POLITICAL SCIENCE 4035 6.0
The Emergence of Modernity
Fall-Winter 2020-21

Essay Assignment

Write an essay of approximately 12-15 double-spaced pages on one of the ideas, propositions, arguments contained in the following quotes. Your essay should incorporate insights drawn from some of the readings discussed in class as well as secondary literature that you think appropriate to the topic. Because many of the topics introduced by the quotes listed below are quite broad, part of your task as an essay-writer will be to select a focus that interests you and that you think is amenable to thoughtful analysis. In other words, use the quotes as starting points for your reflection on the subject matter, not as actual arguments which you must confirm or dispute. As a rule of thumb, you should include at least 5-8 separate references in your essay, whether it is based on one of the topics below or is a special approved topic. Essays will be graded on the basis of clarity (and fidelity to the texts they seek to elucidate), persuasiveness of principal thesis, and grammar and style. The essay is worth 35% of your final grade. **Due date: March 31, 2021**

1. John Locke argues in the *Second Discourse* that the institution of private property and the invention of money (i.e. an exchange economy that allows for unlimited accumulation) improves upon the state of nature where all things were held in common because it leads to a more productive use of resources that enriches all. In an influential article written in 1968 entitled *The Tragedy of the Commons*, the American ecologist Garrett Hardin argues that the idea of the "commons" (and by extension the welfare state) is ecologically dangerous because it hinders people from acknowledging the environmental impact of their actions. http://science.sciencemag.org/content/162/3859/1243.full
   Write a critical essay that links and evaluates these two viewpoints.

2. "What used to be an act of resistance in the face of powers (who can also be represented by the majority, the elite, wealth, etc) and a brave, determined appeal calling them to tolerance, takes on a new meaning and substance when what is involved is equal relationships, free human beings, citizens in civil society or even relationships between different cultures and civilisations. Calling powers to tolerance consisted in asking them to measure their strength and limit their capacity for harm: This implied accepting a power play, a potential authority relationship such as could exist between the state and individuals, the police and citizens, the colonisers and the colonised. Deviances, misbehaviours and a few differences can be 'tolerated' — they are 'suffered'. But when the issue is no longer resistance and limiting powers, the positive dimension of tolerance is inverted: It becomes gratuitous generosity from those who dominate and hold political, religious and/or symbolic authority, the authority of number and/or of money. Tolerance is the intellectual charity of the powerful. On an equal footing, one does not expect to be accepted or tolerated: That others should 'suffer' one's presence is insufficient for oneself, and unsound for them." Tariq Ramadan, *Respect beyond tolerance*, https://tariqramadan.com/english/respect-beyond-tolerance/ In recent writings the European Muslim scholar has argued that the principle of tolerance championed by Locke and Voltaire presupposes a power dynamic and needs to be reconceptualized as respect. Using Ramadan as a point of departure, write a critical essay on Locke's *Letter Concerning Toleration*.

3. **“**Governments of the Industrial World, you weary giants of flesh and steel, I come from Cyberspace, the new home of Mind. On behalf of the future, I ask you of the past to leave us alone. You are not welcome among us. You have no sovereignty where we gather.” These opening words of John Perry Barlow’s infamous *A Declaration of the Independence of Cyberspace* underscores the libertarian dreamscape of early internet adopters. https://www.eff.org/cyberspace-independence

   “Bearing the perverse logic known only to authoritarian state propaganda, [Mark] Zuckerberg wishes us to believe that Facebook is a benevolent sovereign, a gateway to flourishing connectivity and public discourse, instead of an all-seeing surveillance apparatus that attempts to predict our needs, guide our behaviors, and monetize our dearest relationships and communications for obscene profits.” Jacob Silverman’s recent diatribe against Facebook reflects a more cynical view of the freedom the internet supposedly offers. https://thebaffler.com/the-future-sucked/all-right-already-silverman

   If the Enlightenment was about emancipation from darkness, does the internet advance the cause?

4. The upbeat [acultural] story [of the rise of modernity] cherishes the dominance of an empirical-scientific approach to knowledge claims, of individualism, negative freedom, instrumental rationality. But these come to the fore because they are what we humans “normally” value, once we are no longer impeded or blinded by false or superstitious beliefs and the stultifying modes of life which accompany them. Once myth and error are dissipated, these are the only games in town. The empirical approach is the only valid way of acquiring knowledge, and this becomes evident as soon as we free ourselves from the thralldom of a false metaphysics. Increasing recourse to instrumental rationality allows us to get more and more of what we want, and we were only ever deterred from this by unfounded injunctions to limit ourselves. Individualism is the normal fruit of human self-regard absent the illusory claims of God, the Chain of Being, or the sacred order of society. Charles Taylor. *Modernity and the Rise of the Public Sphere* (p. 6). http://red.pucp.edu.pe/wp-content/uploads/biblioteca/Charles_Taylor_Modernity_and_the_Rise_of_the_Public_Sphere.pdf
   Write a critical essay analyzing this “acultural” story of modernity.

5. In his book *Small is Beautiful*, the economist E.F. Schumacher critiques the prevailing capitalist doctrines of economies of scale and unlimited growth. In chapters such as *Buddhist Economics* and *A Question of Size*, Schumacher argues for small, appropriate technologies that are sustainable and more conducive to a human life where the development of capacities is regarded as the most important purpose of work. http://sciencepolicy.colorado.edu/students/envs_5110/small_is_beautiful.pdf. Write a critical essay relating Schumacher’s argument to the views of Jean Jacque Rousseau in his *Discourse on the Arts and Sciences* and *Discourse on the Origins of Inequality*.

6. "Ressentiment – caused by an intense mix of envy, humiliation and powerlessness – is not simply the French word for resentment. Its meaning was shaped in a particular cultural and social context: the rise of a secular and meritocratic society in the 18th century. Even though he never used the word, the first thinker to identify how ressentiment would emerge from modern ideals of an egalitarian and commercial society was Jean-Jacques Rousseau. An outsider to the Parisian elite of his time, who struggled with envy, fascination, revulsion and rejection, Rousseau saw how people in a society driven by individual self-interest come to live for the satisfaction of their vanity – the desire and need to secure recognition from others, to be esteemed by them as much as one esteems oneself." Pankaj Mishra, *Welcome to the age of anger*, https://www.theguardian.com/politics/2016/dec/08/welcome-age-anger-brexit-trump. In his recent book Pankaj Mishra argues that the extreme polarization found in contemporary politics is in many ways a replay of the divide between self-appointed elites like Voltaire, and outsiders like Rousseau. Write a critical essay on this idea.

7. "Tradition means giving a vote to most obscure of all classes, our ancestors. It is the democracy of the dead….Tradition refuses to submit to the small and arrogant oligarchy of those who merely happen to be walking about. All democrats object to men being disqualified by the accident of birth; tradition objects to their being disqualified by the accident of death. Democracy tells us not to neglect a good man's opinion, even if he is our groom; tradition asks us not to neglect a good man's opinion, even if he is our father." G.K Chesterton, *Orthodoxy*, ch. 4. https://www.gutenberg.org/files/16769/16769-h/16769-h.htm. Write a critical essay assessing the political value of tradition as Edmund Burke presents it in *Reflections on the Revolution in France*.

8. In an essay written during the administration of George W. Bush, the political theorist Wendy Brown argued that the political marriage between neo-liberalism and neo-conservatism in American politics has led to the "(1) devaluation of political autonomy, (2) the transformation of political problems into individual problems with market solutions, (3) the production of the consumer-citizen as available to a heavy degree of governance and authority, and (4) the legitimation of statism." *American Nightmare: Neoliberalism, Neo-conservatism, and De-democratization*, p. 703. https://journals-scholarsportal-info.ezproxy.library.yorku.ca/details/00905917/v34i0006/690_an.xml. Write a critical essay assessing the merging of these two political rationalities.

9. The "trolley problem" is an intellectual puzzle used to illustrate some of the difficulties in deriving a consistent ethical system from utilitarian principles. See, for example, Judith Jarvis Thompson, *The Trolley Problem*
https://www-jstor-org.ezproxy.library.yorku.ca/stable/pdf/796133.pdf?refreqid=excelsior%3A5dc65a08475691a0dc0e18047968c606
Write a critical essay analyzing the way the problem is framed, and the possibility of a morally satisfactory resolution to its variants.

10. Early in the Second World War, George Orwell carried on a periodical debate with H.G. Wells over the over the question of science and humanity. Orwell was sceptical of the humane potential of science, which Wells defended. For a summary of their respective views, see: https://theconversation.com/h-g-wells-vs-george-orwell-their-debate-whether-science-is-humanitys-best-hope-continues-today-88366
Write a critical essay discussing these opposing views of the emancipatory possibilities of science, taking into account modern critiques of science and technology.

11. "Let us begin therefore, by laying aside facts, for they do not affect the question. The researches, in which we may engage on this occasion, are not to be taken for historical truths, but merely as hypothetical and conditional reasonings, fitter to illustrate the nature of things, than to show their true origin, like those systems, which our naturalists daily make of the formation of the world." **Jean-Jacques Rousseau**, Introduction, *Discourse on Inequality*. " "…History, simply by taking its station at a distance and contemplating the agency of the human will upon a large scale, aims at unfolding to our view a regular stream of tendency in the great succession of events,—so that the very same course of incidents which, taken separately and individually, would have seemed perplexed, incoherent, and lawless, yet viewed in their connexion and as the actions of the human species and not of independent beings, never fail to discover a steady and continuous, though slow, development of certain great predispositions in our nature." **Immanuel Kant**, *Idea for a Universal History with a Cosmopolitan Intent*, p. 1. "When philosophy paints its grey in grey, one form of life has become old, and by means of grey it cannot be rejuvenated, but only known. The owl of Minerva takes its flight only when the shades of night are gathering." **G.W. F. Hegel**, *The Philosophy of Right*, p. 20. Using any two of these thinkers as a point of departure, write a critical essay on the prospects of using history as a guide to action.

12. J.M. Keynes wrote a short essay in the early years of the Great Depression entitled *Economic Possibilities for our Grandchildren* where he proposed that the immense productive capacity of capitalism meant that future generations would work considerably less and enjoy more leisure.
https://www.marxists.org/reference/subject/economics/keynes/1930/our-grandchildren.htm. The theme of an impending leisure society has been repeated in subsequent generations yet has never been realized. Some argue that this is because no matter how much traditional productive work is automated, capitalism continuously creates the need for, and the conditions of, useless work. See for instance, https://strikemag.org/bullshit-jobs. Others argue that it is the consumption urge, whether socially or psychologically induced, that has caused us to intensify rather than weaken the work imperative See, for instance, https://www.newyorker.com/magazine/2014/05/26/no-time. Taking Karl Marx's view of capitalism as a point of departure, write a critical essay on this dilemma of work, leisure and productivity.

13. "Minimum wage rates have steadily crept up over the years across Canada. Provincial governments have commonly used the minimum wage rate as a tool to appeal to Canadian

workers. Often, governments promote minimum wage increases as a way to boost the incomes of minimum wage earners but fail to explain who actually stands to win or lose from such a policy. On one hand, minimum wage increases impose a negative impact on employers, especially small businesses which are generally more labour intensive than big businesses. Employers may be forced to cut jobs, freeze hiring, or even reduce employee work hours. Small business owners may also have to find ways to mitigate increased labour costs by hiking prices, reducing business investment, and decreasing employee training. On the other hand, governments reap benefits at the cost of businesses through higher personal income and payroll tax revenues." CFIB, *Debunking Minimum Wage Myths* https://www.cfib-fcei.ca/en/research/debunking-minimum-wage-myths. Organizations like the Canadian Federation of Independent Business have been critical of government attempts to raise minimum wages on grounds that mandated wage inflation will lead to price inflation and is a job killer as well. Using Marx's *Wages, Prices, and Profits* as a point of departure, write a critical essay analyzing the controversy over raising minimum wages.

14. "It may be that the ideal of freedom to choose ends without claiming eternal validity for them, and the pluralism of values connected with this, is only the late fruit of our declining capitalist civilisation: an ideal which remote ages and primitive societies have not recognised, and one which posterity will regard with curiosity, even sympathy, but little comprehension." Isaiah Berlin. *Two Concepts of Liberty*. P. 33. http://berlin.wolf.ox.ac.uk/published_works/tcl/tcl-e.pdf In this famous essay Isaiah Berlin argues in favour of value pluralism, though he acknowledges such a view would not have been accepted prior to the advent of liberalism, and may well be seen as an anachronism in the future. Write a critical essay assessing Berlin's argument.

15. "If her functioning as a female is not enough to define woman, if we decline also to explain her through 'the eternal feminine', and if nevertheless we admit, provisionally, that women do exist, then we must face the question 'what is a woman'?" Simone Beauvoir, *The Second Sex*, p. 2. http://www.sfu.ca/~decaste/OISE/page2/files/deBeauvoirIntro.pdf Using Simone de Beauvoir as a point of departure, write a critical essay on Mary Wollstonecraft's views on the rights of women.

16. Liberalism is optimistic in English-speaking countries, and therefore always a little fatuous. Telling Sisyphus that he'll get that stone up there someday is an empty hope. He won't. Camus imagined Sisyphus committed to his daily act; he doesn't encourage him to hope for a better stone and a shorter hill. The counsel given is essentially the same—short-term commitment to the best available course of action—but, by accepting that the boulder is always going to roll back down, Camus put a tragic mask on common sense, and a heroic face on the daily boulder's daily grind. It may have been the handsomest thing he ever did. Adam Gopnik. *Facing History: Why We Love Camus*. http://files.meetup.com/1473379/Why%20We%20Love%20Camus.pdf
Write a critical essay examining this proposition.

17. In the preface to his book, *Amusing Ourselves to Death*, Neil Postman contrasted the dystopian visions of George Orwell and Aldous Huxley: “What Orwell feared were those who would ban books. What Huxley feared was that there would be no reason to ban a book, for there would be no one who wanted to read one. Orwell feared those who would deprive us of information. Huxley feared those who would give us so much that we would be reduced to passivity and egoism. Orwell feared that the truth would be concealed from us. Huxley feared the truth would be drowned in a sea of irrelevance. Orwell feared we would become a captive culture. Huxley feared we would become a trivial culture, preoccupied with some equivalent of the feelies, the orgy porgy, and the centrifugal bumblepuppy. As Huxley remarked in *Brave New World Revisited*, the civil libertarians and rationalists who are ever on the alert to oppose tyranny "failed to take into account man's almost infinite appetite for distractions". In *1984*, Huxley added, people are controlled by inflicting pain. In *Brave New World*, they are controlled by inflicting pleasure. In short, Orwell feared that what we hate will ruin us. Huxley feared that what we love will ruin us.” https://judyelf.edublogs.org/files/2010/04/Amusing-Ourselves-to-Death-1sgubl1.pdf. See also, https://www.theatlantic.com/entertainment/archive/2017/04/are-we-having-too-much-fun/523143/. Write a critical essay on who, if either, was right in their apprehensions about modernity.

18. In a recent article entitled *I Was a bank Robber Until I Read Kant*, the Montreal journalist Robbie Dillon wrote that reading Kant helped him leave behind a life of crime. At the same time, he claims to detect a similarity between criminals and philosophers: “one thing that criminals and some philosophers share is a sense of being an outsider. Both stand at the margins, continually testing the limits of their respective worlds.” https://thewalrus.ca/i-was-a-bank-robber-until-i-read-kant/. Write a critical essay exploring the proposition that philosophy is subversive.

Solving the 'Burke Problem': Perspectives on Edmund Burke's Traditionalism

In the English-speaking world, there are scarce few names in politics which carry more power than that of Edmund Burke. Lord Acton called his writings the "law and the prophets," and when Wilfrid Laurier sought to rehabilitate the Canadian Liberal party, he invoked the tradition of "Burke, Grey, and Gladstone."[1] Conservatives look to his scathing critique of French liberalism as a lodestar, and historically many liberals had a deep appreciation for his defense of the 1688 settlement. Burke's writings leave interpreters with a problem, though, one most clearly expressed in C.B. Macpherson's *Burke*. Burke seems to occupy two opposite positions: he claims to defend a hierarchical order grounded in Christian natural law, but he also expresses a belief in the emerging bourgeois free-market order so firm that Adam Smith called him "the only man who, without communication, thought on these topics exactly as he did."[2] In order to solve this problem, it is necessary to look carefully at exactly what Burke means by tradition. Through a close read of the *Reflections on the Revolution in France* and with the help of some of his best critics in Macpherson, Leo Strauss, Peter Stanlis, and Russell Kirk, an authentic Burke can be uncovered and the 'Burke Problem' can be solved. Burke is a genuine traditionalist attempting to defend natural law in modernity, siding with free marketers where he believes it to be prudent.

Tradition in *Reflections on the Revolution in France*

Reflections on the Revolution in France is a rare text which demands to be read in full to be understood. It can, as Russell Kirk writes, no more competently be summarized than "one

[1] Lord Acton, "Lord Acton Quote Archive," *Acton Institute*, https://www.acton.org/research/lord-acton-quote-archive. ; Donald Creighton, *Canada's First Century*, (Oxford: Oxford University Press, 2012), 62.
[2] C.B. Macpherson, *Burke*, (Oxford: Oxford University Press, 2013), 21-22.

could condense the writings of Plato, say, into a few paragraphs."[3] Nevertheless, a brief account of Burke's argument about tradition in *Reflections* can be found in one of its most famous passages:

> Society is, indeed, a contract... [I]t is not a partnership in things subservient only to the gross animal existence of a temporary and perishable nature. It is a partnership in all science, a partnership in all art, a partnership in every virtue and in all perfection. As the ends of such a partnership cannot be obtained in many generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born. Each contract of each particular state is but a clause in the great primeval contract of eternal society, linking the lower with the higher natures, connecting the visible and invisible world, according to a fixed compact sanctioned by the inviolable oath which holds all physical and all moral natures each in their appointed place. This law is not subject to the will of those who, by an obligation above them, and infinitely superior, are bound to submit their will to that law.[4]

There are a number of key components of Burke's thought condensed here. First, Burke agrees with most of his contemporaries that there is such a thing as a social contract. Where he breaks with the view of someone like John Locke is in the notion of the "great primeval contract of eternal society." Burke believes that if there is such a thing as a 'state of nature,' it exists so far in the distant past as to be untraceable.[5] He does not believe that society is something entered into for reasons of mere expediency, to be dissolved whenever it is found wanting, but rather a partnership which extends across time. Those in the present are trustees, merely safeguarding what has been inherited from the past on behalf of those yet unborn.

Society for Burke is often called 'organic.' It builds naturally from a patchwork of small associations which he calls "little platoon[s]," the "first principle... of public affections."[6] Communitarianism, as well as opposition to centralized planning, are core to Burke's tradition.

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[3] Russell Kirk, *Edmund Burke: A Genius Reconsidered*, (Wilmington, DE: ISI Books, 2014), Kindle, Location 2032.
[4] Edmund Burke, *The Works of the Right Honourable Edmund Burke*, (Project Gutenberg, 2005), https://www.gutenberg.org/files/15679/15679-h/15679-h.htm, 359.
[5] Ibid.
[6] Ibid., 292.

He opposes centralized planning in particular because of his disdain for the Enlightenment's metaphysical speculation, expressing a preference for "our old prejudices"--received wisdom--which ought to be cherished because of their long roots and their place as part of a society's inheritance.[7] Finally, and crucially for all three of his critics mentioned here, Burke invokes a law which is "infinitely superior" to all human laws and binds everyone.[8] The concept of natural law recurs throughout both the *Reflections* and Burke's career more broadly, most notably as the grounds for judging Warren Hastings. ~~N~~atural law is Burke's main claim to connection to the philosophical tradition of Aristotle, Aquinas, and Hooker, and so an exposition of what he means by it in *Reflections* is in order.

The section of *Reflections* in which Burke explains what he means by natural law at greatest length is where he speaks of rights. Against the "false claims of right" of the French revolutionaries, Burke defends those that are "real."[9] Men have a right, he says:

> [T]o justice, as between their fellows... They have a right to the fruits of their industry, and to the means of making their industry fruitful. They have a right to the acquisitions of their parents, to the nourishment and improvement of their offspring, to instruction in life and to consolation in death. Whatever each man can separately do, without trespassing upon others, he has a right to do for himself; and he has a right to a fair portion of all which society, with all its combinations of skill and force, can do in his favor. In this partnership all men have equal rights; but not to equal things. He that has but five shillings in the partnership has as good a right to it as he that has five hundred pounds has to his larger proportion; but he has not a right to an equal dividend in the product of the joint stock. And as to the share of power, authority, and direction which each individual ought to have in the management of the state, that I must deny to be amongst the direct original rights of man in civil society; for I have in my contemplation the civil social man, and no other. It is a thing to be settled by convention.[10]

Burke's natural law contains much of the tradition he claims membership to. Rights to justice, ownership of productive property, inheritance, providing for one's family, and so on can

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[7] Ibid., 346.
[8] Ibid. 359.
[9] Ibid., 308.
[10] Ibid., 308-309.

all be found in the Christian natural law tradition even today.[11] And so, from Burke's testimony alone, the case appears to be settled. He is a natural law man, and that is his tradition.

The 'Burke Problem'

Reading Burke is not as clear cut as all that, though. Taking *Reflections* in isolation, it seems like he is the traditionalist he claims to be, but Burke's whole career tells something of a different story. According to C.B. Macpherson, while "in everything he wrote and did, he venerated the traditional order," by Burke's time "the traditional order was already a capitalist order. He saw that it was so, and wished it to be more freely so."[12] This creates a "question of the coherence of his two seemingly opposite positions: the defender of the hierarchical establishment, and the market liberal," something which he calls the 'Burke Problem.'[13]

Evidence of this contradiction abounds, and Macpherson is quick to present it. Burke praises inheritance in property for a "rough utilitarian" reason that "institutions which have lasted a long time have thereby demonstrated their utility," and believes that the "laws of the market were divinely ordained."[14] Most damningly for those claiming Burke to be an heir to Hooker and Aquinas, he argues against the Speenhamland scheme, an effort to raise the wages of poor tenants that they may provide for their families, which Burke believes would "dry up the springs of enterprise" and leave these labourers '"even worse off."[15] Based on Macpherson's evidence, the traditional order which Burke cherishes reveals itself to be "not simply any hierarchical order but a capitalist one."[16]

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[11] C.f. Pope Leo XIII, *Rerum Novarum*, The Vatican, http://www.vatican.va/content/leo-xiii/en/encyclicals/documents/hf_l-xiii_enc_15051891_rerum-novarum.html, para. 13.
[12] Macpherson, *Burke*, 5.
[13] Ibid., 7.
[14] Ibid., 40; 59.
[15] Ibid., 52.
[16] Ibid., 61.

Macpherson's Solution

Having discovered this contradiction in Burke's thought, Macpherson is not content to leave it without an explanation. He rejects the ideas that Burke was merely inconsistent in his views, or that he was a market liberal up until 1789 and changed his views after the Revolution. Burke was far too clever for either of these to be sufficient explanations. Instead, Macpherson offers his own explanation. Burke was an Enlightenment man who recognized that the then hundred-year-old capitalist order was a received tradition in Britain. He was a man of his time, not useful to ours, and attempts by liberals in the 19th century and conservatives in the 20th to shape him into a utilitarian or a natural law man are misguided.

The key to understanding Macpherson's Burke is in Burke's reading of the 1689 Whig Revolution. The 1688 "Declaration of Right" forms part of an unbroken and "uniform" chain of English "liberties as an *entailed inheritance* derived to us from our forefathers, and to be transmitted to our posterity."[17] Embedded within the 1688 settlement was of course John Locke's defense of unlimited capitalist accumulation, of which Macpherson has written elsewhere. Money for Locke is "not merely a medium of exchange" but capital, and its function as a medium of exchange is "subordinate to its function as capital," which exists to "beget further capital by profitable investment."[18] This, along with Locke's defense of usury, is evidently distinct from the conception of property rights which many conservatives would have Burke hold. Macpherson's Burke shares Locke's conception of money. The motor of Burke's economic system was the "desire for accumulation," and Burke held this to be "natural, necessary and equitable."[19] In order to maintain a society in which such accumulation is possible, the people

[17] Burke, *Works*, 274.
[18] C.B. Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke,* (Oxford: Oxford University Press, 2011), 207.
[19] Macpherson, *Burke,* 53.

must accept a subordination which "generally shortchanges them," which is the real reason for his defense of a hierarchical order against both the French and the Speenhamland judges.[20]

Macpherson's solution to the Burke problem is that he is both the bourgeois capitalist he described and a genuine traditionalist. This can be the case because, by his time, the "capitalist economy had inserted itself inside the traditional social order and had changed the content though not the form of the order."[21] Burke did not seek to mislead anyone. He spoke within the language of modern, not ancient, natural right. He ought to be "commended for having seen that society had" already assimilated capitalism into natural law, and that is his unique contribution.[22]

Burke in *Natural Right and History*

Leo Strauss' study of the history of natural right is an excellent partner for both of Macpherson's books. His argument about Locke twisting natural law to accommodate capitalist accumulation is very similar to Macpherson's, which Strauss even acknowledges in a footnote.[23] As a conservative who is familiar with the idea that moderns have adopted the language of natural right, one would expect Strauss' Burke to be a more contemptible version of the arch-Whig on display in Macpherson's writing. Strauss, however, argues the opposite position. According to Strauss, Burke wrote within the modern natural right tradition, but he was attempting to return to the old conception of natural right "at the last minute," siding with Cicero and Francisco Suarez against the Enlightenment.[24]

To begin, a definition of terms. Strauss speaks of two different kinds of natural right: 'classic' (implicitly, authentic) and 'modern.' Classic natural right begins with Socrates and is

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[20] Ibid., 61.
[21] Ibid., 71.
[22] Ibid., 69.
[23] Leo Strauss, *Natural Right and History,* (Chicago: University of Chicago Press, 1965), 234n.
[24] Strauss, *Natural Right,* 294.

carried on by Plato, Aristotle, and the Stoics before being assimilated into Christianity through the Church Fathers. This is a teleological tradition. It begins with Socrates' questions of "what is?" and continues up through Thomas Aquinas, the touchstone for natural right in Strauss' thesis.[25] Modern natural right, conversely, began with Hobbes. Thomas Hobbes synthesized the classical natural right tradition with Epicurean hedonism, creating "the typically modern combination of political idealism with a materialistic and atheistic view of the whole."[26] More simply, Hobbes' conception of liberty derived from the only right he recognized, that of "self-preservation" and escape from a "violent death."[27] In Strauss' view, Locke's main contribution to modern natural right is in wedding the unpopular Hobbesian position with the language of Richard Hooker, making it more digestible for a still mostly Christian audience.

In *Natural Right and History*, Burke is a classical natural right man, but one who "did not hesitate to use the language of modern natural right whenever that could assist him in persuading his modern audience."[28] This would be why he describes his concept of trusteeship using the language of social contract theory, for example: "[society is a contract] almost in the same sense in which the whole providential order… can be said to be a contract."[29] Similarly, Burke believes that there exists rights to self preservation and the pursuit of happiness, but opposes the hedonistic account of happiness offered by Hobbes and Locke and turns to virtue.[30] Burke's defense of hierarchy becomes almost Platonic. Men "have a right to good government," and so the rights of man point to a "true natural aristocracy."[31]

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[25] Ibid., 112.
[26] Ibid., 170.
[27] Ibid., 186.
[28] Ibid., 296.
[29] Ibid., 297.
[30] Ibid., 297.
[31] Ibid., 298.

There is something of a break from the classics which occurs in Strauss-Burke's thought, however. Whereas classical thinkers believe that the best constitution is a product of reason, Burke believes that the best constitution is one which has "come into being... through the imitation of natural process… continuously, slowly… [and] directed toward 'the greatest variety of ends.'"[32] Here one sees a crossover with Macpherson's Burke. Strauss would say that the theory of the constitution is an application of the lessons of political economy to the "production of the sound social order."[33] The mediating link between the two is self interest: "the common good is the product of activities which are not by themselves ordered to the common good."[34] Strauss sees further evidence of the bourgeois political economist in Burke when the latter argues that the "love of lucre" is the cause of prosperity in all states.

Strauss contends that Burke's use of market liberalism is in service of an incipient idealism. Applying the principles of political economy to the genesis of the political order was "one of the two most important elements in the discovery of History," the other being the "application of the same principle to the understanding of man's humanity."[35] According to Strauss, Burke rejects the Enlightenment idea of an 'absolute moment,' where humankind can stand outside history and seize control of its own fate, and instead embraces the notion of Providence guiding a set of accidents to produce the good. Despite believing that the Revolution is evil, Burke sees it as possibly "decreed by Providence," and therefore resistance to it would be "perverse and obstinate."[36] This is a radical break from the classicists and, given the later secularization of the idea of Providence, a turn towards historicism: "what could appear as a

[32] Ibid., 314.
[33] Ibid., 315.
[34] Ibid.
[35] Ibid.
[36] Ibid., 318.

return to the primeval equation of the good with the ancestral is, in fact, a preparation for Hegel."[37]

The 20th Century Burke Revival

Russell Kirk and Peter Stanlis were key figures in the 20th century Burke revival. Kirk's project in particular is contingent on the interpretation of Burke which Macpherson is critiquing. Burke's politics are something of a sensibility, and to be a conservative for Kirk is to share in that. Kirk's Burke therefore is not a modern at all, but a "Christian, much read in Aristotle, Cicero, the Fathers of the Church, the Schoolmen (including Aquinas) and the great English divines."[38] The "grand Natural Law tradition," though " battered by Hobbes and confused by Locke," re-emerges in all its strength in Burke.[39]

1688 is as important for Kirk's Burke as it is for Macpherson's, and yet Kirk sees him taking a different approach. The Whig Revolution was a genuine preservation of the British constitutional tradition which began with Magna Carta, and a renewal of the real social contract, which is with God. Such language would "make most Whigs, from John Locke to Thomas Babgindom Macaulay, not a little uneasy."[40] Kirk affirms Burke's view that even the wisest man of an age is "comparatively foolish," but through the experience of history, the species has a "wisdom, expressed in prejudice, habit, and custom, which in the long judges aright."[41]

This Burke is the traditionalist that Strauss sees, but he is no Hegelian. Whereas Strauss argues that Burke's view of Providence shows a tendency towards seeing events as inevitable

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[37] Ibid., 319.
[38] Kirk, *Genius*, location 1995.
[39] Russell Kirk in Peter Stanlis, *Edmund Burke and the Natural Law* (Ann Arbor: University of Michigan Press, 1965), vi-vii.
[40] Kirk, *Genius*, locations 2752-2779.
[41] Ibid., 2779.

and irresistible, Kirk believes that he overlooks something. In the very text in which Strauss sees Burke giving up hope, the *Thoughts on French Affairs,* Burke is arguing for an "assault 'with guns blazing' on revolutionary France; Burke *was* the last-ditch resistance."[42] The notion that Burke is a proto-idealist is no obstacle to Kirk, but there remains the problem of his embrace of the free market.

Kirk devotes very little ink and paper to Burke's political economy in *A Genius Reconsidered,* intending it to be more of a biographical sketch than a deep study of his thought. However, Kirk's friend and collaborator, Peter Stanlis, offers a brief account of it. He sees Burke as being influenced by Adam Smith's Christian moralizing more than his utilitarianism. Smith wrote that "the wealth of the rich is a cause of the poverty of the poor: 'wherever there is great property there is great inequality. For one very rich man there must be at least five hundred poor, and the affluence of the few supposes the indigence of the many.'"[43] It is this vision of economics, rather than the prevailing whiggish one, that Stanlis sees in Burke. "Like all his thought," Stanlis writes, Burke's political economy was "dualistic and religious."[44] Indeed, Stanlis' Burke believed that economics was a "poor exaltation which consists only in the depression of other men," and he "clearly rejected the utilitarian pleasure-pain calculus in economics, which was founded on avarice, in favor of a Christian conception of man and the universe."[45] In support of this position, Kirk and Stanlis argue that it was Burke's natural law based view of trade which led him to oppose "both the wealthy East India Company's exclusive

[42] Ibid., 2462.
[43] Stanlis, quoting Adam Smith, *Natural Law,* 173.
[44] Ibid., 174.
[45] Ibid.

monopoly on trade and radical egalitarian theorists on property."[46] For these revivalists, then, Burke was a traditionalist even in his economics.

Whose was the Authentic Burke?

That these three Burkes are so very different is testament to the difficulty of establishing the real one. Burke's disdain for metaphysics and the practical nature of his politics create a lot of seeming contradictions and require a great deal of reading between the lines. It is possible to find Burke supporting any position extant in his day, at least in a qualified way, since often that was the prudential choice for a practicing politician, which it pays to remember he was. Finding the authentic Burke, therefore, must mean reading him in a way which can best explain the seeming contradictions.

Before addressing Macpherson's Burke, it is only fair to allow him the last word against Stanlis and Kirk. Reviewing Stanlis' work, Macpherson finds it wanting, and again reaffirms his thesis in *Burke*: "the moment one confronts the content of Burke's Natural Law with that of the traditional Natural Law of, say, Aquinas or Hooker, one finds them poles apart. Dr. Stanlis does not enquire into such differences… what Burke did was to put the mantle of traditional Natural Law (and religion) over a set of pure bourgeois moral relations."[47] Stanlis' use of Adam Smith imparts the natural law with a content "quite untraditional," though Macpherson allows that Stanlis has an easy defense in that he is "less concerned about the moral content of Natural Law… than about its sanction."[48] In the end, Macpherson finds such an argumentative strategy unpersuasive, arguing that both Stanlis and Kirk engage in "obscurantism," and a "scholarship

[46] Ibid.
[47] C.B. Macpherson, "Edmund Burke and the New Conservatism," *Science and Society* 22, no.3 (1958): 235.
[48] Ibid., 237.

that would end all scholarships," as they have created a "*mystique* that is beyond the competence of reason."[49]

Macpherson is quite right about the difficulties that the Burke Revival had in answering his argument. Indeed, Burke's political economy is notable for its absence in both Stanlis and Kirk. Macpherson's own argument is not without its limits, however. While the Speenhamland evidence is quite convincing, he buckles in trying to explain Burke's prosecution of Hastings and his opposition to what he himself believed to be a bourgeois capitalist revolution in France. The Hastings impeachment was something for which Burke would "rather be remembered" than for "anything else he had done," and so it causes the most problems for Macpherson.[50] He protests that Burke "frequently invoked" the principles of natural law against Hastings, but "never defined them at all closely."[51] Throughout his analysis of the Hastings trial, Macpherson's complaint continues to be that Burke does not define his natural law. He could not maintain that Burke was prosecuting Hastings on bourgeois grounds--that position would be unsustainable. Curiously, Macpherson's summary of the Hastings trial could have come out of the mouth of Kirk or Stanlis:

> The intensity of the Indian crusade may well be attributed to his reverence for traditional establishments. Much of his case against the East India Company was that it had deliberately set out to destroy the ancient constitutions, laws and customs of all the proud kingdoms of the Indian sub-continent. He argued also that the Company's rule in India was already endangering the authority of the established propertied classes at home, by creating a despicable new breed of *nouveau riches* who were bringing home untold plunder from their service in India.[52]

On Hastings, at least, Burke the traditionalist and defender of natural law breaks through and makes himself visible. This makes Macpherson's argument slightly less convincing, but does

[49] Ibid., 239.
[50] Macpherson, *Burke*, 30.
[51] Ibid., 31.
[52] Ibid., 37.

not sink it on its own. Another problem arises in the nature of the French Revolution and Burke's response to it. On the latter, Macpherson asks the question: "if Burke's advocacy of tradition and inherited rights was, in the English context, at bottom an advocacy of a capitalist order, why should he not have applauded the revolution in France which, in assailing the inherited order there, was paving the way for a capitalist order on the Continent?"[53] Macpherson takes the position that Burke simply did not recognize the French Revolution as a capitalist one. He "was not a nineteenth-century historian," and so did not see the event through the lens of class conflict.[54] There are two holes in this position, though. First, It contradicts his conclusion about Burke, since Macpherson believed that it was perception of his time and place which made him first among his contemporaries. If Burke did not recognize the revolution for what it was, he could not have been perceptive. Second, there is evidence Burke actually did see the French Revolution in class terms. The National Assembly, Burke grumbled, was full of middle class strivers--"obscure provincial advocates... stewards of petty local jurisdictions, country attorneys, notaries," and so on--who will end up destroying France because they have no interest in its future.[55] Conversely, as Macpherson himself acknowledges, Burke well-understood that the British parliament is occupied by aristocrats who have a permanent stake in the nation and its then-established capitalist order. While his interpretation is powerful, Macpherson's Burke falls apart at two key moments of his career, and so cannot be regarded as the authentic one.

This is not to say that the Burke problem is entirely solved, however. Strauss' Burke offers another possible solution: a traditionalist whose modernism comes not from his economics, but from applying economic theories to the study of history. This would be a way of

[53] Ibid., 63.
[54] Ibid., 64.
[55] Burke, *Works*, 286.

synthesizing something like Speenhamland with a reading of Burke as a traditional natural right man, which is effectively the Burke that emerges in *Natural Right and History*. Where Strauss' argument becomes hard to accept is in his choice of prooftext. Burke is certainly not arguing for an irresistible *Geist* in history when he talks about the Revolution possibly being divinely ordained. As Kirk points out above, he means to say only that it is possibly a divine punishment. For a Christian like Burke, divine punishments can be renegotiated, as seen in Abraham at Sodom and Gomorrah, or postponed entirely, as the Ninevites found in the book of Jonah.[56] He cannot really be said to be preparation for Hegel any more than any 18th century believer in Providence is.

This leaves the Burke Revival writers. Needless to say, it is very sketchy to attempt to defend Burke's economic views by prooftexting Adam Smith. It would help enhance Stanlis-Burke's natural law pedigree to note that that economic position is essentially one held by late 19th century Tory radicals like John Ruskin:

> Riches are a power like that of electricity, acting only through inequalities or negations of itself. The force of the guinea you have in your pocket depends wholly on the default of a guinea in your neighbour's pocket… the art of making yourself rich, in the ordinary mercantile economist's sense, is therefore equally and necessarily the art of keeping your neighbour poor.[57]

While the similarity between Smith and Burke's economic viewpoints is, surprisingly, reflective of a traditional economic perspective, it is by no means the only evidence of Burke's economic traditionalism. In *Reflections,* Burke is well aware both of the problems of capitalism and the risks that it poses to the traditional order. One of the benefits of a *noblesse oblige*

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[56] C.f. Gen. 18:16-33; Jnh 3:10

[57] John Ruskin, "Unto this Last," in *Unto this Last and other Writings,* ed. Clive Wilmer, (London: Penguin Classics, 1997), 180-81.

aristocracy is that it "grafts benevolence even upon avarice."[58] This observation is leveled against the Revolutionaries who favour short-sighted accumulation over long-term inheritance.

Again, though, there remains the problem of Speenhamland. Injustice to the wage earner is considered in Christian natural law to be a 'sin that cries out to heaven for vengeance,' and so it does seem like his attack on the court's decision torpedoes much of the case which Stanlis and Kirk are making.[59] It is important to reiterate one thing about Burke which all authors here acknowledge: he is a pragmatist who favoured balancing competing claims over applying abstract theories. Natural law mandates a just wage and a right to private property, and prudence ought to mediate between the two. This is not foreign to the Christian natural rights tradition; capital and labour …need each other, and that the "mutual agreement" fostered by the mediation of "Christian institutions" can bring about the beauty of "good order."[60] Though he would speak of other mediating institutions, this was Burke's aim in all he did. In the case of Speenhamland, Burke determined that the prudent path was on the side of laissez-faire, to be sure, but he was no utilitarian arguing that all were better off if the poor suffered. On the contrary, while Burke believed the lot of the poor at that time not severe enough to justify aid, the rest of society was still "obliged to offer charity," for "without all doubt, charity to the poor is a direct and obligatory duty upon all Christians."[61] Even at his most whiggish, Burke reveals himself to be what Stanlis and Kirk claim: he is a traditionalist, and a true defender of natural law.

Conclusion

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[58] Burke, *Works*, 298.
[59] C.f. Jm 5:4.
[60] Pope Leo XIII, *Rerum Novarum* para. 19,http://www.vatican.va/content/leo-xiii/en/encyclicals/documents/hf_l-xiii_enc_15051891_rerum-novarum.html.
[61] James Conniff, "Burke on Political Economy: The Nature and Extent of State Authority," *The Review of Politics* 49. No. 4 (1987): 500.

Burke remains as controversial today as he was in his own time. His traditionalism has been read alternately as pouring the new wine of modernity in old bottles, paving the way for historicism, or as a development of the prior philosophical tradition in which Burke claimed membership. While it is by no means an easy task, with a close reading of his whole career it is possible to find the authentic Burke. He is a traditionalist, a believer in organic society, a practitioner of practical politics, and an advocate of natural law. His place as a touchstone for conservatives of all stripes was rightfully earned, and, contrary to Macpherson's view, he remains as important in the 21st century as he was in the 18th.

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