

EDMUND BURKE.

I do not propose to praise Burke; none but an equal can do that judiciously. I may admire his eloquence and wisdom, but only as they react upon myself; to another he may seem great for other reasons. Yet in conference everybody can enlarge his own opinion, and I trust that what I shall say of Burke will suggest to the reader some slight addition to his knowledge of that very remarkable man.

Born in 1729 in Ireland, he was educated at Trinity College, Dublin, but moved to London soon after graduation and kept his terms as a bencher of the Middle Temple. Although he was never called to the Bar, he was long associated with lawyers and very intent upon the mastery of a great science; and so he acquired the mental habits and that discursive learning and philosophical point of view by which he was later distinguished.

Of the effect of law upon his mental development he himself says, "In my opinion, law is a science which does more to quicken and invigorate the understanding than all other kinds of learning put together," adding, however, "but it is not apt, except in persons very happily born, to open and liberalize the mind."

No lawyer will be disposed to question the truth of either part of this saying. The law does force us to realize that we must understand in order to answer, and that we cannot understand unless we will study and listen. To encounter an adversary without mastering his argument is to invite and deserve humiliation. Lawyers therefore are taught the verity of the old maxim, *audi alteram partem*, and of all avenues to understanding, none is comparable to that open way.

Yet a lawyer must be a partisan, and from his duty proceeds that habit of resistance even to truth which tends to the illiberality of which Burke complains. Burke himself was

saved from this tendency not only by his nature—for he was most happily born—but by his constant intercourse with the great men of his time. In society the duty to advocate is relaxed, and one may without regard for a cause allow full scope and force to all that another suggests. Burke was very fortunate in his time and in his friends. The Eighteenth Century was a period of earnest inquiry. Its rationalism was the result of its wish to understand. It produced many great men: Locke, Hume, Adam Smith, Newton, Gibbon, Johnson, Voltaire, Rousseau, Lessing, Kant and a host of others; all of whom were fashioned, as was Burke, by mutual attrition. The social habits of the time were not like ours. Thoughtful men then met together constantly. In Edinburgh, as in London and elsewhere, there were gatherings at the taverns or clubs and at these Hume and Adam Smith met the philosophers, poets and theologians of Scotland, and Dr. Johnson, Reynolds, Goldsmith and Burke in London. What they discussed, what they said, and how they said it, we may learn from memoirs of the time and from that admirable book of James Boswell. That the talk was good, helpful talk, none can doubt who compares it with the conversation of other times. All of these great men were discoverers, all of them thought themselves and talked themselves full of a subject before they wrote upon it, testing their notions by discussion, enlarging them by suggestion and revising them by criticism. Burke's wisdom was not of the unexercised and unbreathed sort to be got by perplexed meditation in a cloister, but of the vigorous, practical sort which emerges from the friction of constant intercourse with vigorous minds.

Burke was intimate with all sorts of strong men. Elected to parliament, he distinguished himself and was admitted to the counsels of his party. Although he never became as influential in debate as the more ready, impetuous and commonplace Fox, he was always the soundest speaker on his side, and if he was called the dinner bell of the House, nevertheless, his orations were more widely read and had a more profound influence upon the policy of the nation than any others. The

great learning, the large philosophical point of view and the splendid eloquence of these orations won instant and wide recognition. He might have won distinction in any field, but his generous temper preferred the freedom of the forum to the special pleading and advocacy of the bar, and as a political philosopher he is best known to us.

I will not say that he was never mistaken, but I do affirm that after diligent study of his works I have never found him so. Other men may think his tract on the French Revolution a blunder, but it does not seem so to me. The cause of liberty did not recover from the shock of that tragedy for nearly a century. The English Revolution of 1689 was accomplished more quickly and without bloodshed, by the observance of Burke's fundamental principle of statecraft, namely, that progress by improvement is not only more sure but more wise than a progress accomplished by violent innovation. In all other instances, time has justified Burke.

If we attempt to establish his greatness by citation of his *aurea dicta*, we become bewildered by the glittering jewels scattered throughout the pages of his voluminous works. Whatever he touched he illuminated. Of law, of statecraft, of literature and of art he spoke greatly. His early essay on the Sublime and Beautiful, however it may seem to us, was translated by Lessing and admired by Kant. He opposed taxation without representation and sided with the American Colonies in their fight for freedom. His saying, "An Englishman is the unfittest person on earth to argue another Englishment into slavery" helped us to victory. He prosecuted Hastings because Hastings had soiled the honor of England by spoliation of its dependency; and laid down those principles of sound policy which have ever since characterized England's treatment of its colonies. Every political problem of his day was discussed by him, and no right answer was found without his help.

What he then said is still true. In Burke we today find guidance in the confused and perplexing emergencies which

confront us. Of leagues of nations he said: "We lay too much stress upon the formalities of treaties. Men are not tied to one another by papers and seals; they are led to associate by sympathies. Nothing is so strong a tie of amity as correspondence in laws, customs, manners and habits of life."

Of taxation he declares: "A teasing custom house and a multiplicity of perplexing regulations ever have and ever will appear the masterpiece of people of narrow views."

With respect to international trade he lays down the principle, "Beggary and bankruptcy are not the circumstances which invite to intercourse with another country; the superfluities of a rich nation furnish a better object of trade than the necessities of a poor one. It is the interest of the commercial world that wealth should be found everywhere. Commerce flourishes best when left to itself, for the private interest which is its guide is never blind."

Of laws he said, "Let governments secure property, repress violence and discountenance fraud; it is all they can do. In other respects, the less they meddle the better."

He opposed public control of private morals and vexatious interference with private liberty: "Lawful enjoyment is the surest method to prevent unlawful gratification." "A government ought to conform to the exigencies of the time and not attempt to bind people to its theories of subjection." "The passions of men forge their fetters." "The true danger is when liberty is nibbled away by parts." "My opinion is against all meddling on the part of authority." "Men have an extreme disrelish to be told of their duty." "We ought to be faithful watchmen over the rights and privileges of people. The great use of government is as a restraint on those in authority." "It is not consistent with wisdom to set at defiance the general feelings of a community."

It is unnecessary that I should quote further from his *dicta* in order to establish his title to greatness. He was at once wise and diffident, not one of those who seem wise with but little reflection in the business of all other times but are fool-

ish in their own. We read Burke too little. He is a strong helper of all in doubt, and today we are very doubtful and because we are doubtful we pester, tax, manage, suspect and hate our fellows. The maxims of Burke rightly understood would reconcile us to each other and reconcile the nations.

We live in an age of unrest and uncertainty. The ruin wrought by the war overwhelms us. Every day brings to us sensational news upon which we cannot rely. No one has a motive to tell the truth; a lie is more startling and finds a better market. Even the most wary and suspicious among us cannot protect himself against the prevalent sensationalism. Burke helps us to distinguish between the probable and the improbable, the possible and the impossible; what is practical and what is visionary; for his acquaintance with human history, his knowledge of human nature, his experience in public affairs, his faculty to understand and his eloquence in exposition are vastly superior to ours. By his help we may attain to a serenity otherwise beyond our reach, that confidence in the future and reconciliation with the present which proceeds from enlightened thinking, and that modesty in judgment which will not let us presume to think we can be wiser than our fellows with respect to their private affairs.

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