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EDMUND BURKE AND THE ANCIEN RÉGIME

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Politics is not only a struggle for power. It is also a superb arena for what psychologists call *projections*, which means those highly emotional judgements fired against antagonists. Projections are fueled by all kinds of misunderstandings, prejudices and hatred. In today's politics and social media, such reactions still play a large role.

If we turn to history, few prominent politicians have probably been so misunderstood and misinterpreted as Edmund Burke.

The Anglo-Irish 18-century politician and philosopher is often referred to as "the father of conservatism." As a rough epithet it is correct. But Burke was more complex than that. Trained as a lawyer and acting as a politician, he was also a literary man who commanded vast areas of learning. People often take the term "conservative" to mean what they happen to like – or dislike. No less than "liberty," "conservatism" can be interpreted in different ways – often deeply at odds with each other. In Burke's case, his temperament and verbosity, his use of expressive allusions and his ambition to approach his subjects of thought from several angles, but also his sense of the complexity and elusiveness of earthly matters, makes it easy to misunderstand his everyday views as well as his deeper philosophy.

The strongly historical character of Burke's thought, for instance, has made some think that the past for Burke was a kind of given. It was a fixed entity which provided him with an infallible guide to action. A similar assertion is that he loved the past in an almost aesthetic fashion, just as another "object" to revere. Undoubtedly, Burke understood that every historical situation is unique, so that no lesson of the past can simply be copied into the present. Another issue concerns his temperament, which is not thought to be that of a cautious conservative. Many of Burke's contemporaries became tantalized, but also puzzled by his speeches. He often became upset when he spoke in parliament, and even "positively violent" as Irving Babbitt contends. Could he then be a friend of preservation or careful renewal? One way of answering the question is that Burke, who realized how frail man and human society is, saw so clearly the threat against inherited customs that he became highly upset when they were called in question.

Another issue is whether Burke had a "prophetic" talent, or at least was able to forecast in an imaginative way the general direction of current events. Although familiar with contemporary issues, Burke undeniably left room for "varieties of untried being," in his own words. According to the British poet-philosopher Coleridge, "[Burke] was a *scientific* statesman and therefore a *seer*."[1] "A first-rate legal mind" is another description. For sure, the depth of Burke's learning and wisdom, his receptivity and analytical gift, coupled with unusual visionary powers, made those he met feel that he was an outstanding person.

So, how did Burke look upon the European past and its common heritage? In this context, what were his views of the "ancient régime," which the French revolution in his view had sought to exterminate? Let us go somewhat deeper into the question.

Burke's views on the "ancient régime" appear with great em-

1 By "scientific," Coleridge may have meant that Burke held wider or more penetrative views than expected from a politician.

phasis in his famous book *Reflections on the revolution in France* published in 1790. We also get indirect hints of this by his many strictures against the revolution in other sources.

In fact, Burke's first reactions to the "recent events" in Paris were rather cautious. He took the role of an observer, regretting his lack of knowledge of the situation. He says he distrusted his judgement, speaking in general terms, like: "I should certainly wish to see France circumscribed within moderate bounds."[2]

The events that roused Burke and brought him to a more decisive stand did not occur in France, but in Britain. We learn from what he writes before *Reflections,* that he observes influences and effects in London of the political events and obstructive mood in Paris. In a letter Burke writes: "Extraordinary things have happened in France… in order to draw us into a connection and concurrence with that nation upon the principles of its proceedings, and to lead us to an imitation of them."[3] By such words Burke not only made clear that he found the events in France "highly dangerous," but also saw their power to stir an uprising in Britain. The revolution would not respect borders or national sovereignty. We also understand that Burke saw early the mental and imaginative power of the ideas behind the French events.W

Among those most receptive to the French message were the so-called British Dissenters, theologically and politically in opposition to the Church of England. Among the Dissenters, a certain reverend Dr. Price stood in the first line. A fiery and uncompromising man who hated Catholicism, he became a natural rebel against the French nation, so heavily influenced by the creed of Rome. But the equally fiery politician Charles James Fox, affiliated with the New Whigs, met with Burke a similar dislike.

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2 Conor Cruise O'Brien, "Indtroduction," in: Edmund Burke. *Reflections on the Revolution in France*. Ed. with an introduction by Conor Cruise O'Brien. Harmondsworth, England, 1969, p. 16.

3 Ibidem, p. 26.

We can hardly understand Burke's stance on the French events without considering his early and deep worry over what Jacobine feelings and modes of action might trigger. He worried for Britain, knowing that dissatisfaction was growing among certain parts of its population. But at least as present in his mind was the Irish question. As his modern compatriot Conor Cruise O'Brien reminds us, Burke always had a deep concern for Ireland which had been so mistreated by the British. In his last years, he even felt that an Irish revolution was imminent. Since his childhood he had observed how widespread the hatred against Britain was among the Irish. And his apprehension was right, for in 1798, the year after Burke's death, a rebellion started. The ambition of the United Irishmen was to rally all dissenters around far-reaching demands for change in the British policy towards Ireland.

Burke was no given protector of the Irish. He was a defender of private property, who served property-owning Whig notables. That the unusual fervor of Burke's criticism of the French Jacobins would have been motivated by his worry for his property-owning friends is unlikely. His motives were deeper. Burke feared the chaos which a violent mass conflict would trigger. Therefor he wanted to promote as much as possible prudent action and conciliation.

Bearing this in mind, how does Burke treat the "ancient régime" in his *Reflections*?

One should note, at first, that Burke does not systematically describe the "old régime." He was known as an empiricist and a man of practical views. Well-known was his dislike of abstractions and false metaphysics. Maybe he abstained from describing the "ancient régime" because he knew his knowledge of them to be limited? In a sense it was not his intention to describe or praise prerevolutionary France. Whatever the reason, he chose to begin his *Reflections* by summarizing the principles of ordered liberty, claiming them to be his measure for examining the events in France. Burke talks of the need for good government and public force, he welcomes a disci-

plined army, a well-ordered system of tax-collection, a good morality and a moderate religion, he presupposes solid laws regulating property, peace and order, as well as well-established civil and social manners.

With those demands as his measuring-rod, Burke claims that he can reliably examine the present state of French affairs. Again, this does not include any deeper analysis of the "ancient régime."

He refers in passing to a handful of French documents, among others a protocol from a Parisian intellectual club, and two letters from a duke de La Rochefoucault and the bishop of Provence. Studying them, Burke finds the tenor of their argument dubious. They worry him because of their lack of realism, and if realized he thinks they would trigger confusion and disorder resulting from their authors' vanity and arbitrariness. Although Burke grants that the French must decide upon their own affairs, he also concludes that the authors of the mentioned documents want the British to apply the same principles in their country. Reading these opinionated texts and watching their effects on British radicals, Burke feels that he must make his voice heard in order to warn his countrymen.

Early in his *Reflections*, Burke declares that the events in Paris have more than national significance: "It looks to me as if I were in a great crisis, not of the affairs of France alone, but of all Europe, perhaps of more than Europe. All circumstances taken together, the French revolution is the most astonishing that has hitherto happened in the world."[4]

If Burke thinks the revolution will have a wide impact in the world, the "ancient régime" of France in a sense loses significance. From its beginning, the revolution declares itself to be a universal, not a national, phenomenon.

As a prelude to his criticism of revolutionary France, Burke

4 Edmund Burke, *Reflections on the Revolution in France*. Ed. with an introduction by Conor Cruise O'Brien. Harmondsworth, England, 1969, p. 92.

dwells at length upon the British Glorious revolution of 1688 when the catholic king James II was overthrown. Whereas the French revolution was led by "warm and inexperienced enthusiasts," he notes, the British one was a "wise, sober and considerate declaration." By that act the British did not wish to overthrow their political or social order, they wanted to restore the balance between king, lords and commons. A good constitution, Burke emphasizes, must be built on "a strict order of inheritance," the monarchs must succeed one another on the throne according to a firm hereditary principle. Such a principle may be broken only in exceptional circumstances.

Burke rebukes the French precisely for not taking advantage of their own heritage. They ought to be proud of this "generous and gallant nation," which was "actuated by a principle of public spirit." Some argue falsely that the king is treated with undue deference. Burke denies this and clarifies: "it was your country you worshipped, in the person of your king." If the French would not be able or willing to imitate "the almost obliterated constitution of your ancestors," Burke suggests, they might at least have followed the example of the British who believe that freedom must be reconciled with law. In addition, the British have kept alive the "ancient principles and models of the old common law of Europe." Needless to say, in Britain that law has been adapted to British circumstances.

As mentioned, in *Reflections* we look almost in vain for descriptions or comparisons between revolutionary France and the "ancien régime." It is no surprise, for Burke does not study pre-revolutionary France in terms of French institutions or modes of administration. Its thrust is *ethical* and addressed to timeless principles. He associates France with a sense of classical measure and with time-tested principles. His France is not just a nation among others, it is a model and an embodiment of the best in Europe's ethical and legal heritage. Great values and virtues in his opinion were at risk in the emerging revolutionary practice, especially in the field of political and legal prudence and property rules. Ultimately, Burke speaks of

the need to preserve a decent civilized conduct. That Burke uses a language of despair as well as scathing irony is understandable if we consider how strong is the ongoing challenge. A lengthy part of *Reflections* is dedicated to the Jacobine mismanagement of public affairs after 1789. Probably Burke would not contend, therefore, that French finances had always been well handled before that ominous year.

How much Burke knew about the scheming and factionalism within the court and political circles of pre-revolutionary France is uncertain. He may also have had limited knowledge of the currents of fashionable ideas in French leading circles. In letters to friends, he spoke critically of a movement like mercantilism, for instance, so characteristic for absolutistic France. In economics a market liberal in the vein of Adam Smith, Burke would have had reasons to question heavy strains of anti-liberalism in the economic policies of 18th century France. And as for Burke's uneasiness with theological politics and political theology, he might have questioned that several chancellors and officials of the "ancien régime" had been Catholic clergymen. The conflicts between Catholics and Huguenots had also been sharper in France than the repression of Catholics in Britain in Burke's time. The great exception of course was Ireland. The idea of politics as respecting different denominations, so apparent in Enlightenment thought, only slowly worked its way through the minds of French public servants.

As a jurist, Burke paid strong attention to the rule of law in any country. We note that Burke recognized the "ancien régime" as a nation ruled by the law. This position is expressed in a stricture against the Jacobins and their policy of equality:

> *All other people have laid the foundations of civil freedom in more severe manners, and a system of a more austere and masculine morality. France, when she let loose the reins of legal authority, doubled the licence, of a ferocious dissoluteness in manners, and of an insolent irreligion in opinions and*

> *practices; and has extended through all ranks of life, as if she were communicating some privilege, or laying open some secluded benefit, all the unhappy corruptions that usually were the disease of wealth and power. This is one of the new principles of equality in France.*[5]

What Burke recognized in the operations of the National Assembly was not only a deviation from the principles and customs of the "ancien régime" *per se*, but a complete break with the older customs of Europe. He speaks of "a great departure from the ancient course."[6] A mighty and rising nation, as France had become in the late 18th century, had decisively changed course and was now heading for unmitigated disaster, that was Burke's conclusion.

By a striking observation which follows next, Burke shows that he was familiar with the working conditions of the new French legislative assembly. He admits that "a very great proportion of the members" were "practitioners in the law." This fact might have pleased him. But he adds that none of these representatives was a leading advocate or university professor. The members belonged largely to the "inferior, unlearned, mechanical, merely instrumental members of the profession."[7]

If we disregard the bitter and indignant tone of the passage, Burke shows he is aware of the immense loss of political competence that the revolutionary shift of power has brought. As a man of law, Burke knew that the preceding century had witnessed a steady professionalization of French courts and bureaus of public administration. As a friend of the rule of law, he feared that France now was paving for disorder and arbitrariness. What had so far been public offices manned with qualified men, would now become career ladders of political opportunists and social climbers. (Can these even "read and write?" Burke characteristically asks).

5 Ibidem, p. 125.
6 Ibidem, p. 129.
7 Ibidem, p. 129f.

Another reason for worry was the new rules of property. Can we expect, Burke asks, that the "inferior, unlearned" and untrustworthy professionals do care about the stability of property, that is, will they make the effort to minimize the arbitrary, vague and ambiguous ways of handling the law? As Burke notes: "Their objects would be enlarged with their elevation, but their disposition and habits, and modes of accomplishing their designs, must remain the same."[8] In fact, unlike in most other revolutions, one may note that the Jacobins did not take land from the rich and give it to the poor. As the Jacobins needed money, they auctioned landed estates to the highest bidders (Nöel Johnson).[9]

Again, Burke does not go into a deeper description of the system called "ancien régime." His attention is directed towards the ethical and psychological qualities of the men who fill the vital positions, their character if you wish, while he cares less about how these positions were constituted. As mentioned, the National Assembly was filled with men of inadequate knowledge and experience. Burke seems to take for granted that the men who made the decisions in the old political order, if not entirely representing what he calls "the natural landed interest of the country," at least were more civilized and adequately prepared than the raw and poorly educated upstarts in the National Assembly. Raw and incompetent men, but also men willing to exert powers way above their ability. They might even be prepared to make decisions against the common interest. Burke compares the National Assembly to the British house of commons, which he says is "circumscribed and shut in by the immovable barriers of laws, usages, positive rules of doctrine and practice, counterpoised by the house of lords, and every moment of its existence

8 Ibidem, p. 131.

9 Regarding the revolutionary redistribution of land, see: Garrett M. Petersen "The French Revolution, Property Rights, and the Coase Theorem with Noel Johnson." In *The Economic Detective*, July 28, 2017, Podcast, website, 52:09. https://economicsdetective.com/2017/07/french-revolution-property-rights-coase-theorem-noel-johnson/

at the discretion of the crown to continue, prorogue, or dissolve us."[10] Again, Burke speaks as a friend of proper checks on legislative power. Only the deeply unwise can entrust with power people with confined views: "*Fools rush in where angels fear to tread.*"

In Burke's view, the French revolutionaries are obviously lowering moral standards. They reward selfish behavior and narrow convictions. Instead of providing worthy examples to emulate, they act as criminals and thugs, persons who do little to measure up to their country's great personalities in the past. According to Burke, there were even in the past men who did not always act according to law and established convention. Yet they did so in order to restore the right order, or to acquire a position which they deserved. Such men, here exemplified a bit surprisingly by Oliver Cromwell and Cardinal Richelieu, despite their flaws were worthier of office than the present Jacobin leaders.

Burke has sometimes been accused of irrationality. It is a view based on prejudice or lack of knowledge. Rather than irrational, Burke's *Reflections* may be called a sermon of sorts, one in which the moral and virtuous part of human action is central. It is a sermon in a quite different key of course than that of the mentioned Dr. Price. The true nature of the events of 1789, Burke holds, is a break with the old ethos of France, but thereby also with the ethos of Christian Europe. The core of Burke's thinking seems to be an idea of participation, in which self-restraint and imaginative foresight in the conduct of the nation's leaders is regarded as good for the commonweal of that nation. A corresponding lack of elevated conduct brutalizes the common national life.

If we suppose that Burke has in mind what classical Platonism recognizes as *methexis*, or participation of the particulars in the universal, that is, of the Many in the One, one may also understand why Burke did not offer an empirical presentation of the situation in France, or an elaborate view of the "ancien régime." What Burke

10 Ibidem, p. 133.

admires when, in a much quoted passage from his *Reflections*, he catches sight of the young crown princess Marie Antoinette in the park at Versailles, is not an "ideal," "perfect" or "magical" royal personality, but a person acting humbly to fill her position in a harmonious and virtuous whole. She is of the "ancient régime," not by sheer force, or mechanical nomination, or marriage, but in the sense that she embodies a "conscious dignity, a noble pride, a generous sense of glory and emulation," to use Burke's own words. Her acting does not rebel against "the natural order of things."[11] To participate in a higher ethical order, the reader feels, in Burke's eyes gives monarchy its ultimate legitimacy.

When, in another part of his book, Burke notes that he saw "the abyss yawn" at him, we should not take this to mean that he saw European society literally collapsing, in a sheer logistic or technical manner. It is the whole inner connection with, and participation of French citizens in their higher selves or in an eternal reality, that in Burke's eyes has been broken. Those therefore miss the point, who lament that Burke does not describe the concrete processes which the revolution triggers. That which France has abandoned is not necessarily the "ancien régime" – a phrase which at the time had not even come into use – but the mentioned "natural order of things" or the "edifice of society."[12]

Burke argues that the old ways are gone, and yet he does not endorse the new ethics of the Jacobins. One must ask: does he then leave the French people in a sort of void? Burke openly questioned the "rights of man" as heralded by the friends of the revolution. Instead, he claims a set of rights which he traces to a classical concept of order, a *ius naturalis* or Natural Law. These rights include justice, a right to the fruits of one's labor, a right to the means needed to earn one's living, but also a right to inherit one's parents and a right to care for one's offspring, as well as a right to education. In short,

11 Ibidem, p. 137.
12 Ibidem, p. 138.

such a right includes all that society can do in one's favor. It is an un-offensive kind of right, more like those conventions enacted after the Second World War, for instance by the UN, than are the revolutionary rights. It can be said that the commands of *ius naturalis* were not perfectly observed in the "ancien régime," but there were in that régime at least strong and rising movements towards their fulfillment.[13]

Another point concerns the question, whether revolutionary France broke completely with the "ancien régime," as Burke argued, or whether France – despite its declared strong will to break with its past – in fact continued its institutions and customs in other forms, as Tocqueville later argued. Alexis de Tocqueville was not only a Frenchman of noble family, he conducted impressive research in public archives where he read old protocols stemming from local political assemblies. The result of his work was published in Paris 1856 under the title *L'ancien régime et la révolution*. Tocqueville's conclusions are often paradoxical and at odds with received truths on the "ancien régime."

Tocqueville argued that the old French administration was strongly centralized. But it was more than that. He writes: "In the eighteenth century public administration was already … to a large extent centralized, most powerful and very active. " "It [the public administration] affected in a thousand ways not only the operation of public affairs but also the fate of families and the private life of each human being."[14] Thus, French centralization according to Tocqueville did not start with the Jacobins and their striving for equality and uniformity. In his view, it had older and less modern and less

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13 For more on Burke and the natural law, see Peter J. Stanlis, *Edmund Burke and the Natural Law*. Lafayette, LA, Huntington House, 1986.

14 Alexis de Tocqueville, *Den gamla regimen och revolutionen*. Med förord av Stig Strömholm. Stockholm, Bokförlaget Atlantis, 2007, p. 399. See, also, english edition, Alexis de Tocqueville, *The Ancient Régime and the French Revolution*. Introd. by Hugh Brogan. Collins/Fontana, Fontana Classics of History and Thought, 1974.

ideological roots, as the king and his administration in various situations and for various reasons chose to transfer powers from local assemblies and the civil society to the state. In a rather summary fashion, Tocqueville compares central features in prerevolutionary France with other countries in Europe. He notes that, unintentionally, French kings did much to isolate their subjects and hinder their cooperation on smaller and larger issues. One ominous consequence was that the lack of civic training on the local level made the French people ill prepared for greater political tasks.

Unlike Burke, Tocqueville regards the revolution as impossible to halt. He regards the upheaval as part of the triumphal march of democracy in history. To argue for prudence, piety or necessity in a way then becomes pointless. Tocqueville rebukes Burke, expectedly, for not understanding that the revolution was committed to crush the old European law. Democracy as the will of the people was the fate of Europe. But democracy can take on better and more responsible forms, Tocqueville hoped, above all if it learns to protect freedom and keeps some crucial institutions from aristocratic society. A democracy which wants to survive should honor old virtues and not take social levelling too far. In this the two thinkers agreed with one another.

From his early career, Tocqueville emphasized that practical politics differ much from theoretical speculation. In this aspect, too, his opinion was shared by Burke. When Burke mourns the "age of chivalry," and when he regrets the rise of revolutionary "calculators" and "metaphysicians," that is, persons who governed the country by numbers and theorems, Tocqueville is similarly affected. He traces these figures back to a kind of technocracy which was already in place when the revolution broke out.

Although Tocqueville dedicated most of his studies to older institutions and life patterns, he seems to have regarded the critical moving power of the revolution in lifestyles and modes of thought prevalent in the old leading classes. In this respect we see an obvious

similarity with Burke. As Tocqueville emphasizes, France had long been among the foremost literary nations in Europe. Still, in old times its writers had been practically experienced. Many of them had held leading positions in public life and had often been regarded as model citizens. From the mid-eighteenth century, however, the writers and intellectuals began to think and write in a speculative and abstract fashion, a mode of writing which attracted followers and readers in the old elites and increasingly in the middle classes. Tocqueville notes that the king and his court, as well as the old nobility, in fact were fascinated by the new kind of literature. If nothing else, it became an antidote to the troubled and boring life during the last pre-revolutionary decades. It was striking, he adds, how few Frenchmen were able to clearly see what harm these pamphlets with their explosive messages would cause in the real political world.

It is easy to dismiss Burke's view of the French revolution, arguing that he idealized and misjudged French monarchy. The thorough and meticulous study of Tocqueville may seem more modern and methodically convincing, particularly to readers in the 21st century. The late Gunnar Heckscher, political scientist and former leader of the Swedish liberal-conservative party, argues that Burke was ignorant of French politics and "never understood its problems."[15] It is true that our knowledge of the "ancient régime" has increased after Burke's death. But given his personality and motivation, his objective was not to write a mere causal or "scientific" study. He never wanted just to describe how a new French society evolved from its forerunner, the "ancient régime." What he sought to do was to make his countrymen and other Europeans aware of the risk that revolutionary ideas might spread and disrupt the inherited order. That order, in turn, was not France before 1789, but a régime existing in various degrees in the different European nations, and promoting by traditional and incremental means the freedom as well as spiritual

15 See his foreword in: Edmund Burke, *Reflektioner om franska revolutionen*. Stockholm, Contra Förlag & Co KB, 1982, p. 8.

and material development of their populations.

That Tocqueville discovered much evidence as to the political and administrative procedures of the "ancient régime" is no matter of contest. Ladurie says in his huge study of the "ancient régime" that Tocqueville "exaggerates" the centralization.[16] One can add that Tocqueville may have put too much emphasis on the administrative side of the "ancient régime." Burke's stress on the mentality of the literary figures and their role in radicalizing their country in some ways has better withstood criticism. The fatal role of the *literati* is by no means denied by Tocqueville, but since he was more aloof in his attitude, he may not fully have grasped the nature of the danger. In our present propaganda and information society, with its volatile influence of public opinion, we can perhaps more easily see the relevance of Burke.

Again, we must remember that *Reflections* is not primarily a sociological study on a certain instance of historical upheaval, it is a study which may be called a philosophical digression or a "sermon," aiming to call men to action. We should consider it as such in order to understand its true genius and its enduring value.

16 Emmanuel Le Roy Ladurie, *The ancien régime: A history of France, 1610–1774*. Oxford: Blackwell, 1998.

LITERATURE

Edmund Burke. *Reflections on the Revolution in France*. Harmondsworth, England, 1969.

Heckscher, Gunnar "Foreword," in Burke, Edmund. *Reflektioner om franska revolutionen*. Stockholm, Contra Förlag & Co KB, 1982.

Ladurie, Emmanuel Le Roy. *The ancien régime: A history of France, 1610-1774*. Oxford: Blackwell, 1998.

O'Brien, Conor Cruise. "Introduction," in: Edmund Burke. *Reflections on the Revolution in France*. Harmondsworth, England, 1969.

Petersen, Garrett M. . "The French Revolution, Property Rights, and the Coase Theorem with Noel Johnson." In *The Economic Detective*, July 28, 2017, Podcast, website, 52:09. https://economicsdetective.com/2017/07/french-revolution-property-rights-coase-theorem-noel-johnson/

Stanlis, Peter J. *Edmund Burke and the Natural Law*. Lafayette, LA, Huntington House, 1986.

Tocqueville, Alexis de. *Den gamla regimen och revolutionen*. Med förord av Stig Strömholm. Stockholm, Bokförlaget Atlantis, 2007.

Tocqueville, Alexis de. *The Ancient Régime and the French Revolution*. Introd. by Hugh Brogan. Collins/Fontana, Fontana Classics of History and Thought, 1974.