preacher Bishop Bossuet that posterity would count him a Father of the Church. Burke turns the compliment ironically on Talleyrand.

81 *Fisc*: the public treasury.

To establish a current circulating credit on any *Land-bank,* under any circumstances whatever, has so far proved difficult at the very least. The attempt has usually ended in bankruptcy. But when the assembly had been led, through contempt of moral principles, into defiance of economic ones, one might at least have expected them to leave nothing undone to lessen this difficulty and to prevent any aggravation of this bankruptcy. One might have expected that, to make your *Land-bank* tolerable, every means would be adopted that could display openness and candor in the statement of the security—everything that could aid the recovery of the claim.[82] To take things in their most favorable light, your condition was that of a man with a large landed estate, which he wished to sell off to discharge a debt and to provide for certain services. Not being able to sell at once, you wished to mortgage. What would a man of fair intentions and ordinarily clear understanding do in such circumstances? Ought he not first to ascertain the gross value of the estate; the costs of its management and disposal; the encumbrances of every kind, permanent and temporary, that affect it; and then, striking a net surplus, to calculate the true value of the security? When that surplus (the only security to [341] the creditor) had been clearly ascertained and properly vested in the hands of trustees, he would then indicate the parcels to be sold, and the time and conditions of sale. After this he would allow the public creditor, if he chose, to subscribe his stock into this new fund; or he might receive proposals for an *assignat* from those who would advance money to buy this kind of security.

This would be to proceed like men of business, methodically and rationally, and on the only principles of public and private credit that exist. The dealer would then know exactly what he was buying. The only doubt that could hang over his mind would be the dread that the spoil might one day be taken back (perhaps with punishment added) from the sacrilegious grip of

82 A land bank issued paper money secured on land. The English Land Bank of 1696 was a notorious failure.

those execrable wretches who could bring themselves to buy at the auction of their innocent fellow citizens.

An open and exact statement of the clear value of the property, and of the time, the circumstances, and the place of sale, was necessary on every count, to efface as far as possible the stigma that has so far been branded on every kind of Land-bank. It became necessary on another principle too: a pledge of faith had already been given on that subject, and their future fidelity in a slippery business could be established only by their keeping to their first engagement. When they had finally settled on a state resource drawn from church booty, they came, on April 14, 1790, to a solemn resolution on the subject. They pledged themselves to their country "that in the statement of the public charges for each year there should be brought to [342] account a sum sufficient to defray the expenses of the Roman Catholic Apostolic[83] religion, the support of the ministers at the altars, the relief of the poor, and the pensions to the clergy, secular as well as regular, of either sex, *in order that the estates and goods which are at the disposal of the nation may be freed of all charges, and employed by the representatives, or the legislative body, for the great and most pressing needs of the state.*" On the same day they further undertook that the sum needed for the year 1791 should be determined at once.

In this resolution they admit that it is their duty to show distinctly the cost of the objects above, which by earlier resolutions they had already undertaken should come first in the order of provision. They admit that they ought to show the estate clear and freed of all charges, and that they should show it immediately. Have they done this immediately, or at any time? Have they ever furnished a rent roll of the immovable estates, or handed in an inventory of the movable effects, which they confiscate to back their assignats? How they can fulfill their engagement to hold out for public service "an estate disengaged of all charges" without verifying the value of the estate or the amount

83 Burke abbreviates "R. C. A.," for the Assembly's "religion catholique, apostolique et romaine."

of the charges, I leave it to their English admirers to explain. Immediately upon this assurance, and before taking a single step toward making it good, they issue sixteen million sterling of their paper on the credit of so handsome a declaration. This was manly. Who, after this masterly stroke, can doubt their abilities in finance? But then, before any further issue of [343] these financial *indulgences,* they at least took care to make good their original promise. If any such estimate, either of the value of the estate or of the amount of the encumbrances, has been made, it has escaped me. I never heard of it. They have, however, done one thing, which is clear in the gross and, as usual, obscure in the detail. On this fund, which was to show a surplus freed of all charges, they have thrown a new charge: the compensation to the whole body of the disbanded judiciary, and for all suppressed offices and estates. I cannot ascertain this charge, but it unquestionably amounts to many French millions.[84] Another of the new charges is an annuity of four hundred and eighty thousand pounds sterling, to be paid in daily payments (if they choose to keep faith) as interest on the first assignats. Have they ever taken the trouble to state fairly the cost of managing the church lands in the hands of the municipalities? They have chosen to commit the charge of the forfeited estates to the care, skill, and diligence of those bodies and of their legion of unknown under-agents, and the bishop of Nancy had so ably pointed out the consequences.[85]

But there is no need to dwell on these obvious heads of encumbrance. Have they drawn up any clear statement of the grand encumbrance of all, I mean the whole of the general and municipal establishments of every sort, and compared it with the regular income from revenue? Every shortfall there becomes a charge on the confiscated estate before the creditor can plant his cabbages on a single acre of church property.

84 Judicial and many other offices under the old regime were bought and owned as property, so abolishing them required compensating their holders.
85 Anne-Louis-Henri de La Fare, bishop of Nancy, a clerical deputy who opposed the sale of church lands.

There is [344] no other prop than this confiscation to keep the whole state from tumbling to the ground. In this situation they have deliberately covered with a thick fog everything they ought to have worked hard to clear. Then, blindfolded themselves, like bulls that shut their eyes when they charge, they drive their slaves at the point of the bayonet to take their fictions for currency, and to swallow paper pills at thirty-four million sterling a dose. Those slaves, indeed, are blindfolded no worse than their lords. Then they proudly lay claim to future credit, after the failure of all their past engagements. And they do so at a time when (if anything in such a matter can be clear) it is clear that the surplus estates will never answer even the first of their mortgages, I mean that of the four hundred million (or sixteen million sterling) of *assignats.* In this whole procedure I can discern neither the solid sense of plain dealing nor the subtle dexterity of ingenious fraud. The objections raised within the assembly to pulling up the floodgates for this inundation of fraud are unanswered; but they are thoroughly refuted by a hundred thousand financiers in the street. These are the numbers by which the metaphysical arithmeticians compute. These are the grand calculations on which a philosophical public credit is founded in France. They cannot raise supplies; but they can raise mobs. Let them rejoice in the applause of the club at Dundee for their wisdom and patriotism in having thus applied the plunder of the citizens to the service of the state. I hear of no address on this subject from the directors of the Bank of England. Yet their approval would carry a *little* more weight in the scale of credit than that of the club at Dundee.[86] But, to do justice to [345] the club, I believe the gentlemen who compose it to be wiser than they appear. I believe they will be less liberal with their money than with their addresses, and that they would not give a dog-ear of their most rumpled and ragged Scotch paper for twenty of your finest assignats.[87]

86 The Dundee Whig Club sent an address of congratulation to the National Assembly in 1790.

87 Scottish banks issued their own banknotes, including notes of small value.

Early this year the assembly issued paper to the amount of sixteen million sterling. What must be the state to which the assembly has brought your affairs, that the relief afforded by so vast a supply has been barely perceptible? This paper also suffered an almost immediate depreciation of five percent, which in a short time came to about seven. The effect of these assignats on the collection of the revenue is remarkable. Mr. Necker found that the collectors of the revenue, who received in coin, paid the treasury in *assignats.* The collectors made seven percent by thus receiving in money and accounting in depreciated paper. It was not very difficult to foresee that this was inevitable. It was, however, no less embarrassing for that. Mr. Necker was obliged (largely, I believe, in the London market) to buy gold and silver for the mint, at a cost of about twelve thousand pounds above the value of the commodity gained. That minister was of the opinion that, whatever their secret nourishing virtue might be, the state could not live on *assignats* alone; that some real silver was necessary, particularly to satisfy those who had iron in their hands. They were not likely to distinguish themselves by patience once they perceived that an increase of pay held out to them in real money was to be fraudulently [346] drawn back again through depreciated paper. The minister, in this very natural distress, asked the assembly to order the collectors to pay in specie what they had received in specie. It could not escape him that if the treasury paid 3 percent for the use of a currency that came back seven percent worse than when the minister issued it, such a dealing could not very greatly tend to enrich the public. The assembly took no notice of his recommendation. They were in this dilemma. If they continued to receive the assignats, cash must become an alien to their treasury; if the treasury refused those paper *amulets,* or discouraged them in any degree, they must destroy the credit of their sole resource. They seem, then, to have made their choice, and to have given their paper a sort of credit by taking it themselves. At the same time, in their speeches, they made a sort of swaggering declaration that there is no difference in value between

metallic money and their assignats. That was something, I rather think, beyond legislative competence. This was a good, stout, high-proof article of faith, pronounced under an anathema by the venerable fathers of this philosophic synod. Let him *believe it* who will—certainly not *the Jew Apella.*[88]

A noble indignation rises in the minds of your popular leaders when they hear the magic lantern of their financial show compared to the fraudulent exhibitions of Mr. Law. They cannot bear to hear the sands of his Mississippi compared with the rock of the church, on which they build their system. Pray let them suppress this glorious spirit until they show the world what piece of solid [347] ground there is for their assignats that they have not already taken up with other charges. They do injustice to that great mother fraud by comparing it with their degenerate imitation. It is not true that Law built solely on a speculation concerning the Mississippi. He added the East India trade; he added the African trade; he added the farms of all the farmed revenue of France. All these together unquestionably could not support the structure that the public enthusiasm, not he, chose to build on these foundations. But these were, nonetheless, generous delusions by comparison. They supposed, and they aimed at, an increase in the commerce of France. They opened to it the whole range of the two hemispheres. They did not think of feeding France on its own substance. A grand imagination found something to captivate it in this flight of commerce. It was the stuff to dazzle the eye of an eagle.[89] It was not made to entice the nose of a mole, nuzzling and burying himself in his mother earth, as yours is. Men had not yet been quite shrunk from their natural dimensions by a degrading and sordid philosophy, and fitted for low and vulgar deceptions. Above all, remember that in imposing on the imagination, the managers of the system in those days paid a compliment to the freedom of men. In their

88 Burke quotes Horace, *Satires* 1.5.100, "Credat Iudaeus Apella, non ego" ("Let Apella the Jew believe it, not I"), a proverbial Roman jibe at credulity.

89 Tax farms: the right to collect taxes was leased to private financiers, the "farmers general."

fraud there was no mixture of force. That was reserved for our time, to quench the little glimmerings of reason that might break in upon the solid darkness of this enlightened age.

Now that I think of it, I have said nothing of a scheme of finance that may be urged in favor of these gentlemen's abilities. It has been introduced in the National Assembly with great pomp, though not yet finally [348] adopted. It comes with something solid in support of the credit of the paper circulation, and much has been said of its utility and its elegance. I mean the project for coining the bells of the suppressed churches into money. This is their alchemy. There are some follies that baffle argument, that go beyond ridicule, and that excite no feeling in us but disgust; and so I say no more about it.

It is just as little worth commenting further on all their drawing and redrawing, on their circulation for putting off the evil day, on the game played between the treasury and the *Caisse d'Escompte*, and on all these old, discredited devices of mercantile fraud, now raised into state policy. The revenue will not be trifled with. Prattle about the rights of men will not be accepted in payment for a biscuit or a pound of gunpowder. Here, then, the metaphysicians come down from their airy speculations and faithfully follow examples. What examples? The examples of bankrupts. But defeated, baffled, disgraced, when their breath, their strength, their inventions and their fancies desert them, their confidence still holds its ground.[90] In the plain failure of their abilities, they take credit for their benevolence. When the revenue vanishes in their hands, they have the presumption, in some of their recent proceedings, to pride *themselves* on the relief given to the people. They did not relieve the people. If they had any such intention, why did they order the hated taxes to be paid? The people relieved themselves in spite of the Assembly.

But setting aside all argument over which party may claim the merit of this illusory relief, has [349] there in fact been any relief to the people in any form? Mr. Bailly, one of the chief

90 "Drawing and redrawing": drawing bills of exchange back and forth to raise credit.

agents of the paper circulation, lets you in on the nature of this relief. His speech to the National Assembly contained a lofty and labored panegyric on the inhabitants of Paris for the constancy and unbroken resolution with which they have borne their distress and misery. A fine picture of public happiness! What! Great courage and unconquerable firmness of mind to endure benefits and sustain redress![91] One would think from the speech of this learned Lord Mayor that for the past twelve months the Parisians had been suffering the hardships of some dreadful blockade, that Henry IV had been cutting off their supply routes and Sully thundering with his artillery at the gates of Paris. In reality they are besieged by no enemies but their own madness and folly, their own credulity and perverseness. But Mr. Bailly will sooner thaw the eternal ice of his Atlantic regions than restore the central heat to Paris, while it remains "smitten with the cold, dry, petrific mace" of a false and unfeeling philosophy.[92] Some time after this speech, on the thirteenth of last August, the same magistrate gave an account of his administration at the bar of the same Assembly and expressed himself as follows: "In the month of July 1789," [the period of everlasting commemoration] "the finances of the city of Paris were *still* in good order; the expenditure was balanced by the receipts, and she had at that time a million [forty thousand pounds sterling] in the bank. The expenses she has been 350 compelled to incur *since the revolution* amount to 2,500,000 livres. Because of these expenses, and the great falling off in the yield of the *free gifts*, not merely a temporary but a *total* lack of money has set in."[93] This is the Paris on whose nourishment such immense sums, drawn from the vitals of all France, have been spent over the past year. As long as Paris stands in the place of ancient Rome, she will be main-

91 Jean-Sylvain Bailly (1736–1793), astronomer, first president of the Third Estate and mayor of Paris from July 1789.

92 Henry IV besieged Paris in 1590, with his minister Sully. Bailly had written on Atlantis, on a lost northern civilization, and on the earth's central heat. The quotation adapts Milton, *Paradise Lost* X.293–94 ("with his mace petrific, cold and dry").

93 The "free gifts" were the voluntary patriotic contributions (*dons patriotiques*) solicited in 1789–90.

tained by the subject provinces. It is an evil that inevitably attends the dominion of sovereign democratic republics. As happened in Rome, it may outlive the republican rule that gave rise to it. In that case despotism itself must submit to the vices of popularity. Rome under her emperors united the evils of both systems, and this unnatural combination was one great cause of her ruin.

To tell the people that they are relieved by the wasting of their public estate is a cruel and insolent deception. Before statesmen prided themselves on the relief given to the people by the destruction of their revenue, they should first have carefully worked out the solution to this problem: is it more advantageous to the people to pay considerably and to gain in proportion, or to gain little or nothing and be freed of all contribution? My mind is made up in favor of the first proposition. Experience is with me, and, I believe, the best opinions also. To keep a balance between the subject's power of acquisition and the demands the state makes on him is a fundamental part of the skill of a true statesman. [351] The means of acquisition come first, both in time and in order. Good order is the foundation of all good things. To be able to acquire, the people must be tractable and obedient, without being servile. The magistrate must have his reverence, the laws their authority. The body of the people must not find the principles of natural subordination rooted out of their minds by art. They must respect that property of which they cannot partake. They must labor to obtain what can be obtained by labor. When they find, as they commonly do, that success is out of proportion to effort, they must be taught to seek their consolation in the final proportions of eternal justice. Whoever deprives them of this consolation deadens their industry and strikes at the root of all acquisition, as of all conservation. He who does this is the cruel oppressor, the merciless enemy of the poor and wretched. At the same time, by his wicked speculations, he exposes the fruits of successful industry and the accumulations of fortune to the plunder of the negligent, the disappointed, and the unprosperous.

Too many professional financiers are apt to see nothing in revenue but banks, and circulations, and life annuities, and tontines, and perpetual rents, and all the small wares of the shop. In a settled order of the state, these things are not to be slighted, nor is skill in them to be held of trivial account. They are good, but good only when they presuppose the effects of that settled order and are built upon it. But some men think that these beggarly devices can supply a remedy for the evils that come from breaking up the [352] foundations of public order, and from causing or allowing the principles of property to be subverted. In the ruin of their country, such men will leave a melancholy and lasting monument to the effect of preposterous politics and presumptuous, short-sighted, narrow-minded wisdom.

The effects of the incapacity shown by the popular leaders in all the great branches of the commonwealth are to be covered with the "all-atoning name" of liberty. In some people I do indeed see great liberty; in many, if not most, an oppressive, degrading servitude. But what is liberty without wisdom and without virtue? It is the greatest of all possible evils, for it is folly, vice, and madness, without guidance or restraint. Those who know what virtuous liberty is cannot bear to see it disgraced by incapable heads simply because they have high-sounding words in their mouths. Grand, swelling sentiments of liberty I am sure I do not despise. They warm the heart; they enlarge and liberalize our minds; they animate our courage in a time of conflict. Old as I am, I read the fine raptures of Lucan and Corneille with pleasure. Nor do I wholly condemn the little arts and devices of popularity. They make it easier to carry many points of importance; they keep the people together; they refresh the mind in its exertions; and they spread an occasional gaiety over the severe brow of moral freedom. Every statesman ought to sacrifice to the Graces and to join compliance with reason. But in such an undertaking as that in France, all these auxiliary sentiments and artifices are of little use. To make a

government requires no great prudence.[94] Settle the seat of power; teach obedience; and the work is done. [353] To give freedom is easier still. There is no need to guide; one need only let go the rein. But to form a *free government*—that is, to temper together these opposite elements of liberty and restraint in one consistent work—requires much thought, deep reflection, and a sagacious, powerful, and combining mind. This I do not find in those who take the lead in the National Assembly. Perhaps they are not as miserably deficient as they appear. I rather believe so. To be so would put them below the common level of human understanding. But when the leaders choose to make themselves bidders at an auction of popularity, their talents will be of no service in the construction of the state. They will become flatterers instead of legislators: the instruments, not the guides, of the people. If any of them should happen to propose a scheme of liberty soberly limited and defined with proper qualifications, he will at once be outbid by his competitors, who will produce something more splendidly popular. Suspicions will be raised about his fidelity to his cause. Moderation will be stigmatized as the virtue of cowards, and compromise as the prudence of traitors. At last the popular leader, hoping to preserve the credit that may let him temper and moderate on some occasions, is obliged to become active in spreading doctrines and establishing powers that will afterwards defeat any sober purpose he might ultimately have aimed at.

But am I so unreasonable as to see nothing at all that deserves praise in the tireless labors of this Assembly? I do not deny that among an infinite number of acts of violence and [354] folly, some good may have been done. Those who destroy everything will certainly remove some grievance. Those who make everything new have a chance of establishing something beneficial. But to give them credit for what they have done by virtue of the authority they have usurped, or to let it excuse them for the

94 Lucan's *Pharsalia* and Corneille's tragedies were famous for their republican and heroic declamation. "Sacrifice to the Graces" was proverbial, from Plato's advice to the austere Xenocrates.

crimes by which that authority was acquired, it would have to be shown that the same things could not have been accomplished without producing such a revolution. Most assuredly they could have been. Almost every one of their regulations that is not highly doubtful was either in the king's concession, voluntarily made at the meeting of the states general, or in the concurring instructions given to the orders. Some usages have been abolished on just grounds. But they were such that if they had stood as they were to all eternity, they would have taken little from the happiness and prosperity of any state. The improvements of the National Assembly are superficial; their errors are fundamental.[95]

A LAST WORD

Burke urges Britain to preserve its constitution and explains the spirit in which he writes.

Whatever their improvements are, I would rather my countrymen recommended the example of the British constitution to our neighbors than took models from them for the improvement of our own. In that constitution they have an invaluable treasure. They are not, I think, without some causes of apprehension and complaint; but these they owe not to their constitution but to their own conduct. I think our happy situation is owing to our constitution—but to the whole of it, and not to any part singly. It is owing in great measure to what we have left standing in our several reviews and reformations, as well as to what we have altered or added. Our [355] people will find employment enough for a truly patriotic, free, and independent spirit in guarding what they possess from violation. I would not exclude alteration either; but even when I changed, it should be to preserve. I should be led to my remedy by a great grievance. In what I did, I should follow the example of our ancestors. I would make the repair as nearly as possible in the style of the building. A politic caution, a guarded circumspection, a moral

95 The king's concessions were set out in the royal declaration of June 23, 1789.

rather than a temperamental timidity, were among the ruling principles of our forefathers in their most decided conduct. They were not illuminated with the light of which the gentlemen of France tell us they have so abundant a share, and so they acted under a strong impression of the ignorance and fallibility of mankind. He who had made them thus fallible rewarded them for having attended to their nature in their conduct. Let us imitate their caution if we wish to deserve their fortune or to keep their bequests. Let us add, if we please; but let us preserve what they have left. Standing on the firm ground of the British constitution, let us be content to admire the aeronauts of France, rather than attempt to follow them in their desperate flights.[96]

I have told you my sentiments candidly. I do not think they are likely to change yours. I do not know that they ought to. You are young; you cannot guide, but must follow the fortune of your country. But hereafter they may be of some use to you, in some future form your commonwealth may take. In its present form it can hardly remain. Before its final settlement, though, it may be obliged to pass, as one of our poets says, "through 356 great varieties of untried being," and in all its transmigrations to be purified by fire and blood.[97]

I have little to recommend my opinions but long observation and much impartiality. They come from one who has been no tool of power and no flatterer of greatness, and who does not wish to belie the tenor of his life in his last acts. They come from one almost the whole of whose public exertion has been a struggle for the liberty of others; from one in whose breast no lasting or vehement anger has ever been kindled except by what he considered tyranny. He has snatched the hours he has spent on your affairs from his share in the efforts that good men are making to discredit opulent oppression, and in doing so he per-

96 Balloon flight was a French sensation after the Montgolfier brothers' ascents of 1783.

97 The poet is Addison, *Cato* V.i: "Through what variety of untried being, / Through what new scenes and changes must we pass!"

suades himself that he has not departed from his usual office. They come from one who desires honors, distinctions, and emoluments but little;[98] and who expects them not at all; who has no contempt for fame and no fear of obloquy; who shuns contention, though he will hazard an opinion. They come from one who wishes to preserve consistency, but who would preserve it by varying his means to secure the unity of his end. When the balance of the vessel in which he sails may be endangered by overloading it on one side, he wishes to carry the small weight of his reasons to the side that may preserve its balance.

98 Burke was then leading the impeachment of Warren Hastings, former governor-general of Bengal.