

Francis Canavan and the Recovery of Edmund Burke

-by Robert F. Cuervo

In 1960 Father Francis Canavan published *The Political Reason of Edmund Burke*. Three years later, he wrote the Burke chapter of the prestigious Strauss and Cropsey *History of Political Philosophy*. These works alone established him as one of the academia's leading authorities on Edmund Burke, but they hardly marked the end of Canavan's writing on Burke. In 1987 he published *Edmund Burke: Prescription and Providence*, and eight years later, *The Political Economy of Edmund Burke*, which I believe will become the definitive study of Burke's economics. What I offer here is a brief, and by no means exhaustive, discussion of Canavan's work on Burke's political thought.

For Edmund Burke, political principles must be informed by the historical experience of the particular polity to which they would be applied; they cannot be applied in the abstract without begetting problems. Thus one must possess a high degree of prudence when dealing with questions like natural rights, popular sovereignty, and equality. He criticized French revolutionaries for being imprudent in trying to destroy a centuries-old political order. These revolutionaries replaced the French monarchy with a government that embodied the abstract principles of the Declaration of the Rights of Man and Citizen. Such ventures, for Burke, were doomed to disaster. "The science of constructing a commonwealth, or renovating it," Burke insisted, "is, like every other science, not to be taught *a priori*. Nor is it a short experience that can instruct us in that practical science." In the absence of experience and prudence, "very plausible schemes, with very pleasing commencements, have often shameful and lamentable conclusions."¹ The chaos of the French Revolution and its Reign of Terror in 1792 verified Burke's prediction of 1790.

Some have argued that Burke, with his emphasis on circumstances, was a utilitarian, a relativist, or simply a cranky, compromising politician—a sort of eighteenth-century Bob Dole. Canavan and others defend Burke by locating him in the Classical political tradition, especially the Classical tradition of prudence with its distinction between theoretical and practical science.²

The tradition of prudence in politics tradition considers carefully the relation between ends and means. In moral and political matters, we have to determine *how* to realize a worthy goal, as well as *how much* of the goal is achievable under the circumstances which we confront. Prudence, as St. Thomas Aquinas noted,

presupposes the goals of moral virtue as general starting points and determines what to do in particular. The goals are set by natural reason, for the

proper goal of every moral virtue is in conformity with right reason. . . . How a man must strike that reasonable balance is the business of his prudence to determine.³

In antiquity, Aristotle argued that a statesman must understand government at several levels:

(1) that which is best in the abstract, but also with (2) that which is best relatively to the circumstances. We should be able further to say how a state may be constituted under any given conditions (3) both how it is originally founded and, when formed, how it may longest be preserved.⁴

A statesman must be able to do more than design a model of “the good society.” He must know how to govern and how to improve the society he rules.

The Aristotelian distinction between theoretical and practical science figures prominently in Burke’s doctrine of prudence. For Aristotle, the sciences of mathematics, physics, metaphysics, among others, reasoned from absolutely true premises, reached absolutely certain conclusions, and aimed at knowledge alone. Other sciences were practical. They reasoned from “generally accepted” premises, reached “ethical” or practical certitude, and aimed more at action than at knowledge. Political science (including ethics), medicine, and the skilled crafts are, for Aristotle, practical sciences.⁵ Whereas theoretical sciences are contemplative in nature and focus on the unchanging, practical sciences are oriented toward action and deal with matters that are contingent.

Canavan believes that Burke was invoking the theoretical-practical distinction when he used terms like “metaphysical” and “metaphysical rights” to denounce the French revolutionaries.⁶ In using the word metaphysics, Burke was not expressing contempt for traditional philosophy (as, say, members of the Vienna Circle of the nineteenth century did when they used the word), but he was arguing that the French were proceeding in practical matters, using a conception of reason drawn from the theoretical sciences. Proceeding deductively, they assumed that mathematical certainty was available in moral and political matters. They thus lost sight of the centrality of prudence to politics.

A few contemporary issues, in my opinion, highlight the importance of Burkean prudence. We all recognize the value of free speech, but we frequently qualify it with the need to restrict pornography, libel, and false advertising. Lately, even liberals restrict free speech through political correctness, laws against civil disobedience at abortion clinics, and banning Joe Camel from children’s T-shirts. Universal health insurance seemed like a great idea but its benefits had to be balanced against its public costs and the degree of government regulation that it would necessitate. Ultimately, President Bill Clinton’s Health plan was replaced with a much more modest reform program, namely, the Kennedy-Kassenbaum plan.

Canavan’s writings on Burke also attempt to clarify Burke’s concept of prescription, an idea that does not always square with American sensibilities. In

its origins, prescription is the idea that *long possession* of governing authority or property constitutes a title to that power or property. Burke adapted this concept to the whole question of political legitimacy. Burke, as Paul Lucas notes, believed that “authority may be legitimated by virtue of use and enjoyment during a long passage of time.”⁷

Prescription was Burke’s alternative to the liberal theories of social contract, popular sovereignty, and the right of revolution. For Burke’s liberal opponents, writes Canavan,

the “rights of men” were reducible to one: the sovereign right of every individual in the state of nature to govern himself. From this natural right of the individual it followed that society, or at least *civil* society endowed with the authority to govern, was formed and legitimately could only be formed by a voluntary compact among individuals. The compact brought into being which, being composed of originally sovereign and politically equal individuals, was of necessity governed by majority rule. The people, acting by majority, were the authors and always remained the masters of the society’s constitution and government.⁸

From this it followed that, in Burke’s words, the people have “the right to change a fixed and tolerable constitution of things at pleasure.”⁹

Burke, on the other hand, defended the legitimacy of Britain’s unelected monarchy and House of Lords on the grounds that these institutions existed since “time out of mind.” Burke calls prescription the “original and soundest” title to power. He even urges that a “sacred veil” be drawn over the often unsavory origins of governments, which often involved conquests and coups.¹⁰

Prescription would seem a rather cold and unjust basis for authority if we stopped here. Canavan shows that for Burke legitimacy was not simply a function of a government’s age. Nor is it an excuse for bad government, or for rejecting necessary reforms. Burke, for example, advocated a program of “economical reform” to reduce royal leverage over Parliament by cutting the number of patronage jobs that King George III could dispense. Similarly, the long existence of a clear evil does not give it prescriptive legitimacy.

Burke, as Canavan shows, “did not mean by prescription . . . that government gained authority merely by lasting a long time.”¹¹ What he meant was that a government that had a proven track record of effectively serving its people—of advancing the common good of the community—was legitimate regardless of how it originated or whether it conformed to the principles of liberal contractarianism. Thus, Burke “shifted the basis of political authority from original rights, individual consent, and the sovereignty of the popular majority to the purposes and achieved results of civil society.”¹² For Burke, “purpose and obligations are more fundamental than rights and consent.”¹³ A “constitution has a claim on men’s obedience which has in fact served them well.”¹⁴

Canavan thus refuses to follow those critics of Burke who claim that he confused the old with the good. Accordingly, he emphatically rejects Leo

Strauss's contention that Burke believed that prescription by itself is a sufficient guarantee of goodness.¹⁵ Canavan denies, furthermore, that Burke was an apologist for the status quo, a defender of whatever has emerged in the course of history.

It is true that for Burke the current constitution "enters the field" with the claim to legitimacy on its side, and no one can question that claim based on abstract notions of individual rights or a preference for another form of government. Nor does Burke deny that revolution is "sometimes necessary."¹⁶ While men "are obliged to accept and respect the particular constitution to which they are born," this obligation "is not absolute and unqualified." In the case of "intolerable and irremediable grievances" revolution could be justified.¹⁷ Thus, Burke justified the Glorious Revolution of 1688 as the only way to restore England's ancient constitution by replacing a ruler who was allegedly bent on destroying it.

Canavan's work has also explored Burke's theory of property, and, more broadly, his economics. In the process, he attempts to rescue Burke from charges that he was an early apologist for bourgeois capitalism, whose thought displayed a callous attitude toward the poor. Reconstructing Burke's economic philosophy, as Canavan notes, is no easy task given the occasional character of Burke's writings and utterances on the subject.

Burke's most general belief about property is that its *stability* is essential to the stability of government and the liberty of citizens. Burke's Whig Party believed that property was the most important right, because English constitutional rights depended on its preservation. For Burke, Canavan writes, "property rights are the bulwark of liberty because he who can take your property without your consent, having all property under his control, has all power. But those who have property that the government cannot take without their consent have power that limits government."¹⁸

Although this defense of property sounds like classical liberalism, it is important to remember that it predates Adam Smith and the emergence of modern capitalism. In his *Prince*, Niccolò Machiavelli urged princes to avoid popular hatred by not interfering with the property of their subjects.¹⁹ Jean Bodin, in his *Six Books on the State*, says that a legitimate monarch allows subjects to retain "their natural liberty and property" while a tyrant "treats their property as his own."²⁰ While we debate property rights today in terms of balanced budgets, government regulation, tax cuts, and social spending, we must remember that the question of the stability of property predates classical liberalism and modern libertarianism. One need not be a proponent of classical liberalism's night-watchman state to recognize that the protection of private property is essential to a rightly ordered political community.

Burke also emphasizes that property titles, especially to landed property, are *prescriptive*. Just as long-held political power is presumed legitimate by Burke, long-held titles to property have to be respected, or property would become unstable. Burke applied this insight to Ireland in particular, where he and his son Richard assured Irish Protestants, especially in Ulster, that the

movement for Catholic civil rights did not intend to seize property from Protestants, though Protestant property had been seized from Catholics generations ago.²¹

Burke applied his insights on property, especially stability and prescription, to the various political causes he was involved in. In Ireland, he argued for allowing Catholic peasants to own land. Since Protestant land titles were prescriptive, however, the peasants would probably have to lease their land indefinitely rather than own it outright. Burke also urged that plans to phase out Negro slavery in the British Empire include provisions for property ownership.²² Regarding colonial America, Burke argued that the traditional right of citizens to grant or decline a tax was essential to the stability of property.²³

In the case of revolutionary France, Burke argued that government seizure of Church property, done to provide backing for a new national paper currency (the infamous *assignats*), was a gross violation of property rights and prescription. He was particularly critical of those wealthy French laymen who were not alarmed by the seizure, people who claimed that Church property could be seized because the Church was “superstitious.”²⁴ According to Canavan, Burke implies that wealthy Frenchmen were short-sighted to allow the seizure of Church property. Lay aristocrats and businessmen could very well be *next*, since seizure of one type of property “leads to a contempt for all prescriptive titles, thence to the pillage of all property, and thence to universal desolation.”²⁵

The claim that Burke was a heartless bourgeois capitalist is largely based on his late (1795) book *Thoughts and Details on Scarcity*, as this book is interpreted by Marxist critics like the late C. B. Macpherson.²⁶ Canavan readily acknowledges some of the harsher remarks in the book, such as Burke’s identification of market principles with the laws of nature and the argument that the provision of welfare relief to the poor simply was not a function of government.²⁷ On other occasions, Burke argued that the simultaneous existence of poor laborers and the “fopperies and follies” of conspicuous consumption were unavoidable.²⁸

Despite the argument of this work, Canavan concludes that we should not dismiss Burke as a “Manchester liberal or a social Darwinist.”²⁹ To begin with, many of Burke’s political struggles were on behalf of poor, oppressed people, especially his efforts for the Irish and the Indians. The Speenhamland welfare scheme denounced in *Thoughts and Details on Scarcity* did not occur at a time of starvation like the Irish famine of 1845-1849. At the same time he denounced Speenhamland, Burke urged Prime Minister William Pitt to allow more foreign grain imports so that food prices for the poor could be reduced.³⁰ Similarly, a doctrinaire commitment to laissez-faire economics was incompatible with Burke’s own practical, prudential cast of mind.³¹ Finally, Canavan argues that mean-spiritedness toward the poor was atypical of Burke, and that he was personally very charitable.³² Again, Burke was a Whig, a defender of private property from arbitrary seizure and taxation, as well as excessive regulation; he was not a Manchester liberal.

Seen against the backdrop of the scholarly literature on Burke, the impor-

tance of Canavan's work becomes readily apparent. Canavan rescues Burke from the one-sided interpretations frequently encountered in this literature. One thinks particularly here of those scholars who identify Burke with the utilitarianism of David Hume or the historicism of G. W. F. Hegel.

While Hume held conservative positions in British politics that in some respects resembled Burke's, Hume also professed a solipsistic epistemology and an agnostic theology that Burke rejected.³³ Canavan's analysis of Burke's religion and his theology of Divine Providence shows that in spite of their common critique of the Lockean social contract theory, Burke and Hume were very different thinkers. In sharp contrast to Humean skepticism, as Canavan so ably shows, Burke's thought was informed by a metaphysical and moral realism.

Canavan also answers Leo Strauss's contention that Burke was virtually an historicist whose works constituted a "preparation" for Hegel.³⁴ As with Hume, there are some points of agreement between Burke and Hegel, including reservations about popular suffrage and a reluctance to use abstract principle alone to settle questions of policy.³⁵ But these areas of agreement cannot be allowed to obscure the gulf that separates the two thinkers. Burke's essentially Christian understanding of divine providence differs fundamentally from Hegel's historical determinism; and Hegel's system embodied the kind of rationalism that Burke detested.

Canavan also answers the charge that Burke's frequent appeals to religion had purely utilitarian character, that for Burke religion was merely a prop used to strengthen the existing social order. Although very tolerant of other churches (especially the Roman Catholic Church), Burke was a convinced, fairly devout Anglican.³⁶ At the same time, Canavan finds unpersuasive the suggestion that Burke himself was a secret Catholic.³⁷

Canavan restores Burke to his rightful place as a proponent of the Christian natural law tradition and the Aristotelian and Thomistic understanding of practical reason. Unlike a full-time philosopher such as Plato or an academic philosopher like Hegel, Burke was what Sam Rayburn described as a theorist who ran for sheriff. Since Burke did not write philosophical treatises, the interpreter confronts the difficult task of articulating the philosophy implicit in his writings on the issues of the day. For his service in articulating the Classical-Christian principles that inform Burke's writing, we pay tribute to Father Canavan as a political philosopher and as a teacher of political philosophers.

Notes

1. Edmund Burke, *Reflections on the Revolution in France*, ed. Thomas H. D. Mahoney (Indianapolis: Bobbs-Merrill, 1955), 69-70.

2. Francis Canavan, *The Political Reason of Edmund Burke* (Durham: Duke University Press, 1960), 6-9.

3. Thomas Aquinas, *Summa Theologica: A Concise Translation*, ed. Timothy McDermott (Westminster, Md.: Christian Classics, 1989), 377.

4. Aristotle *Politics*, book 4.
5. Aristotle *Nicomachean Ethics*, book 1.
6. *The Political Reason of Edmund Burke*, 28-29.
7. Canavan, *Edmund Burke: Prescription and Providence* (Durham: Carolina Academic Press, 1987), 113.
8. *Ibid.*, 116.
9. Burke, *An Appeal From the New to the Old Whigs* in *The Works of the Right Honourable Edmund Burke*, vol. 6 (London: F. C. and J. Rivington, 1803-1827), 147. Quoted in *Edmund Burke: Prescription and Providence*, 116.
10. *The Political Reason of Edmund Burke*, 121.
11. Canavan, *Edmund Burke: Prescription and Providence*, 125.
12. *Ibid.*
13. *Ibid.*, 112.
14. *Ibid.*, 125.
15. Cf. Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1953), 319; Canavan, *Political Reason of Edmund Burke*, 124; and *Edmund Burke: Prescription and Providence*, 145.
16. *Edmund Burke: Prescription and Providence*, 111.
17. *Ibid.*, 126.
18. Canavan, *The Political Economy of Edmund Burke* (New York: Fordham University Press, 1995), 37.
19. Niccolo Machiavelli, *The Prince*, trans. Luigi Ricci (New York: Mentor Books, 1952), 90.
20. Jean Bodin, *Six Books on the State*, in William Ebenstein and Alan O. Ebenstein, eds., *Great Political Thinkers: Plato to the Present*, 5th ed. (Fort Worth: Holt, Rinehart and Winston, 1990), 392.
21. Canavan, *The Political Economy of Edmund Burke*, 65.
22. *Ibid.*, 29-33.
23. *Ibid.*, 36-37.
24. *Ibid.*, 44.
25. *Edmund Burke: Prescription and Providence*, 165.
26. C. B. Macpherson, *Burke* (New York: Hill and Wang, 1980).
27. *The Political Economy of Edmund Burke*, 129 ff.
28. *Ibid.*, 43-44.
29. *Ibid.*, 46.
30. *The Political Economy of Edmund Burke*, 137.
31. *Ibid.*, 138.
32. *Ibid.*, 140-142.
33. Ernest Campbell Mossner, *The Life of Hume* (Oxford: Clarendon Press, 1970), 394 and 579.
34. See Strauss, 307-308; Canavan, *Edmund Burke: Prescription and Providence*, 19; Canavan, "Edmund Burke," in *History of Political Philosophy*, ed. Leo Strauss and Joseph Cropsey (Chicago: Rand-McNally, 1963), 607.
35. See T. M. Knox and Z. A. Pelczynski, eds., *Hegel's Political Writings* (Oxford: Clarendon Press, 1964), 37-39 and 299-301; Shlomo Avineri, *Hegel's Theory of the*

Modern State (Cambridge: Cambridge University Press, 1972), 54-55 and 74.

36. *Edmund Burke: Prescription and Providence*, 70, 79-80.

37. Canavan, review of *The Great Melody: A Thematic Biography of Edmund Burke* (Chicago: University of Chicago Press, 1992) by Conor Cruise O'Brien, in *The University Bookman* 33 (1993): 10-13.