

## BURKE’S REFLECTIONS, VINDICAE GALLICAE AND JAMES MACKINTOSH’S CONTRA-REVOLUTIONARY TURN

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There is no doubt that the most important and radical political event of the 18th century was the French Revolution in 1789, later called “great” by its intellectual and emotional adherents, and condemned as one of the greatest disasters on mankind in the field of society and politics by its antagonists and adversaries. The French Revolution of 1789, though not without antecedents, represents a symbolic dividing line between what we might call “modern world” and what we could name the traditional civilization and culture.

The contemporary observers have already considered it a unique and unprecedented event. For example, Thomas Paine, one of the most enthusiastic supporters of the French Revolution, said:

*In the declaratory exordium which prefaces the Declaration of Rights, we see the solemn and majestic spectacle of a Nation opening its commission under the auspices of its Creator, to establish a Government; a scene so new, and so transcendently unequalled by any thing in the European world, that the name of a Revolution is diminutive of its character, and it rises into a regeneration of man.<sup>1</sup>*

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1 Thomas Paine. *Rights of Men*. W.T. Sherwin, London, 1987. p. 69.

Alexis de Tocqueville wrote in the opening pages of his *The Old Regime and The Revolution*:

*The French made, in 1789, the greatest effort that has ever been made by any people to sever their history into two parts, so to speak, and to tear open a gulf between their past and their future. In this design, they took the greatest care to leave every trace of their past condition behind them; they imposed all kinds of restraints upon themselves in order to be different from their ancestry; they omitted nothing which could disguise them.*<sup>2</sup>

There is no doubt that the French Revolution provoked the greatest public debate on political principles in Britain since the Civil War of 1640.<sup>3</sup> The debate on the revolution focused on the fundamental questions of politics, religion, society and history.

What is the basis of political legitimacy? Where are the limits of the state? How do the state and the church relate to each other? What is the role of leadership in political life and what does it mean to subordinate? What are the basic rights and obligations of a citizen? What is the actual purpose of government and what is the most appropriate sphere of government authority?

Emerging modernity, in political thought, starting with Machiavelli, tried to separate the moral, metaphysics and politics from each other.<sup>4</sup> The purpose of the existence of the state seemed to both the revolutionaries and counter-revolutionaries not to be based solely on reaching some “passive” criterion. Therefore, the idea of the state and an “ideal political constitution” was an earthly

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2 Alexis de Tocqueville. *The Old Regime and The Revolution*. Harper and Brothers, New York, 1856. Preface p. i.

3 See Hampshire-Monk (eds.). *Impact of the French Revolution: Texts from Britain in the 1790s*. Cambridge University Press, Cambridge, 2005.

4 As Cassirer suggests in his *The Myth of the State* the Prince talks only about how to keep power, says nothing about the good use of power. (Ernst Cassirer. *The Myth of the State*. Yale University Press, 1946. pp. 130-139.)

representation of their ideas of the world order – or a world without order.

We can say that since Socrates and Plato the fundamental question of classical political thinking has appeared here in a new vein: if there is any need for a state, what should be the best or the “least bad” one? How can an “ideal” form of state be defined in this sense, or is an attempt to find one futile, and if we are to find it, is it feasible in practice?

Could the role of the state be *merely* to “protect” the weaker individual against the tyranny of others, or simply to do justice in disputes between individuals, as Thomas Hobbes or John Locke, classics of contract theory, had argued? Does the state have to carry out some positive τέλος, as stated in pre-modern, antique and/or medieval political conceptions in general, most of all, to make its citizens “better,” “more righteous,” to help them transcend themselves, or – as in Christian state theory – to help them gain their transcendental salvation?

The debate that ensued in the wake of the revolution was the first to formulate the meaning and main issues of political modernity, which were now in their full “armour” – or, if we prefer the phrase, in their bare, ugly and terrible nakedness, in front of the debating parties. In this regard, perhaps no other text has provoked greater public debate in England than Edmund Burke’s *Reflections on the Revolution in France*. Apart from Burke’s, no other work, dealing directly with the events of the revolution was able to tackle the most important points of the period’s thinking: nearly a hundred books and pamphlets were written in response to Burke’s anti-revolutionary attack.

Burke’s *Reflections* is not only a classic of British conservative thinking, but also a dividing line related to the evaluation of the revolution, which had an impact for two centuries. The book is not a strictly precise, pre-designed work, but rather a pamphlet. It did not

come to be written in the wake of the writer's theoretical inclinations, but due to the dramatic circumstances. Perhaps the subjective, passionate, and deliberately dismissive voice of political rationalism, which stunned Burke's contemporaries, stems from the letter-form of the work. This revolutionary critique of the revolution was astonishing to contemporaries, because the author was officially a member of the camp of "liberals" at the time. Burke, as a theoretical adherent of the American Civil War and Revolution and a defender of the Irish under British rule, was a declared "friend of mankind" in the eyes of liberal intellectuals. Burke's passionate attack on the French Revolution provoked a lot of equally passionate responses by revolutionary writers. The line of Burke's critics was headed by Mary Wollstonecraft, in her anonymous publication *Vindication of the Rights of Men* in 1790. Above all, she accused Burke of sentimentalism, an emotional impulse to undermine political rationality. Someone who, in pursuit of his political goals, "seeks to shed tears of compassion." Wollstonecraft was well aware that Burke's criticism was directed not only against the French revolutionaries and their English believers, but also against enlightenment rationalism. Among the shorter works, the work of the historian Catharine Macaulay in 1790 can be mentioned, titled *Observations on the Reflections of the Right Hon. Edmund Burke*. Macaulay, following the radical Whig interpretation of the Glorious Revolution of 1688, sees the French Revolution as an attempt to reiterate its principles, while accusing Burke of Toryism: in her opinion, the *Reflections* only repeat the Tory criticism of the British Revolution of 1688. In a similar vein, Joseph Priestley, a nonconformist theologian, published a work in 1791 titled "*Letters to the Right Hon. Edmund Burke, occasioned by his Reflections on the Revolution in France.*"

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As an observer could see, the debates over the revolution shed light on two different approaches to the nature of the world and

human existence, community, society, state and politics. The one, of which Burke was the prominent defender in Britain, I call (with Burke's own words) the "politics of beauty." By this I mean a view of existence in which symbols and aesthetics play a decisive role,<sup>5</sup> while it considers the sphere of politics and complexity of interests and human relations as something that originates from a sphere that goes beyond rationality. It derives state, society and the whole world "from above," which means that the inferior is derived from the superior, and not the other way around. Burke presents the importance of "political aesthetics" in post-"Glorious Revolution" British society,<sup>6</sup> and its link to the socio-political order we might call *Ancien Régime* in a broader and narrower sense.<sup>7</sup>

Regarding the role of transcendence and the irrational (non-rational) in politics: the core of this view is, of course, not Burke's own, but typical

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- 5 Burke's early work, *A Philosophical Enquiry into the Origin of our Ideas of the Sublime and Beautiful* brought him into the literary, philosophical and political consciousness of the era. The impact and fundamental ideas of his early work was not to be neglected by Burke in the wake of the Revolution.
- 6 The so-called "Glorious Revolution," was the November 1688 deposition and replacement of James II/ VII as ruler of England, Scotland and Ireland by his daughter Mary II and Mary's husband, William III of Orange. The overthrow of James was hailed at the time and ever since as a "revolution," the term of "Glorious Revolution" was popularized later by Protestant preachers. Edmund Burke formulated the voice of more than two centuries of analysis of historiography when he wrote: "The Revolution was made to preserve our ancient indisputable laws and liberties, and that ancient constitution of government which is our only security for law and liberty." (Gary S. Dekrey. "Between Revolutions: Re-appraising the Restoration in Britain," *History Compass*, May, 2008. pp. 738–73.)
- 7 Several books, articles, Ph.D. theses and studies have been written on the obvious links between Burke's aesthetic and political views. Some of the most important are: Anthony Quinton: Burke on the Sublime and Beautiful. In: *Philosophy*, January, 1961. pp. 71–73; Peter H. Melvin. Burke on Theatricality and Revolution. In: *Journal of the History of Ideas*, July–September, 1975. pp. 447–468; James Conniff: Edmund Burke and His Critics. The Case of Mary Wollstonecraft. *Journal of the History of Ideas*, April, 1999, 4. pp. 299–318;

of any non-modern and non-secular human civilization that establishes its existence on transcendence, on the Being in itself (or, in theological sense: on God). Burke's own views were not completely untouched by the ideas of the "Enlightenment," he was a prominent member of the Whig ("pre-liberal") party, and a former defendant of the American Revolution. Nevertheless, it is clear that Burke was not the man of "progress," "democracy" or radical liberalism. Not even early Burke. This can be clearly seen in his anthropology: man does not stand in and by itself, and all particular existence relies on an underlying reality that vastly transcends the human person and *individuum*. Consequently, according to Burke, the judgments of human reason, within the framework of individuality, cannot be wholly autonomous, but they need to be aided by transcendental revelation. In his view, both man and his world are symbols beyond themselves, a testimony of the Supreme Being, the Absolute, and the spheres of reality in the "Great chain of Being" a hierarchy not made by man, but which is based on the spiritual dignities of different and unequal beings. The notion of the "Great chain" implements the idea of Order, and this Order has no foundation in the world of human relations, but in the sphere of transcendence.<sup>8</sup> As Burke states:

*Taking it for granted that I do not write to the disciples of the Parisian philosophy, I may assume that the awful Author of our being is the Author of our place in the order of existence, – and that, having disposed and marshalled us by a divine tactic, not according to our will, but according to His, He has in and by that disposition virtually subjected us to act the part which belongs to the place assigned us.*<sup>9</sup>

8 According to the idea of the chain, the socio-political system does not live an independent life, but is only one of the planes of the cosmic order of nature. The Great Chain of Being runs from God to inanimate objects, Man who is the only actor of physical reality in which the soul dwells, standing on the boundary of the spiritual (inscrutable) and the material (perceptible) existence. Man combines the qualities of the heavenly and earthly hierarchies. (See Arthur Lovejoy. *The Great Chain of Being*.)

9 Edmund Burke. *An appeal from the new to the old Whigs*. 1791. J. Dodsley, London, 1791 p.121.

According to the critiques of the “politics of beauty,” human existence, and especially its social and political dimensions, can be wholly approachable by reason. What is common in these criticisms is that Burke, a former “liberal” is most accused of betraying the enlightenment and denying its political consequences. They all agreed to reject Burke’s state of the world as the “age of chivalry”, which he tied to the *Ancien Régime*, replacing it with a world order based on the principles of strict political rationality, pure reason. The “old order,” as a social and political system in which taste played such a big part, and which Burke glorified as “mixed government,” was considered by the critics a “Gothic” society which, above all, was an unjust system.

Even if assuming the existence of God, for the radicals the context of social and political life does not point toward transcendence. According to their view, it is possible to eliminate the irrational element from the structure of human existence. It is possible to tear down the “aesthetic veil” from the face of the state, to purify the state of its mystery, the *arcana imperii* (which, as Shakespeare says, is in the spirit of the state<sup>10</sup>), it is possible to rationalize it. Radicals, representing the “progressive creed,” argued that a supposed greater freedom that mankind should globally strive for, can ultimately not be found in the spiritual community with divinity, but in the earthly, humanistic, rationalistic, and moralistic ends.

We can trace in the history of modern thought, as early as the 18th century, the growing identification of the idea of “progress” with its technological-economic-social sense, and the identification of the idea of liberty with a supposed progressive historical evolution of freedom that offers earthly prosperity in the future. This progressionism of radical-democratic thinkers implied a typically material-

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10 *There is a mystery – with whom relation  
Durst never meddle – in the soul of state;  
Which hath an operation more divine  
Than breath or pen can give expresseure to*  
(William Shakespeare. *Troilus and Cressida*: Act 3, Scene: 3 )

ist concept of justice, which was mostly the justice of the merchant, the inventor, the citizen, the technician, the justice of Sieyès's third order. It is Sieyès's third estate – with the active aid of the intellectual background of the emerging freemasonry<sup>11</sup> – which, at the eve of the French Revolution, formulates its own ethics, its own *Weltanschauung*. It was an open declaration of war to subvert the world and world's order. Declaration that only a lifestyle that produces material products is valuable, and other life activities, such as heroism or contemplation (the main focus of the traditional first and second estate: the priesthood and the nobility), which are unrelated to production, may have to be annihilated. This is the time when the idea of the nobility, aristocracy, monarchy and priesthood would be declared as functionless or “superfluous” classes: the third estate was nothing so far, and from then on will be everything!<sup>12</sup> The notion of this

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11 One of the main causes of the initial success of the French Revolution might be traced in the fact, that the French high nobility was also associated with freemasonry, the ideological flag-bearer of the Enlightenment and hotbed of anti-monarchist sentiment in France. The Grande Loge de France was formed under the Grand Mastership of the Duke of Clermont, and his successor, the Duke of Orléans a cousin of Louis XVI, reconstituted the central body as the Grand Orient de France in 1773. In 1792, during the French Revolution, he changed his name to Philippe Égalité. Louis Philippe was one of the richest men in France, he actively supported the Revolution of 1789, and voted for the death of king Louis XVI; however, he was himself guillotined in November 1793 during the Reign of Terror. Today Masonic statements are ambiguous about the responsibility for the revolution. According to the Grand Lodge of British Columbia and Yukon website “While it is both simplistic and specious to lay the responsibility for the French Revolution at the door of Freemasonry, there is no question that freemasons, as individuals, were active in building, and rebuilding, a new society. Considering the large number of bodies claiming masonic authority, many men identified today as freemasons were probably unaware of each other's masonic association and clearly cannot be seen as acting in concert. Yet they did share certain beliefs and ideals.” (<https://www.freemasonry.bc.ca/texts/revolution.html#1>)

12 See. Abbé Emmanuel Joseph Sieyès's revolutionary pamphlet, written in January 1789: *Qu'est-ce que le Tiers-État? (What Is the Third Estate?)*



pamphlet was closely related with the basic ideas of Anglo-Saxon liberalism which was, long before the French Revolution, more or less represented by the British (mostly Scottish) economists Adam Smith, James Stuart or Adam Anderson. Their fundamental idea is that history, like other modes and sequences of existence, will, after a long experimental period, realize something in the sense of the *survival of the fittest*. It is a kind of “mature” world which, like Leibniz’s “best possible world,” may not be perfectly conceivable, but the best that can be thought of without contradiction. All this, when projected to the political sphere, means that the idea of progress was confronted with the state and the representatives of the state as a hindrance to freedom. Since the state was monarchical at the time, materialist progressionism was intertwined with republicanism and democracy, which people increasingly began to see as progressive, thereby branding the existing state, the monarchy as “oppressive,” “an irrational remnant of the past,” or tried to reduce its functions to a mere symbolic role. One of the most important premises of the evolutionary concept, which continued in Anglo-Saxon liberalism: a restriction that does not favor the purely economic principle is in itself detrimental. It carried out a sharp separation between state and society, and with it the perception of the state as a “force of violence,” which exercises power over society, thereby limiting man’s “inherent” freedom.

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One of the most significant reactions to Burke’s text was the “moderately radical” James Mackintosh, who published his work *Vindiciae Gallicae* in 1791. Contrary to Burke’s “evolutionary-gradualist” model based on historical continuity, Mackintosh’s argumentation for the need of rational social organization was derived through an in-depth analysis of English and French history. In his view, the “general reasons” determined by historical processes inevitably led to the outbreak of the revolution.

After Paine's *Rights of Man*, Mackintosh's book was considered the most successful reply to Burke. Charles James Fox, the contemporary leader of the Whig party, singled out Mackintosh's book as that which did most justice to the French Revolution, and he preferred it to Burke and Thomas Paine.

Sir James Mackintosh was born near Inverness. At the age of thirteen he proclaimed himself a Whig, and during playtime he persuaded his friends to join him in debates modelled on those of the House of Commons. In April 1791, he published *Vindiciae Gallicae: A Defence of the French Revolution and its English Admirers*, a reply to Edmund Burke's *Reflections on the Revolution in France*.

Mackintosh wrote his *Vindiciae Gallicae* at the age of 25. The views of the Scottish philosopher had been shaped by the works of the Scottish Enlightenment, such as the writings of David Hume and Adam Smith. Mackintosh provided an in-depth analysis of the causes of the French Revolution, in which he often proves more convincingly than other authors, why the revolution could not be avoided.

His philosophy was based on the unlimited trust in human reason: the defining feature of his doctrines is faith that man is infinitely improvable. With the advancement of science, man is able to control processes that have gone beyond the bounds of cognition of earlier times – social science is changing, just like the Newton-paradigm changes the world-view. All we have to do is get rid of our inherited prejudices and irrational passions that oppose the criteria of "pure reason." The French revolutionaries were exceptional in their ability to dispense with tradition, passion and prejudice when the Constitution was being drafted.

He wrote:

*The National Assembly were therefore not called on to make discoveries. It was sufficient if they were not uninfluenced by the opinions, nor exempt from the spirit of their age. They were fortunate enough to live in a period when it was only necessary*

*to affix the stamp of laws to what had been prepared by the research of philosophy.*<sup>13</sup>

Mackintosh shared the optimistic views of the radical British and French writers about the improvement of human institutions and the changeability of human nature – emphasizing in *Vindiciae* the importance of education in shaping the minds of the citizens of modern Europe. However, he differs from Burke’s other critics already mentioned here, in his caution against revolutions in general – he expects the advent of a better world not primarily from the spread of revolutionary action, but from the spread of erudition.

For Mackintosh, understanding the French Revolution is based on England’s 1688 Whig revolution, which was later called “Glorious Revolution.” This revolution was a turning point for the British public at that time. Britain’s current system of rule by the Hannoverian dynasty was a product of that revolution, and in the evaluation of the French Revolution the “Glorious Revolution” was significant. For Burke, the “Glorious Revolution” was a conservative revolution – for preserving the “ancient constitution” and for the British radicals – it was a progressive revolution.

Also, as for the radicals, according to Mackintosh, the Glorious Revolution was not a preventive act, as Burke and the “old Whigs” thought, but it was a true revolution, and at the same time rather an incompletely executed revolution, and its greater potential was not to be carried out, because of the revolutionaries’ hereditary prejudices.

The Glorious Revolution was “solemn, deliberate, national choice<sup>14</sup>” and therefore Reverend Price’s statement that the English were entitled to change their form of government during the Revolution, is not flawed or in vain, as Burke tried to prove. It was England’s peculiar system of government that emerged as a result of the

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13 Donald Winch (ed.). *Sir James Mackintosh, Vindiciae Gallicae and Other Writings on the French Revolution*. Liberty Fund, Indianapolis, Liberty Fund, 2006. p. 43.

14 *Ibid.* p. 88.

Revolution, that sets it apart from other European countries, and if Burke's interpretation of the Revolution is correct, the great story of the Glorious Revolution is just a legend.

Mackintosh also agrees with Price that the purpose of the revolution was to remove one king and choose another: Burke refers in vain to the fact that England's current regent "disregards" whether people agree with his rule or not – the "glorious revolution" is a set of precedents, that guarantees the right to elect a king, even if that right exists only at the level of fiction. He quotes the source that Burke ignores – the Tory representative Lord Nottingham, who put forward the need for an elective monarchy in 1688 – although the Lord emphasized that the rule of succession could not be interrupted in every case, but only in emergencies. However, what the Tory Nottingham had admitted at least as a legal fiction, the Whig Burke denies a hundred years later. According to Mackintosh, this also proves that Burke's views are out of date.

As he states:

*The Revolution of 1688 deserves more the attention of a philosopher, for its indirect influence on the progress of human opinion, than for its immediate effects on the Government of England.*<sup>15</sup>

By undermining the building of tyranny, it has made the systems of repression so unstable that they could be overturned by a "thrown gravel." The Glorious Revolution is a precedent for American freedom fighters to claim rights similar to those of the mother-country – and as a result, the Americans, and then the French, were much more capable of formulating revolutionary principles.

Mackintosh raises fewer problems with England's form of government than Thomas Paine, Mary Wollstonecraft and other radical writers – he does not question some of the benefits of a "mixed constitution," which respects the rights of the people and their influence

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15 Ibid. p. 96.

in the governance of the country, and which is against the excesses of the crown and the aristocracy. He also emphasizes that the problems of England cannot be resolved by force – a revolution similar to that of France – i.e. not by a revolution, but by a reform. Nor does he share the views of the radicals on the very fact of the revolution.

The spirit of revolt breaks out with fatal violence after its object is destroyed, and turns against the order of freedom those arms by which it had subdued the strength of tyranny.<sup>16</sup>

Mackintosh, in the spirit of Enlightenment-philanthropism, expects from education to end revolutionary violence, and this must be encouraged by the government in the quiet times which – he thought – will follow the violence of the revolution. (He wrote it before the period of “great terror.”) He saw the French Revolution as a fundamentally peaceful event, that claimed far fewer lives than other revolutions. For example, he wrote, the number of victims is not comparable to the numbers of the English Revolution of 1640, or the thousands who died from the whims of monarchical systems. He attributed the violent events made by the revolutionaries to the barbarity of the *Ancien Régime*, because

*[...]it is vain to expect that a people, inured to barbarism by their oppressors, and which has ages of oppression to avenge, will be punctiliously generous in their triumph, nicely discriminative in their vengeance, or cautiously mild in their mode of retaliation.*<sup>17</sup>

According to Mackintosh the murders of priests and nobles by the rural peasant population were caused by the less cultivated morals: “the rural people held in the darkness were unable to understand freedom” – there was no basis upon which they could have conceptualized it.

He was convinced, that these atrocities were against the will of the National Assembly, while Burke said the very leaders of the

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16 Ibid. p. 55.

17 Ibid.

revolution in Paris ordered the assassinations. If people can suddenly experience their own power, they can do the most extreme things, this is inherent in every revolution. Because:

*A Minister is not conceived to be guilty of systematic immorality, because he balances the evils of the most just war with that national security that is produced by the reputation of spirit and power; nor ought the Patriot, who, balancing the evils of transient anarchy with the inestimable good of established liberty, finds the last preponderate in the scale.*<sup>18</sup>

Anarchy, created as a result of the revolution is, by the way, short-lived, while despotism can last for ages – since it is impossible to live in anarchy, a more peaceful state must be restored after a while.

While defending the British “friends” of the French Revolution, Mackintosh based his arguments on the reasoning: “Nothing would be more absurd than to assume that anyone who admires the French Revolution wants to emulate it. So Burke’s concern that Price, Paine or the London Society would want to make a republic of England is completely unfounded. Burke constructed the accusation of revolutionary societies on the model of the anti-Catholic conspiracy theories of the Tudor and Stewart periods – and if we were to make every conspiracy theory true in history, we would be accused of ridicule.”

The enthusiasm of British admirers of the French Revolution comes from seeing scientific thinking overcome the system of prejudice and outdated dogma. They are not advocating revolutionary violence or calling for the disruption of state order, but seeking to enforce the universal rights of man in Britain.

He considers absurd Burke’s arguments which seek to explain the validity of a certain condition by its antiquity, such as the system of rights and privileges of the English government. Burke’s failure to recognize the idea of “natural rights,” according to Mackintosh, stems

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18 Ibid. p. 56.

from the fact that he alone recognizes history as a guiding principle, but ignores the fact that “society is unquestionably progressive” – so privileges from an earlier state by change in the structure of society may become time-barred, while new rights, which are more adapted to the changed circumstances may be created.

But these “new” rights are actually the oldest. Mackintosh, unlike Wollstonecraft and Paine, does not follow the rights of the individual back to creation. He emphasizes that these “natural rights” can be grasped and recognized by reason, when one comes to accept them through the process of enlightenment.

According to Mackintosh, it would be inaccurate to just use the word “democracy” for the new French system, because the new order is not comparable to the democracies that have emerged in history, but of course it can be called etymologically, “government of the people.” His position on antique democracy is rather dismissive – he would deem most of the Greek democracies to be an ochlocracy – that is to say, mob rule. Antique democracies basically functioned on a territorial basis: they were only effective for a while. With the growth of the population of the polis, all citizens became unable to attend rallies, poorer voters were corrupted by the rich, and management of democracy inevitably fell into the hands of demagogues.

In the French government, however, the principle of representation came to the forefront, helping to eliminate the mistakes of direct democracy. One of Burke’s major objections to representative democracy was that the overcomplicated, multi-phase voting system in France did not ensure that MP-s really acted in the interest of their voters, as the distance between them was too great.

Although the best-performing system cannot nullify the difference between the will of the voter and the will of the voted, Mackintosh says that the new French system proves this difference can be minimized. What the most perfect constitution can guarantee is that the will of the voter and the representative are most likely to

coincide – which seems to be exactly what is happening in France. The number of electors elected in the *départements* was so large and so overwhelming, that they were most likely to make their choice according to the will of their voters. On the other hand, they themselves emanate from the people, so they were not exposed to the “corporate spirit” inherent in every long-standing political association: they represent the interests of the public, not the corporation. So, in Mackintosh’s view, everything is in place to create the best democracy in France.

For him, the most important result of the French Revolution was that the idea of “natural rights” was codified – this is the basis of the whole structure, so if we question that, the whole building must collapse. This is precisely what Burke, who holds that the ideas of natural rights are absurd and inconsistent, does: according to Burke’s doctrine, people derive their rights from society and “give up” their natural freedom when they enter into society.

Mackintosh emphasizes that we must not forget the purpose for which this supposed “transfer of rights” has taken place. People transfer their rights only to protect themselves from the tyranny of their fellow human beings – laws and rights and obligations are created for this purpose. A man who has become a member of society has not given up all of his rights – nothing is more misleading than asserting it. In fact, those who enter society forgo only part of their natural rights – only those that can be harmful to their fellow human beings. A government which justifies the deprivation of rights of its subjects with the theory of transferring of rights is a fraud: it merely pretends to protect the natural rights of the governed – in fact, it establishes tyranny. The common “transfer of rights” of those who enter society does not, in fact, destroy, but assumes the equality of the people: they all give up part of their rights in the same proportion. Inequalities in civil society stem only from the various social functions that people perform.



Analyzing the circumstances surrounding the emergence of the French *Ancien Régime*, Mackintosh first wants to prove to Burke that the revolution is not due to the conspiracies of certain individuals, but to “general causes” resulting from a change in the socio-political environment. The English and French “Ancien Régime” grew out of the same “Gothic” government structure that had laid the foundations for other states in modern Europe, after the fall of the Western Roman Empire: these systems had “similar births and childhoods.” The offspring of the barbaric conquerors everywhere formed representative bodies, rallies, where the upper layers of the social hierarchy could represent their interests against the ruling power. However, the power of the French nobility declined before the development of trade could bring other classes close to power. By the fifteenth century, the institution of representation of the estates had declined to mere formality, and full power had come to the crown.

It could no longer be argued that the system of representation of the estates was a remnant of the free institutions that existed before the advent of feudalism, as Burke argued. “The nobility was no longer a congregation of fearsome warriors who subdued the people and dictated to the king. Absolutism had made of the nobility crown-officials,” and the military virtues of the nobles declined in the era of the mass armies. The priesthood was no longer “the order of the priesthood, which in a superstitious age caused fear and humility among the people.” But the building of absolutism was increasingly shaken in France. The millions of government debt indicated that the state had become unmanageable by means of regulations and that no government could sustain itself due to lack of financial resources. Absolutism was unable to solve the situation and that’s why Louis the XVI was forced to call for the parliament. Mackintosh attaches particular importance to the elimination of the nobility. While Burke compared the nobility to the “Corinthian capitals of the sophisticated states,” Mackintosh notes that these capitals were of “gothic ornamentation.” Only the “Gothic” medieval feudal sys-

tem linked the titles of state administration to ranks – there were aristocratic bodies with certain political prerogatives in the ancient states, but we cannot compare them to the medieval nobility, which like a caste privileged the rights to govern the state. Thus, the elimination of ranks is, in fact, only the elimination of an abnormal state: it has eliminated a layer of leadership that has lost its meaning and purpose.

Burke called the societies of pre-revolutionary philosophers an “alliance of atheist philosophers,” who swore to “put an end to Christianity.” To Mackintosh, it does not matter if the revolutionary philosophers were atheists, as it only matters how they think about political issues. The possible atheist views of the philosophers did not affect the socio-political doctrines of the revolution and the accusation that they had conspired to overthrow Christianity was one of the most extreme phantasmagorias in human history.

According to Mackintosh the *Philosophes* raised their voice against the secular aspirations of the priesthood, not of faith, and democratizing the organization of the French Church could have a beneficial effect on people’s faith, while according to Burke, people will be unable to honor the chosen priesthood, and this process will lead to the degradation of religion. For Mackintosh, this can be the other way round – ordinary people will honor the priesthood better if they are deprived of the personal luxuries and splendor that they have associated with aristocracy. If the appointment of the priesthood depends primarily on the will of the people, rather than on the court, people will be better able to identify themselves with it.

According to Burke, all financial operations of the National Assembly are aimed at filling the purse of capitalists, while Mackintosh emphasizes the much-mentioned “financial interest” in the (supposed) positive development of humanity in general. Money and commerce deal with more people, more ideas and newer ideas than the traditional owner classes interested in agriculture, so we cannot be surprised if they are more enlightened than the latter.

Trade plays an important role in the “liberalization” of the world, so it goes without saying that these classes will also be most active in political reform. According to him, even in Burke’s much-appreciated revolution of 1688, “financial interest” created the power of Whiggism, while the majority of landowners formed the Tory party.

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When we seek to justify the views of Burke’s critics in history, we often find ourselves getting into contradictions. The optimism of these authors, their political doctrine based on abstract rationality, were hardly justified by the course of history – it is enough if we are thinking of the wars never seen before, of the 20th century. The complete break with tradition and the elimination of “prejudices” have proved to be *contradictio in adjecto* again and again. As Hans-Georg Gadamer points out, prejudice is an inevitable part of the process of thinking and understanding – the Enlightenment, for example, was precisely the prejudice against prejudice. An essential prerequisite for human existence is historicity, as Gadamer suggests: The truly historical thinking must also think about its own historicity.<sup>19</sup>

If we consider the arguments of Burke’s critics in the light of European history in general, Burke seems to have been the better foreteller. With the radicalization of the French Revolution, the majority of events he had predicted, came to be realized: the Revolution drowned first in the Jacobine terror and then in dictatorship. In Burke’s lifetime he may have seen the correctness of his thinking, while most of the former supporters of the revolution were disappointed. England became the world’s leading power in the 19th century, while France was undergoing a series of shocks, and the British prevailed – if we think of sheer international politics and the politics of power – by the end of the century.

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19 Hans-Georg Gadamer. *Truth and Method*, Bloomsbury Academic; Reprint edition, 2013. p. 159.

However, the too optimistic opinions of these radical and liberal authors could have been shaped, not (just) by their lack of deeper approach, but also by the mere naïveté, if we bare in mind that their works were published before 1792, the period of “Great Terror.”<sup>20</sup> The darkening of their worldview begins with the reign of the Jacobins. Earlier that year, many revolutionaries, such as Novalis or Friedrich Schlegel in Germany, Blake or Wordsworth in England, became more and more skeptical about the events from this year on, and very few maintained their original position. Mary Wollstonecraft’s views were also altered by the biting of revolutionary terror. By the second half of the 1790s, she had already considered that in France the aristocracy was replaced by plutocracy, and in her later work (*The French Revolution*), almost “Burkean” fears of political chaos and mob rule emerged.

While one group talked about the tragic barbarization of what was originally a good cause, or the “unintended consequences,” the other group fundamentally re-evaluated its views on the revolution.

James Mackintosh met Burke personally in 1796 to excuse himself. As we can read in the introduction of his republished works by *Liberty Fund*:

As a result of the violent turn of events in France after the September massacres of 1792, and the execution of Louis XVI and the outbreak of war between France and England in the following year, Mackintosh was forced to stage a retreat on all fronts. Although he continued to regard the war conducted against France by a coalition of European powers as both unjust and inexpedient, a war that for Burke had taken on the character of a holy crusade against revolutionary principles, Mackintosh became increasingly anxious to distance himself from his earlier defence of the Revolution.<sup>21</sup>

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20 Although, an observer who is attentive enough could always doubt and question the value and reality of “social progression” as a mere wishful thinking and non-existent experience.

21 Donald Winch (ed.) *Sir James Mackintosh, Vindiciae Gallicae and Other*

He wrote to Burke saying:

*From the earliest moments of reflexion your writings were my chief study and delight [...] The enthusiasm with which I then embraced them is now ripened into solid Conviction by the experience and meditation of more mature age. For a time indeed seduced by the love of what I thought liberty I ventured to oppose your Opinions without ever ceasing to venerate your character [...] I cannot say ... that I can even now assent to all your opinions on the present politics of Europe. But I can with truth affirm that I subscribe to your general Principles; that I consider them as the only solid foundation both of political Science and of political prudence.*<sup>22</sup>

Burke invited Mackintosh to spend Christmas with him at his home. He spoke of Burke as "... Minutely and accurately informed to a wonderful exactness, with respect to every fact relative to the French Revolution." James Mackintosh called the French Revolution in 1799 a "shameful thing" and he wrote that he really hated and despised it. Mackintosh wrote to George Moore on 6 January 1800, that he abhorred, abjured, and renounced for ever the French Revolution, that "conspiracy against God and man."<sup>23</sup>

When Mackintosh visited Paris in 1802 during the Peace of Amiens, he responded to compliments from French admirers of his defence of their revolution by saying: "*Messieurs, vous m'avez si bien refuté.*"<sup>24</sup>

Undoubtedly, one of the most important issues of the French Revolution was democracy, and since democracy is the dominant

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*Writings on the French Revolution.* Liberty Fund, Indianapolis, Liberty Fund, 2006. p. 43.

22 R. B. McDowell and John A. Woods (eds.), *The Correspondence of Edmund Burke*. Volume IX: Part One May 1796-July 1797. Part Two: Additional and Undated Letters. Cambridge, Cambridge University Press, 1970, p. 193.

23 Jane Rendall: *The Political Ideas and Activities of Sir James Mackintosh*, (1765-1832) University of London, 1972, p. 104

24 Patrick O'Leary. *Sir James Mackintosh: The Whig Cicero*. Aberdeen, Aberdeen University Press, 1989, p. 23.

paradigm of political theory today, for the superficial spectator this may be the point where Burke's critics seem to have been right.

But critics of democracy have been calling attention to its dangers since Burke. The fact of democracy seems inevitable in that the traditional, aristocratic elites have declined, and the age of aristocracy, which largely defined human history before the French Revolution, inevitably gives way to the rule of the masses (but not to the "people" or "government of the people.")

Burke could see more clearly than the radicals, because he understood the "revolutionary spectacle," which he criticized in the *Reflections*, was intimately tied to the concept of power base and concept of democracy: popular sovereignty. He understood that there was something fearful and materialistic in the emerging power of the masses, and he understood the monumental dangers which could be based on a rising democracy. He was able to conceive that, because, as Plato and Aristotle have already argued in the past, there is no such thing as "self-government" and the people never rule. The popularization of the term "democracy" – a form of government which was condemned by them – was an open invitation to demagogues and tyrants. This is why Burke considered natural aristocracy a prerequisite for the constitution of the social body, because "a great mass of people" can only be formed in a shape by authority and outstanding persons, whom people look up to as their natural leaders. As Burke writes in his *Appeal*:

*For this reason no legislator, at any period of the world, has willingly placed the feat of active power in the hands of the multitude: Because there it admits of no control, no regulation, no steady direction whatsoever. The people are the natural control on authority; but to exercise and to control together is contradictory and impossible.*

*As the exorbitant exercise of power cannot, under popular sway, be effectually restrained, the other great object of political arrangement, the means of abating an effective desire of*

*it, is in such a state still worse provided for. The democratic commonwealth is the foodful nurse of ambition.*<sup>25</sup>

Regarding monarchy, in connection with the British system of rule, Burke wrote:

*We are members in a great and ancient monarchy; and we must preserve religiously the true legal rights of the sovereign, which form the key-stone that binds together the noble and well-constructed arch of our empire and our constitution.*<sup>26</sup>

In other words, according to him, it is possible that in some individuals the true excellence could be recognized and this recognition does not diminish the excellence and autonomy of those who recognized it, but rather multiplies by “proud submission,” “dignified obedience” and “generous loyalty.”<sup>27</sup> In his defence of monarchy, we can clearly see the notion and idea of the above mentioned “Great Chain.” Burke sees the source and legitimacy in the sovereign monarch, not merely as a human personality, but as a spiritual dignity represented by and embodied in that personality. The principle of monarchy is in contradiction with the notion of “popular sovereignty” – as he can see in the events of the French Revolution. The people are not “free” and not “wise,” therefore they are not to be identified as a sovereign.

In the subsequent centuries following the French Revolution, we can see that various forms of this utopian egalitarianism occurred. There were two main tendencies – the totalitarian and the democratic form – but at the same time, all democracy is inherently totalitarian, and all totalitarianism is democratic by nature. According to Kuehnelt-Leddihn, one of the important critics in the 20th century,

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25 Appeal p. 120

26 Appeal p. 36.

27 Quoted from Burke by Isaak Kramnick. Eighteenth-Century Science and Radical Social Theory: The Case of Joseph Priestley’s Scientific liberalism. In. *The Scientific Enterprise. Boston Studies in the philosophy of science.* Vol 146. Springer Science + Business Media Dordrecht, 1992, p. 17.

the French Revolution takes democracy in its literal meaning: this means the *kratos* (power) of the *demos*, which means primarily that the origin of power is from the people and the people can govern themselves through this power.<sup>28</sup> This concept assumes that all the actors of the political community are equal, there are no qualitative differences between them, and because of that, the decision of the majority is the sole criterion for political decision-making. According to him, the problem with that mechanism is the same as with modern political ideologies in general: this method is blind to the *real* qualitative differences in the world and between people, such as intelligence, discretion, knowledge and competence, and because of this blindness, it sacrifices quality on the altar of quantity. This mechanism is, according to Kuehnelt-Leddihn, inherently totalitarian, because in a full democracy, there is no limitation on the power of the majority (*in abstracto*). The majority is the absolute sovereign, and it can do everything because it is the source of all law. Democracy is a utopia as it is based on the assumption that the majority is wise. Nevertheless, as experience suggests, the majority is not wise but can easily be manipulated.

According to him, in the seemingly opposing currents of modern political movements, we can only see various *versions* of egalitarian utopianism, so there is no *essential* difference between the ultimate goals of these political currents. All wanted to *homogenize* society, all wanted to create a *uniform*, monotonous world of ants, in which there are no more individuals, but merely screws in the socio-political mechanism. The final conclusion reveals that freedom might exist only in inequality and there are as many just inequalities as unjust equalities. This has also been emphasized in the 19<sup>th</sup> and 20<sup>th</sup> century authors such as Gustav Le Bon, René Guénon, Julius Evola, Ortega y Gasset or Santayana. The paradigm of the French Revolution seems to be continuing, but politics based on the “pop-

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28 Erik von Kuehnelt-Leddihn. *Leftism: From de Sade and Marx to Hitler and Marcuse*. Arlington House Publishers. New York. 1974. p. 27.p



ular sovereignty” of the masses can still be the breeding ground for manipulation and tyranny. In the first quarter of the 21<sup>th</sup> century we can clearly see: from the postulate of equality, we can only answer the question of “what is right” if we identify the bigger part with the “truthful” part.

It has become clear and evident that the paradigm of “progress,” in which British radicals believed, was increasingly questioned by history. The environmental crisis, social and political crises, overpopulation, migration, nuclear pollution, and terrorism are really just the surface of today’s problem.

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