

Liberty and  
American  
Experience in  
the Eighteenth  
Century



# Liberty and American Experience in the Eighteenth Century

Edited and with an Introduction  
by David Womersley



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## Contributors

LANCE BANNING was Professor of History at the University of Kentucky, where he taught since 1973. A native of Kansas City, he received his B.A. from the University of Missouri at Kansas City in 1964 and his M.A. and Ph.D. degrees from Washington University (St. Louis) in 1968 and 1971. He held fellowships from the National Endowment for the Humanities, the John Simon Guggenheim Foundation, the National Humanities Center, and the Center for the History of Freedom.

Banning was coeditor of the University Press of Kansas series "American Political Thought," editor of *After the Constitution: Party Conflict in the New Republic*, and author of many articles and essays on the American Founding and the first party struggle. His first book, *The Jeffersonian Persuasion: Evolution of a Party Ideology*, received the international book award of Phi Alpha Theta and was nominated by the press for Pulitzer, Bancroft, and other prizes. *Jefferson and Madison: Three Conversations from the Founding*, a revision of his 1992 Merrill Jensen Lectures at the University of Wisconsin, and *The Sacred Fire of Liberty: James Madison and the Founding of the Federal Republic* were published in 1995. The latter received the Merle Curti Award in Intellectual History from the Organization of American Historians and was a finalist for the Pulitzer Prize.

During the spring of 1997, Banning held the John Adams Chair in American History, a senior Fulbright appointment, at the University of Groningen in the Netherlands. During the fall of 2001, he was Leverhulme Visiting Professor at the University of Edinburgh.

His last publications were *Liberty and Order: The First American Party Struggle*, an anthology of primary sources from Liberty Fund, and *Conceived in Liberty: The Struggle to Define the New Republic, 1789–1793*. He died in 2006.

JOHN W. DANFORD was educated at Dartmouth College, Berkeley, and Yale University, from which he has a doctoral degree in political science. He is the author of three books: *Wittgenstein and Political Phi-*

losophy, *David Hume and the Problem of Reason*, and *Roots of Freedom: A Primer on Modern Liberty*. He has published articles on Thomas Hobbes, Adam Smith, and David Hume, among others, in journals such as *Western Political Quarterly*, *American Journal of Political Science*, and *Journal of Politics*. He has taught at the University of Chicago, University of Houston, and Loyola University Chicago and served as the Charles Evans Hughes Professor of Jurisprudence at Colgate University.

After working on issues in the philosophy of science (or social science) during the first part of his career, his work on David Hume led to a keen interest in the Scottish Enlightenment, and in the foundations of the kind of free societies (large modern commercial republics) studied and recommended by the Scots. More recently his attention has returned to the thought of the ancient Greeks, and in particular to Herodotus and his understanding of freedom and its importance for human flourishing.

ROBERT A. FERGUSON is the George Edward Woodberry Professor of Law, Literature, and Criticism at Columbia University. His books include *Law and Letters in American Culture*; *The American Enlightenment, 1750–1820*; and most recently, *Reading the Early Republic*—all from Harvard University Press. He has also published numerous articles on American literature, legal history, the literature of public documents, and the relationship of law and legal institutions to American writing.

He teaches jurisprudence, law and literature, and early American constitutionalism at Columbia Law School and English and American literature for the English Department of Columbia University.

R. G. FREY is Professor of Philosophy at Bowling Green State University, where he is also Senior Research Fellow in the Social Philosophy and Policy Center. His Doctor of Philosophy degree is from Oxford University, and he taught in the United Kingdom and Canada before coming to Bowling Green. He has published numerous books and articles on normative ethics, applied or practical ethics, and the history of eighteenth-century British moral philosophy. In addition to an edition of Bishop Butler's ethical writings, he is at work on a book entitled *Virtue and Interest: The Moral Psychologies of Shaftesbury, Butler, and Hume*.



JACK P. GREENE is a student of colonial British America. He has published widely on this subject, including such works as *The Quest for Power: The Lower Houses of Assembly in the Southern Royal Colonies, 1689–1763*; *Peripheries and Center: Constitutional Development in the Extended Politics of the British Empire and the United States, 1607–1789*; *Pursuits of Happiness: Social Development of the Early Modern British Colonies and the Formation of American Culture*; *Imperatives, Behaviors, and Identities: Essays in Early American Cultural History*; *The Intellectual Construction of America: Exceptionalism and Identity from 1492 to 1800*; *Negotiated Authorities: Essays in Colonial Political and Constitutional History*; *Explaining the American Revolution: Issues, Interpretations, and Actors*; and *Interpreting Early America: Historiographic Essays*.

Having earlier taught at Michigan State University, Western Reserve University, and the University of Michigan, he became in 1966 a member of the Department of History at Johns Hopkins University, where since 1976 he has been Andrew W. Mellon Professor in the Humanities. From 1990 to 1992, he was Distinguished Professor at the University of California, Irvine. He has been a visiting professor at several institutions, including Oxford University, Hebrew University of Jerusalem, and the École des Hautes Études en Science Sociale. He has held fellowships from the Guggenheim Foundation, the Institute for Advanced Study, the Woodrow Wilson International Center for Scholars, the Center for Advanced Study in the Behavioral Sciences, the National Humanities Center, and the John Carter Brown Library.

RONALD HAMOWY is Professor Emeritus of Intellectual History at the University of Alberta. He is a graduate of the Committee on Social Thought of the University of Chicago and has taught at Stanford University and Simon Fraser University in Vancouver before moving to Alberta.

Mr. Hamowy is the author of *The Scottish Enlightenment and Spontaneous Order* and numerous articles on the Scottish Enlightenment and F. A. Hayek. He is the editor of the 1995 Liberty Fund two-volume edition of Trenchard and Gordon's *Cato's Letters*.

BARRY SHAIN is Associate Professor of Political Science at Colgate University. His publications include *The Myth of American Individualism: The Protestant Origins of American Political Thought* and *Man,*

*God and Society: An Interpretive History of Individualism* and numerous book chapters and reviews. His teaching specialties are American political thought (especially that of the Founding period), modern political philosophy, political theology, early-modern natural and international law, and American political culture. After earning two B.A.'s, one from San Jose State University and one from San Francisco State University, he received his M.A. and his Ph.D. from Yale University. He was the John M. Olin Foundation Faculty Fellow in History in 1993, and a National Endowment for the Humanities Fellow in 1992 and 2005, and has been invited to speak at many lectures and conferences around the world. His research interests include the history and meanings of the most significant Western political concepts in the early-modern period, such as liberty, individual rights, slavery, and the self; and contending conceptions of the good as they developed in this period.

DAVID WOMERSLEY is the Thomas Warton Professor of English Literature at the University of Oxford and a Fellow of St. Catherine's College. His publications include *The Transformation of the Decline and Fall of the Roman Empire*, a three-volume edition of *The History of the Decline and Fall of the Roman Empire*, a collection of *Contemporary Responses to Gibbon*, the proceedings of the Gibbon Bicentenary Colloquium entitled *Edward Gibbon: Bicentenary Essays*, *Gibbon and the Watchmen of the Holy City: the Historian and his Reputation, 1776–1815*, and "Cultures of Whiggism": *New Essays on English Literature and Culture in the Long Eighteenth Century*. He has also edited Edmund Burke's *Pre-Revolutionary Writings*, a collection of *Augustan Critical Writing*, *English Literature: Milton to Blake*, an abridged edition of *Gibbon's Decline and Fall*, *Restoration Drama: An Anthology*, and Samuel Johnson's *Selected Essays*.

His current projects include a biography of Gibbon; two monographs provisionally entitled *Literary Whiggism 1680–1730* and *Religion, History and Drama 1530–1603*; and an edition of James Boswell's *Life of Johnson*. He is a General Editor of *The Complete Writings of Jonathan Swift*, for which he is editing the volume devoted to *Gulliver's Travels*.

GORDON S. WOOD is Alva O. Way University Professor and Professor of History at Brown University. He received his B.A. degree from Tufts University and his Ph.D. from Harvard University. He taught

at Harvard and the University of Michigan before joining the faculty at Brown in 1969.

He is the author of many works, including *The Creation of the American Republic, 1776–1787*, which won the Bancroft Prize and the John H. Dunning Prize in 1970, and *The Radicalism of the American Revolution*, which won the Pulitzer Prize for History and the Ralph Waldo Emerson Prize in 1993. He is currently working on a volume in the *Oxford History of the United States* dealing with the period of the early Republic from 1789 to 1815. His book entitled *The Americanization of Benjamin Franklin* was published in 2004.

Professor Wood is a fellow of the American Academy of Arts and Sciences and the American Philosophical Society.

DAVID WOOTTON is Anniversary Professor of History at the University of York, England. He has published widely on intellectual and cultural history between the Renaissance and the Enlightenment in France, Italy, and the English-speaking countries. His most recent book is *Bad Medicine: Doctors Doing Harm since Hippocrates*.



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## Introduction: A Conservative Revolution

All students of the political thought of the eighteenth century are familiar with the broad outlines of the mature political philosophy of Edmund Burke, as it was expressed in his most famous work, *Reflections on the Revolution in France* (1790; hereafter cited as *Reflections*). Dismayed by the achievements of Jacobinism across the Channel and appalled at the enthusiasm for the principles of the Revolution evinced by many amongst both the lower orders and the propertied in England, Burke was impelled to articulate his own contrasting vision of healthy politics. In place of the Jacobinical abolition of the past, Burke proposed a careful cherishing of a nation's political tradition as a kind of accumulated property or inheritance of practical political wisdom. In place of abstract, "natural," rights, Burke preferred those different rights which had arisen as a result of concrete, legal decisions. In place of lofty but in his eyes vacuous protestations of an attachment to the whole of humanity, Burke preferred instead to rely on a politics which was aligned with the natural affections which arose in the more restricted setting of the family. In place of the Jacobins's anti-clericalism, Burke respected the rights of national churches in a spirit of wise toleration. And above all Burke came ever more to respect the rights of property as the expropriations of the revolutionaries reached new heights and the economic policy of revolutionary France became ever more disastrous. As he would write to the Duke of Portland on September 29, 1793:

It is truly alarming to see so large a part of the Aristocratick Interest engaged in the Cause of the new Species of democracy, which is openly attacking or secretly undermining the System of property, by which mankind has hitherto been governed: But we are not to delude ourselves. No man, who is connected with a party, which professes publicly to admire, or be justly suspected of secretly abet-

ting, this French revolution, who must not be drawn into its vortex, and become the instrument of its designs.<sup>1</sup>

But how did Burke's political thought assume this character? The speed of his response to events in France, written and published as they were at a period when much moderate opinion in England saw nothing to be alarmed about in the course and nature of the Revolution, surely inhibits us from imagining that they were created by the events on which they comment. Indeed, the speed and apparent pre-science of Burke's analysis of the Revolution requires us to believe that the political philosophy he deployed against the Jacobins was already fully formed before 1790 and that thereafter it acquired additional intensity but did not noticeably change its shape. So the question remains: how did Burke's political thought acquire its final, memorable character?

The question becomes both more curious and also more capable of being answered when we recall that there was much in Burke's earlier writings which, while not in flat contradiction with the *Reflections*, nevertheless was certainly in tension with that later work. *Thoughts on the Cause of the Present Discontents* (hereafter cited as *Thoughts*) was published by Burke in 1770 in protest at what he called the system of "Double Cabinet" introduced by the Earl of Bute on the accession of George III in 1760—a system, as Burke represented it, which aimed at the enlarging of the powers of the Crown by means of a methodical undermining of the independence of the House of Commons. In the process, Burke also composed what was tantamount to the political creed of the Rockingham Whigs, the party to which he was then attached. It is in these more expansive passages, when Burke raises his eyes from the minutiae of British high politics in the 1760s and allows his prose to take wing at the thought of the Whiggish principles he was serving, that we meet emphases which jar when we recall the rather different elations of the *Reflections*. For instance, in the *Reflections* Burke would define man's proper and healthy political disposition in terms of consecration, piety, and awe:

1. Edmund Burke, *Correspondence*, ed. T. Copeland et al., 10 vols. (Cambridge: Cambridge University Press, 1958–78), 7:437 (hereafter cited as *Correspondence*).



We have consecrated the state, that no man should approach to look into its defects or corruptions but with due caution; that he should never dream of beginning its reformation by its subversion; that he should approach to the faults of the state as to the wounds of a father, with pious awe and trembling sollicitude. By this wise prejudice we are taught to look with horror on those children of their country who are prompt rashly to hack that aged parent in pieces, and put him into the kettle of magicians, in hopes that by their poisonous weeds, and wild incantations, they may regenerate the paternal constitution, and renovate their father's life.<sup>2</sup>

Twenty years earlier, however, in the course of writing *Thoughts*, Burke had painted the character of an ideal Member of Parliament in hues drawn from a less reverential palette:

A strenuous resistance to every appearance of lawless power; a spirit of independence carried to some degree of enthusiasm; an inquisitive character to discover, and a bold one to display, every corruption and every error of Government; these are the qualities which recommend a man to a seat in the House of Commons.<sup>3</sup>

Or, to take another example, we might cite from *Thoughts* Burke's pungently Whiggish understanding of the fundamental importance of the people in the British constitution:

The King is the representative of the people; so are the Lords; so are the Judges. They are all trustees for the people, as well as the Commons; because no power is given for the sole sake of the holder; and although Government certainly is an institution of Divine authority, yet its forms, and the persons who administer it, all originate from the people (292).

But the *Reflections* would, twenty years later, be written in a spirit of angry denunciation against Richard Price's *A Discourse on the Love of Our Country*, which also articulated the principle of popular sovereignty:

2. Burke, *Reflections on the Revolution in France* in *Writings and Speeches of Edmund Burke*, ed. Leslie Mitchell (Oxford: Oxford University Press, 1989), 8:146.

3. Burke, *Thoughts on the Cause of the Present Discontents*, *ibid.*, 2:296.

Civil governors are properly the servants of the public and a King is no more than the first servant of the public, created by it, maintained by it, and responsible to it; and all the homage paid him is due to him on no other account than his relation to the public. His sacredness is the sacredness of the community. His authority is the authority of the community, and the term *Majesty*, which it is usual to apply to him, is by no means his own majesty, but the majesty of the people.<sup>4</sup>

From this, Price had concluded that the people enjoyed a “right to chuse our own governors, to cashier them for misconduct, and to frame a government for ourselves” (190). Burke was at great pains in the *Reflections* to refute the interpretation of 1688 which undergirded Price’s portrait of the British constitution, and in particular he wished to repudiate this notion of popular sovereignty. Furthermore, it was when Fox echoed Price’s sermon in the House of Commons (saying, for instance, that “the Sovereignty was absolutely in the people, that the Monarchy was elective, otherwise the Dynasty of Brunswick had no right, and that the majority of the people, whenever they thought proper to change the form of Government, had a right to cashier the King”) that Burke realized that he must separate himself from his former allies.<sup>5</sup> Yet, were Price and Fox so very far away, at least in point of language, from the Burke of 1770?

At this point let me be very clear about what I am saying when I bring the Burke of 1790 up against the Burke of 1770 and touch on the discrepancies which seem to divide them. I am decidedly not contending that there is an utter contradiction between *Thoughts on the Cause of the Present Discontents* and *Reflections on the Revolution in France*. To do so would be at the very least to subscribe to a laughably one-sided interpretation of the *Thoughts*, which as well as the passages I have quoted

4. Richard Price, *A Discourse on the Love of Our Country* in *Richard Price: Political Writings*, ed. D. D. Thomas (Cambridge: Cambridge University Press, 1991), 185–86.

5. Report of Fox’s speech in the House of Commons on February 1, 1793, in a letter from Lord Sheffield to Edward Gibbon of February 5, 1793, in *The Private Letters of Edward Gibbon*, ed. R. E. Prothero (London: John Murray, 1896), 2:368.

above contains also sentiments such as the following concerning the congruence of domestic and political affections which would be entirely at home in the *Reflections*:

Commonwealths are made of families, free commonwealths of parties also; and we may as well affirm, that our natural regards and ties of blood tend inevitably to make men bad citizens, as that the bonds of our party weaken those by which we are held to our country.<sup>6</sup>

It was presumably because of passages such as this that *Thoughts* attracted the criticism of nascent metropolitan radical circles when it was first published.<sup>7</sup> Yet what Catherine Macaulay and others objected to is precisely what now makes the *Thoughts* so fascinating, namely the simultaneous presence within it of both an element which can be easily aligned with the political doctrines Burke was to espouse in the 1790s and another element which points in a different direction and down an unchosen path. Between 1770 and 1790 something occurred to impel Burke away from becoming that alternative, Commonwealth Whig which, on the showing of *Thoughts*, was at that point equally available to him. What was it that moved Burke toward the path he eventually followed?

I suggest that it was the experience of colonial conflict and colonial war which decisively drove Burke down the path of political reflection which terminated in his great works of the 1790s: that is to say, in *Reflections on the Revolution in France* (1790), *An Appeal from the Old to the New Whigs* (1791), *A Letter to a Noble Lord* (1796), and *Letters on a Regicidal Peace* (1795–97). The conflict between Great Britain and her American colonies was the first of the three overlapping crises which occupied Burke from the mid-1770s onwards. Before peace had been concluded with the United States in 1783, he was deep in Indian affairs and preparation for the prosecution of Warren Hastings, and before that prosecution had drawn to a close, revolution had broken out in France. So the American crisis inaugurated the final phase of Burke's public career in which he was unremittingly preoccupied with international and imperial issues at the highest level until his death in 1797.

6. *Writings and Speeches of Edmund Burke*, 2:315.

7. On which response, see the endnote by Paul Langford, *ibid.*, 322.

In the final twenty years of his life, Burke cleaved to the political insights generated by the American crisis.

Burke's central thought about the colonial war between Britain and America was simple. He unflinchingly saw it as an entirely avoidable conflict between a high-handed administration and a colonial population whose breeding and *mores* had disposed them to vigorous resistance when menaced by oppressive innovation from the mother country. As he said in *Conciliation with the Colonies* (1775), one of the two major speeches Burke made in the House of Commons at the outset of the conflict, the American colonists "snuff the approach of tyranny in every tainted breeze."<sup>8</sup> This strong polarity between, on the one hand, innovating and oppressive politicians at home and, on the other, hardy, resilient and suspicious colonists abroad organizes everything Burke writes on America. For instance, we might cite many passages on the character of the colonists from *Conciliation with the Colonies*. In the first place, Burke emphasized the strength of the colonists' commitment to liberty:

The people of the Colonies are descendents of Englishmen. England, Sir, is a nation, which still I hope respects, and formerly adored, her freedom. The Colonists emigrated from you, when this part of your character was most predominant; and they took this bias and direction the moment they parted from your hands (120).

But he then went on immediately to stress the particular and focussed quality of their attachment to liberty:

They are therefore not only devoted to Liberty, but to Liberty according to English ideas, and on English principles. Abstract Liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object; and every nation has formed to itself some favourite point, which by way of eminence becomes the criterion of their happiness (120).

In America as in England, this "favourite point" is taxation:

8. A phrase as remarkable for its characterizing of the policy of Lord North's administration as tyrannous, as for its ascription of suspicious vigilance to the colonists, *Speech on Conciliation with America*, *ibid.*, 3:124.