

AN

ARGUMENT

ADDRESSED TO THE

YEOMANRY OF IRELAND,

DEMONSTRATING

THE RIGHT, THE PROPRIETY, THE UTILITY,

AND

THE OBLIGATION

OF DECLARING THEIR SENTIMENTS ON

POLITICAL SUBJECTS,

IN THEIR PUBLIC DISTINCTIVE CHARACTER OF

YEOMEN.

BY EUNOMUS.

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MEMORANDUM

PRESENTED TO THE

HOUSE OF COMMONS

BY

THE SECRETARY OF STATE

IN ANSWER TO A RESOLUTION

PASSED BY THE HOUSE OF COMMONS

ON THE 17TH DAY OF MARCH 1841

IN CONNECTION WITH THE

PROVISIONS OF THE ACT

INTITLED 'AN ACT TO AMEND

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ARGUMENT, &c.

THE right of self-preservation is inherent in man, independent of positive institutions, and inalienable. This right comprehends not only the right of preserving life, but also of preserving every thing, which reason prescribes as necessary to the true enjoyment of life. In other words, the right of self-preservation, when applied to a moral agent, is a right to the free exercise of every power natural and moral essential to the happiness of such a being. Civil society is a voluntary union of men formed for the sole purpose of securing more effectually the enjoyment of this right, an association, to which they are led by sympathy and by reason, as the best means of accomplishing a lawful end. Every abstract right involves the right of practical attainment. That is, if any end is lawful, every means of attaining the end, which does not interfere with a more general end, is also lawful. The general end of the actions of every creature is the happiness suitable to its nature. The happiness of man consists

in virtue, or in right moral conduct. Morality must always be consistent with itself. Hence an end, however good, can never justify immoral means of attainment. But with this single limitation, a right to any object essentially implies a right to pursue the most effectual means of acquiring, and securing, that object. A right to happiness without a right to the best means of practical enjoyment is a manifest contradiction, which, to use the words of Junius, cannot be conceived without a confusion of ideas, nor expressed without a solecism in language.

God has created man a moral agent, he has therefore created him with freedom of will, and man can no more renounce his freedom of will than he can renounce his nature. Man cannot become a slave without a crime, without counteracting the designs of Providence, by changing the moral agent into the brute. Hence no civil institution can be rightfully formed, which is not conformable to this freedom of will. Compact may confer rights and create duties in matters of indifference. But no compact can abrogate moral relations, or add additional force to moral obligations. The moral relation and the moral obligation are antecedent to, and independent of, all positive institutions. It is therefore nonsense to say that a people has a right to liberty by compact, and that, when the sovereign power violates the compact, the people is absolved from obedience. Man has a right to liberty, because he is man—because God has formed him a moral agent, with certain powers and affections, leading to a certain end, to the proper exercise and enjoyment of which

liberty

liberty of thought and of action is essential, a liberty, which human contrivance can neither give nor take away.

Does civil government then confer no rights, impose no duties? In matters morally indifferent, many. In matters morally good or bad, not one. With respect to these latter then, is civil government of no use? Of the greatest use. It is a contrivance for giving effect to natural rights. And the only rational meaning of a compact between the people and the sovereign power in any civil society, is, that the people has instituted certain auxiliary means of pursuing the end of human action, which, at the time, seemed best calculated for the purpose. And, therefore, tho' the sovereign power should undeviatingly perform its part of the means thus devised, that is, should honestly perform its part of the compact, whenever reason and experience demonstrate that the means already devised, or in other words, the form of government, are insufficient to the end proposed, and better means present themselves, the people possesses the very same right of establishing other means or of forming a new government, which it originally possessed of establishing any—a right essentially flowing from the laws of nature, and altogether independent of the conduct of the sovereign power.

Is there then no difference between the cases, where the sovereign power violates the compact, and where it acts conformably to it, but the compact is found insufficient to the purpose of its institution? A vast difference with respect to those exercising the sovereign power—no difference with respect to the people.

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Where the terms of the trust reposed in the sovereign power are found inadequate to the end, or, in other words, where the constitution of the government is bad, but there has been no delinquency in the trustees, the people has a right to change the terms of the trust, but not to punish the trustees. Where the trust has been merely violated, the people has a right to depose and to punish. Where both circumstances exist together, the people has a right to new model the constitution of the trust, and to depose and punish the men, who dared to violate the principles even of a bad one.

From these obvious and important truths, it seems incontestibly to follow, that Liberty, with every means, necessary to its attainment and security, is the birth-right of man, essential to his nature, independent of, and inalienable by his contract. Liberty is the power of pursuing happiness agreeably to our nature—of doing good to ourselves without doing injury to others—of exercising our faculties natural and moral, as moral accountable beings. The enjoyment of this liberty can be the only legitimate object of civil government. The right to Liberty is included in the right of self-preservation. The right of self-preservation in a rational, moral being, is not the right of mere animal existence alone, it is a right to the uncontrouled exertion of every attribute, which, in such a being, can render existence the blessing, which Providence intended—to the uncontrouled exertion of every power of the understanding, and every impulse of the heart, which is not forbidden by reason, conscience, and religion—to the uncontrouled exertion of every

every faculty, which can exalt the man above the brute, the freeman above the slave.

Men enter into society, and constitute civil governments for the more effectually securing the enjoyment of this right, and must of course, carry with them into society a right to the use of every means essential to that enjoyment. Government cannot be rightfully instituted but for the security of man; man in his best state, not mere animal man, but man rational and moral. Man cannot become a slave without a violation of the laws of his being—he has a right to liberty as inalienable as the faculties of his mind, as his reason, and his conscience—a right of which power may physically prevent the exercise, but which it never can morally destroy.

Hence all civil government, which is founded not in mere physical force, but in moral right, must recognise in the governed a right to every means necessary to their preservation, as beings formed for moral exertion, and moral happiness—to the preservation in a word, of Liberty. What are these means? They are many and various. One there is super-eminent, which guarantees, and can alone guarantee the enjoyment of every other, and which is morally as immutable, and inalienable, as the right of self-preservation itself. What is this? The right of possessing the best *physical* means of using physical force, if necessary, for the preservation not only of life, but of whatever can render life desirable to a free agent capable of moral happiness. To use a more restricted description intel-
ligible

ligible by all—THE RIGHT OF HAVING ARMS.—God has formed man with good and with bad propensities, but at the same time, with reason and conscience, which demonstrate that the good are to be cherished, and the bad controuled. But if some men contravene reason and conscience, what follows? If by their conduct they injure their fellow men, are their fellow men unresistingly to become their prey? Are they, who endeavour to pursue a happiness agreeable to their nature, tamely to suffer that happiness to be destroyed by those, who act contrary to nature? Assuredly not. What follows? That men have a right to repel injury, if necessary, by force. What is the force of man? He is not formed, with the native strength, with the native arms, with the muscle, the teeth, and the claws of the lion. But he is formed with an inventive mind, which subjects inanimate nature to his controul, and supplies him with modes of defence more formidable and effectual than the native arms of the brute creation. Is he not then to use the means of defence, with which nature has supplied him? Beyond all question. When every other means of defence has been tried, and tried in vain, he has a right by the *sword* to resist whatever would rob him of life, or of the free exercise of those powers of body and mind, which alone can render life a blessing.

As the right of self-defence then is clear, as it is absurd to admit the right of self-defence without admitting the right of using the most effectual means of self-defence, and absurd also to admit the right of using these means without admitting the right of actually possessing

possessing the means, it is demonstratively true, that in every civil society rightfully constituted, the people should actually possess the best means of employing physical force, if necessary to self-defence against oppression and injustice, for the proper use of which means the people is undoubtedly accountable—accountable to no earthly tribunal, but to heaven alone.

Unfortunately indeed for mankind this right has been rarely recognised in theory, and more rarely still established in practice; for unfortunately the great mass of mankind has in every age of the world been enslaved—brutalised in intellect, debased in sentiment, and abject in spirit—the tame unresisting prey of all the vile and all the furious passions, which take up their abode in the hearts of tyrants.

But in this land of freedom it is otherwise. Here this right, so essentially flowing from the right of self-preservation, is theoretically acknowledged, and practically, though too partially, enjoyed. Sir William Blackstone, in his celebrated Commentaries on our Constitution and Laws, after enumerating and explaining various natural and imprescriptible rights of the subject, concludes by saying, “ That to preserve these
 “ rights from violation, it is necessary that the consti-
 “ tution of Parliaments be supported in its full vigour;
 “ and limits certainly known be set to the royal pre-
 “ rogative. And lastly, to vindicate these rights,
 “ when actually violated or attacked, the subjects of
 “ England are entitled, in the first place, to the re-
 “ gular administration and free course of justice in the

“ courts of law ; next, to the right of petitioning the
 “ King and Parliament for redress of grievances ; and
 “ lastly, to THE RIGHT OF HAVING AND USING ARMS
 “ FOR SELF-PRESERVATION AND DEFENCE.” Black-
 stone cannot be suspected of entertaining and broach-
 ing wild and romantic ideas on liberty and civil go-
 vernment, or of ignorance of the spirit and practice
 of the British Constitution. He may with much
 greater reason be accused of maintaining opinions too
 favourable to prerogative, and contrary to the natural
 and eternal rights of man. But Blackstone, without
 forfeiting every pretention to honesty, could not deny,
 indeed could not avoid recognising, in a treatise writ-
 ten professedly on the laws and Constitution of Eng-
 land, the right in the subject, of both *having* and *using*
 arms for self-preservation. It is an inherent right of
 nature, which no human laws can abrogate, and which
 our laws expressly recognise. It is a right fostered by
 the genius, and sanctioned by the practice of our Con-
 stitution. In this country we have the authority of
 fact, an authority greater than that of Blackstone, on
 the subject. In this country we have seen *armed citi-
 zens*, armed for self-defence, armed for the defence of
 their native land, and its rights, of life and possessions
 dearer than life—Liberty and Independence. As *arm-
 ed citizens* we have seen them hailed by the Parlia-
 ment, an authority greater than Blackstone. And in
 these days, even now, we see *armed citizens* summoned
 by the same Parliament to the actual exercise of this
 right. The YEOMANRY of Ireland are *armed citizens*,
 are citizens in the actual enjoyment of a right, which

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is derived from the first law of nature, and is essential to its operation.

For what purpose have they been armed? For self-preservation—for the preservation of every thing, which can be dear to man—the preservation of this country from foreign domination—the preservation of self-government, without which we become machines, the passive puppets of villainy and of caprice. What man among them feels that in arming for such purposes he has relinquished a single privilege of a freeman? What man among them does *not* feel that, in arming for such purposes, he was only summoned to the exercise of a right, without which every other must be illusory and vain? What man among them does *not* feel that he still possesses the same right to think, to speak, and to act, which he possessed before, and that so far from relinquishing any other right, he has not rather, with his present character, assumed, if not new rights, at least additional obligations and motives to the manly exercise of his former rights?

Let us apply these observations—Every subject of the state, who has not, by some voluntary act, forfeited his claim to the privileges of a citizen, has an undoubted right to discuss, and to pass an opinion on every measure, which may affect these privileges. This is a right essential to every freeman, and recognised in the subjects of this state by the theory and practice of the Constitution. By the same Constitution is acknowledged the right in the people of having and using arms for self-preservation, that is, as has

been demonstrated, for the preservation not only of life, but of the means of attaining and securing the happiness of life. Both these rights are recognised by the Constitution, as essentially appertaining to the people as freemen. And why? Because the Constitution has considered both these rights as essential means of attaining the same end—the preservation of the people, as an aggregate of moral agents united for the sole purpose of more effectually securing life and free agency. Therefore to maintain that an armed citizen has no right to declare his sentiments on political questions, is in effect to maintain that the exercise of one essential right, necessarily destroys another essential right. Now reason demonstrates, and the Constitution of this country admits its decision, that both these rights are essential to the freeman—that is, that they are rights without which man cannot be free—but the essentiality of properties to any subject necessarily implies their compatibility and co-existence in that subject—it must therefore unavoidably follow, either that the Yeoman possesses both these rights, or that he is not free—Yeomen, choose.

But as declamation is too often substituted for argument, it may probably be asked, what! would you then maintain the monstrous position that every armed subject of the state, that the soldiers of our standing army, for instance, have a right to discuss and to publish opinions on political subjects? Most certainly not. In this country indeed such a practice has no long time since not merely been tolerated but encouraged by ministers; but it is a practice, which our wise

Constitution

Constitution abhors, and I never will fully my paper by an example drawn from the conduct of men, to whom this country owes all its misfortunes and all its crimes.

The standing army is an evil rather endured by the body politic than a part of it. The mere soldier is not a citizen. The citizen and the mere soldier are as distinct as free agency and necessity, as liberty and slavery. The citizen is one, who has entered into society the better to attain the dignity of his nature. The mere soldier is one, who has surrendered himself, as far as man can surrender himself, body and soul, to the absolute disposal of another. He is almost as passive as the sword, with which he fights. He is the wretched instrument of that bloody ambition, which desolates the earth. He is bought and sold like the beast of the field. As a blood-hound he is let loose upon the peaceable and industrious inhabitants of the plains, to ravage and destroy. What are the standing armies of the fairest and most civilised portion of the earth, of Europe, the seat of a mild and benevolent Religion, of science and the arts? What are they, but dreadful diseases in the body politic, growing out of the ignorance and untoward circumstances of past times, which princes knew too well how to convert to the aggrandisement of their power, and the gratification of their lusts? What are they, but enormous and expensive machines of destruction, moved and directed by all the malignant and all the petty passions of the human heart, by the pride, the revenge, the ambition of kings and of ministers, by the jealousies and intrigues

trigues of panders and of whores? What are they, but destroying hurricanes, which sweep away at once the fruits and the cultivators of the soil, the products and the means of industry, the monuments of literature and the arts, the works of ages, in the tempest of an hour?

From such monstrous productions, the offspring not of civil government but of tyranny, not of wisdom and virtue, but of folly and of vice, no argument in the present case can possibly be drawn. There is not the slightest analogy between the armed citizen and the foldier. The one is armed by right, the other by wrong—the one to save, the other to destroy—the one as a free, the other as a necessary agent—in the one the carrying of arms is a virtue, in the other it is a crime.

Does the armed citizen, does the Yeoman feel that he is the passive instrument of folly and of guilt? Does he feel that in arming to maintain the Constitution, the Liberty, and the Independence of his Country, he has parted with an iota of his privileges as a man and a citizen? Does he feel that in the fruition of one essential right, is necessarily merged the fruition of another? Does he feel that in bracing on the buckler of Liberty, his thoughts have been manacled, and his mouth gagged—that at the very moment, when his heart beats highest, it should find no utterance—that the tongue should refuse its office, when in its office it would be most honoured—that the feelings of the free-man should perish in the silence of the slave—that the sympathies

sympathies of nature should be chained, and the enthusiasm of virtue die in the bosom, which gives it birth? No—he does not feel thus—Reason, the Constitution of his country, and every ingenuous sentiment, which can distinguish the freeman from the slave, tell him that he ought not to feel thus. They tell him, that, when armed to protect his rights, it is absurd to think that he loses them—that, when armed to protect his rights, he should feel strong, and not weak—that he should feel encreased energy of action, not privation of bodily and mental powers—that he should feel expanded not contracted, elevated not depressed, exalted not degraded, proud not debased, bold not spiritless, raised above his fellow-citizens not sunk beneath them.

But it is *dangerous* that the armed citizen should utter the dictates of his reason, and the feelings of his heart. Why? It may *overawe* the government. Why then is he armed at all? It is the misfortune of the bulk of mankind that a small number of knaves cajole them by words, impose on them by sounds. Crafty self-interest sows the seeds of imposture, ignorance and indolence are the soil, and an abundant harvest of errors is yielded to princes and to statesmen. Men talk and will not think. The tongue can move almost without effort, but to think requires labour, abstraction from pleasure, and the subjection of the passions.

The soldier is an armed man—the citizen is an armed man—arms are arms—therefore the soldier is a citizen, and the citizen is a soldier. It is dangerous that soldiers should be permitted to declare opinions

on matters of government, therefore it is dangerous that the armed citizen should be permitted to declare opinions on matters of government.—*Probatum est.*

The bulk of mankind can discern arms and a red coat, can discern a soldier and a yeoman similar in accoutrements and figure, with the common shape of man, and the common strut of soldier. But the bulk of mankind, without new illumination, cannot discern the true nature of civil government, cannot distinguish its uses from its abuses, cannot discern that the armed citizen is essential to, the soldier incompatible with, the perfection of civil government; that the one is the guardian of liberty, the other the instrument of oppression, with which bad governments have at all times overawed the people, have robbed them of their rights, shut them out from the light of science and almost from the light of heaven, darkened their habitations, and their minds, fleeced their bodies, and blotted out their intellect. The bulk of mankind cannot discern that the people should overawe the government, and not the government, the people. Princes and statesmen know that the bulk of mankind do not think, because ignorant. Princes and statesmen therefore endeavour to keep men ignorant, that they may not think, that they may be hood-winked, and led captive by words without knowledge.

What! The yeomen discuss politics! Publish their opinion on politics! Armed men canvass matters of government! Overawe the government! Why then are they armed? Is it by words that they are to overawe the government, or is it by arms? Are they armed

as mere soldiers, or as citizens? If as mere soldiers, let it be said so—and let them, as mere soldiers, overawe the people. If as citizens—let them support the rights of the people, and not suffer the government to destroy the Constitution. If they are neither citizens nor soldiers—if they are something disowned both by liberty and by despotism—if they are heteroclitites in society, anomalies in the body politic—let them lay down their arms.—Arms, which they cannot use as soldiers, and which deprive them of their rights as citizens.

Overawe the government! Happy for the nations of the earth, if governments were overawed in the sense; in which princes and statesmen understand the term. Happy for the nations of the earth, if soldiers were unknown, and the people armed. We should neither be trodden down by tyranny, nor convulsed by revolution.

The plain truth is, that the apparent impropriety of armed citizens declaring their sentiments in that character on political subjects, arises from this, that all citizens are not what they ought to be—armed. It arises not from any contradiction to the just principles of civil government, but from civil government in general not being founded on just principles. It arises from the weakest, though the most common of all reasoning—reasoning from the abuse against the use. But in this country, the constitution of which is founded on just principles, such reasoning needs only to be stated in order to be exposed. Here, as Blackstone says, the people

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have

have a right to carry and to use arms in defence of their liberty, and consequently in defence of that constitution, which they have chosen as a means of guaranteeing the enjoyment of that liberty. In this country a portion of the people has been invited by the parliament to assume the actual exercise of that right, to arm in defence of the constitution. Now, to affirm that these men are armed in defence of the constitution, and may fight in defence of it, that they are armed and sworn expressly for the purpose of defending it, but that by that very act, they have renounced all right to every means of defending it but one, that they have a right to save it by blood, but not by words, by war, but not by peace, is such miserable, such unblushing nonsense, as eludes and mocks the chastisement of reason and of ridicule. It is too silly to be refuted, and too dull to be laughed at.

That the Yeoman cannot forfeit the right of declaring his sentiments on political subjects, which may affect his dearest interests, by having armed to defend these very interests, if necessary, by the sword; is a proposition so plain and irrefragable, that an apology may seem wanting for having entered into an elaborate deduction of such an obvious truth. It is an obvious truth—but it is an important one, involving, it may be, in its practical application, the preservation of the Constitution and Independence of this country. It is an obvious truth—but it has been denied, and the denial appears to have been silently and tamely acquiesced in. It is an obvious truth—but he knows little of the human heart, who does not
know

know that the plainest truths will be controverted by bad men, whenever it is the interest of bad men to controvert them; and he knows little of the human understanding, who does not know the facility, with which it supplies to the willing heart, the delusions of falsehood. When a proposition in its true sense cannot be denied, its sense will be really, though not formally, changed, and a diversity of ideas disguised under an identity of terms. As far as six letters of the English alphabet constitute the Yeoman, he will remain; but, for the rest, he is no more. In the place of the citizen we find the soldier, the slave substituted for the freeman. The multitude attends to the sound, not to the idea, and is convinced. The Yeoman views his uniform and accoutrements, shoulders his firelock, and forgets that he is free.

Not unfrequently too, truth will be admitted and eluded. It will be said, the Yeomen certainly cannot forfeit the right of declaring their sentiments on questions affecting their political interests by having armed to defend these interests when invaded, but why not declare their sentiments in the common mass of their fellow citizens? Why declare their sentiments, as Yeomen? Why?—Because they are Yeomen. Because by becoming such they have acquired not a new right, but an accidental propriety—a temporary classification with an appropriate significance—an individuality as an aggregate, whereby they can be at once numbered and contradistinguished, among the various classes of their fellow citizens. In every society such classifications will arise from a thousand accidental circumstances. The members of the several classes have

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certain

certain properties common to all, because essential to all as citizens, but each class will also have certain adventitious qualities, which insulate, and distinguish it from those around it; which, in a word, make it a class. The Yeomanry of Ireland is a kind of corporate existence which holds its charter not from the crown, but from the genius of the Constitution.

Why, on that great question of national independence, or annihilation, which now agitates this country, do we every day hear of Resolutions published by the different classes in the community? Because it answers the twofold purpose of convenience and of influence. As composed of citizens, all these classes have certain essential rights in common, and also certain adventitious and accidental qualities, which individualize each class, and hold it up to the nation at large, to judge of its integrity, its talents, its property, its respectability, or its meanness. For not only must the character of the individual members of each class, as individuals, as far as that can be known, but also the character of the class itself arising from those adventitious circumstances, which make it a distinct class, naturally determine in a great degree the attention due by the community to its opinions. The character of individuals, as such, can be comparatively ascertained by few, while the character of the class may be easily known to the nation. By means of this classification, therefore, not only can the sentiments of the people on any national question be more easily numbered, but also weighed.

Thus

Thus it appears that every man in these several classes has essential qualities and accidental qualities. The first species natural, the latter superinduced—the one common, the other appropriate—the one permanent, the other mutable. When the citizen discharges the office of a Grand-juryman, he retains all the essential rights of a citizen, and also acquires an accidental character, in which he with great propriety publishes his sentiments on political subjects. The office of a Grand-juryman has given him an accidental name and character notorious to the whole community, which stamp the value of his political opinions, and gives them a currency commensurate with that notoriety. He passes through the entire kingdom for pretty nearly what he is worth. Upon examination too, it will be found that among the various adventitious circumstances, which thus form and discriminate the different classes in society, there will almost constantly exist some of a striking political nature, which are of principal importance in ascertaining the credit due to any declaration of political sentiments. These political circumstances being generally interesting, are generally known. So that while the political character of the individual himself can, in the nature of things, be known to very few, his character as belonging to a class may be known to the entire body politic. If the names of the worthy gentlemen, who compose the Corporation of Derry, should appear in the newspapers annexed to any political opinion, how few could possibly judge of the degree of credit attached to the signatures of these respectable citizens! whereas, if they published the same opinion in their corporate capacity, not only this country,

try, but probably all Europe could form a very adequate idea of its importance. The political character of classes of men in general represents with great faithfulness, the political character of the individuals, who compose them, and must necessarily be known to thousands, who can never hear so much as the names of the individuals themselves. This classification is in society, what general principles are in science, it enables us to reason a priori, where we must otherwise proceed by a tedious induction from particulars.

Hence the propriety and utility of any class publishing an opinion, particularly on political subjects, as a class. While its members, are individually unknown to the public, and consequently can at most only be estimated by mere numeration, as a class it affords all the advantages of numeration, and many more. Its members can be weighed in the balance of truth, where character alone inclines the scale.

Experience too demonstrates, that amidst the variety of causes, which determine the characters, and influence the actions of mankind, the *l'esprit du corps*, or spirit of *Cast*, as it may be called, has commonly the greatest weight of any. So that by only knowing the *Cast*, to which a man belongs, a more accurate estimate of his principles and conduct can, in general, be formed, than if we knew every other circumstance of his condition, without knowing the fraternity, in which he is enrolled. This *esprit du corps* is capable of being generally known, and generally estimated; its influence is powerful, whether malignant or benign; and,

and, in judging of the political sentiments of men, it is, perhaps, the only consideration, which can determine the public mind in forming a just opinion of their value.

These observations, which appear to be founded on just principles of reasoning, and confirmed by experience, furnish an obvious and satisfactory reason why the Yeomanry of Ireland may declare, are bound in duty to declare, their sentiments on subjects of national political concern, in their distinctive character of yeomen. The yeomanry are a class in society, possessing all the essential rights of citizenship in common with the rest of the society, but at the same time distinguished by certain peculiar qualities superinduced by adventitious circumstances, which render them the object of distinct attention, capable of distinct valuation, and of distinct efficiency. By these circumstances they have acquired a distinct political existence and character. They have been called to the actual enjoyment of a right the most important. They have been summoned by the Constitution to arm in its defence in the hour of danger. They have obeyed the summons. The legislature has recorded their zeal and their services. They have been called the saviours of the land. Panegyric has been exhausted in describing their loyalty and their patriotism. Thus placed on an eminence, to which their countrymen naturally look up with great expectation, will it be said that the YEOMEN OF IRELAND should blend their voices, and hide their heads in the common mass, while grand juries, while guilds, and while corporations appear in
a character

a character distinctive and appropriate? Will it be said that the saviours of the land must not declare, "We have saved the land, and we will again save it, if necessary, whether assailed from without or from within, by Buonaparte, or by Pitt?" Will it be said, that men sworn to defend the Constitution shall not declare, "We have sworn to defend the Constitution, and we will keep our oaths?" Will it be said that men, who can with most effect speak out in the cause of liberty, must be silent? And that the capacity of being useful imposes the duty of being inactive! Will it be said that remedy is preferable to prevention, war to peace, and that where argument may convince, and opinion awe, reason must be shackled, and sentiment repressed? Will it, indeed, be said, that the YEOMEN OF IRELAND, the sworn guardians of our civil polity, and who have bled in its defence, have by the very act of preserving the constitution, forfeited the fairest and most useful privilege, which it secures: that men distinguished from their fellow citizens by merit, must suffer the pains of delinquency, and that the service of the patriot must be rewarded by an approximation to the slave? Or if such things should be said by ministers, and their hirelings, by men, who reason to deceive, who advise to betray, and who *divide to enslave*; by men, who would extinguish all the knowledge, wither all the industry, and emasculate all the manhood of the land: if by such men such things should be said, will the YEOMEN OF IRELAND surrender their understandings and their feelings, their rights, their interest, their duty, their honor, and their oaths, to

to the delusions of imposture, and the machinations of tyranny?

If the right of the YEOMANRY to declare their sentiments on political subjects, as citizens, as members of a state, the constitution of which recognizes and guarantees the natural indefeasible rights of man, be clear and indisputable; if the propriety and utility of exercising this right, in their public character of Yeomen, be also clear and indisputable, can there be a doubt of the sacred obligation of exercising it, with zeal, and with courage, on occasions sufficiently important to demand political exertion?

Who are the YEOMANRY OF IRELAND? A portion of the people eminently distinguished from the rest by appropriate characteristics; which arrest attention, and give weight to opinion. What is the people? The great aggregate of individuals united in society for the purpose of securing general happiness by a union of wills and of strength, the source of all political authority, the final arbiter, on earth, of all political action. In every state, therefore, the men, to whom the people has, through the Constitution, committed the government, must, of right, obey the voice of the people. What is the voice of the people? Such an expression of the general will as leaves no doubt of its title—*vox populi vox Dei*. The will of the people is the only earthly authority, which can rightfully consti-

tute civil government.—This will is absolute, and independent of all human convention. Each individual in society is accountable for his conduct, ultimately, as a moral agent, to the searcher of all hearts; immediately, to the whole community, as a member of the civil association; but the community itself, as an aggregate, is accountable to no tribunal under heaven.

What is the civil constitution of a state constituted on principles of moral right? It is the *primary instrumentality* contrived by the people for attaining the end of political association. What is the government? The *secondary instrumentality* framed to give effect to the first. In other words, the Constitution is the rule prescribed by the people, according to which the Government is to act. The government is the machine itself in motion, the Constitution is the law, by which that motion is to be directed. In this country, for instance, the mode, by which laws are to be enacted, and administered, is, the Constitution. The Parliament, and the Executive, constitute the Government. In every civil society the people possesses an undoubted right, originally, to create, and ever after, to new model, the Constitution; and to depose and punish, according to circumstances, the government. But the government cannot possess a right of altering the constitution. The Government is a mere machine, to which the people has ordained its laws of action, without an iota of power beyond the

the laws prescribed. It is monstrous to maintain that the Government can change the Constitution. It is speculative tyranny, a mental usurpation of the rights of the people. The Government change the Constitution! By force and by fraud it may—by right it never can.—Such an act instantly dissolves its own constitutional existence, it cannot rightfully subsist a moment longer.

Now, as in every civil society the government must unavoidably possess various means of defeating the ends of its institution in the very powers necessary to give its institution effect; as bad men may introduce themselves into the administration of the Government; every Constitution should be framed with a view to counteract by every possible contrivance the unavoidable inconveniences of a body politic. As men in power are frequently weak and wicked, every Constitution should be formed upon a calculation of human imbecility and corruption. The violent dissolution of the body politic, is an event most anxiously to be guarded against. But as Liberty alone can make civil society a blessing, as where the security of this is not the great object of the Constitution the body politic had much better be dissolved than exist, and as the people possesses the right of dissolving it; even upon the principle of preventing the evils almost inseparable from political revolution, every means, which can be devised, at once securing the ends of society, and guarding against its violent dissolution,

dissolution, should make a part of the provisions of the Constitution. In this point of view no means appear more admirably adapted to both these purposes, to the preservation of Liberty, and the prevention of Revolution, than the acknowledged right in the people of declaring their judgment and feelings on matters of Government, and the free exercise of this right. From Nature the people possesses this right independent of a civil code. But happy is it when a Constitution is formed expressly recognising this salutary controul over the Government. Happy is it where a Constitution is founded on the basis of Liberty, and embraces, in its provisions, every subsidiary means of securing its own permanence, and warding off the evils of dissolution.

Such is the Constitution, which we boast. Such is the Constitution, which invites and commands the people of this country, to raise the voice, in order to prevent the necessity of raising the arm in its defence. To defend that Constitution which the people has chosen as the instrument of happiness, if necessary, by *force*, is a sacred duty imposed on us by Nature, and kept constantly in view by the Constitution itself, which by arming the people, reminds them of the duty. But it is a prior duty to defend the Constitution by the way of peace rather than by the sword, and this duty does the same Constitution anxiously inculcate in the various means, which it provides for the free
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expression of the public will. YEOMEN OF IRELAND, do you not feel these united obligations? When the Constitution summons you to its defence, by every principle of reason, of interest, and of glory, are you not bound to obey the call?

That a necessity for such a summons might exist in the vicissitude of human affairs, the experience of mankind forbids us to doubt. If, for instance, a time should arrive when a *part* of the government of this country, forgetting the right by which the government exists, and the ends, for which it was created, forgetting that it exists by the people, and for their use, should attempt the subversion of the constitution, to which the government itself is but ministerial, while both are but ministerial to the happiness of the people, and while both can by the people alone be rightfully destroyed—if it should attempt this subversion by means the most diabolical and foul—if it should artfully promote religious feuds among the people in order to make the animosity of contending sects subservient to a remote and deep-laid scheme of common subjugation—if it should, with the same infernal policy, instigate a starved and tortured peasantry to rebellion against the state, in order at once to terrify the titled and the rich, and to have a pretence for thinning the population of the land—If, in quelling that rebellion, it should exercise cruelties unparalleled in the annals of fanaticism—if it should make the gentry of the country instruments of torture, in order to

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fix in the mind of the poor a deep and lasting rancour against the higher ranks in society—if it should afterwards hold out to the mangled peasantry, a hollow and treacherous peace, to conceal, under the mask of mercy, the demon of perdition—if it should by every insidious artifice, by addressing itself to pride, avarice, and fear, to all the malignant and all the sordid passions of the human breast, goad on the parliament to the enacting of sanguinary laws, in order to excite the terror and abhorrence of the people, that feeling the existence of the parliament a curse, the people might seek relief in its annihilation—if it should with unequalled insolence and effrontery, publish and boast of its crimes, and unfeelingly urge them as arguments for destroying the constitution—if, finding all these means unsuccessful, its detestable arts exposed and defeated, one portion of the people restored from fanaticism to the empire of reason and humanity, therest willing to forget the instruments in the instigators of their sufferings, if finding itself thus baffled it should change its method of attack, if it should assail the Constitution by Parliament, and the Parliament by Corruption—if this corruption should become unmeasured, open, and avowed—if this corruption should succeed, and the Parliament should be ready to destroy the Constitution—if nothing could arrest this most impudent and infamous traffic of the rights, independence, and glory of the land, but the united voices of the people, the universal protest of the nation against the
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act of its eternal subjection—if nothing but this, or a revolution, could rescue Ireland from the grave—if your countrymen feeling the inevitable alternative, should wisely resolve to try first the way of peace, and endeavour to appal by the public voice, this vile portion of the Government thus wickedly and arrogantly assailing the Constitution.—If such a time as this should arrive—YEOMEN OF IRELAND, could you be silent?

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all of its central legislation—its holding but this
 of a revolution, could secure Ireland from the
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Houses of the Oireachtas