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## MacIntyre, Burke, and the Impasse of Modern Liberalism

ALASDAIR MACINTYRE'S *Whose Justice? Which Rationality?* (1988) focuses its influential 'communitarian' mode of criticism on the stultifying inability of modern liberal thought to unite partisan conviction and normative principle. The culture of modern liberalism, MacIntyre argues, cannot sustain "a kind of rational enquiry which is inseparable from the intellectual and social tradition in which it is embodied."<sup>1</sup> An integrative conception of reason and tradition is simply unthinkable for a liberalism which, "born of antagonism to all tradition" (10) in the cradle of Enlightenment, continues to identify normative authority with steadfast commitment to a formal process of reasoning that requires us to "abstract ourselves from all those particularities of social relationship in terms of which we have been accustomed to understand our responsibilities and our interests" (3). The inherited wisdom of modern liberalism formidably proposed and defended from Kant to Rawls insists that "a genuinely neutral, impartial ... universal point of view"—the only authentic aim of philosophic reflection—is possible only if "freed from the partisanship and the partiality and oneness that otherwise affect us" (3).

MacIntyre's response to what he sees as the constitutive impasse of modern liberalism—its inability to imagine the relation between reason and tradition other than in terms of radical incommensurability—accepts the historicist criticism that liberal thought "illegitimately ignores the inescapably historically and socially con-

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<sup>1</sup> Alasdair MacIntyre, *Whose Justice? Which Rationality?* (South Bend: U of Notre Dame P, 1988) 8.

text-bound character which any substantive set of principles of rationality, whether theoretical or practical, is bound to have" (4). MacIntyre's fundamental premise is that the "rationality of a tradition-constituted" inquiry which seeks to harmonize normative principle and partisan conviction necessarily "begins [*contra* liberalism] in and from some condition of pure historical contingency, from the beliefs, institutions, and practices of some particular community which constitute a given" (354). MacIntyre is careful, however, to distinguish the moderate temper of his particularist appeal to tradition from the (in his view) more extreme particularism of Edmund Burke and John Henry Newman (8). MacIntyre is especially averse to Burke who, in rejecting normative inquiry as inherently destructive of tradition, was therefore "only able to express and endorse the evaluations internal to the established English [political] and social order" (218). Whereas Enlightenment liberals "dismissed tradition because they took it to be the antithesis of rational inquiry" (7), Burke, the counter-Enlightenment thinker *par excellence*, simply reverses the liberal polarity, privileging tradition as the positive antithesis of reason. Burke's concerted "attack upon any appeal to theoretically grounded principles purporting to have an authority independent of that conferred from within" (217) mirrors the intransigence of modern liberalism by reflecting back, inversely, its rigid assumption of mutual exclusivity between reason and tradition, normative principle and partisan conviction. MacIntyre dismisses Burke as a singular annoyance, "an agent of positive harm" who leaves "no place ... for rational theorizing as a work of and within tradition" (353).

MacIntyre's cultivation of a harmonizing 'mean' between the modern liberal's privileging of normative inquiry to the exclusion of tradition and Edmund Burke's privileging of tradition to the exclusion of reason suggests an Aristotelian methodology motivated by the following problem: "To what extent can theorizing suggest a way of approaching issues of action and practical choice that allows *both devotion to and critical distance from the local political context* in a manner clear enough to be politically useful."<sup>2</sup> This admirable formulation of the Aristotelian perspective captures the

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<sup>2</sup> Stephen Salkever, *Finding the Mean: Theory and Practice in Aristotelian Political Philosophy* (Princeton: Princeton UP, 1990) 135 (my emphasis).

gist of MacIntyre's communitarian alternative to the impasse of modern liberalism. However, MacIntyre's negotiation of a 'middling' ground that successfully integrates partisan conviction and normative principle is best approximated, not by his preferred triad of Aristotle, Augustine, and Aquinas, but precisely by (or so I shall argue) the maligned figure of Edmund Burke. The primary aim of this essay is to challenge the stale orthodoxy, rehearsed time and again since the late eighteenth-century and most certainly indulged in by MacIntyre, that straightjackets Burke in the unforgiving role of Archetypal Enemy to normative reason. A few Burke scholars, notably Frederick Whelan, have begun to loosen the grip of this hackneyed image by exploring the possibility of Burke's "normative traditionalism,"<sup>3</sup> a phrase that corresponds exactly to MacIntyre's notion of a "tradition-constituted rationality."<sup>4</sup> Such sympathetic views of a complex Burke, however, remain very much in the minority by comparison to the chorus of Burke antagonists who reiterate *ad nauseam* (albeit in the latest theoretical terms and fashion) the dogmatic presumption of Burke's dogmatic defence of established power. That Burke himself felt confident of having established some degree of continuity between reason and tradition, normative inquiry and partisan devotion, is expressed in his famous paean to civic affection:

To be attached to the subdivision, to love the little platoon we belong to in society, is the first principle (the germ as it were) of public affections. It is the first link in the series by which we proceed toward a love to our country and to mankind.<sup>5</sup>

In what follows I hope to restore to Burke's thought its complex 'middlingness' with a view to eliciting the *possibility* of Burke

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<sup>3</sup> The remarkable phrase "normative traditionalism," which I adopt as a keynote term throughout this essay, is drawn from Frederick G. Whelan, *Edmund Burke and India: Political Morality and Empire* (Pittsburgh: U of Pittsburgh P, 1996) 7. I should like to express my indebtedness, not only to Whelan's stimulating concept, but to the example of his work as a whole.

<sup>4</sup> MacIntyre, *Whose Justice?* 368.

<sup>5</sup> Edmund Burke, *Reflections on the Revolution in France*, ed. J.G.A. Pocock (1790; Indianapolis: Hackett, 1987) 41.

as a compelling case study in support of MacIntyre's searching criticism of modern liberalism. I stress "possibility" here to signal the Socratic spirit of my investigation which, instead of seeking in Burke a determinate resolution of the matter at hand, endeavours to illuminate the contours of a possible answer to the fundamental impasse of modern liberalism. My working hypothesis, to adopt some phrasing from Burke, is that one's partisan obligations as "a citizen of a particular state" do not necessarily preclude coincident fulfilment of a "general apostolical mission" (6). In pursuing this hypothesis, I offer no more (and no less) than a series of sketches or notes, the aim of which is to nudge Burke's thought in the direction of a positive, significant contribution to MacIntyre's communitarian alternative to liberalism. These notes, subdivided under named headings, all of them offered as contributions to the discussion of Burke's normative traditionalism, address in preliminary fashion what MacIntyre considers the essential predicament of modern liberalism: "the inability within our culture to unite conviction and rational justification."<sup>6</sup>

### 1. *Contingency*

MacIntyre's work offers a suggestive account of how the experience of time as contingency—history encountered as a realm of fortune, instability, dislocation, and corruption—provides the existential core of Burke's normative traditionalism. More precisely, it is the traumatic dissolution of a culture's insensible medium of 'givenness' that originates normative traditionalism as a symptom of cultural crisis. MacIntyre remarks that it is "generally only when traditions either fail or disintegrate or are challenged [that] their adherents become more aware of them as traditions and begin to theorize about them" (8). Normative traditionalism may be defined, then, as a tradition reflexively aware of itself as merely tradition; that is, as a mutable artefact whose cultural authority, exposed as no longer given or self-evident, must henceforth be deliberately maintained, justified or 'theorized.' Put another way, this deep awareness of contingency marks one's freedom in relation to tradition freshly apprehended as an object of choice: those aspects of a tradition rendered visible as temporal conventions are now subject

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<sup>6</sup> MacIntyre, *Whose Justice?* 6.

to my unquestioning support, bitter rejection, or qualified adherence as the case may be.<sup>7</sup>

True to form, Burke's normative traditionalism is linked closely to a profoundly unsettling experience of time as sheer contingency. For Burke, as for many of his contemporaries, the French Revolution proved the "most astonishing [circumstance] that has hitherto happened in the world."<sup>8</sup> Although vigorously opposed to the political implications of this seismic event, Burke absorbed the French Revolution as the ultimate lesson on the sovereignty of contingency in human affairs. Contingency is that "mysterious wisdom" which, inspiring "melancholy sentiments upon the unstable condition of mortal prosperity" (70) provokes the adventure of Enlightenment: "alarmed into reflection" (70) by the unprecedented experience of revolution, Burke is progressively convinced that "all human securities are liable to uncertainty."<sup>9</sup>

Burke's deference to the revolutionary lesson of contingency is expressed in numerous ways. Consider, for example, the following excerpt on commonwealths from the *First Letter On A Regicide Peace* (1796):

But commonwealths are not physical but moral essences. They are artificial combinations, and, in their proximate efficient cause, the arbitrary productions of the human mind. We are not yet acquainted with the laws which necessarily influence the stability of that kind of work made by that kind of agent. There is not in the physical order (with which they [commonwealths] do not appear to hold any assignable connection) a distinct cause

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<sup>7</sup> I should like to stress here that a tradition's becoming a reflexive object of choice does not entail an Archimedean commitment to transcendence of one's cultural context. As Alexis de Tocqueville remarks in the second volume of *Democracy in America* (1840), the "independence of individual minds may be greater or it may be less; but it cannot be unbounded." Burke's independence relative to the legal, economic, and political traditions of Britain is certainly greater than that of less engaged and less knowledgeable citizens, but it is not therefore 'unbounded.'

<sup>8</sup> Burke, *Reflections* 9.

<sup>9</sup> Edmund Burke, *An Appeal From the New to the Old Whigs* (1791; Indianapolis: Liberty, 1992) 192.

by which any of those fabrics must necessarily grow, flourish, or decay; nor, in my opinion, does the moral world produce anything more determinate on that subject.<sup>10</sup>

So unsettling is Burke's appreciation of contingency in human affairs that he begins to doubt the operation of immutable law in nature's "physical order": the fate of natural "fabrics" has nothing to do with a predetermining "distinct cause," but is rather the outcome of unforeseen contingencies of environment and circumstance. As for those artefactual entities we call 'states,' it is "often impossible ... to find any proportion between the apparent force of any moral causes we may assign and their known operation" (189): "Some [states] appear to have spent their vigour at their commencement. Some have blazed out in their glory a little before their extinction. The meridian of some has been the most splendid. Others ... have fluctuated, and experienced at different periods of their existence a great variety of fortune" (189). The fragility of states is such that even the random presence of individuals may affect national destiny: "the death of a man at a critical juncture, his disgust, his retreat, his disgrace, have brought innumerable calamities on a whole nation. A common soldier, a child, a girl at the door of an inn, have changed the face of fortune, and almost of nature" (189). Where "political inquir[y]" into the moral disposition of states is concerned, "we are therefore obliged to deliver up [their] operation to mere chance," or, somewhat less arbitrarily, "to the occasional interposition and irresistible hand of the Great Disposer" (189).

Burke's recognition of the state's contingency also informs his estimation of its cultural authority. In a *Letter To William Elliot* (1795), Burke concedes that inherited "authority [can no longer] stand on authority alone. It want[s] some other support than the poise of its own gravity. Situations formerly supported persons. It [has] now [become] necessary that personal qualities should support situations."<sup>11</sup> Recognizing the state's contingency, then, is equivalent to acknowledging the dissipation of its customary authority.

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<sup>10</sup> Edmund Burke, *First Letter On A Regicide Peace*, in *The Writings and Speeches of Edmund Burke*, ed. R.B. McDowell (1796; Oxford: Clarendon Press, 1991) 9:188.

<sup>11</sup> Edmund Burke, *Letter To William Elliot* (1795; Indianapolis: Liberty, 1992) 270.

Burke's vigorous defence of the British constitution is attended by the wistful remark, expressive of his deepening sense of the constitution's contingency, that "a few years ago I should be ashamed to overload a matter so capable of supporting itself by the then unnecessary support of any argument."<sup>12</sup> At present, the destructive "spirit of change that is gone abroad; the total contempt ... of all ancient institutions," obliges deliberate preservation of the "true principles of our own domestic laws ... that we should continue to cherish them" (22). Thus, the very existence of Burke's *Reflections on the Revolution in France* (1790) as an effort of supportive polemic tacitly concedes the delicate contingency of the constitution's cultural authority, its inability to govern its own transmission through time without, in this case, the spirited mobilization of Burke's formidable talents as citizen and statesman.

## 2. Prejudice

Burke's heightened sense of temporal fragility inspires a strong affective presumption on behalf of preserving the British constitution, what Burke himself calls a "powerful prepossession toward antiquity" or "prejudice" (28).<sup>13</sup> Burke's perception of the constitution's contingency, far from exciting a predatory (Jacobin) exhilaration at the sight of weakness, engenders a deeply partisan 'love of one's own' suffused with sentiments of tenderness, compassion,

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<sup>12</sup> Burke, *Reflections* 22.

<sup>13</sup> By 'prejudice' Burke means, in the non-pejorative sense of his time, those partisan affections which bind together one's "private stock of reason" with the "general bank and capital of nations and ages" (*Reflections* 76). It is noteworthy that the influential contemporary philosopher of hermeneutics, Hans-Georg Gadamer, preserves this understanding of prejudice as the very basis of his project. Gadamer maintains that "it is not so much our judgments as it is our prejudices that constitute our being"; indeed, the "historicity of our existence entails that prejudices, in the literal sense of the word, constitute the initial directedness of our whole ability to experience. Prejudices are biases of our openness to the world" (133). Moreover, despite the Enlightenment's unremitting prejudice against prejudice it is not the case, and Burke would concur, that prejudices on behalf of one's own are "necessarily unjustified and erroneous" (133). As Gadamer observes in *Truth and Method*, there are perhaps "justified prejudices productive of knowledge" (247). See Hans-Georg Gadamer, "The Universality of the Hermeneutical Problem," in *Contemporary Hermeneutics*, ed. Josef Bleicher (London: Routledge, 1980) 128–40; and *Truth and Method*, trans. Garrett Barden and John Cumming (New York: Seabury, 1975) 235–344.

humility, and obligation. Prejudice constitutes that ‘flow of sympathy’ between Burke and constitutional tradition which, under duress of revolution, becomes all the more spirited. Burke’s appreciation of the constitution’s vulnerable ‘historicity’ was never more anguished than in 1790; nor, however, was his affection for its spirit and principle ever more fervent, noble, and enlightened. Burke frankly admits his prejudice in placing himself “among the most forward in my zeal for preserving [the] constitution” (4). Indeed, where especially sacrosanct cultural prejudices are concerned, we necessarily “cherish them to a very considerable degree, and, to take more shame to ourselves, we cherish them because they are prejudices” (76). Had Burke continued to exalt prejudice in these admittedly unreflective terms, he would most certainly warrant the repeated accusation (continued by MacIntyre) of having urged us “on [our] knees before the great mystery of social life.”<sup>14</sup> Such criticisms, however, remain singularly blind to those nuances in Burke’s thought which quietly chart the course of a ‘reasoned prejudice’ or, in our current terms, a normative traditionalism.

### 3. *Prejudice with the Reason Involved*

The rudiments of Burke’s normative traditionalism emerge in his brief commentary on the relation between reason and prejudice. Having initially described prejudice as an inchoate medium of “untaught feelings,” Burke invokes the presence of certain sagacious individuals who, “instead of exploding general prejudices ... discover the latent wisdom which prevails in them.”<sup>15</sup> Such persons “think it more wise to continue the prejudice, with the reason involved, than to cast away the coat of prejudice” (76). The phrasing here is momentous. Although Burke fails to specify the transformative process whereby “untaught” sentiment becomes reflexive or enlightened, his revised understanding of prejudice as “reasoned” tacitly registers the experience of time as contingency. A ‘reasoned prejudice,’ then, has suffered the trauma of history as contingency, the passage or ‘fall’ of what had been insensibly self-evident or ‘given’—such as the cultural authority of the British constitution—into unstable temporal circumstances of choice and de-

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<sup>14</sup> Alfred Cobban, *Edmund Burke and the Revolt Against The Eighteenth Century* (London: Allen & Unwin, 1929) 88.

<sup>15</sup> Burke, *Reflections* 76.



liberation. Burke explicitly states that sagacious persons will refrain from ‘exploding’ or ‘casting away’ prejudice, choosing instead to explore its ‘latent wisdom.’ A prejudice made reasonable has been stripped of its habitual authority; it is prejudice mindful of itself as *mere prejudice*, and therefore of its vulnerability to desuetude, corruption, or abandonment.

Burke’s conception of an enlightened prejudice concedes a measure of reflexive freedom within the bounds of affective attachment, but in making this concession he also precipitates a ‘legitimation crisis’ concerning the authority of the British constitution. The troublesome result of conceding the revolutionary lesson of contingency is direct confrontation with the problem and task of *justification*, which in this instance requires that Burke provide a cogent rationale defending the validity of his prejudice on behalf of a tradition (the constitution) whose authority no longer compels immediate assent. How will Burke legitimate the constitution’s cultural authority, and by extension the authority of his prejudice on its behalf, given the constitution’s revealed temporal status as a corrigible artefact? How might Burke justify his love and reverence for constitutional tradition beyond the mere fact of his love and reverence? Is Burke’s partisan affection sustained by a normative principle capable of stabilizing, through justificatory argument, both the prejudice and its constitutional object?<sup>16</sup> Such questions take us to the very heart of Burke’s normative traditionalism.

#### 4. *Just Prejudice*

What justifies the integration of reason and prejudice, we learn, is that “prejudice, with its reason, has a motive to give action to that reason, and an affection which will give it permanence” (76). Prejudice, Burke continues,

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<sup>16</sup> Although much has been written about ‘Burke on moderation’ or ‘Burke on prudence,’ very little discussion has been devoted to ‘Burke on love.’ Burke remarks that the “passion called love, has so general and powerful an influence; it makes so much of the entertainment, and indeed so much the occupation of that part of life which decides the character for ever, that the mode and the principles upon which it engages the sympathy, and strikes the imagination, become of the utmost importance to the morals and manners of every society.” That love draws sympathy according to the disposition of its normative “principles,” and not simply through its partisan intensity, seems to me the fundamental issue (and lesson) of Burke’s writings. See, Edmund Burke, *A Letter To A Member Of The National Assembly* (1791; Indianapolis: Liberty, 1992) 52.

is of ready application in the emergency; it previously engages the mind in a steady course of wisdom and virtue and does not leave the man hesitating in the moment of decision skeptical, puzzled, and unresolved. Prejudice renders a man's virtue his habit and not a series of unconnected acts. Through just prejudice, his duty becomes a part of his nature. (76–77)

Here, prejudice receives justification as the affective ground which serves to motivate, steady, and unify the activity of reasoning. Prejudice embeds reasoning in a nurturing *habitus* of wisdom and virtue without which the exercise of reason is “naked” (76): sterile, indifferent, uncivil, cold. Prejudice settles reason within the “spirit of philosophic analogy” which lends “to our frame of polity the image of a relation in blood, binding up the constitution of our country with our dearest domestic ties, adopting our fundamental laws into the bosom of our family affections” (30). Reason exercised within the affective medium of prejudice ministers cautiously and tenderly to the polity's ailments imaged as those of an adored (but fallible) parent or friend. The sentiments expressed solicit familiarity over beauty: “not, *Verweile doch, du bist so schön*, but, *Stay with me because I am attached to you*.”<sup>17</sup> Prejudice is what warms reasoned experience of traditions and institutions as “persons, so as to create in us love, veneration, admiration, or attachment” (68).

At first glance, the justification of prejudice offered here plays easily into the hands of those numerous critics who would accuse Burke of celebrating blind submission to tradition. If Burke's justificatory conclusion is merely that prejudice is warranted insofar as it suffuses reason with civic warmth, then his sly concessions to reason merely continue the theme of indiscriminate allegiance: reasoning does occur, but the fact that it transpires entirely within the affective medium of partisan conviction would seem to withdraw any normative validity from such reasoning. But is this conclusion supported by Burke's scrupulous phrasing? A careful rereading of the passage cited above reveals that Burke does not in fact endorse

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<sup>17</sup> Michael Oakeshott, *Rationalism in Politics and Other Essays* (Indianapolis: Liberty, 1991) 408.

prejudice per se, but only “*just prejudice*” (77, my emphasis). This qualifying phrase suggests that one's partisan investment in a particular tradition is warranted only if the authority of that tradition is in some sense valid or ‘just’ *beyond its specificity*: justness accrues to a particular prejudice in virtue of the legitimacy of the normative principles sustaining it.

### 5. *Burke's Normative Principle: Social Freedom*

The interests of normative justification require that we first know something about Burke's vision of the public good, and most especially about the norm or standard to which this good is referred. In Burke's view, the public good solicits an ideal condition of “*social freedom ... in which [individual] liberty is secured by the equality of restraint,*”<sup>18</sup> or, alternatively, wherein “*liberty is inseparable from order, from virtue, from morals, and from religion.*”<sup>19</sup> Burke conceives of personal freedom, then, not as something secured in perpetual struggle against the inherited order of custom and tradition, but rather, in Roger Scruton's words, as the “*consequence of an accepted social arrangement.*”<sup>20</sup> On this view, liberty is “*comprehensible as a social goal only when subordinate to something else, to an organization or arrangement which [legitimately] defines the individual aim. Hence to aim at freedom is at the same time to aim at the constraint which is its precondition*” (19).

Most importantly, the public good solicits social freedom through the representative statesman's “*continued conflict*” with temperamental extremes: “*with the obstinacy that rejects all improvement and the levity that is fatigued and disgusted with everything of which it is in possession.*”<sup>21</sup> Where government turns oppressively obstinate, we must by all means “*call the impulses of individuals at once to the aid and controul of authority.*”<sup>22</sup> However, should the spirit of individual freedom turn licentious at the expense of the public good, then freedoms ought to be recalled to “*government; to harmonize with its forms and its rules; and to be*

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<sup>18</sup> Edmund Burke, *Letter To Charles-Jean-Francois Depont* (1789; Indianapolis: Liberty, 1992) 7.

<sup>19</sup> Edmund Burke, *A Letter To A Noble Lord* (1796; Indianapolis: Liberty, 1992) 287.

<sup>20</sup> Roger Scruton, *The Meaning of Conservatism* (Harmondsworth: Penguin, 1980) 19 (my emphasis).

<sup>21</sup> Burke, *Reflections* 148.

<sup>22</sup> Burke, *Letter To William Elliot* 273.

made subordinate to its end.”<sup>23</sup> Negotiating the perplexed middle ground between an oppressive obstinacy and a licentious freedom defines the normative task—the pursued intimation of social freedom—undertaken by Burke’s patriot-statesman:

A man full of warm, speculative benevolence may wish his society otherwise constituted than he finds it, but a good patriot and a true politician always considers how he shall make the most of the existing materials of his country. A disposition to preserve and an ability to improve, taken together, would be my standard of a statesman.<sup>24</sup>

It is precisely this condition of social freedom, evoked in the statesman’s ceaseless struggle against tyrannizing extremes of authority (“a disposition to preserve”) and liberty (“an ability to improve”) that defines Burke’s normative commitment and principle.

#### 6. *Burke’s Partisan Conviction: The British Constitution*

As one of Burke’s best recent expositors has remarked, it is Burke’s “admiring, not to say worshipful, analysis of the British constitution”<sup>25</sup> that commands the “center of [his] political philosophy” (22). Moreover, and here we remark the intimate convergence in Burke’s thought between prejudice and principle, the particular form of the British constitution is closely linked to the normative condition of social freedom. This identification, however, is by no means singular or innovative: Burke is merely extending an already venerable tradition of constitutional thought. Writing in 1685, Lord Halifax celebrates the ancient principle of “our blessed constitution, in which dominion and Liberty are so happily reconciled” as to avoid the pernicious extremes of a “devouring prerogative, and a Licentious ungovernable freedom.”<sup>26</sup> Preserving this delicate relation between authority and freedom requires a flexible constitu-

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<sup>23</sup> Burke, *An Appeal* 194.

<sup>24</sup> Burke, *Reflections* 138.

<sup>25</sup> Harvey C. Mansfield, Jr., Introduction to *Selected Letters of Edmund Burke* (Chicago: U of Chicago P, 1984) 10.

<sup>26</sup> Lord Halifax, *The Character of A Trimmer*, in *The Works of George Savile Marquis of Halifax*, ed. Mark N. Brown (Oxford: Clarendon Press, 1989) 194.

tional structure made sensitive to changing political circumstances through the 'mixed' interaction of Crown, Lords, and Commons. In Halifax's words, the constitution is no "standing Poole": "these strugglings which are naturall to all mixed governments ... doe by a mutuall Agitation, from the severall parts, rather support and strengthen, than weaken or mayme the Constitution" (195). The "whole scheme of our mixed constitution," Burke concurs, is to "avoid the perfections of extreme [:] all its several parts are so constituted, as not alone to answer their own several ends, but also to limit and control the others.... The whole movement stands still rather than that any part should proceed beyond its boundary."<sup>27</sup> The salutary result of this active scheme of 'checks and balances' is that, "in the British constitution, there is a perpetual treaty and compromise going on, sometimes openly, sometimes with less observation" (195).

The parliamentary structuring of "opposed and conflicting interests" intimates the normative standard of social freedom by functioning practically to "interpose a salutary check to all precipitate resolutions ... [thereby] produc[ing] *temperaments* preventing the sore evil of harsh, crude, unqualified reformations, and rendering all the headlong exertions of arbitrary power, in the few or in the many, for ever impracticable."<sup>28</sup> The avoidance of despotic extremes consecrated in the normative principle of social freedom defines the particular "policy of the British system," the entire scheme of which aims to "prevent any one of its principles [democracy, aristocracy, monarchy] from being carried as far, as taken by itself, and theoretically, it would go."<sup>29</sup> So, too, the particular form of the constitution, partaking of the normative ideal of social freedom, "gravitates to a middle point, or to some point near a middle" (195), as the means to confounding the "joint operation of the abuses of authority and liberty."<sup>30</sup> That Burke's concrete descriptions of the "healthy habit of the British constitution"<sup>31</sup> converge with and integrate the normative principle of social freedom is undeniable, and herein lies—according to modern liberalism—our primary difficulty.

<sup>27</sup> Burke, *An Appeal* 194–95.

<sup>28</sup> Burke, *Reflections* 31.

<sup>29</sup> Burke, *An Appeal* 114.

<sup>30</sup> Burke, *Letter To William Elliot* 272.

<sup>31</sup> Burke, *Reflections* 22.

### 7. Conclusion

Confronted with the terms of Burke's normative traditionalism, modern liberals will, according to MacIntyre, characteristically respond with the following line of questions: How can Burke's principle of social freedom express an impassioned partisan obligation to a specific order *and* retain its normative integrity? Is it not rather the case that any claim to normativity is instantly compromised by exposing its basis in prejudice? Moreover, can we not say that this supposed "norm" of social freedom actually functions in Burke's thought to transmit, under cover of a specious claim to universality, a colonialist desire to expand the empire of the British constitution? As MacIntyre suggests, such questions have force only if standards and interests, principles and prejudices *are* radically incommensurable. But the liberal assumption of mutual exclusivity is too hasty, as is the accompanying fear of a bellicose nationalism should partisan conviction and normative principle ever be conjoined. In fact, Burke's political thought elicits a decidedly 'non-colonialist' convergence between reasoned devotion to a normative principle (social freedom) and partisan prejudice on behalf of one's own traditions and institutions (the British constitution).<sup>32</sup>

Burke's answer to liberal suspicions of a furtive colonialism appears in a letter to Francois-Louis-Thibault de Menonville (1791), a member of the recently convened French National Assembly. Menonville had asked Burke for his opinions on whether the British constitution and its supporting parliamentary structure might be successfully adapted to the novel social and political circumstances of post-revolutionary France. Burke's revealing reply is as follows:

When I praised the British constitution, and wished it to be well studied, I did not mean that its *exterior form and positive arrangement* should become a model for you, or for any people servilely to copy. I meant to recommend the *principles* from which it has grown, and the policy on which it has been progressively improved out of elements common to you and to us. I am sure it is no visionary

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<sup>32</sup> For two exceptional treatments of the non-colonialist temper of Burke's thought, see Whelan, *Edmund Burke and India*; and Uday Singh Mehta, *Liberalism and Empire* (Chicago: U of Chicago P, 1999) esp. 115–89.

theory of mine. It is not an advice that subjects you to the hazard of any experiment. I believed the antient principles to be wise in all cases of a large empire that would be free.<sup>33</sup>

We may infer from this response that while Menonville clearly discerns the intimate entwinement in Burke's thought between partisan conviction and normative principle, he mistakenly interprets this relation as one of *identity*, as though Burke were recommending servile adoption of British constitutionalism. Burke gently corrects this error by alerting Menonville to the distinction between animating 'principles,' such as the normative standard of social freedom, and their particular 'exterior forms' or referents, such as the British parliamentary system. "I do not advise an House of Lords to you," Burke answers, "still less are you capable, in my opinion, of framing any thing which virtually and substantially could be answerable (for the purposes of a stable, regular government) to our House of Commons" (66). And yet, while these peculiarities of the British system are (as it were) nontransferable, this does not vitiate the normative transferability of those 'antient principles' informing this particular arrangement. Such principles, which Burke identifies with social freedom, remain eminently 'wise' not only for Britain but in 'all cases of a large empire that would be free.'

Thus, what Burke refuses Menonville is not the normative principle of social freedom per se, which he presumes to be the element 'common to you and to us,' but rather its specific configuration as the British constitution. Burke's point is that while constitutionalism is perhaps the best approximation of social freedom *for Britain* given its unique geography, national history, laws, and cultural traditions, these contingencies of circumstance cannot—indeed should not—be allowed to dictate the practical terms of other nations' efforts to achieve this same condition. Burke, who is neither "a friend [nor] an enemy to republics or to monarchies in the abstract," follows Montesquieu's authority in maintaining that the "circumstances and habits of every country, which it is always perilous and productive of the greatest calamities to force, are to

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<sup>33</sup> Edmund Burke, *A Letter To A Member Of The National Assembly* (1791; Indianapolis: Liberty, 1992) 65 (my emphasis).

decide upon the form of its government."<sup>34</sup> Although the condition of social freedom ought to remain normative for any nation aspiring to an authentic liberty, its concrete articulation in forms of law and government will necessarily reflect the unique circumstances and disposition of each nation.

Burke further challenges the assumptions of modern liberalism by remarking the discrepancy between the principle of social freedom understood as the constitution's best and truest tendency and the necessarily imperfect policies and conduct of a particular ministry or party. Acknowledging these imperfections of practical application need not, Burke stresses, discredit or impugn the fundamental excellence of the principle:

When any political institution is praised, in spite of great and prominent faults of every kind, and in all its parts, it must be supposed to have something excellent in its fundamental principles. It must be shewn that it is right though imperfect; that it is not only by possibility susceptible of improvement, but that it contains in it a principle tending to its melioration. (92)

The principle of social freedom inheres in the constitution precisely as that norm of 'melioration' against which the shortcomings of political practice become visible, and which illuminates and preserves the constitution's best tendency against the abuses of practice. Given the moderate character of this principle, we may reasonably assume that these abuses will involve excessive or overweening expressions of authority and freedom, or what Burke has called 'obstinacy' and 'levity.' As the fundamental tendency of the constitution, the principle of social freedom serves to recall parliamentary practice to a 'middling' sensibility which, at once decorous and expansive, restrained and generous, humble and assertive, aspires by singular example to a broader social enjoyment of "order which is not oppression with freedom which is not license."<sup>35</sup>

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<sup>34</sup> Burke, *An Appeal* 114.

<sup>35</sup> Leo Strauss, *Persecution and the Art of Writing* (1952; Chicago: U of Chicago P, 1988) 37.



To conclude these reflections I want to revisit MacIntyre's contentious remark concerning Burke's supposed harmfulness to thinking the possibility of a tradition-constituted mode of normative inquiry. The reader may recall MacIntyre's charge that, in Burke's political thought, the "standards by which established practice is to be judged are, with minimal qualification, the standards already embodied in established practice."<sup>36</sup> At the very least, I hope to have enlarged MacIntyre's "minimal qualification" into a more robust apprehension that Burke's normative standard of social freedom, while certainly *intimated* in established practice as guided by the British constitution, is very far from being "embodied" in such practice. Burke's conception of 'prejudice with the reason involved,' clearly a near analogue (if not synonym) for MacIntyre's 'tradition-constituted rationality,' proposes, in sum, that the 'justness' of partisan conviction concerns its responsiveness to the normative standard of social freedom pursued as a guiding 'best tendency' in the necessarily imperfect applications of political practice. Burke's normative standard of social freedom is implicated in the reasoned elaboration of 'just prejudice,' but this standard is always asymmetrical or external (i.e., normative) with respect to established practice. Far from being an "agent of positive harm" (353) with respect to thinking the possible integration of reason and tradition, Burke's normative traditionalism provides a valuable point of reference for MacIntyre's acute questioning of the modern liberal impasse.

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<sup>36</sup> MacIntyre, *Whose Justice?* 229.