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## Burke, Hume, Blackstone, and the Constitution Study Guide

Steven Alan Samson

*Liberty University*, [ssamson@liberty.edu](mailto:ssamson@liberty.edu)

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## BURKE, HUME, BLACKSTONE, AND THE CONSTITUTION

Russell Kirk

1. How do constitutions evolve? What is the rationale for John Locke's social contract theory? By contrast, to what ideas did Edmund Burke appeal? Dr. Kirk notes that recent political theorists like John Rawls (A Theory of Justice) and Robert Nozick (Anarchy, State, and Utopia) rely on Locke.
2. Identity three sources to which Americans turned for their political ideas. What is remarkable about them? Were they recently written bestsellers?
3. What attitude did the French *philosophe*, Baron Montesquieu, who read the works of the Whig politician Viscount Henry Bolingbroke, take of the social contract theories of Thomas Hobbes and John Locke? What ideas did Montesquieu propose?
4. The Tory philosopher and "amiable skeptic," David Hume, wrote an influential history of England. How did Hume treat the rationalist philosophy of Locke? Kirk suggests that Hume attributed an "idyllic imagination" to Locke (a phrase Irving Babbitt used to describe the views of Locke's latter-day disciple Jean-Jacques Rousseau). What countries did not require the posting of military garrisons in every town? Why is this significant?
5. Who were Hume's American admirers? What practical applications did they make of his ideas?
6. Identify the chief sources of Sir William Blackstone's popular Commentary on the Laws of England? Were they primarily theoretical or practical? To whom did he address his commentary? What are three absolute rights? They compare with those of Locke, as Dr. Kirk notes in the Q&A session.
7. What was Edmund Burke's connection with the American colonists? How were his views disseminated, including his defense of American resistance to the unjust actions of the king? Why were his views widely disseminated in America but often not attributed to him? Does Dr. Kirk find a connection between the principles of the Rockingham Whigs (led in Parliament by Burke and Pitt) and the American Constitution? Dr. Kirk sees the chartered rights of Englishmen as a chief source of the Constitution.
8. What does Kirk make of Burke's influence on such jurists and constitutional interpreters as John Marshall and Joseph Story? Classical natural law theory (Cicero, Hooker, and others) intermingled with a secularized natural law theory (Emmerich von Vattel, Hugo Grotius, and Samuel Pufendorf) in the thinking of Blackstone and Story.