Thomas Burke, a young delegate to Congress from North Carolina, first introduced in 1777 the question of states’ rights, which was central to the principles of the American Revolution and yet extremely hard for the older members of Congress to accept. How far could Congress extend its authority without denying the principle of self-government on which the Revolution was founded? On states’ rights in 1777 and later on other basic propositions, Burke sought to strip from the youthful revolutionary experience its rationalizations and self-deceptions. Some of the issues that he touched upon would persist long past his lifetime and the end of the revolutionary era.

A political style is always personal, and Burke’s was associated with his unique background, temperament, and base of support. His career had moved swiftly, if unpredictably, before his election to Congress. Born in Ireland of Anglo-Irish parents, he had come to the colonies about 1760 following a quarrel with his family. Settling on the eastern shore of Virginia, Burke practiced medicine, perhaps because an uncle was a prominent doctor in Dublin. Though barely twenty, Burke had the advantage of a formal education as well as a tremendous capacity for self-discipline and self-improvement. After several years as a doctor, Burke concluded that the medical profession was poorly compensated, so he switched to law. As a young attorney, first on the eastern shore and then at Norfolk, Virginia, Burke, who was still known as Doctor Burke,
supported himself by collecting debts for merchants. This period of his life shows him, ambitious and restless, purchasing an occasional slave from a merchant’s estate, corresponding with Thomas Jefferson and other members of the Virginia legal establishment, and becoming briefly embroiled in the violent factional conflicts at Norfolk.

In his early years as in his later political career, Burke had no difficulty in finding either friends or enemies. He had the warmth of an Irish temperament, expressed by a winning charm, but at times also by impulsiveness and contentiousness. Making friends came easily for him and he was greatly admired by his young contemporaries, both men and women. No portrait of Burke exists, but he has been described as a man of middle stature with a thin face that was marred by pockmarks. Burke was blind in one eye, a fact that perhaps explains why he engaged in political rather than military affairs during the Revolutionary War.

With versatile talents and boundless drive, Burke was constantly finding new outlets. While at Northampton on the eastern shore, he had begun to compose poetry, written secretly in shorthand, which celebrated young ladies, political
philosophers, and the English champions of American rights such as Pitt and Barre. In 1766, with the Stamp Act recently repealed, he undertook an ambitious poem entitled *Triumph America* to be read at a local celebration. He had planned to have it recited by a friend, lest he be labeled with the "idle character of a Rhymer." The identity of the poet was soon revealed, however, and Burke was a celebrity. He was embarrassed about his sudden notoriety, perhaps because of his inglorious departure from Ireland years before. To his uncle in Dublin he reported that he had been acclaimed "as a Prodigy of Genius" while "universal approbation re-echoed from every corner." Burke's ecstatic response to his success as a poet showed a streak of romantic egotism that would reappear in his revolutionary career. At best, it was a spur to his ambition and his questioning of political tenets; at other times, it became a source of frustration making him unusually vulnerable to disillusionment and criticism.

While practicing law in Norfolk, Burke chiefly represented Scottish merchants, men whose sympathies lay with the British. As late as 1772, there was no sign of his interest in the continuing debate with the mother country or colonial politics. Though by his own admission, he cherished liberty and detested tyranny, yet he devoted himself to his growing law practice and ignored politics. In the summer of 1772, Burke, with his young wife, Polly, left Norfolk for North Carolina where he had recently purchased a small plantation near the town of Hillsborough. He was drawn to the new country by the availability of land and by the opportunities for a profitable law practice; as well as by the promise of a more healthy climate that would help to restore his none-too-robust health.

5. Ibid.
7. Burke to Richard Bland, 19 Oct. 1771, Burke Papers, SDAH; Matthew Donovan to Burke, 6 May 1772, Burke Papers, Southern Historical Collection, Chapel Hill, (hereafter referred to as SHC); Burke to Adam Bloomfield, 29 Dec. 1772, Burke Papers, SDAH.
Burke arrived in North Carolina only a year before relations with the mother country began to disintegrate in a stormy cauldron of spilled tea and punitive legislation. Despite his recent indifference, he began to follow political matters with more interest and clearly staked his position on the side of American rights. In 1775, at the second provincial convention of North Carolina, he was a delegate from Orange County and was reelected to successive conventions. With each assembly, Dr. Burke’s role was augmented. He was appointed to numerous committees of which the most crucial was that to devise a new blueprint for governing North Carolina. Burke’s abilities and experience, combining political theory with practical insights, particularly fit the needs of the moment. As his library at the time of his death indicates, Burke was widely read in a number of subjects, including moral and political philosophy; he also had experience with political units other than North Carolina. As a result, he supplied the early leadership as chairman of the committee to frame a constitution. Burke’s ideal for the emerging republic of North Carolina was built upon the old concept of a balanced government, which would be translated into a two-chamber legislature at least as powerful as the executive branch and firm guarantees against the misuse of power.  

8. Andrew Miller to Burke, 6 Apr. 1775, Burke Papers, SHC; William Saunders, ed., Colonial Records of North Carolina, 10 vols. (Raleigh: State of North Carolina, 1886-1890), 9:1178-85 (hereafter referred to as CRNC); CRNC, 10:165-220, 932-33,
Burke was particularly concerned with the question of sovereignty—in whose hands was placed the ultimate prerogative and how this was to be translated into practical political power. He was determined that the “original” power would be vested in the electorate and that the power derived from this should be exercised by the direct representatives of those people according to their will. When Burke lost his seat temporarily in October 1776, due to a deluge of recently enfranchised voters, he busied himself drawing up the Orange County Instructions that specified the principles under which the newly elected delegates should conduct themselves at the sixth and final provincial convention. In December 1776, after he was restored to office by new elections, Burke’s earlier role was acknowledged by his selection as a delegate to the Congress in Philadelphia. There Burke was cast as the protector of the new state republic of North Carolina so recently created and in the larger sense as the protector of the principle of state, as opposed to national, sovereignty.  

In February 1777, when Burke took his seat in Congress, the aura of independence and the urgency of national unification remained foremost in the minds of the other delegates. He at once argued with the spokesmen for strong central government, James Wilson and Richard Henry Lee, on issues that to Burke posed threats to the sovereignty and well being of North Carolina.  


For his election to Congress and details of the Fifth Provincial Congress, see Proceedings of the Fifth Provincial Congress, 17-21 Dec. 1776, CRNC, 10:973-82; Instructions to the Delegates from Orange in the Halifax Congress to be held in Nov. 1776, CRNC, 10:870f-870h. The instructions are in Burke’s handwriting and it is probable that he played an important role in drafting them.  

distrust of power, Burke could only see in the actions of delegates an unconscious tendency toward increasing power to potentially dangerous levels. In his view, power belonged to the states where it was limited by constitutional provision. Burke, trained in the principles of Newton and Locke, concluded that these tendencies demonstrated a law of nature operating with man in society. Burke commented that “power of all kinds has an Irresistible propensity to increase a desire for itself. It gives the Passion of ambition a Velocity which Increases in its progress, and this is a passion which grows in proportion as it is gratified.” Burke felt that the more he observed, the more apparent became his conviction that “unlimited power can not be safely Trusted to any man or set of Men on Earth” [Burke’s italics].

To an age that has suffered through severe political scandals, the pitfalls of power are well understood, but so also is the need for central authority. In 1777 the American Congress was just beginning to enter the thicket of conflict between national power and political liberty, between the interests of the national government and those of the states. During Burke’s first term in Congress, the delegates were considering the draft of a national constitution, the Articles of Confederation, that had been prepared in the summer of 1776 by John Dickinson. The structure of Dickinson’s draft meant that the national government would have little authority that was not dependent upon the good will of the states. At the same time, Dickinson had left unclear several aspects of the actual relationship between the states and Congress. Few of the delegates were particularly concerned about the threat that national authority might pose to the states. After all, it seemed imperative in 1777 to establish the national government on a permanent basis so that it could effectively prosecute the war and establish a legitimate basis for American independence. So, in April 1777, when Burke proposed an amendment to safeguard state sovereignty, few of his colleagues perceived what he had in mind. Burke’s amendment guaranteed the right of each state

to retain its sovereignty and "every other power, jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled." Burke recalled that his resolution was "so little understood that it was some time before it was seconded." Even then, there was opposition, as usual from James Wilson and Richard Henry Lee. Most of the delegates finally accepted Burke's proposition, and the resolution easily passed. As it turned out, the principle underlying Burke's amendment had long-range significance, for in 1790 it was incorporated into the Constitution as the Tenth Amendment. Burke's embryonic states' rights philosophy also would resurface in the anti-Federalist opposition of 1787 and the politics of Jefferson and Madison in the 1790s, as well as the later prosouthern writings of John Calhoun.

Burke persisted in his opposition to the Articles of Confederation, compiling a lengthy set of reservations for the North Carolina Assembly. But ironically, he also laid before Congress his own nationalistic alternative to the Articles, a plan that provided for two houses of Congress, one to be based upon proportional representation and the other on equal representation from each of the states. Under Burke's plan most actions of Congress would have been binding on the states—unlike the voluntary character of the Articles of Confederation. The plan was quickly jettisoned by Burke's colleagues, however, with the ambiguous comment that it too closely resembled the British system. Despite its rejection, the plan does indicate that the North Carolina delegate was not irrevocably wedded to states' rights. As long as the powers of the national government were not too numerous, he would permit the laws of Congress to bind the states.

Yet, Burke's states' rights position was kept alive in sporadic conflicts with the majority in Congress. His most alarming experience with the exercise of congressional power came in 1778, occurring quite unexpectedly on the evening of 10 April. Congress was drafting a reply to a letter from General

13. Ibid.
15. Ibid.
Washington about the sensitive issue of prisoner exchanges. The three-member committee initially charged with the task had insisted on completing the letter that evening before adjourning. Burke had tried repeatedly to amend the committee’s draft, which seemed insulting to the commander. The debate on the letter was unbearably slow and tedious; one paragraph had taken up the entire afternoon. By ten o’clock that night, Burke, who was suffering from a cold, was in discomfort with a fever and headache. A motion was made for adjournment and a roll call begun. Sensing that it would be defeated, Burke decided to leave the chamber “if no other way was left to prevent our proceeding so improperly on business of such Importance.”

Whether or not Burke realized it, only nine states were represented in Congress, the minimum for a quorum, and he was the only delegate from North Carolina. Without Burke, the Congress could no longer officially function. As a result, a messenger was hastily sent to Burke’s rooming house to summon him back to the meeting. Another delegate, Edward Langworthy of Georgia, who had absentmindedly followed Burke from the chambers, did return. Burke flatly refused to comply. “Devil a foot,” he irritably responded to the messenger, “will I go tonight.” He added that it was too late and the demand most unreasonable.

Burke later claimed that he had thought the messenger was sent by William Duer, one of the committee members, rather than by Congress. Whatever the exact circumstances, the gauntlet had been thrown down, as Burke learned the next day. When he appeared in Congress, he found himself denounced by his fellow delegates with William Duer and the other committee members leading the attack. Burke was scarcely contrite, charging that it was “Tyrannical” to keep him at such unreasonable hours and that certain members were in “Combination” against him. So intense were the feelings

18. Ibid.
20. Ibid., pp. 386-89.
21. Ibid.
22. Ibid., pp. 390-91.
about Burke’s actions that a few even suggested expelling Burke from Congress or throwing him into jail.  

The exaggerated reaction doubtlessly reflected the pique of Congress over Burke’s refusal to make an apology. As far as the North Carolina delegate was concerned, however, he had done nothing improper. If his language had given affront, it was to private individuals, and as such no public apology was required. After all, when he left Congress that evening, it had ceased to be a public body and was technically incapable of being insulted. He reminded the delegates that there were limits to the power of Congress over its members. He would attend only when he deemed it reasonable, unless he was subjected to physical force. If his behavior had indeed been improper, it was a matter for his state, which had elected him, rather than for Congress.

Burke’s rebellion unnerved Congress. A Massachusetts delegate reported that “The Sickness or Will of one man out of those now here destroys its existence.” The Congress was the only organ of national government, but was still operating without a constitution and lacked any coercive powers over the states or their delegates. With the huge problems of war and the need for unity, the delegates undoubtedly recoiled from such anarchic acts. As a feeble effort to shore up its brittle framework, the delegates informally drew up a compact for orderly and punctual meetings at times agreed upon by Congress. No one was to speak for more than ten minutes at one time or more than twice on any subject, and all agreed to “unite in supporting order and preserving decency and politeness in debate.” Dr. Burke, who had occasioned this panicked response and who had triggered a monumental waste of time, was not among the signers of the compact.

In the weeks that followed, Congress periodically returned to the Burke episode, making what he called “a Mountain out of this Mole-hill.” An account of the incident was compiled

23. Ibid., pp. 336-37; Burke to Governor Caswell, 29 Apr. 1778, Letters of Members, 3:204.
24. Ibid.
26. Ibid.
27. Ibid.
28. Burke to Governor Caswell, 29 Apr. 1778, Letters of Members, 2:204.
and Burke was finally allowed to give his version in writing. Sworn testimony was also taken, and the accounts of Duer and the messenger substantiated some of Burke's contentions about Duer's message to him.

In the end, Burke apologized—reluctantly and conditionally. He evidently hoped, in the face of such strident criticism, to clarify his actions. In a letter to Henry Laurens, president of Congress, he expressed regret over the incident and disclaimed any intent to show disrespect to Congress. If his language appeared disrespectful, it was due to "warmth and earnestness of natural disposition." [29]

Returning to North Carolina, soon afterward Burke aired his case before what he regarded as legitimate authority, the representatives of the people in the state assembly. The North Carolina delegate had become the living embodiment of the states' rights principle, and the assembly fully endorsed his position, chiding Congress for exaggerating the incident out of proportion. The assembly also agreed with Burke that his rights had been violated. In effect, the members of Congress had practiced the same tyranny against Burke for which they had condemned the British and had denied him the liberty for which they were supposedly fighting. [30] Even more, Congress in their quarrel with Burke had opened up an area of civil liberties, including freedom of speech. If Congress insisted on judging its own proceedings, it would have unwarranted power over its members, Burke pointed out, and would deny them the right to express themselves. Any such actions by Congress had to be mediated through a lawful assembly acting under the restraints of a constitution. [31]

Burke perceived that Congress was philosophically disoriented, influenced still by the British parliamentary experience while being thrust into a new political system. Parliament had historically taken on such powers in order to counteract the influence of the king or of the governor in the case of the

29. Burke to the President of Congress, 28 Apr. 1778, Burke Papers, SHC.
31. Untitled piece in Burke's handwriting, no date. Burke Papers, SHC. This item was evidently prepared after Burke left Congress in order to amplify his position before the General Assembly of North Carolina.
colonial assemblies. With Congress, however, there was neither king, governor, nor constitution. Burke sensed before many of his contemporaries that the revolutionary experience was leading Americans into uncharted political ground.  

For Burke, the confrontation with Congress marked the high tide of his crusade for states’ rights. When he returned to Congress in the fall of 1778, his position began to moderate. Ironically, with the invasion of the South in 1779, Burke gradually supported a stronger central government. By 1780 he was pushing for an import duty to provide revenue for the Congress—what amounted to financial powers for the nearly insolvent national government.

Burke had remarked that “another year’s close application in Congress would make [me] a perpetual citizen in Philadelphia, and give me a right to the soil from whence nothing short of the Final end of Judgement of the World could eject me.” In the spring of 1781 he left Congress for the last time to return to North Carolina. After five years of intermittent public service, Burke hoped to rebuild his finances and then perhaps to return permanently to Philadelphia. Soon after he returned, however, he was abruptly notified that the North Carolina Assembly had elected him governor of North Carolina. Ultimately, this honor was to result in the gravest misfortune for Burke. For the present, too, the political situation was chaotic. For almost a year, fighting had raged in and around North Carolina. Not only had the British army of Lord Cornwallis marched to and fro across the state, but a civil war between rebels and Tories had also convulsed the social fabric of North Carolina. There was a scarcity of almost everything, particularly arms, food, and cash. Frequent atrocities by both sides were brought to Burke’s attention from the beginning, and the possibility still existed that Cornwallis, now in Virginia, might reenter the state. The office of governor, emasculated as a result of the distrust of power by Burke and others, lacked the political authority to stem the deterioration.

32. Ibid.
35. Burke to George Clymer, 5 Aug. 1781, Burke Papers, SDAH; Burke to Mrs. Samuel Inglis, 5 Aug. 1781, ibid.
Eastern seaboard. Note James Island, Eastern Shore, Philadelphia, and Burke's route from Hillsboro to Wilmington.
As the governor of Virginia wryly commented, it would require a “Magnus Apollo” to create order from the chaos in North Carolina.  

Despite the sheer enormity of his task, Burke plunged into his new duties with customary energy and dispatch. He reorganized the state military forces, in part to deal with Cornwallis if he should return and also to pacify the troublesome bands of Tories harassing the countryside. For the latter, he determined to recruit a special force—a counter-insurgency unit by twentieth-century terms. To accomplish this, Burke left the isolated state capital at New Bern and proceeded to travel from town to town, substituting personal attention for the lack of governmental authority. The urgency of his mission was only matched by the difficulty of executing the many awkward administrative details that confronted him and the dangers that surrounded him.

On the morning of 13 September 1781, a band of Tory guerrillas suddenly struck at Hillsborough where Burke was staying. The governor and his party were woefully unprotected, and after a brief exchange of gunfire, Burke surrendered on assurances that he would be treated fairly. Despite an ensuing battle with state forces, the Tories managed to hold their prisoners and then marched them across the sandy swamps and desolate reaches to the enemy sanctuary around Wilmington in the southeastern corner of the state.

At Wilmington Burke was handed over to the British and placed in virtual isolation. His only contact was with a British soldier assigned to guard him. He occupied his mind with reflections on the stoic virtues of classical heroes, searching for a model to take his mind off the unpleasant quarters where he was confined—the type of place, Burke said, that would be “a grotto in the winter and a hothouse in the summer.”

38. Burke to Alien Jones, 5 Sept. 1781, Burke Papers, SDAH.
39. Burke to the General Assembly, 16 Apr. 1782, SRNC, 16:12-14; David Fanning, The Narrative of David Fanning (New York and Richmond: Reprinted for Joseph Sabin, 1865), pp. 3-11, 14-18, 22-23, 32-34; an account of this may also be found in my article, “The Ordeal of Governor Burke,” North Carolina Historical Review 48 no. 2 (Apr. 1971): 95-117.
40. Burke to unknown correspondent, 17 Oct. 1781, SRNC, 15:650-54.
one of the paroled captives was allowed to stay with Burke, that officer made matters worse by refusing to converse on any topic of interest lest he violate the terms of his parole. Sardonically, Burke wondered how he could be so threatening to the imperial power of Great Britain.\textsuperscript{41}

From Wilmington Burke was moved to Sullivan's Island near Charleston, where again he was closely confined. When he appealed to the commandant, he was, without explanation, given a parole—not to North Carolina as he had hoped, but instead to nearby James Island.\textsuperscript{42} For a time, this change of location meant an improvement in his situation, but he was still puzzled at the apparent disregard of him by the British and by the North Carolina authorities. At length, a new peril intruded. Tory refugees from North Carolina were placed on James Island within reach of Burke. The resentful Tories turned their hatred on Burke. At first, there were simply threats, but soon the danger to Burke's life manifested itself. Snipers fired on a small group that was standing with Burke at his lodgings, killing one and wounding another. Burke was certain that he would be their next target.\textsuperscript{43}

Burke immediately wrote to the British commander at Charles Town, General Alexander Leslie, requesting a parole within American lines or at least a safe conduct. He carefully explained the urgency of his request. Yet, no reply was sent, and his predicament meanwhile grew worse. Simply to walk outside became a matter of survival. With one eye useless, Burke had to be accompanied by someone who would survey the surroundings for snipers.\textsuperscript{44}

The governor's patience had reached its limit. He was convinced that the British had violated their end of the parole agreement, and he was thereby released from his obligation. He had further heard a rumor that he was being detained as a possible subject for retaliation. If British partisans fell into rebel hands, Burke's life could be used as a lever for securing more equitable treatment or their release. Burke concluded that the

\textsuperscript{41} Ibid.
\textsuperscript{42} Burke to the General Assembly, 16 Apr. 1782, \textit{SRNC}, 15:13-14.
\textsuperscript{43} Ibid., pp. 14-16.
\textsuperscript{44} Ibid.
British had singled out the Tories to perform the sacrificial rites on him. 45

On the night of 16 January 1782 Burke fled from James Island by boat, possibly after bribing the British sentries. Reaching American lines, he stopped at the headquarters of General Nathanael Greene. The general, in the haste of Burke’s unexpected appearance, advised him to return to “his government,” by which he meant North Carolina rather than the governorship as Burke assumed. Once back in North Carolina, Burke agreed to resume the office of governor, even though he was technically a British prisoner. 46

In the eighteenth century the subject of parole was imbued with the gravest notions of professional and personal honor. Military officers on both sides regarded violations of parole with extreme distaste. As a result, the officer corps of the Continental Army looked askance at Burke’s departure from James Island. “I would sooner have abided the consequences,” Nathanael Greene informed Burke, “than to have left the Enemy’s lines.” 47 Murmurs of criticism accompanied Burke’s

46. Burke to the General Assembly, 16 Apr. 1782, SRNC, 16:16-18; Nathanael Greene to Burke, 16 Mar. 1782, SRNC, 16:238-41.
47. Nathanael Greene to Burke, 31 May 1782, SRNC, 16:330-32.
Thomas Burke

resumption of his official duties, and he was characteristically sensitive to these insinuations. When he learned that the adjutant of the Southern Army, Major Otho Williams, had questioned his actions, he wrote a blistering letter to Williams, accusing him of misrepresenting his situation. 48 Williams had made reference to one fact, however, that must have proved extremely painful to Burke: a military tribunal, requested by Burke and presided over by General Arthur St. Clair, had refused to countenance his actions. 49

The experience of his captivity left Burke with a sour taste for revolutionary politics. It was not simply the hardships of captivity nor criticisms of his parole violation—though these were factors. He blamed the state authorities of North Carolina for not seeking his release and for neglecting his wife who was pregnant. Actually, Burke's criticisms were exaggerated; there was little to be done either by the state or by the Continental authorities for his release although several attempts were made; the exchange of prisoners had collapsed in bitterness and hatred after the British executed a South Carolina militia officer. 50 As for his wife, Burke's friends and the state government had tried to provide for her needs. 51 Yet, Burke was also reacting to the indiscriminate violence and breakdown in social order that he had seen and heard of as governor. What had happened since the British invasion ran contrary to the expectations of an idealist nurtured on the eighteenth-century ideals of orderly process and rational minds.

When Burke left office in April 1782, he vowed never to serve the public again. 52 His health and finances had been

48. William Davie to Burke, 23 Feb. 1782, Burke Papers, SDAH; Burke to Colonel Otho Williams, 28 Mar. 1782, SRNC, 16:251-55.
50. Burke to Nathanael Greene, 12 Apr. 1782, SRNC, 16:278-83; Burke to Greene, 6 July 1782, Burke Papers, SDAH; Burke to unknown correspondent, 18 Apr. 1782, Thomas Burke Papers, Duke University Library, Durham; Alexander Martin to unknown correspondent, 17 Nov. 1781, Miscellaneous Papers, SDAH; Journal of the Congress, 21:1181; Nathanael Greene to Burke, 8 Apr. 1782, SRNC, 16:273-76; Journals of the Congress, 21:917, 926, 927.
51. Alexander Martin to R. Bignall, 5 Oct. 1781, Burke Papers, SDAH; Andrew Armstrong to Burke, 5 Dec. 1781, Burke Papers, SDAH; Burke to Willie Jones, 13 Jan. 1782, Burke Papers, SDAH.
52. Burke to Aedanus Burke, 4 Aug. 1782, Burke Papers, SDAH; Draft of a letter from Burke's ledger to unknown correspondent, no date, Burke Papers, SDAH.
severely undermined as a result of his service and captivity. He was still technically a prisoner of the British—until Nathanael Greene finally obtained his exchange in the fall of 1782. He no longer had faith in the republican system of government or the eroded social structure of North Carolina. Stirring in his mind were plans to leave the state, either to go north or to purchase a plantation on the frontier of Georgia. He was deterred from the latter choice both by Georgia’s unhealthy climate and lack of social order. In a letter to AEdanus Burke of South Carolina, an old friend from Virginia’s eastern shore, Burke unveiled his anxieties about that system and by implication about the one in which he lived.

are the people rude [and] rapacious, of low and Servile Education? narrow, prejudiced and illiberal? averse to labor and industry? if they be, no form of government can give Security, and liberty is, as much as an empty name amongst them, as among the Natives of Industan.

Burke had been working out the outline of a new political structure, an alternative to the republicanism that he now

54. Burke to AEdanus Burke, 4 Aug. 1782, Burke Papers, SDAH; Burke to unknown correspondent, 16 Aug. 1783, Burke Papers, SDAH; Burke to Mrs. Ingles, 5 Aug. 1781, Burke Papers, SDAH.
55. Burke to AEdanus Burke, 4 Aug. 1782, Burke Papers, SDAH.
distrusted. This was to be an elitist system, in some ways similar to North Carolina before the Revolution. Commenting on John Adams’ *Thoughts on Government*, Burke called for a landowning aristocracy to underpin the political system that had recently proved so ungovernable and unresponsive. Only those who owned land would serve in the legislature, though the vote would be widely distributed. According to Burke, “Mr. A’s [Adams] plan appears Defective because it has not provided for those distinctions which Naturally arise among men, and without which Provisions all Governments must degenerate into some Species of Tyranny.”

If Burke was still concerned about tyranny, it was with an eye toward the social order rather than civil rights. The political romantic had now become a saddened reactionary.

Although Burke served a desultory term in the assembly, he in effect kept his vow not to return to public life. Even in letters to General Nathanael Greene, to whom he had grown close, he obsessively returned to the episode of his captivity, which still filled him with despair and alienation. Though not yet forty, Burke wished for circumstances that would permit him “a prospect of passing the remainder of my days in an elegant and tranquil enjoyment of pleasures of Society tempered with the pleasing [beatitudes] of retirement.” In October 1783 Burke became gravely ill. After he recovered somewhat in early November, his condition further deteriorated and on 2 December 1783, Burke died.

Undoubtedly, Burke’s virulent political reaction had resulted, in part, from the strains of captivity and ill health. He had again seen, as with states’ rights, inconsistencies in the revolutionary experience before many of his contemporaries. The uneasiness that Burke felt in 1782 and 1783 would be echoed after his death by a host of dissatisfied revolutionaries in various places. The political crystallization of these ideas would come with the movement to establish a new constitution to replace the Articles of Confederation. Whether Burke would have abandoned his apolitical position or would have supported

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56. Fragment in Burke’s handwriting, no date, Burke Papers, SDAH.
57. Burke to Nathanael Greene, 7 Dec. 1782, Burke Papers, SDAH.
58. Burke to AEdanus Burke, 4 Aug. 1783, Burke Papers, SDAH.
the Constitution is idle speculation. Burke’s ideological journey from states’ rights to political reaction emphasizes the contradictions in the American Revolutionary experience, some of which, such as states’ rights, would be argued long after the Revolution.

The final contradiction, of course, was Burke’s personal revolutionary experience. The American Revolution, like other upheavals, took its toll both physically and spiritually. Thomas Burke was one of its victims, just as surely as if he had died on the field of battle. Despite his imperfections, he deserved a better fate.
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