A Study of Edmund Burke and the American Revolution

Lee Joseph Bennish
Loyola University Chicago

Follow this and additional works at: https://ecommons.luc.edu/luc_theses

Part of the History Commons

Recommended Citation
https://ecommons.luc.edu/luc_theses/910

This Thesis is brought to you for free and open access by the Theses and Dissertations at Loyola eCommons. It has been accepted for inclusion in Master's Theses by an authorized administrator of Loyola eCommons. For more information, please contact ecommons@luc.edu.

This work is licensed under a Creative Commons Attribution-Noncommercial-No Derivative Works 3.0 License.
Copyright © 1954 Lee Joseph Bennish
A STUDY OF EDMUND BURKE AND

THE AMERICAN REVOLUTION

by

Lee J. Bennish, S.J.

A Thesis Submitted to the Faculty of the Graduate School
of Loyola University in Partial Fulfillment of
the Requirements for the Degree of
Master of Arts

December
1954
LIFE

Joseph Bennish, S. J. was born in Chicago, Illinois on September 16, 1928.

He attended St. Peter Canisius and Resurrection primary schools graduating from the latter in June, 1942. He entered St. Ignatius High School in September, 1942 and was graduated in June, 1946. In the fall of the same year, he enrolled at Georgetown University, Washington, D.C., where he attended classes in the College of Arts and Sciences until June, 1948.

In the summer of 1948, he entered the Jesuit Novitiate of the Sacred Heart, Milford, Ohio, a division of Xavier University, Cincinnati, Ohio. He received his degree of Bachelor of Literature in June, 1952, from Xavier University. In the summer of 1952, he was transferred to West Baden College, West Baden Springs, Indiana, an affiliate of Loyola University, Chicago, Illinois. He entered the Graduate School of Arts and Sciences of Loyola University in the fall of 1952 pursuing courses for the Degree of Master of Arts in History.
# TABLE OF CONTENTS

Chapter | Page
---|---
I. AN UNDERSTANDING OF BURKE | 1

II. RELATIONS WITH AMERICA DURING THE COLD WAR (1763-1775) | 11
- Parliament in 1765—Stamp Act debates—Repeal and Declaratory Act—Change of ministry—Burke’s political pamphlets—Political unrest in America—Colonial Agent—Lord North and the Tea Tax—Boston Tea Party—Burke’s major speeches.

III. CONSIDERATION OF HIS TWO MOST IMPORTANT SPEECHES | 25
- House of Commons—Taxation Speech—Objections to the tea tax repeal—Burke’s answer—England’s colonial policy—Election from Bristol—Lord North’s plan—Conciliation Speech—Reasons—Propositions and Corollaries—Discussion and voting.

IV. BURKE AND THE WHIGS’ ATTITUDE AND ACTIVITY DURING THE WAR (1775-1783) | 39
- Burke and Lexington—Activity in Parliament—Burke’s plan and proposed Addresses—Letter to Bristol Sheriffs—Others favorable to America.

V. EVALUATION | 55
CHAPTER I

AN UNDERSTANDING OF BURKE

Edmund Burke was an extraordinary man! He was a man of letters, orator, pamphleteer, aesthetician, political philosopher, historian, journalist, and statesman.

'Burke, Sir,' said Dr. Johnson, 'is such a man, that, if you met him for the first time in the street where you were stopped by a drove of oxen, and you and he stepped aside to take shelter but for five minutes, he'd talk to you in such a manner, that, when you parted, you would say, "This is an extraordinary man."'

As a writer and man of letters, he is perhaps less widely known for his *Philosophical Inquiry into the Origin of our Ideas of the Sublime and the Beautiful*, but more generally for his series of political pamphlets: *A Vindication of Natural Society; A Short Account of a Late Short Administration; Reflections on the Revolution in France*, to name but a few. As an orator, he is considered by many to belong to that select coterie which includes such hallowed names as the Athenian Demosthenes, the Roman Cicero, and the contemporary of Burke, Lord Chatham. Whatever Burke lacked in direct, fiery, oratorical vehemence was more than compensated for in the wisdom of his thoughts and observations, coupled with his deep understanding of the various

---

aspects and ramifications of the problem under discussion. Regarding his career in government service, Burke might be called the "statesman among politicians." He labored to guide and defend the British ship of State as it sailed through the uncharted waters of the late eighteenth century.

He was the most eloquent British advocate of the cause of the American Colonies; he was the stubborn Whig opponent of George III and the 'King's Friends'; he managed the great Impeachment of Warren Hastings for imperialist crimes in India; he championed his native Ireland against oppression; he was the first public man to warn England of the dangers of the French Revolution.2

The aim of this thesis, however, is not to write of Burke as the inspiration of the Whig party, or of Burke as the chief prosecutor of Warren Hastings, or of Burke the herald sounding the alarm against the dangerous principles and ideas inherent in the French Revolution. It is none of these, but rather Burke's views of the American Revolution. What were his thoughts and observations as a statesman, his views and opinions as a loyal British subject, and his guiding principles as one who firmly believed in justice and liberty?

To answer these questions adequately, something must be known about his background. Many others also wondered about his background as he rose to speak on the Stamp Act at the opening of the parliamentary session in January, 1766. Who was this new Member of Parliament from Wendover? What were his connections? How did he prepare himself for Parliament?

His whole past life might be said to have been his preparation for

the political activity of Parliament. He was born in Dublin in 1729 of middle-class parents. Because his physical constitution was not too strong, he found much of his early recreation and enjoyment in thoughtful reading. His early training was begun under the discipline of a strict Quaker schoolmaster. Here, young Edmund formed habits of industry and perseverance, while developing a systematic arrangement of this newly acquired knowledge. His formal education was continued when in 1743 he entered Trinity College, Dublin. This was two years after the War of the Austrian Succession had begun on the continent, but its rumblings failed to disturb the peaceful academic atmosphere of the College.

Young Master Burke followed the general course of studies, but the "little Latin and Less Greek" of Shakespeare could hardly be attributed to him. His election as Scholar of the House in 1747 indicates a proficiency in the classics from which he was later to draw those striking quotations from Homer, Virgil, Horace, etc. so often found in his later speeches and writings. His intense application to the humanities also accounts for the richness and fullness of his thought and literary style.\(^3\)

In 1750, at the age of twenty-one, he was sent to pursue the study of law at the Middle Temple in London. Law, however, with its torts and technicalities, had little appeal for the active mind of this energetic literateur. He turned his attention instead to the study of belles-lettres and philosophy. He had already gained some experience by writing for a college

---

3 Consult John Morley, *Burke*, New York, 1879, especially chapter I for a more complete account of Burke's schooling and formal education.
literary weekly which he started, and by writing a few anonymous political pamphlets. Much of his time was consumed in reading, digesting, and cataloguing the facts and figures of literature and history, as well as the leading events of the day. These daily occupations transformed his memory into a veritable storehouse, and lent an aura of certitude to his statements regarding important events. Here too, the *rerum cognoscere causas* of the philosopher was applied to these studies.

He had an exquisite sensibility to the beauties of nature, of art, and of elegant composition, but he could never rest there. 'Whence this enjoyment?' 'On what principle does it depend?' 'How might it be carried to a still further point?'—these are questions which seem almost from boyhood to have occurred instinctively to his mind.4

Yet, all work and no play, that is, all reading and no recreation would soon have made Edmund a dull student. Hence, he spent his evenings in the coffee-houses and debating clubs of Fleet Street and Covent Gardens. There, he conversed little at first but listened a great deal. In a short time his conversational ability and mental alertness favorably impressed all who heard this shy youth who spoke with a strong Irish brogue. Little by little, did Edmund begin to gain place in the literary circles of the London of his day. The famous Dr. Sam Johnson, Goldsmith the poet, Garrick the actor, Reynolds the painter, Boswell the biographer, together with Fox, Gibbon, and Sheridan would later comprise that celebrated group at the Turk's Head tavern in Soho.

These literary contacts of young Edmund, however, did not find favor

with Burke senior who had envisioned his son as carrying on his own practice as a Dublin barrister. The crisis came when Edmund's allowance was stopped, but this turned out to be the starting point of his career. First of all, it forced him to do secretarial work for several Whig politicians, thereby widening the circle of his friends and acquaintances. Moreover, it ultimately brought about his making a name for himself with his pen. His first work, *A Vindication of Natural Society*, published in 1756, characteristically reflected his philosophical cast of mind as he contrasted political truth with religious truth. This work, though published anonymously, was soon acknowledged to be the work of young Burke. The praise he received at this time was soon to be climaxed by the literary acclaim accorded his second work, *On the Sublime and Beautiful*. In the following year, 1757, Edmund Burke married Jane Nugent, daughter of Dr. Christopher Nugent of Bath. Added responsibilities now forced Burke's endeavors to take a more serious turn. Because the French and Indian War had increased English curiosity and interest in colonial affairs of America, he collaborated on a large tome called, *An Account of the European Settlements in America*. This work marks his first definite interest in America. The vast amount of preparatory reading necessary for such an undertaking must have acquainted him with the character and liberty-loving spirit of the colonies. This study gave him an understanding of American affairs which would prove of great value in the struggle for independence which lay


ahead.7

His literary output continued, for in 1759 he began to edit anonymously the Annual Register. This publication was a review of the important historical, political, and literary happenings of the previous year. It was in the Register that His Majesty's subjects could learn the significance of the battles fought in the French and Indian War; or they might learn the newest scientific ways to dung farm land or breed cattle; or again, they could find out the books to be read or writers to be lionized this season. All of these facts and more were to be found in the several hundred closely-printed pages of the Annual Register. Surprisingly enough, Burke continued his work of editing the Register later on as a help to his work in Parliament for:

it was certainly a kind of work that was valuable to him, more than ever when he was launched in active politics. Burke was at all times laborious in his preparation for his parliamentary duties, and was celebrated for his immense range of information on current affairs, and for his readiness on all points in debate.8

Parliament and active participation in political life seemed another step closer when in 1759, Sir William Hamilton engaged Burke as his private secretary. This event proved to be a fortunate arrangement for both parties: For Hamilton because he procured the services of a competent, well-informed aide; for Burke because it provided the stepping-stone to enter the ranks of

7 Few English officials took serious interest in American colonial affairs. Burke's knowledge and serious study can be contrasted with that of the Duke of Newcastle, chief of the Board of Trade 1724-48, who thought New England was an island, in Morley's Historical Summary, cited in the editor’s introduction to Speech on Conciliation with America, Albert S. Cook ed., New York, 1896, xii.

8 Copeland, Eminent Friend, 101.
those directly engaged in shaping the British affairs of state.

This arrangement lasted for six years, the six important years from 1759 to 1765. During the period from 1756 to 1765, the English consolidated their Empire in India, Quebec was captured, George III became king, the Peace of Paris was concluded, and the Stamp Act was passed. The Union Jack fluttered triumphantly over far-flung possessions for the British Empire comprised the United Kingdoms of England, Wales, and Scotland; the dependencies of Ireland, Man and the Channel Islands; the fortress of Gibraltar and other possessions in and around the Mediterranean, possessions in Asia, and colonies in America. Regarding population, England, Wales, and Scotland had eight and a half million inhabitants. London was the largest city with a population of 650,000, while Bristol was second with 100,000, and Norwich third with 60,000. The industrial centers were still in their infancy as Newcastle had a population of only 40,000, while Birmingham had 30,000.

The French and Indian War had increased Englishmen's interest in the colonies across the sea, but a long course of political blunders was gradually alienating the American colonists from the mother country. The colonies, in accordance with the principles of mercantilism, had originally been set up and regulated for the economic good of England. Indirect taxation and legislation went as far back as 1651 when the First Navigation Act required all colonial exports to be shipped only in American or English vessels. After the Restoration, additional Navigation Acts and trade regulations followed in rapid

---

succession: 1660, 1663, 1672, 1680, and 1696.

The national wealth of England, though concentrated in the hands of a few, was dependent upon her commerce with other nations of the world. Hence, this nation of "ships and shops" was determined to control the sea-lanes. This thought is dominant in the writings of Davenant who established the important Inspector-General's office.

Whenever we lose our trade, we must bid Farewell [SIC] to that wealth and strength which have hitherto enabled us to preserve our liberties, against the designs of Spain and France. . . want of due circumspection in a point so essential to the very existence of this Kingdom, may, perhaps in less than an age reduce us to be the prey of some conquerors, notwithstanding our large estates in land, the fertility of our soil, the richness of our products, and the convenience of our parts.10

These same views were shared by the English manufacturers who desired to prevent the development of colonial manufacturing. In 1750, the American Colonies were forbidden to construct furnaces for making steel, or mills for rolling or slitting iron. Mr. Isaac Spooner of Birmingham exemplifies these views in his letter to Lord Dartmouth:

If they [the American Colonies] manufacture steel and send it over to England, it will greatly injure the home trade, . . . manufacturers will soon increase with them to the great prejudice of England. . . and I think should be absolutely prohibited in America, if we have any power to prevent their use there.11

England's economic well-being was not, however, indicative of her


political health. The Whig party, generally speaking, ruled England from 1715-1760. When George III ascended the throne in 1760, he ambitioned being more than a figurehead like his Hanoverian predecessors. The "George, be a King!" of his mother, coupled with the ideas of strong kingship contained in the Commentaries of Blackstone and in the Patriot King of Bolingbroke, which he studied assiduously, had implanted the idea of wanting to rule as well as reign in the mind of this twenty-one year old King.12 He was to spend the rest of his long years on the throne endeavoring to achieve this rule of life.

In order to rule, one must have a party, and George was partyless, for the Tory party had disintegrated, while the Whigs were his enemy. He was, nevertheless, helped in two ways to carry out his plans; the Whigs were torn by factions thereby making it easier to build up a new party; moreover, since Parliament was no longer a representative body, it was easy to bribe the members. Even in the present day of "mink coats and FHA scandals," King George's methods still seem shocking. He carried on a tireless campaign to promote his royal will by distributing the three P's of patronage, peerage, and pensions. Members of Parliament who had been bought over flocked to the pay office each week to receive their remuneration. On one occasion, 25,000 pounds sterling were paid out to such members in a single morning.13 George also used the divide et impera strategy by playing off one Whig faction against another. He

12 For a more complete treatment of King George III's early training and education, consult Keith G. Felling, The Second Tory Party 1714-1832, London, 1938, especially chapter VI.

was thus able to substitute in Parliament men more pliable to the royal will who would promote his policies. In this way he created a personal following in the House of Commons who came to be known as the King's Friends.14

These, then, were the circumstances in 1765 when Burke terminated his connection with Lord Hamilton. After obtaining a small pension from the Irish Treasury for his capable assistant, Hamilton insisted upon his undivided service to the exclusion of all other interests. Burke, eager for leisure time to devote to his literary activity, objected to this bounded servitude. "I deserved to be considered in another manner than as one of Mr. Hamilton's cattle, or as a piece of his household stuff."15

This separation from Hamilton coincided with the fall of the Grenville Cabinet. George III was forced by circumstances to offer the Ministry to Lord Rockingham. Burke's liberation from the crafty Hamilton brought down the curtain on his life as a private citizen. Act II began when Rockingham, as Prime Minister, engaged Burke as his private secretary, and had him appointed to Parliament from the pocket borough of Wendover. This marked the real beginning of Burke's political life.

14 Ibid., especially chaps. VI, VII, VIII, and X for a more complete presentation of political corruption.

15 Leslie Broughton ed., Edmund Burke Selections, New York, 1925, as cited in editor's introduction, XIV-XV.
CHAPTER II

RELATIONS WITH AMERICA DURING

THE COLD WAR (1763-1775)

Burke entered public life at a critical period of English politics. Prior to 1760, the regulations imposed on the colonies were mainly commercial; and the colonists were too busy making a living to be greatly concerned with questions of their rights. The certain amount of self-government allowed them, together with the "salutary neglect" by England, made the colonies, in general, satisfied with the status quo. Then came the French and Indian War with its political and economic repercussions.

At Rossbach, Fredrick achieved for Prussia the headship of the German people, thus in effect laying the basis for the present imperial union; at Plassey Clive gained for England an empire in the East, whose borders are still advancing; at Quebec the victory for Wolfe won for the English race, though not finally for England, the political leadership of the western continents.

Politically, the results of the French and Indian War meant the removal of an enemy whose forts and garrisons, strung from Quebec to New Orleans, had constituted a peril to the colonists' lives and welfare, while also halting their westward advance. Furthermore, the peril of Indian uprisings instigated by the French was now brought to an end. The new expanse

1 Howard, Preliminaries, 3.
in territory also meant an expansion of the colonists' outlook, an increase in self-reliance, and growth in the social unity of the colonies. It meant too that the expenses incurred in defending and protecting this new territory would be increased.

The English government under the Grenville Ministry decided that the colonies should help to bear the burden of these additional expenses. The Sugar Tax in 1764 was followed by the infamous Stamp Act of 1765. Across the Atlantic, however, this taxing legislation by the English Parliament led to colonial discontent. Opposition, overtly and covertly, took the form of political pamphlets as Otis' Rights and Dulany's Considerations, economic boycotts, intimidation of royal officials, the burning of the stamps, town meetings, and finally the Stamp Act Congress. Such a political uproar forced the Grenville Ministry to resign, and the Rockingham Ministry took over on July 10, 1765.

The main task of the new ministry was to secure the repeal of this odious legislation. The first obstacle to success was removed when the elderly Duke of Cumberland, a staunch advocate of the Stamp Act, died in October, 1765. After Cumberland's death, the Rockingham Ministry proceeded with their plans. The time was now ripe for heated political debate with the King and the King's Friends coterie in Parliament. This royal group preferred modification to repeal.

Against such opposition young Burke, as the Representative from Wendover, made his parliamentary debut on January 27, 1766. The topic under discussion was the Stamp Act and this political tyro, though a veteran in the department of facts and figures, proved himself equal to the task. His eloquence, fiery manner of expression, complete understanding of the subject,
and thoroughness of preparation favorably impressed his listeners. The elder Pitt, who had intended to speak after Burke on the same subject, declared that his predecessor's presentation had been so eloquent and complete that there was little left to say on the topic. Dr. Johnson also wrote:

he has gained more reputation than perhaps any man at his first appearance ever gained before. He made two speeches in the House for repealing the Stamp Act, which were publicly commended by Mr. Pitt, and have filled the town with wonder. Mr. Burke is a great man by nature and is expected soon to attain civil greatness.2

Burke's parliamentary debut had been a success. The new political manager, guide, and inspiration of the Rockingham faction of the Whig party had at last entered the swift stream of political life.

Early in his career, Burke began striving to fulfill the political credo he would later declare for himself: "But I wish to be a member of Parliament, to have my share in doing good and resisting evil."3 His first "share in doing good" consisted in bringing about the repeal of the odious Stamp Act. To do this, a majority of the 558 members of the House of Commons had to be won over, and coalitions formed between the different Whig factions. When a sufficient number of party leaders had at last come to terms, the vote was taken in the House, the Stamp Act was repealed and the Declaratory Act was passed in 1766.

Burke argued forcefully for the repeal of the Stamp Act, while at the same time he insisted upon the passage of the Declaratory Act. This

3 Burke, Speech at Bristol Previous to Election, in Writings, II, 421.
dichotomy followed from his principles of government.

He was sure that the first duty of all men was to obey the law ordained by their Creator for their good; that is, for their temporal welfare and for the attainment of the end for which they were made; whence it followed that the primary business of the legislator or statesman was to ascertain, obey, and promote obedience to the precepts of the Creator as these could be discerned in the natural order.4

While subjects had obligations to obey laws, they still had rights. "They had a right to justice, to the fruits of their labor, to the nourishment and improvement of their children, to instruction in life and consolation in death."5 Burke thus became the avowed champion of ordered liberty against all forms of injustice and oppression. Since the Stamp Act represented a form of injustice, according to the simple logic of his reasoning, it must go.

Attention, however, must be called to the adjoined passage of the Declaratory Act.

An Act for the better securing the dependency of His Majesty’s Dominions in America upon the crown and parliament..... be it declared ...that the said colonies in America have been are, and of right ought to be subordinated unto and dependent upon the imperial crown and parliament of Great Britain; and that the King’s majesty, by and with the advice and consent of the lords, spiritual and temporal, and commons of Great Britain, in parliament assembled had, hath, and of right ought to have full power and authority to make laws and statutes of sufficient force and validity to bind the colonies and people of America, subjects of the Crown of Great Britain, in all cases

4 Ross J.S. Hoffman and Paul Levack eds., Burke’s Politics, New York, 1949, editor’s introduction, XV.

5 Ibid., XVII
Though the tax was wrong, it was still Parliament's right to tax. These rights, however, should be adjusted to human nature, not forced upon it. Burke was later to develop these ideas more fully, as will be seen, in his major speeches on the eve of the American Revolution. For the present, there was no doubt in his mind regarding Parliament's supreme right to rule over the American Colonies. The Declaratory Act, possibly composed by Burke, had settled the question so far as he was concerned. Now his major problem was to bring about a reconciliation between the superiority of Parliament and the liberty of the colonies. To this task, he was to devote his attention for the next ten years of his busy life.

Burke entered this political contest with all of his characteristic energy. His spirited temperament, joined to an untiring zeal, required a cause to be championed. Later, he would be occupied in the impeachment of Warren Hastings, then with the evil principles of the French Revolution, and finally before his death he would take up the cause of his native Ireland. Now, however, he would direct the heavy artillery of his voice and pen to championing American rights against the tyranny of George III and his party.

Political short-sightedness on the part of the other Whig factions


7 An interesting comparison could be made between Burke's views of political and personal rights contrasted with those of the American Tory, Martin Howard, in his Letters from a Gentleman in Halifax, as quoted in Howard, Preliminaries, 133-4.
forced the Rockingham Ministry to resign in July, 1766, shortly after the re-
peal of the Stamp Act. These other groups, fearing that the Rockingham Whigs
would become too powerful, withdrew their support. A coalition cabinet
followed which was headed by Pitt who received a peerage as the Earl of Chat-
ham. Burke had previously argued for asserting the right to tax, but under
the present circumstances he argued against the exercise of that right. The
inclusion in the Ministry of those political figures who should be foremost in
demanding the exercise of such rights was tantamount to calling for a show-
down with the colonies.

As leader of a minority faction in Parliament, Burke was gagged so
far as effective political activity was concerned. Against such a handicap,
he took up his pen to proclaim his views, thereby enlightening public opinion
on the unjust policies of his political opponents. His first political pamph-
let, a concise resume of the accomplishments of the Rockingham Ministry was
entitled, A Short Account of a Late Short Administration. 8 In this brief
work, Burke enumerated the activities of his party in working for the best
interests of the country, highlighting the repeal of the Stamp Act. He also
called attention to the importance of the Declaratory Act for: "the constitu-
tional superiority of Great Britain was preserved by the act of securing the
dependence of the colonies." 9 The whole tone of this pamphlet suggests that
it was an exhortation to the coalition cabinet of Pitt to follow the high

8 Burke, A Short Account of a Late Short Administration, in Writings, I, 263–268.

9 Ibid., 265.
principles of their predecessors. While this was going on, opposition was
brewing in the colonies against the Declaratory Act and the attempted enforce-
ment of the Mutiny Act.

Within two years, the waspish Pitt resigned, and the Duke of
Grafton took over, in name only, as Prime Minister. In the spring of 1768,
the septennial elections took place, and Burke was returned to Parliament once
again from the pocket borough of Wendover. Meanwhile, royal money increased
the number of King's Friends in the House of Commons. 10

Although the King's influence continued to increase, his popularity
decreased because of the expulsion from Parliament of the demagogue Wilkes.
Parliament, failing to profit from the lesson of the Stamp Act, continued to
enact more stringent economic measures against the colonies. In 1768, George
Townshend, Chancellor of the Exchequer, put through Parliament a series of
acts bearing his name. These acts levied a direct tax on certain necessary
commodities (glass, white lead, painter's colors, paper, and tea) for the pur-
pose of securing funds to pay royal officials in America. The passage of
these acts stirred up a general spirit of opposition.

The Sugar Act (1764) had aroused the merchants and distillers; the
Stamp Act (1765) had angered the lawyers and newspaper men; but these new acts
touched the pocketbooks of the "ordinary people" who were obliged to purchase
these newly-taxed commodities. The result throughout the colonies was a gen-
spirit of unrest and opposition reflected in many different ways. Articles

10 For a further treatment of George III's political practices,
consult Reynolds, Christian Statesman, especially chapter II.
and political essays, such as Dickinson's *Letters of a Pennsylvania Farmer*, began to appear in the colonial newspapers.

The political essay resembled in shorter form the political tract, except that it began where the serious argumentative pamphlet left off. The author assumed, that is, the rights which others had attempted to prove, stated them in the boldest fashion, and then applied them to the case in point. Some of the finest examples of constructive thinking, however, appeared in the columns of these papers.\footnote{Phillip Davidson, *Propaganda In The American Revolution*, Chapel Hill, 1941, 243.}

It was also during this critical period that Burke once more took up his pen and wrote his *Observations on a Late Publication Intituled 'The Present State of the Nation'*\footnote{Burke, *Observations on a Late Pamphlet Intituled 'The Present State of the Nation*', in *Writings*, I, 269-432.} This was both a reply to and an attack on the opinions of the former Prime Minister. In this 161 page rejoinder to George Grenville, Burke points an accusing finger at the policies and measures of the Grenville Ministry, labeling them the primary source of the present troubles.

In England, our Ministers went on without the least attention to these alarming dispositions; just as if they were doing the most common things in the world in the most usual way, and among a people not only passive, but pleased. They took no step to divert the dangerous spirit which began even then in the colonies, to compromise with it, to mollify it, or even to subdue it.\footnote{Ibid., 386.}

He then returns to the *leit motiv* of his previous political pamphlets, namely, the happy results following upon the Rockingham Ministry's repeal of the Stamp Act, and then goes on to the Declaratory Act.
If Great Britain were stripped of this right, every principle of unity and subordination in the empire was gone forever. Whether all this can be reconciled in legal speculations, is a matter of no consequence. It is reconciled in policy; and politics ought to be adjusted, not to human reasonings, but to human nature; of which the reason is but a part, and by no means the greatest part. 14

Burke insists that the colonial grievances will not be remedied until the ministry returns to the principles of the Rockingham cabinet of 1766. In this manner did Burke conclude this pamphlet noteworthy for style, content, and great amount of factual data concerning colonial trade revenue. His previous studies of colonial affairs were now beginning to pay dividends.

The period after the passage of the Townshend Acts showed a rising stream of colonial opposition. The busy pens of John and Sam Adams, Dickinson and Wilson, the Boston Town Meetings, the colonial embargo, and the riots in New England indicated stormy political sailing ahead for England. At the same time in England, the "Junius" letters kept the Ministry in the public eye. In 1770, Lord North replaced the Duke of Grafton as Prime Minister.

In Lord Fredrick North (1770-1782), George III found a promising party leader. He was of a noble family, well educated, and subservient to the policies of the King. 15 Meanwhile, Burke, aware of the political chicanery responsible for the spirit of colonial unrest, declared his views in his next pamphlet, Thoughts on the Causes of the Present Discontents. 16 Here, he diag-

14 Ibid., 398

15 For a more complete treatment of Lord North's background, consult Feiling, Second Tory Party, especially chapters VIII and IX.

16 Burke, Thoughts on the Causes of the Present Discontents, in Writings, I, 433-537.
nosed the prevalent political ills as due to the influence of court politicians whose plan was: "To secure to the Court the unlimited and uncontrolled use of its own vast influence under the sole direction of its own court favor." 17

The final result of these measures was not to make the King strong, Burke contends, but rather to make the State weak. The only cure would be a House of Commons purged of royal corruption and made responsive to the electorate, but this would not come about for many years.

Late in 1770, another imposition was made on Burke's already crowded schedule, for he was elected unanimously as agent in Parliament for the important colony of New York. In this new capacity, Burke joined the ranks of other colonial agents as Benjamin Franklin of Pennsylvania, and others. This new assignment brought him into even closer contact with the American Colonies for he served them by pleading their cause before the Courts, the Privy Council, and even before Parliament. 18 Failure of the colonial agents, however, to prevent legislation unfavorable to the colonies added more fuel to the already smouldering embers that were soon to blaze forth.

Although North's new Ministry hastened to repeal the hated Townshend Acts while merely retaining a small token tax on tea, the colonies objected to direct taxation in general. They were also opposed to the partisan token tax which favored the East India Company. New England, once again, led the

17 Ibid., 446.

opposition by means of the local and provincial Committees of Correspondence directed by spirited members of local patriotic groups. This time their opposition had more serious consequences for it ended in the Boston Tea Party of December, 1773. In England, this event was interpreted as a direct insult to the King and his Ministry. Despite the generous offer of Massachusetts to pay for the destroyed tea, the four Coercive Acts were passed by Parliament whereby the port of Boston was closed to commerce, rights of local government were given to the royal governor, the colony had to supply food and lodging for the British occupation troops, and change of venue was permitted to the Massachusetts' courts to transfer trials to England or some other British colony. It was only natural that the colonies were drawn into closer relations in sympathy for the restricted Massachusetts. Besides sending food and other supplies, some of the legislatures set aside days for fasting and prayer. The dissolution of the Virginia Assembly led to the formation of the First Continental Congress.

In such troubled times, Edmund Burke on April 19, 1774, delivered his second most important speech on colonial affairs. This was his famous speech on American Taxation, which will be treated at length in chapter III. The keynote for this oration was that Parliament ought only to pass regulatory acts on American trade, and to respect the liberty of the various colonial legislatures to deal with their own internal affairs. To support this view, he cited the foolish and unstable policy of the previous colonial revenue bills, and insisted upon a return to the true principles of the mercantile system.

19 Burke, Speech on American Taxation, in Writings, II, 1-60.
This alone had been the basis upon which the British colonial policy had been established. His peroration concluded with an appeal to leave America to tax herself, and for the English government to return to the true principles of sound government, namely, those of the Rockingham Ministry of 1766.

Meanwhile, as the King had dissolved Parliament, Burke was invited by a group of leading citizens to represent the important city of Bristol in the House of Commons. This fast-growing commercial center had been impressed by Burke's championing of the principles of the mercantile system which was their chief source of revenue. The merchants and moneyed interests were favorable to his policies. In his first speech there, he told his future constituents that he would continue to insist upon the parliamentary superiority of Great Britain over the Colonies.

But—I have ever had a clear opinion, and have ever held a constant correspondent conduct, that this superiority is consistent with all the liberties a sober and spirited American ought to desire. I never mean to put any colonist, or any human creature, in a situation not becoming a free man. To reconcile British superiority with American liberty shall be my great object, as far as my little faculties extend. I am far from thinking that both, even yet, may not be preserved.20

Colonial opposition, however, presented a more united front as a result of the First Continental Congress held in Philadelphia in September, 1774. This was a more representative assembly of the Colonies than had ever before assembled. Carpenters' Hall was crowded with the fifty-six delegates chosen by Convention or Committee, or in various other ways by twelve of the Colonies. Georgia alone failed to respond to the invitation. The problem of

20 Burke, Speech on Arrival at Bristol, in Writings, II, 86-87.
this Convention was to harmonise the radical and conservative elements among the delegates.

Their approbation of two documents gives proof of the success of this first meeting. The first document, The Declaration of Rights and Grievances, reasserted the rights of the Colonies and specified thirteen acts of Parliament which were deliberate infringements of those rights. It also deprecated this unjust and coercive legislation. The Continental Association was a large scale non-importation, non-consumption, and non-exportation agreement. This economic boycott achieved its expected result for English exports to the Colonies dropped ninety-seven per cent, and petitions from merchants and manufacturers flooded Parliament. The major conservative contribution to the First Continental Congress, Galloway's Plan of Union, was defeated by the narrow margin of one vote. The victory of the radicals was even more completed, for they had every reference to this Plan expunged from the official journal. In addition, Committees of Correspondence between the Colonies were set up. The Congress also prepared a Petition to the King, an Address to the People of Canada, an Address to the People of England, and a Memorial to the People of the Colonies.

The response from England was not satisfactory, for the leaders in Parliament were in no mood to listen to petitions or declarations of "alleged" rights. To overcome this spirit of colonial opposition, and to bring about a division of the Colonies, Lord North presented a bill on Feb. 20, 1775, exempting those Colonies from taxation whose General Assemblies would contribute their quota to the common defense.

Burke replied on March 22, 1775 in his celebrated Speech on Moving Resolutions for Conciliation with the Colonies, which will also be considered
at length in chapter III. Burke had treated his topic from the viewpoint of England. This time, he considered his subject from the standpoint of America: her population, commerce, spirit of liberty, and her interests. Because of the seriousness of the times, England, argued Burke, ought to draw the Colonies into a closer relationship with the English government. This, he went on to say, was to be done not by colonial representation in the English Parliament for the vast expanse of ocean separating them presented too formidable a barrier to such a plan. The answer was to be found in allowing the colonial Assemblies alone to handle internal taxation.

21 Burke, Speech on Moving Resolutions for Conciliation with the Colonies, in Writings, II, 99-186.
CHAPTER III

A CONSIDERATION OF HIS TWO MOST IMPORTANT SPEECHES

Before drawing aside the curtain to consider Burke's two most important speeches on American affairs, a brief description of the House of Commons will help to set the stage and provide the proper atmosphere for the reception of Burke's views. A reconstruction of its setting will indeed bring the reader closer to the real spirit of the speeches.¹

The House of Commons of Burke's day was located in a former palace of the Kings of England, and convened in the one-time chapel of St. Stephen. This was a hall some ninety feet long and thirty feet high which had been used from before the time of Elizabeth as the Commons place of meeting. The Speaker's throne-like chair dominated one end; five rows of cushioned benches ranged around the four walls for the 558 members. Above these benches perched a narrow visitors' gallery where Burke had spent his earlier years familiarizing himself with Parliament and its procedures. Three large candle-clustered chandeliers sent flickering shadows over the faces of the King's Friends, the majority party seated at the right of the Speaker of the House. Burke and the other members of the minority opposition sat on the left facing their

political opponents whose leaders wore purple velvet kne -britches and frock coats.

This then was the scene; Lord North and the other members of the majority directly across from him; the Speaker of the House, Mr. Fletcher Norton, to his right; the rest of the opposition seated behind him; the gallery hushed as the Right Honorable Edmund Burke, M.P. representing the district of Wendover, rose to speak on the problem of American Taxation.

To tax or not to tax was the question under discussion. After the passage of the Intolerable Acts, some of Parliament's members proposed that such harsh measures should be accompanied by some indication of a desire to restore the previous harmony existing between the mother country and her Colonies. In agreement, Mr. Rose Fuller on April 19, 1774, moved that a Committee of the Whole House be made to consider the threepence tax on tea with a view to its repeal. Burke rose to second this proposal and sustained his views in the lengthy speech which followed. His entire speech revolved about the single proposition; Repeal the tea tax and restore order by allowing the Colonies to tax themselves. This was the hub from which his arguments like spokes extended, yet always led back to the same focal point.

The first part of his speech was concerned with answering the main objections to the repeal of the tea tax. It had been argued that if the tax was removed, the Colonies would make use of this concession to gain further advantages. Burke denied the claim by recalling the consequences of the Stamp Act's repeal. This repeal he maintained did not evoke any such demands
for new privileges from the Colonies. By a clever use of rhetoric, Burke proceeded to show how the leaders of the group opposed to repeal must also concur with him since Lord North, as Chancellor of the Exchequer, had already brought about the repeal of five of the duties in 1770, retaining only the tax on tea. This did not result in any new demands from the Colonies.

Burke gave another reason for repeal, namely, the tax did not accomplish its purpose as set forth in the preamble of the Townshend Acts. There it is stated that revenue is to be raised in America.

for making a more certain and adequate provision for defraying the charge of the administration of justice and support of civil government in such provinces where it shall be found necessary, and towards further defraying the expenses of defending, protecting, and securing the said dominions.

Five-sixths of the duties, however, were already repealed. The threepence per pound token tax retained on the tea would hardly defray the large expenses of administering justice, supporting civil government, or of defending, protecting, and securing the Colonies.

Another argument advanced against repeal was that it would harm the dignity of a nation to yield to the demands of its subordinate dominions.

Burke retorted to this appeal in a heated, yet reasonable fashion.

Show the thing you contend for to be reason, show it to be common sense, show it to be the means of attaining some useful end, and then I am content to allow it what dignity you please. But what dignity is derived from the perseverance in absurdity, is more

2 Burke, American Taxation Speech, in Writings II, 9.

3 Statutes at Large, XXVII, 505f.; 7 George III, 446, as quoted in Sources of English Constitutional History, ed. and trans. by Carl Stephenson and Fredrick G. Marcham, New York, 1937, 660-661.
than ever I could discern.4

The second part of Burke's speech was a review of the principles of mercantilism, and of the various parliamentary acts concerning colonial trade. In characteristic thoroughness of preparation, he showed that the cornerstone of this economic policy was based on a commercial monopoly brought about by trade restrictions. All of the twenty-nine acts of Parliament regarding commerce from 1660 until 1764 had as their purpose the regulation of trade, not the raising of revenue. With the passage of the Sugar Act and Stamp Act, this legislation took on a new aspect. This time their purpose was the raising of revenue. Here, Burke substantiated his claim about the newness of this revenue feature by quoting from a letter of Governor Bernard of Massachusetts stating how this was regarded as an innovation by the people of that colony.5

The previous regulatory acts were burdensome enough, but the colonists supported them, in the main, because of the profit to be derived. This new aspect of revenue-raising would surely bring opposition. And opposition did come in the form of petitions from the Colonies to Parliament, clamor from the common people, and arguments from Otis, Dulany, and other colonial pamphleteers. Onto such a scene came the Rockingham Ministry in July, 1765. Despite the onslaught of the King and his adherents, this new group nevertheless brought about the repeal of the obnoxious Stamp Act. This quelled the major disturbances in America, and Burke quoted from a letter sent

4 Burke, American Taxation Speech, in Writings II, 18-19.
5 Ibid., 32.
by the formerly recalcitrant people of Massachusetts expressing their sincere gratitude at the repeal of the odious measure.6

Burke continued by showing how the Townshend Revenue Acts of 1767 renewed colonial hostilities once again. These duties on the staple commodities of glass, paper, tea, painter's colors, and white lead for the purpose of revenue reawakened a spirit of opposition. The Boston town meeting led to the spread of circular letters among the scattered Colonies. An embargo was threatened, and there were riots in New England forcing General Gage to call out the troops. The treason law of Henry VIII was also revived, allowing political prisoners to be brought to England for trial. Such was the state of affairs, pointed out Burke, until all the Townshend Acts except the tax on tea were repealed.

His peroration was an appeal to return to the true principles of the mercantile system which in the past had cemented the blocks forming the British colonial policy. Leave the Colonies free to tax themselves, with Parliament exercising its supremacy only in the regulation of trade. Repeal the remaining token tax on tea. Experience has shown, as exemplified in the Rockingham Ministry's repeal of the Stamp Act, that unless this is done, there can be no lasting peace for the American Colonies.

It was late in the evening when Burke began this address. Many of the members were absent from the floor having withdrawn to the more comfortable quarters of the adjoining apartments. The glowing report of his exordium, however, aroused the absentees and soon the benches were filled with the members.

6 Ibid., 60.
listening attentively to Burke's appeals for peace with the Colonies.

The Colonies, nonetheless, were not destined to enjoy any lasting peace. In the lively debate and discussion that followed, the motion for the repeal of the tax on tea was negatived 182 to 49. Political shortsightedness on the part of Parliament retained the threepence duty on tea to vindicate its right to tax the Colonies, a right which could neither be sustained nor enforced. The Quartering Act for the troops in Boston was passed a short time later completing the four Intolerable Acts. The date of Burke's speech, April 19, 1774, is significant. Just one year later to the very day, the skirmishes at Lexington and Concord occurred, signaling the outbreak of hostilities. If Burke's pleas for repeal had been heeded, perhaps America might still be another dominion in the British Commonwealth of Nations.

To insure the success of his own policy towards the Colonies, and before any unforeseen event could occur which might precipitate hostilities in America, George III dissolved Parliament in September, 1774. Although the Grenville Election Act had been established as law, bribery of borough electors was still possible, though perhaps more expensive than before. When Parliament reconvened on November 30, a test case served to try the King's political strength. A vote of sixty-three to thirteen in the House of Lords, and 264-73 in the Commons indicated the new power of the Monarch.

When the King dissolved Parliament, Burke found himself in something of a plight. Lord Verney, the friend of Rockingham, could no longer afford to retain Burke from his pocket borough of Wendover in Buckinghamshire. It would have to go to the highest bidder, which was another indication of the wretched state of political affairs. After some rearranging of his own boroughs, Lord
Rockingham managed to find Burke a seat from Malton in Yorkshire. Meanwhile, Burke's name was proposed at the Bristol elections. Although he had already been elected from Malton, the offer from Bristol could not be passed by. This second largest city of the Kingdom had been traditionally a Tory stronghold, but colonial non-importation had injured its commerce and thus strengthened the Whigs. Burke left Malton and hastened to the elections at Bristol. On his arrival he spoke at the Guildhall there pledging himself to protect British commerce and to reconcile British superiority with American liberty.

The election campaigns of those days were carried on with much of the same enthusiasm as at present. Franchise holders were solicited in all ways, and were often returned from great distances in order to participate in the voting. "Open houses" dispensing liquor and refreshments were set up in all the voting districts by the candidates. Speeches, door to door canvassing, and public dinners became the order of the day for Burke. In the meantime, criticism, lies, and slander were hurled at Burke by his political opponents. At length, Burke won out in a very close election and was "chaired," that is, carried through the town by his enthusiastic supporters in a torchlight procession. Tradition has it that Burke's speech thanking the voters was so eloquent that his fellow member elected from Bristol, Mr. Henry Cruger, in his reply could only say, "I say ditto to Mr. Burke."

The new Parliament convened in November, 1774, with the King's Friends holding an even greater majority in both Houses. Petitions and appeals from the Colonies were conveniently shelved while matters grew progressively

7 Sir Phillip Magnus, Edmund Burke, London, 1939, 82 ff.
worse. In January, Chatham's motion to recall the British troops from Boston was defeated by a large majority. Undaunted, the "Great Commoner" early in February, proposed a bill in the House of Lords urging Conciliation. This plan asserted the supremacy of Parliament in trade regulations, but distinguished between internal and external taxation. In addition, a general colonial assembly would be set up which would handle such matters as granting money to the crown, etc. Needless to say, this bill was rejected on the very first reading.

About the same time, the Restraining Act cutting off the New England Colonies from the north Atlantic fisheries was passed by Parliament. This bill also limited their commerce to Great Britain, Ireland, and the West Indies. These restrictions were soon extended to the other Colonies which upheld the non-intercourse agreement; New Jersey, Pennsylvania, Virginia, and South Carolina. The result was that many hitherto "neutral" colonists, angered at these new regulations, entered the ranks of the patriots.

Lord North was the next to hold out the olive branch of peace to the belligerent Colonies in the form of a tax-exemption bill presented in Parliament on February 20, 1775. According to this plan, Colonies furnishing their fair share to the common defense and for the expenses of royal administration would be exempted from taxation. Furthermore, they would only be subject to trade regulations. In addition to the political issues involved, this bill found favor with many Englishmen for other reasons. Many of the nobles and landed gentry saw in North's measures a relief from their own uncomfortable tax burdens.8 As Burke viewed the weaknesses in North's plan, he saw that this

occasion presented an opportunity for declaring his own views on the same subject. He accordingly replied a few weeks later in his celebrated Speech on Conciliation with the Colonies.

Burke began by telling of his interest in and knowledge of colonial affairs in America. For that reason, he felt free to speak at some length on the important question of conciliation. From the start, he insisted that he was opposed to mere theorizing and proceeded to the heart of the matter.

The proposition is peace. Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to arise out of universal discord, fomented from principle, in all parts of the empire; not peace to depend on the juridical determination of perplexing questions, or the precise marking of the shadowy boundaries of a complex government. It is a simple peace, sought in its natural course and in its ordinary haunts.

To secure this peace, his proposed plan would remove the causes of the dispute and thereby restore the confidence of the Colonies in their mother country. He agreed with Lord North that the question of conciliation was an important one and proposed two questions to be discussed; (1) shall England make any conciliation with the Colonies, and (2) if so, what should it be?

In answer to the first question, Burke set forth four major reasons why conciliation ought to be resorted to. In the first place, the peculiar circumstances and conditions of America require it. There followed a detailed consideration of their population, the history of their development, facts and figures of their export and import trade, agriculture, fisheries, and a climax

---

9 This speech is some 86 pages of text and must have taken well over two hours to deliver.

10 Burke, Conciliation with the Colonies, in Writings II, 105-106.
on their characteristic love of liberty and freedom. All of these strongly urge conciliation. 11

The second reason proposed in respect to conciliation is a practical one. The use of force to retain the submission of the Colonies is not a satisfactory means to the end. Bayonet diplomacy at best is temporary, uncertain, injures the very country which is concerned, and English history provides no such antecedent in the art of governing her Colonies. 12

The third consideration necessitating conciliation arises from the temper and character of the American colonists. This spirit is characterized by a fierce love of liberty. There are several causes for this predominant feature: (1) they are the descendants of Englishmen; (2) their provincial assemblies instill this spirit; (3) their Protestant forms of religion foster it; (4) slavery in the Colonies makes the whites more conscious of their freedom; (5) their intense legal studies make them averse to all forms of tyranny; and (6) the three thousand-mile distance separating them from England causes them to feel more independent. 13

The final reason brought forth to urge conciliation is that there is no other alternative because coercion has failed. Lord Dunmore has attested to the troubled conditions in Virginia. The example of Massachusetts carrying on for almost a year without a Governor or Legislative Assembly testifies to the feebleness of the English coercive measures. Burke struck a more telling

11 Ibid., 109-118.
12 Ibid., 118-119.
13 Ibid., 120-127.
blind at these coercions policies showing how they are opposed to the very first principles of English freedom. Forms of tyranny were outlawed in England from the time of that important afternoon at Runnymede when the Magna Charta was signed. Coercive policies indeed oppose the very meaning of freedom.\(^\text{14}\)

All of these reasons, declared Burke, necessitate recourse to conciliation, and militate against the use of force. With the first question, therefore, answered in the affirmative, he then proceeded to the next inquiry; what should England concede?

The legal right of Parliament to tax the Colonies is, he maintained, irrelevant. The purpose of government is not to make its subjects miserable, but rather to make them happy. Burke objected to all references to mere theoretical rights. "It is not what a lawyer tells me I may do, but what humanity, reason, and justice tell me I ought to do."\(^\text{15}\) A repeal of the revenue laws would not weaken our commerce, since little money is derived from this taxation. Again, neither would this repeal result in further concessions. An outstanding benefit to public welfare is provided by the examples of Wales, Ireland, Chester, and Durham. In each of these cases, opposition ceased when they were admitted into a closer union with the British Government. In the same way, the Colonies ought to be given a greater interest in the English Constitution. This must be done, not by direct parliamentary representation because of the three thousand miles separating them, but rather by allowing the general assemblies of the Colonies to act on taxation measures in granting

\(^{14}\) \textit{Ibid.}, 127-130.

\(^{15}\) \textit{Ibid.}, 140-141.
money to the crown.

This plan is based on six fundamental truths and three corollaries which were presented as resolutions to be acted upon at the end of the speech. In this way it would be possible to discuss these resolutions and vote upon them with a view to making them acts of Parliament, for, if they had originally been introduced in the form of an Act of Parliament, they would have been opposed from the start by Lord North and the Ministry. Then, they could have hardly been brought to the consideration of the House of Commons at all. The six propositions were: (1) the Colonies are not represented in Parliament; (2) the imposition of taxes had disquieted the Colonies; (3) the vast distance separating the Colonies from England prevents their being represented in Parliament; (4) the colonial Assemblies already have the legal power to levy taxes and grant money; (5) Parliament has often acknowledged that the Colonies have used this power most generously; and (6) grants from the colonial assemblies have been more beneficial and satisfactory than the impositions of Parliament.

By Parliament's admitting these six statements, Burke also hoped to get them to agree to the three corollaries which were concerned with the repeal of the revenue laws and the Boston Port Bill, as well as with improving the judiciary and the colonial courts. He was quick to deny that such a plan would shatter the empire and harkened back to the examples of Wales, Ireland, Chester, and Durham. On the contrary, they promoted unity and harmony.16

In his conclusion, Burke compared his plan with that of Lord North

16 Ibid., 155-167.
and showed the folly of the Minister's proposal. His peroration was an appeal
to the principles of the British Constitution and to Parliament's sense of
responsibility towards the Colonies. He ended by re-stating his first resolu-
tion as a matter to be acted upon.

This speech was followed by a lively debate. The Attorney-General,
Lord Campbell, Messrs. Jenkinson and Cornwall headed the opposition to Burke's
resolutions, while he was supported by Lord Cavendish together with Messrs.
Fox, Sawbridge, Tuffnell, and Hotham. 17 The opponents did not object so much
to the meaning of the propositions, as to the fear of repercussions from the
Colonies, as the lack of granting funds, etc. Another objection was that as
Parliament alone retained the right of granting revenue to the crown, the
Colonies, despite their having done so in the past, did not possess this legal
right. Those in favor of the resolutions called upon past experience and rea-
son itself which demanded their acceptance, but all in vain.

The parliamentary legal faction of shelving a measure unpopular to
the majority, called "putting the previous question," was made use of. By an
overwhelming majority of 270 to 78, the first four measures were shelved, while
the rest were negatived. Burke's oratory had stirred the members' hearts, but
it could not move their wills. The date was March 22, 1775. A few short
weeks later in April came Lexington and Concord where a handful of raw recruits
known as "minutemen" proved formidable opposition to the veteran "redcoats."
The 273 British killed, wounded, or missing bore silent testimony to the

17 For a more complete account of the speech and voting, consult the Annual Register for 1775, London, 105-110.
effectiveness of this resistance. Burke's powerful address had been delivered too late in the current leading up to the swift cataclysm of war. His voice had called out objecting to the impolitic measures, but it could not be heard above Parliament's clamor for actual assertion of their supremacy. The war for American independence had begun!
CHAPTER IV

BURKE AND THE WHIGS' ATTITUDE AND ACTIVITY

DURING THE WAR (1775-1783)

After Parliament's rejection of the resolutions of his Conciliation Speech, Edmund Burke made one final effort for peace before hostilities began in earnest. New York had not as yet joined the Continental Congress, nor had their colony sent its delegates to Philadelphia. The General Assembly, accordingly, sent a petition to the King, a representation to the House of Lords, and a memorial to the House of Commons. As their colonial agent, Burke, presented to Parliament the memorial containing their complaints and grievances to be redressed. A three to one majority refused even to receive this document, thereby losing another opportunity to bring the hostilities to an early close.

For Burke, the battle of Lexington could not be considered a British victory. "A most vigorous retreat...twenty miles in three hours...scarcely to be paralleled in history; the feeble Americans, who pelted them all the way, could scarce keep up with them."¹ Others in England sympathised with the Colonies in these skirmishes; a certain benevolent society sent one hundred pounds sterling to Benjamin Franklin for the widows and orphans of those unfortunate

victims, their fellow-subjects, who were cruelly murdered at Lexington and Concord.

The opposition presented by the colonial spirit and army, coupled with the vigorous activity of their Continental Congress angered King George.

The present contest in America, I cannot help seeing as the most dangerous in which any country was ever engaged: ...step by step the demands of America have arisen: independence is their object; that certainly is one which every man not willing to sacrifice every object to a momentary and inglorious peace must concur with me in thinking that this country can never submit to:2

None of the Colonies replied to North's conciliatory plan, but instead they referred this offer to the Continental Congress; and since the British government would not recognize this assembly, this was tantamount to a rejection of Lord North's bill. The Second Continental Congress, even while carrying on the campaign against the British troops in America, made one final overture of peace. The conservative members were in the majority and a new petition was drawn up declaring their loyalty to the throne and requesting a settlement of their claims. Any hopes for a peaceful settlement of difficulties were removed when in August 1775, the King rejected the proposal and called the Americans "rebels."

This action by the King prompted a more rigorous parliamentary support of party measures. In effect, it meant that all effective opposition to the King's majority party was reduced to practically nil. As a result, Burke, and some of the other Whigs favorable to the Colonies, "seceded" from Parliament, attending only for ordinary business not pertaining to affairs in America.

When matters concerning America were to be discussed, they absented themselves, thus emphasizing their opposition to the Ministry and their friendship to the cause of the Colonies.

Burke's final parliamentary effort on behalf of the American Colonies before his "secession" consisted of another compromise bill presented in October, 1775. This second plan on conciliation embodied most of the principles of his previous speech. It conceded to Parliament the right to tax but this was not to be asserted. Regulatory acts alone were to be enacted. The unjust legislation complained of by the Colonies was to be repealed, and an act of amnesty was to be passed pardoning all.

Once again, the King's Friends defeated this new measure by an overwhelming majority. North's Prohibitory Act was also passed, forbidding all trade with the Colonies and declaring all American ships and goods captured on the high sea to be lawful booty. Furthermore, any seaman of a captured colonial ship, or anyone guilty of high treason in America was to be detained and be deprived of the habeas corpus laws. In his letter to the Sheriffs of Bristol Burke was later to express his views on these acts.

Meanwhile, affairs in America were progressing towards a formal separation from England. Early in 1776, Tom Paine's inflammatory pamphlet, Common Sense, appeared which stirred up a spirit of independence from England.

In March, General Howe was forced to evacuate Boston. This withdrawal helped to rally more public support for separation, as did the report of George III's hiring mercenary soldiers to fight in America. In June, Richard Henry Lee's famous resolution in the Continental Congress brought about the drafting of the Declaration of Independence. On July 4, 1776, the formal vote of acceptance
was received for Jefferson's immortal document on independence from England.

Across the ocean, however, affairs of a much different nature were taking place on the same day. On July 4, 1776, at Oxford where Lord North was Chancellor, honorary degrees were conferred by that ancient and venerable university on Thomas Hutchinson, and Peter Oliver, the former Governor and Deputy Governor of Massachusetts Bay Colony.3

Political conditions went on about as usual in England during the war. George III continued to bribe members of the House of Commons, and rigorous censorship laws were placed on newspapers and publications. The English were confident of the ultimate outcome of the fighting for they relied on the superiority of their army, and on the support of the large number of Tories in the Colonies. New York and the Middle Colonies remained the stronghold of the Tories, although there were a good number of them in Connecticut as well as in some of the Southern Colonies. Some twenty to thirty thousand of them joined the British army and fought against their fellow Americans. For the Tory, the welfare of his country meant continued dependence upon England as a part of the British Empire.

Canada had also remained loyal to England. The First Continental Congress had prepared an address to the people of Quebec inviting them to send delegates to the Second Continental Congress. One of the reasons Canada remained loyal was the bitter anti-Catholic charges included in an Address to the People of England, written by John Jay. In addition, some of the Canadian Bishops wrote pastoral letters to their people reminding them of the benefits

---

3 Annual Register for 1776, [1777], 159-160.
of English rule and urging them to defend their province. 4

General Howe captured New York in the summer of 1776. In England it was thought in most quarters that it would only be a matter of time before the English would control the key cities and then the Colonies would be forced to surrender. Royal policies were approved by most of the wealthier classes, the officials of the Established Church, and the nobility, but a large number of the English merchants opposed the war because it greatly injured their trade. Neither did the war find favor with the lower classes of England from whom the army was recruited. They were opposed to the long uncomfortable voyage to America, as well as to fighting against men of the same Anglo-Saxon ancestry. Even some of the upper classes took forceful measures in opposition to the King. Lord Effingham and Chatham's oldest son resigned their commissions in the army so they could not be called upon to fight against the Americans. The Duke of Grafton resigned the privy seal and joined the opposition in Parliament.

By January, 1777, the cause of the American Colonies seemed at low ebb and Benjamin Franklin had been dispatched to Paris to secure French aid. In this move, Burke discovered an advantage for the Whig party. If Franklin's mission failed, as Burke believed it would, then the Whig party could be made the mediators in the peace negotiations. In this way, Whig prestige would be reestablished against the possible upsurge of the King's party flushed with the victory of the American war.

With this in mind, Burke wrote the Marquis of Rockingham, his party chieftain, urging him to make political capital out of this situation, through a spirited secession from both Houses of Parliament. To justify this daring political gesture, addresses were to be made both to the King and to the American colonists. Then to win over popular support for this measure, Burke urged that the galleries be left open to the public when this secession and the Address to the King were made.

The proposed Address to the King was a respectful, yet serious denunciation of the policies of the King and the Ministry. Burke began by admitting the supreme power of Parliament and the legality of their legislation. Like a skillful physician, however, he diagnosed the cause of the present ailments:

the disorders of the people, in the present time and in the present place, are owing to the usual and natural course of such disorders at all times and in all places, where such have prevailed, — the misconduct of government; — that they are owing to plans laid in error, pursued with obstinacy, and conducted without wisdom.

In referring to taxation, he harkened back to the Lockean principle that taxation was unjust if it disposed of the property of the people without their consent. Therefore, rather than trying to impose the legal rights of the crown, the general welfare of the entire nation ought to be considered. If such unjust measures continued, they would be subversive of the liberties of

---

5 Burke, Letter to the Marquis of Rockingham, in Writings VI, 154-155.
6 Burke, Address to the King, in Writings, VI, 161.
7 Ibid., 163.
all of the people of England.

Adam Smith in his *Wealth of Nations*, had also pointed out how both the prosperity of England and the liberty of the colonists were injured by harmful legislation. Parliamentary restrictions upon colonial trade and industry hindered rather than helped the commerce of the mother country. Smith also advocated colonial representation in the British Parliament, a notion which Burke had opposed in his *Conciliation Speech*.

In his criticism of the North Ministry, Burke showed how they opposed every real measure for reconciliation. Every proposition for removing the odious taxes, the fundamental cause of the trouble, was overruled. The only plan left to the Colonies was the devisive scheme of Lord North. Convinced of the futility of further opposition and ashamed further to countenance, even by silence, such proceedings, the Rockingham faction of the Whigs felt bound not to attend Parliament any longer. Hence, they intended not to return until the English government reverted to the true principles of the British Constitution. 8

Burke's second proposed letter, *Address to the British Colonists in North America*, was a declaration of friendship and an attempt at a peaceful working out of the grievances separating the two countries. He attested to the kindred spirit of liberty binding them and of the mutual love of the greater part of the English people towards them. He acknowledged their just claims, but washed his party's hands of the guilt of such legislation. The Rockingham faction of the Whigs had always maintained that the Colonies be given a free

hand in taxation measures and that the rights guaranteed them by their charters be preserved. Burke deprecated such abuses as the employment of foreign soldiers, the use of Indians, and the proclamation freeing the slaves and stirring them up against their former masters. He spoke out against the aim of the Colonies of complete independence from the mother country because of the risks involved in all untired forms of government. In place of a temous independence, he urged fraternal reconciliation brought about by his party. This reunion would be based upon the true principles of the British Constitution, thereby removing the causes of the discontent. He ended this address with a salutation to the Colonies, and a petition for Divine protection. He closed in the name of the well-wishers of the liberty and union of the British Empire, namely, the Rockingham faction of the Whig party.9

These appeals of Burke, while reflecting his intense interest to reconcile the superiority of England with the liberty of the American Colonies, nevertheless betray a naive misunderstanding of the independence-seeking American spirit. It seems that Burke truly believed, even as late as 1777, and perhaps later, that the Colonies would be willing to return as obedient children to the family of Mother England. Lord Rockingham, perhaps more of a political realist, decided against carrying out Burke's dramatic proposals. Hence these addresses to the King and to the colonists were never made public.

Early in August of the same year, 1777, Burke wrote a lengthy letter to his constituents in Bristol. This was occasioned by the passage of the

---

9 Burke, Address to the British Colonists in North America, in Writings VI, 183-196.
Piracy Law and the partial suspension of habeas corpus laws regarding the American Colonies, and likewise by his absence from Parliament. His letter then, is a denunciation of these laws, and a defense of his own conduct in the matter of parliamentary attendance.

Regarding the laws, the basis of his opposition to the law declaring colonial seamen to be pirates was that it was contrary to the English sense of justice.\(^{10}\) Furthermore, the spirit of the English Constitution was violated by suspending the habeas corpus laws.\(^{11}\) Though he was strongly opposed to both measures, he explained the seeming paradox of why he did not oppose such harsh measure in Parliament.

I have not debated against this bill in its progress through the House; because it would have been vain to oppose and impossible to correct it. It is some time since I have been clearly convinced, that, in the present state of things, all opposition to any measures proposed by ministers, where the name of America appears, is vain and frivolous.\(^{12}\)

Burke continued by reiterating his previous opposition to other harsh and unconstitutional measures such as the Boston Port Bill, etc. In England, legislation of this type has bred an unhealthy spirit, while in America it forced the colonists to seek aid from England's traditional enemies. For these reasons, the idea of unconditional surrender must be renounced. The English policy of governing must be adapted to its subjects, rather than based on mere theoretical rights. Rulers must prefer the general welfare of their subjects

---

10 Burke, Letter to the Sheriffs of Bristol, in Writings II, 190-191.

11 Ibid., 193.

12 Ibid., 200.
above the rigid insistence upon all rights. Once again Burke showed his opposition to governments based upon purely theoretical principles alone. Governments were set up for men, and thus must be altered when the original conditions which determined their origin are changed. According to this reasoning, when the growth and expansion of the Colonies required a larger share in government, the good of the whole empire demanded such a realignment. The benefits of such a change in policy were illustrated in the repealing of the Stamp Act, which restored the confidence of the Colonies in the mother country. He summarized by declaring that a just and lasting peace will not be had unless there is a return to the true spirit of the English Constitution, that is, English superiority joined to American liberty.

The final major reference to the war and the American Colonies occurs in his Bristol Speech. With the dissolution of Parliament in 1780, Burke returned to this city to seek reelection from this important commercial center. This time, he found his constituents more hostile as a result of the Lord Gordon riots in June of that year. These outbreaks were occasioned by the bill of Sir George Saville lessening the severity of legislation against Catholics. A strong spirit of anti-papery was aroused by the demented Lord George Gordon culminating in the June riots. Burke, because of his known sympathy to this bill coupled with the rumors of his being trained at St. Omer's, and really a Jesuit in disguise, was singled out for scurrilous abuse. His home had to guarded against roving bands of vandals.

In Bristol, his political enemies were busy repeating the old charges and lies against him and inventing new ones. He was accused of neglecting the interests of his constituents, of favoring the commerce of his native Ireland.
above that of Bristol, and of urging the repeal of the debtors' laws and the anti-Catholic penal laws. During his opening address to his constituents, Burke repeated his deprecation of the American war and his sympathy with the sufferings of the Colonies. 13 After a few days, it became evident that Bristol had been alienated from Burke and there was no chance of his re-election. Accordingly, Burke spoke again at the Guildhall declining to run for office. The City Council voted him their thanks for his past services and thus all official connections with Bristol were severed. Burke's remaining years in Parliament, that is, until 1794, were as the representative from Malton.

Despite the large majority of the King's Friends in the House of Lords and in Commons, Burke was not alone in his opposition to the policies of the King. Not all the members shared Dr. Johnson's sentiments that the Americans were a nation of convicts who ought to be thankful for anything allowed them short of hanging. 14 In the House of Lords, Lord Rockingham, Sir George Saville, the Duke of Richmond, the Bishop of St. Asaph, the Marquis of Granby, the Dean of Gloucester Cathedral, and the Earl of Shelburne were outstanding in the opposition. Pitt, in the Commons and later in the House of Lords, Fox, and General Conway spearheaded the resistance to the Ministry. The members of the Continental Congress were aware of their allies in the British Parliament and of their inability to come to the aid of the Colonies.

Fruitless were all the entreaties, arguments, and eloquence of an illustrious band of the most distinguished Peers and Commoners, who

---

13 Burke, Speech at Bristol Previous to the Election, in Writings II, 375-376, 402-403.

nobly and sternly asserted the justice of our cause, to stay, or even to mitigate the heedless fury with which these accumulated and unexampled outrages were hurried on. 15

In his Novanglus letters, John Adams refers to those in England who were friendly to the Colonies.

We know that London and Bristol, the two greatest commercial cities in the empire, have declared themselves in the most decisive manner, in favor of our cause,—so explicitly, that the former has bound her members under their hands to assist us; and the latter has chosen two known friends of America, one attached to us by principle, birth, and the most ardent affection [Mr. Cruger], the other an able advocate for us on several great occasions [Edmund Burke]. We know that many of the most virtuous and independent of the nobility and gentry are for us, and among them, the best bishop that adorns the bench [Dr. Shipley, Bishop of St. Asaph], as great a judge as the nation can boast [Lord Camden], and the greatest statesman it ever saw [Lord Chatham]. 16

Lord Chatham was the most celebrated of this group. While yet in the House of Commons, he was called "the great commoner" for his upholding of minority rights. After his promotion to the House of Lords, his waspish personality, coupled with failing health, rendered him less effective as an adversary of the King. Regarding American affairs, Chatham upheld the rights of the Colonies denying that Parliament had the right of taxation.

It is my opinion, that this Kingdom has no right to lay a tax upon the Colonies. At the same time, I assert the authority of this kingdom over the Colonies to be sovereign and supreme, in every


circumstance of government and legislation whatsoever. 17

He was later to speak out against the King's policies declaring that they were violations of the English Constitution. 18 Shortly before his Conciliation Plan was overwhelmingly defeated in February, 1775, he addressed Parliament in opposition to the bill for quartering soldiers in Boston. 19 Though declining in health, he managed to speak several times on putting an end to the war in America. 20 His last speech in Parliament was also on American affairs and it brought about his death. In April, 1778, he learned that the Duke of Richmond was about to advise peace with the Colonies granting them independence. Lord Chatham, misunderstanding like Burke the true spirit of American liberty, thought that the Colonies might still be retained in the British Empire if only their grievances were amended. Rising from a sickbed, he addressed the House of Lords recounting the events of the war and the blundering policy of the Ministry. He strongly urged them not to dismember the empire. 21 The exertion of the speech proved too great a strain for this aged statesman. He collapsed in the House of Lords and died a few days later. In the death of Chatham, the Colonies suffered the loss of one of their most powerful advocates in Parlia-


18 Chatham, State of the Nation Speech, in Eloquence, 115 ff.

19 Chatham, Speech on Quartering Soldiers in Boston, in Eloquence.

20 Chatham, Speech on Putting a Stop to Hostilities in America, in Eloquence, 132 ff., and Speech On An Address to the Throne, 134 ff.

21 Chatham, Last Speech of Lord Chatham, in Eloquence, 142.
ment.

There were others too who were outspoken in their criticism of the policies of the Ministry. In November, 1778, Charles Fox spoke in favor of the Colonies on the hardships and injustice inflicted upon them by England. In his later speeches, he was quite critical of the Ministry, especially of Lord North.

In the early years of the war before the majority party rendered all verbal opposition useless, there were others who advocated the causes of the Colonies. Sir George Saville called the American war a justifiable rebellion. David Hartley, the friend of Benjamin Franklin who later helped to draw up the peace treaty, declared that because of the unjust treatment of the Colonies by England, he wished that they might become independent and prosperous. The Marquis of Granby questioned the sincerity of Lord North's plan for reconciliation and deprecated the unjust conduct towards the American Colonies. The Earl of Shelburne declared that a spirit of despotism on the part of the King and Ministers was the cause of the unjust policies towards the American


23 Fox, Speech on Nov. 6, 1779, in Conciliation, 259, Speech on May 30, 1781, 260-263, and Speech on Nov. 27, 1781, 263-4.

24 Sir George Saville, Speech on Feb. 10, 1775, in Conciliation, 265-266.

25 David Hartley, Speech on Dec. 21, 1775, in Conciliation, 268.

26 Marquis of Granby, Speech on April 5, 1775, in Conciliation, 270-271.
Colonies. And there were others such as George Conway, Sir Joseph Mawbey, Lord Camden, the Duke of Richmond, John Dunning, Colonel Barre, and Fredrick Stuart whose sympathies were with the American colonists.

Parliament, however, turned a deaf ear to petitions favoring the Colonies and England continued to muddle through the Revolutionary War. Late in 1777, Burgoyne surrendered to the American forces at Saratoga. In February of the following year, the formal American alliance with France was signed supplying the Colonies with money, supplies, nine-tenths of their ammunition, and a French fleet. France had been eager to even scores with England. The Treaty of Paris in 1763 after the French and Indian War had taken away most of her empire and left her humiliated before the rest of Europe. Since that time, the French Ministers for Foreign Affairs had sent numerous investigators to America to report on sentiments and conditions. French agents were also busy in England bribing government officials to obtain information about colonial developments. By means of this alliance, the ultimate American victory was assured. Spain also entered the war in 1779 agreeing to furnish money and supplies. The forceful policy of the Baltic League protecting their commerce against seizure hampered the British efforts to halt neutral trade with the Colonies.

After the Franco-American treaty had been signed, Parliament authorized the sending of commissioners to America to offer concessions short of independence. No more taxation by Parliament, Congress might be continued, pardon for all taking part in the rebellion, representation in the British

27 Earl of Shelburne, Speech on October 26, 1775, in Conciliation, 273-274.
Parliament, were some of their offers, but to no avail. Lord North appointed the five-man commission consisting of the two Howes already in America, Lord Carlisle, William Eden, and George Johnstone. They arrived in June 1778, and returned to the mother country the following October reporting a complete failure of their mission. After the Declaration of Independence, the American victory at Saratoga, and the alliance with France, only complete independence would satisfy the Colonies.

After several skirmishes in the South, Gen. Cornwallis was determined to capture Virginia since he considered that colony to be the heart of the South. Lafayette's troops, however, forced Cornwallis to seek safety in Yorktown. There on October 19, 1781, surrounded by the American and French armies and cut off by the French fleet, he was forced to surrender.

In England, the news of the surrender at Yorktown signaled the downfall of the North Ministry. In his jubilation, Burke wrote to his friend Benjamin Franklin: "I congratulate you as the friend of America—I trust as not the enemy of England—I am sure as the friend of mankind—on the resolution of the House of Commons carried by a majority of nineteen.... I trust that our happiness may be an introduction to that of the world at large."28

During the surrender ceremonies at Yorktown, the British regimental band played the familiar march, "The World Turned Upside Down." For the British, the world had been turned upside down. They had suffered a humiliating defeat, they were to lose their colonial possessions, and America would be independent.

28 As quoted in the editor's notes of Burke's Speech on Conciliation with America, A. J. George ed., Boston, 1897, 98.
CHAPTER V

EVALUATION

The surrender at Yorktown and the subsequent treaty of peace brings down the curtain on the consideration of Edmund Burke's views on the American Revolution. Yet this valiant crusader for ordered liberty against every form of oppression and injustice would not yield in his principles of government. He would soon take up arms against this same foe cloaked in the robes of the Governor General of India, Mr. Warren Hastings, and later, garbed in the Jacobin principles of the French Revolution.

The underlying problem in the origin of the American Revolution was the question of rights. To begin with, Burke would be the first to agree that any attempt to balance the rights of individuals with those of the state was far from an easy task. "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, a sagacious, powerful, and combining mind." According to Burke, the nature of man was complex. He was more than the abstracted essence, rational animal, spoken of by philosophers. Man thought, felt, wept, rejoiced, experienced; man had duties and obligations to-

1 Burke, Reflections on the Revolution in France, in Writings III, 560.
wards God, towards himself, and towards his neighbor. All of these and more added to the complexities and difficulties of the art and science of governing others.

Burke's views are instructive to an American for he represents an English viewpoint on the English form of government. An American usually regards his own constitutionalism as stemming largely from the growth after the Convention of 1787. To know the forces and ideas inherent in the American government, however, it is necessary to know the main features of English constitutionalism. And these are set forth in the writings of Burke. "He had taken the side of the Americans because he had supposed them to be fighting not for speculative rights with a universal propagandist appeal, but for specific constitutional liberties which were the birthright of every Englishman."

Regarding political affairs, Burke was far from being a mere speculative thinker. Rather, he was a practical political philosopher. He labored to apply his statesmanship ability to the affairs at hand and like Gilbert-Sullivan's Mikado strove "to make the punishment fit the crime." Not vice versa. "No a priori system of political ideas—no ideology—governed his mind, but a passion to apprehend objective facts and circumstances." This important point must be kept in mind as one goes through the twelve volumes of Burke's speeches, pamphlets, letters, etc. In reading Burke's

2 Magnus, Edmund Burke, 218.
important speeches and writings on government, his fundamental political principles become evident. These, like Caesar's Gaul, were divided into three parts: (1) a Christian humanism, (2) an upholding of the natural law and natural rights, and (3) a defense of the British Constitution.

Like More and Newman, his fellow countrymen, Edmund Burke was a Christian humanist. He did not look out upon the rationalist or deist world of the eighteenth century, but rather upon the universe made by God for His most noble creature, man. "Man, — whose prerogative it is, to be in a great degree a creature of his own making, and who, when made as he ought to be made, is destined to hold no trivial place in creation." Hence, Burke believed in man and in the fundamental soundness of human nature. "Homo sum," he could well echo Terrence, "et nil humanum alienum est a me." Burke's politics then were homo-centric, but with man considered as a creature of God placed in this world by God to work out his salvation. With such a conception of man, the sublimity of his origin and destiny, one can easily understand Burke's concern that legislation and governing be in accord with man's inherent dignity. Applied to the American Colonies, it is reflected in his tireless promotion of their just causes and in the sorrow at the failure of his efforts on their behalf.

4 Burke, Reflections on the Revolution in France, in Writings III, 353.

I confess to you freely, that the sufferings and distresses of the people of America in this cruel war have at time affected me more deeply than I can express. I felt every gazette of triumph as a blow upon my heart, which has a hundred times sunk and fainted within me at all the mischiefs brought upon those who bear the whole brunt of war in the heart of their country. 6

With such a beginning, one easily arrives at the second fundamental of Burke's politics. Man, placed in this world by God to work out his salvation, must therefore obey God's laws ordained for his temporal good here and for his eternal good hereafter. In other words, he must obey the natural law. The natural law meant to the statesman that he must base his legislation on reason and justice, while to the subject it meant that he must obey such laws. Because of the natural law, man has natural rights. More in particular, Burke declared that men have a right to justice, to developing and benefitting from their means of livelihood, to inheritance, to nourishing, raising and instructing their children, and the right to benefit from society. 7 It was, then, in defense of these natural rights of men that Burke spoke out against the treatment of the American Colonies, just as he would later declaim against the anti-Catholic penal code of Ireland, the tyranny of Warren Hastings, etc.

To protect the natural rights of men governments have their limits. But all good Constitutions have established certain fixed rules for the exercise of their functions, which they rarely or ever depart from, and which rules form the security against that worst of rules, the government of will and force instead of wisdom and justice. 8

6 Burke, *Speech at Bristol Previous to the Election*, in *Writings II*, 402.


In the British form of government, the supreme power was limited in several ways. In the first place, the legislators must be guided not by the bare letter of the law, but by reason and justice. "It is not what a lawyer tells me I may do, but what humanity, reason, and justice tell me I ought to do." This is what Burke meant by the moral limitation of the supreme power of the British government. Furthermore, individual rights are protected by convention, which harks back to that body of traditions and practices which constitute the British Constitution. It is convention which binds and fastens the legislative, executive, and judicial powers in place in the vast framework of government. Government, according to Burke, is a contrivance of human wisdom to provide for human wants. To protect these human wants, then, the power of governing is limited.

His third fundamental political principle, a defense of the British Constitution, was derived from his many years in public service. His dealings with his own government as well as those of other nations had convinced Burke of the supreme value and merit of the British form of government.

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 multitude? 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 both again controlled by a judicious check from the reason and feeling of the people at large, acting by a suitable

9 Burke, Speech on Conciliation with the Colonies, in Writings II, 140-141.

10 Burke, Reflections on the Revolution in France, in Writings III, 257.

11 Ibid., 309.
and permanent organ.¹²

This particular form of government united the democratic, aristocratic, and monarchial elements of society. It is a "monarchy directed by laws" wherein the powers of the sovereign were directed. The King's powers, in effect, were so directed that they were practically nil. His veto remained unused since the time of Queen Anne, and his discretionary powers were bound on all sides.

the discretionary powers which are necessarily vested in the monarch, whether for the execution of laws, or for the nomination to magistracy and office, or for conducting the affairs of peace and war, or for ordering the revenue, should all be exercised upon public principles and natural grounds, and not on the likings or prejudices, the intrigues or policies of a court.¹³

Thus, when George III, seeking "to rule as well as reign," built up and favored his King's Friends party in Parliament, he was acting, says Burke, contrary to the British Constitution.

Parliament possessed, for all practical purposes, the supreme political power divided between the House of Lords and House of Commons. The House of Lords represented the aristocratic element of government, signified by the great hereditary wealth and dignity of the nation. Although this body was not too concerned with the actual initiation of legislation, they retained the right of final approval or rejection. Afterwards, the approved legislation went to the King for his authorization.

¹² Ibid., 395.

¹³ Burke, Thoughts on the Causes of the Present Discontents, in Writings I, 469-470.
The House of Commons was the "suitable and permanent organ" which controlled the Monarch and the House of Lords by their "judicious check from the reason and feeling of the people at large." In this way, the democratic element was maintained in the British form of government. "Burke stood for government of the people (with their consent), by the people (through the instrumentality of their natural leaders and representatives), and for the people (for their common and permanent good, but not for their vagrant and variant whims)."14 The Houses of Lords and Commons were permanent bodies to provide that stability of government necessary for the general welfare of the nation. As Burke was well aware of the dangers inherent in a weak government, he strove to oppose all infringements on the powers of Parliament.

From the beginning of his active political life in 1765 until his retirement in the mid nineties, Burke never wavered in his views about sovereign authority resting in Parliament. The circumstances might vary from the American scene to India, Ireland, or that of the French Revolution, but Burke retained these fundamental political principles and continued to apply them. The supremacy of Parliament was the very point at issue during the "cold war" period. In regard to the Stamp Act, he firmly maintained that Parliament possessed the right to tax the Colonies, although it was wrong to impose the tax at this time. Politics does not exist in a vacuum. It must be adopted to human nature and to all modifying circumstances. The Declaratory Act affixed to the Stamp Act's repeal highlighted Parliament's supreme authority, as Burke

pointed out in his first major political pamphlet. Together with these rights of Parliament, however, came obligations. They had to respect and uphold the rights of their subjects. Such taxation measure as the Sugar Tax, Stamp Tax, and Townshend Acts did not respect the subject's rights for they hindered the greater good of the body politic, did not achieve their purpose, and helped to intensify colonial discontent. Like a skillful physician, Burke prescribed mild remedies for the ailing parts in order to restore the health of the whole body politic. His political pamphlets spoke out for him. The Observations on a Late Publication, printed in 1767, attacked the viewpoint of the Ministers who urged severe legislation on the Colonies. A few years later, Burke wrote his Thoughts on the Causes of Present Discontents pointing out once more the Dangers of legislation harmful to the interests of the Colonies. His appointment at that time as parliamentary agent for New York also brought him into contact with the Colonies.

His major speeches, American Taxation Speech in 1774 and Conciliation Speech in 1775, indicated his familiarity with the affairs of the American Colonies. Facts and figures on the revenue derived from colonial trade, population, geography, history, life and spirit of the Americans, all of these and more filled out the rhetorical bones of these speeches giving them flesh and blood to make them alive, but all in vain! The extremists in Parliament would have their hour, but the patriots in America would ultimately win the day.

Quite naturally, Burke's sympathy towards the grievances of the

15 Burke, A Short Account of a Late Short Administration, in Writings I, 265.
Colonies aroused the antipathy of his political opponents. I am charged with being an American. If warm affection towards those over whom I claim any share of authority be a crime, I am guilty of this charge. But I do assure you, (and they who know me publicly and privately will bear witness to me,) that, if ever one man lived more zealous than another for the supremacy of Parliament and the right of the imperial crown, it was myself.16

Burke had declared that his purpose in entering Parliament was to have his share in doing good and resisting evil.17 As regards the American Revolution, his "doing good" was his insistence on the civil rights and liberties of the Colonies, always consistent however with the superiority of Parliament. Writings, speeches, letters, pamphlets, and even private conversation were directed towards this end, thereby "resisting the evil" of the unjust legislation of the King and his political party. The objective of his strenuous activities at this time would coincide with that of his efforts against Warren Hastings, the French Revolution, and England's policy towards Ireland. This political consistency, whether on behalf of America, India, or Ireland, is one of the striking characteristics of this eminent statesman.

Burke was hampered in his efforts by the factional breakup of the Whig party, as well as by the political indifference of the nobility.

He could not make the Duke of Richmond put off a large party at Goodwood for the sake of an important division in the House of Lords; and he did not always agree with Lord John Cavendish as to what constitutes a decent and reasonable quantity of fox-hunting for a political leader in a crisis.18

16 Burke, Letter to the Sheriffs of Bristol, in Writings II, 222.
17 Burke, Speech at Bristol Previous to the Election, in Writings II, 421.
He did the best he could, however, trying to transfuse some of his keen spirit into their lethargic veins by means of his frequent correspondance, detailed plans, helping them to write their speeches, etc.

The myopic political viewpoint of King George III and his party formed the other source of opposition to Burke and his policies. Widespread corruption in the House of Commons formed the loudspeaker to broadcast the exaggerated political notions of the monarchy. The political and economic tenets of mercantilism were stretched to include the entire subjection of the Colonies. This caused the colonists in America to raise the standard of resistance and prepare the way for their union against the mother country.

The best summary of Burke's political career can be found in the humorous epitaph composed by his friend Oliver Goldsmith for one of their literary club sessions at the St. James' Coffee Shop.

Here lies our good Edmund, whose genius was such, We scarcely can praise it, or blame it too much; Who born for the universe, narrowed his mind, And to party gave up what was meant for mankind. Though fraught with all learning, yet straining his throat To persuade Tommy Townshend to lend him a vote; Who too deep for his hearers, yet went on refining, And thought of convincing, while they thought of dining. Though equal to all things, for all things unfit; Too nice for a statesman, too proud for a wit; For a patriot too cool, for a drudge disobedient; And too fond of the right to pursue the expedient. In short, 'twas his fate, unemployed or in place, Sir, To eat mutton cold, and cut blocks with a razor.19

Burke's ability and activity were such that he could scarcely be blamed or praised too much. His was a lifetime of service. True indeed, he

19 Magnus, Edmund Burke, 77 quoting from Goldsmith's Retaliation.
failed to avert the calamity of the American Revolution, or to convict Warren Hastings, or fully to persuade his colleagues of the evils of the Jacobin philosophy of the French Revolution for all of these were beyond his control. These failings might be placed on the negative side of the ledger. On the positive side, however, it must be noted that he did prepare the way for the ultimate reform of British colonial policy. His tireless warnings also awakened the English nation from their slumbers in regard to the gravity of the impending danger with France. Furthermore, his polemical works are considered today as masterpieces of political thought and literature. Upright and sound political principles of practical politics dressed in all the eloquence his genius could muster; imagery, clearness, beauty, emphasis, force, structure, all of these are to be found throughout the twelve volumes of his Writings and Speeches. In these works, his noble personality is also reflected in his style of writing.

Mr. Burke, when all is said, was a style, a rich, a shapely and exuberant style. It became, in the course of time the classical idiom of English politics, the admired dialect of Honourable and Right Honourable Gentlemen. 20

The loss of the American Colonies was due to a series of errors on the part of England. The first was the economic error of the mercantile system which was forced upon the Colonies long after they had outgrown it. The second was the political error of George III and his extremists in Parliament who sought to vindicate at all costs every right or every supposed right of England. The final error was the military one of not backing up such a

stiff policy with sufficient armed force. Because of his knowledge and experience in American affairs, Burke opposed these political and economic errors with all the means in his power. "I think I know America,—if I do not, my ignorance is incurable," he told his constituents in Bristol.21 His warnings to Parliament fell upon deaf ears.

Edmund Burke, however, lives on and is heard today in the wisdom of his masterpieces of political literature reflecting his principles of ordered liberty against the evils of injustice and oppression under all its guises. As a final tribute then, one is forced to re-echo Dr. Johnson's appraisal of Edmund Burke, for indeed, "This is an extraordinary man."

21 Burke, Letter to the Sheriffs of Bristol, in Writings II, 209.
BIBLIOGRAPHY

I. PRIMARY SOURCES


*Annual Register, or A View of the History, Politics, and Literature of the Year*, (published annually from 1759), London.


Burke, Edmund, *Burke on Conciliation with America*, with introduction and notes by A. J. George, Boston, 1897.


Select British Eloquence, edited by Chauncey A. Goodrich, New York, 1872.


Sources of English Constitutional History, Carl Stephenson and Fredrick Marcham editors and translators, New York, 1937

II. SECONDARY SOURCES

A. BOOKS

Adams, Randolph Greenfield, Political Ideas of the American Revolution, Durham, 1922.


Clark, Dora, British Opinion on the American Revolution, New Haven, 1930.


Copeland, Thomas, Our Eminent Friend, Edmund Burke, New Haven, 1949.

Davidson, Phillip, Propaganda and the American Revolution, 1763-1783, Chapel Hill, 1941.


Fish, C. R., Anglo American Relations, Chicago, 1931.


Miller, John C., Origins of the American Revolution, Boston, 1943.

Miller, John C., Triumph of Freedom, 1775-1783, Boston, 1948.


Rossiter, Clinton,Seedtime of the Republic, New York, 1953.


Van Tyne, Claude, War of Independence, Boston, 1929.


Winstanley, D.A., Lord Chatham and the Whig Opposition, Cambridge, 1912.

B. ARTICLES

Crowley, Sister Patricia Jose, S.C., "Burke and Scholasticism," The New


C. UNPUBLISHED MATERIAL

The thesis submitted by Lee Joseph Bennish, S.J. has been read and approved by three members of the Department of History.

The final copies have been examined by the director of the thesis and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the thesis is now given final approval with reference to content, form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment of the requirements for the degree of Master of Arts.

April 21, 1956

Date

Signature of Adviser