

Second Edition, with Additions and Corrections.

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CONSTITUTIONAL  
OBJECTIONS  
TO THE  
GOVERNMENT OF IRELAND

BY A  
SEPARATE LEGISLATURE,

IN  
A LETTER  
TO

JOHN HAMILTON, ESQ.

OCCASIONED BY HIS REMARKS ON A MEMOIRE ON THE  
PROJECTED UNION.

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BY THEOBALD M'KENNA, ESQ.

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Houses of the Oireachtas



## P R E F A C E.

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**P**ERHAPS it is not more allowable to plead lassitude in any other circumstances, than when the mind has been for some time engaged with a question of controversial politics. I must acknowledge that I send these papers to the press, without having completed my original design. Although this division of the argument has become more tedious than I could possibly have conjectured.

I propose, at a convenient time, to return to the subject, with a view to insist more fully on the inefficacy of the several projects for internal regulation, which have been propounded in this kingdom; to enforce what appears to me, by no means unimportant in the present state of the public mind, that to be a member of the British empire is indispensable to the good of Ireland: I think it will follow, as of course, that a state of general incorporation is the form of connection, most eligible and advantageous. I shall endeavour to examine and assign the real causes of our relative prosperity for some years back; relative to the condition of Ireland, before she recovered in any degree from the effects of the civil wars; but in no wise relative to the degree of prosperity she might have attained, under a system of universal regulation more congenial to the people. The North of Ireland I must put out of the question, as its peculiar circumstances exempt it from the pernicious distribution of powers, and application of  
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authority. Trade has been pursued with advantage in the kingdom of Bengal, and at Cairo and Alexandria: Does it therefore follow, that the general state of society in these countries is perfect? Fortunes are accumulated at Cadiz and Oporto: Is it impracticable to correct the discipline of Government in Spain and Portugal?

Whilst the profits of trade in Cork and Dublin are at thousands per annum, the rate of labour within forty miles of either city, is at six-pence the day; or, which is a more exact criterion, the people within half that distance are abject and comfortless.

If any man were to impute the state of manners and industry in England, not to the suppression of villanage, and early abolition of feudal jurisdiction; but to two pence bounty upon woollens, and three farthings upon cotton; he should reason just as those do, who suppose this nation to have thriven merely by parliamentary encouragement, and who make no account of the repeal of the popery laws, which turned the industry of millions to the cultivation of the country. The English reign of Henry VII. appears to me very much to resemble the government of George III. in Ireland.

Most Sovereigns give bounties, but only the British state affords a gentle and protecting government to the lower people.

I must admit, that unless the supreme administration be decided in its views of favour, and judicious conciliation to this country, the projected change of constitution is scarcely prudent. Under the present forms, there are more resources for an evil government; and a greater number of interests may be collected to keep the people in subjection.



I considered it superfluous to add any thing to the very ample discussion, which the competence of parliament has already received. Still this most futile of all objections is dignified with the notice, even in the very last debate, of men of talents. From Mr. Foster's high character, and just pretensions to political estimation, one would have expected him to examine every part of the question, rather as a statesman, who seeks to warrant his conclusions by truth and policy, than as a partizan, endeavouring to give his cause the most favourable exterior. That gentleman has condescended to mention the powers of Parliament.

The Parliament of Ireland has altered the laws, manners, religion and property of this island. Was it competent to change the essentials of civil society, and has it no discretion over the forms? Or will it be proposed to bring all these former acts into hotchpot, and look for a new distribution?

It is essential that there be in every state, a sovereign power, because no limited authority can embrace all the cares upon which the welfare of the people requires a decision. Is the Irish Parliament that sovereign power? If it be not, where does it reside? If it is that sovereign power, it must be competent to determine, whether any proposition submitted to it, be for the good of its subjects; and to give it efficacy, in case of approbation. There would otherwise be a deficiency of legislative provision, which is just as preposterous and absurd, and inadmissible, as in ordinary cases would be a failure of distributive justice.

Suppose the French constitution to be the bane of the people, and that the sole hope of salvation is to submit to a Monarchy, is the sovereign power in possession inadequate to make that salutary



lutary change? Suppose the delegated oligarchy of Berne thought fit to abdicate, are its hands tied up? By these doctrines, an abuse with a popular aspect is entailed for ever; unless perhaps in case of a total revolution; for no one can suppose that the United Irishmen would consider themselves bound by our actual constitution.

The only question that can possibly arise is this, which is the measure of Union good or evil for the country? If the former part of the alternative be the truth, that there exists no power competent to effect it, is a proposition contrary to common sense, and must therefore be rejected.

The power, which a man has over his own existence, may serve to illustrate the capacity of a sovereign jurisdiction to make engagements for its extinction. The law of morality does not allow suicide; but if it be necessary to hazard one's life, the act is justified by the end. A man may not shoot himself capriciously; but he may go upon a mine, with a certainty of being blown up, and if he saves an army by exposing himself, his conduct is heroism.

It has been observed with great triumph, that without a resident parliament, we should have lost the advantage of its activity, in counteracting the late conspiracy. I apprehend the merit of detecting and baffling the plots carried on by the French party in Ireland, belongs appropriately to the executive department. Documents and evidence were laid before Parliament, and such parts as were judged proper were given to the public. The House of Commons overturned the rebellion, precisely as a grand jury, when it finds a bill of indictment, breaks a combination of murderers. The Report would have been alike solemn,



solemn, alike authentic, and alike valuable, if it had proceeded from a committee of the Privy Council.

Whether the arrangement of 1782 was intended to be final, is a question, on which I should never have bestowed a thought, had it not happened to have constituted the main support of Mr. Foster's celebrated argument. There can be little doubt, that the British Parliament must have very sincerely wished to be at ease on the head of Irish politics. Equally must we admit, that the Parliament of Ireland would have seen with great good will, its influence accepted by the people. The Parliament promised lustily; but no circumstance can go more directly to prove, that the connexion of opinion between the Parliament and people of Ireland is weak, than this very fact, that the addresses Mr. Foster cites, were passed very unanimously by Parliament, and yet the ink was scarcely dry upon them when new murmurs arose, and rival delegations were convened, and hostile agreements against England entered into, and Parliament was obliged to call upon the force of the state for its protection. Lord Northington trod in steps of the Duke of Portland; his reign was far from a calm. The Duke of Rutland, to the affair of the Propositions, had the support of the patriots of 1782, and of the present day; still his administration was, during that interval, among the most turbulent we have ever experienced. Does Mr. Foster suppose that discontents are immaterial, unless they exist within the circle of Parliament? Does he forget the very nature of those discussions over which he presides? Every debate in Parliament is an appeal from the decision of the House to the feelings or the passions of the people.

I shall add one more to these desultory observations. I have seen a question in print, and I have heard



heard it in private conversation. What! some persons exclaim, do you suppose there is that magic in a scroll of parchment, that it can draw the bonds of connexion strait. Gentlemen forget that undervaluing the scroll of Union, they cry up the scroll of annexation. One piece of parchment is just as valuable as the other. They describe systems of very different operation, and in that consists the diversity. I presume, that the real substance of either plan of government is the manner in which it is likely to affect the public feeling. The annexation system implies the government of a party. If the management of the country after an Union be on principles of general good and protection, this form will create more firm attachment, and prove a more sure bond of connexion.



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CONSTITUTIONAL  
OBJECTIONS,  
&c. &c.

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LETTER I.

THE sensible observations which you did me the honour to make on my MEMOIRE, and the candid and liberal turn of your expressions and sentiments, imposed on me a duty which I have long desired to discharge. I owed an explanation of opinions, which, however formed upon full reflection, were rather hastily delivered; I owed a reply to the stile of polished animadversion in which you opposed me. Motives of convenience, and other considerations of merely private import, interfered with my intention; but the delay has not, to my feelings, been unproductive of gratification and advantage. We have reached a moment when an amicable controversy may with the greatest freedom and facility be maintained. The decision of Parliament has reduced the matter of our difference to a speculative question on the welfare of the country. I hold it to be a true, but certainly not a self-evident proposition, that an Union with Great Britain is the remedial change, which is peculiarly adapted to the disorders of the Irish state, and which these disorders do seem to indicate. With feelings similar to those you express, I too, some time back, should have revolted at the proposal to suppress

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press the distinct legislature of Ireland. There is somewhat fascinating in the matter of public pride, however remote, indeed however fanciful the share one may be supposed to bear in it, which fully accounts for the repugnance of many estimable persons to entertain the project. It is an alteration of very great magnitude, which merits to be coolly explained, and deliberately investigated. The increased activity of the enemy requires to be counteracted by new combinations and new expedients. If his power covers an extent of territory which we cannot hope, and do not desire to emulate, it is for us to consolidate our strength, as the most effectual mode of resistance. But the circumstances, which impress the measure upon my mind with most forcible commendation, are, first, the series of events which in the space of five years have passed before us; and next, the reflections that arise upon a view of the condition and prospects of the country. A credulous people, the easy dupe of artful politicians, readily enlisted in contests for power that do not regard them: the waving of an hand sufficed to stir up the principles of difference; and that difference shewed itself malignant to a degree that one never could have calculated. Shall it be deemed unwise to circumscribe the sphere of acrimonious and unprofitable disputes, and to protect the land from their baneful consequence? This question is to be examined dispassionately; and I must rejoice in an opportunity of justifying and enforcing my opinions to you, and to those friends who may be induced to consider them, uninterrupted by any tendency to the warmth, which the most calm are disposed to feel, when an irrevocable determination is at hand, very adverse to the prejudices they have been used to cherish.

You



You have not altered my notions of the public good, but you have shewn me that in the mind of a man, who has considered the subject under different impressions, my ideas are exposed to objections of considerable speciousness. Either I have explored the state of Ireland with too anxious research, and suffered my mind to dwell too minutely on her distractions; or your examination has not been sufficiently close, or your modes of redress sufficiently radical. My aim was to catch the general principles by which people are usually moved, and upon these only did I venture to calculate, when I considered by what impulse the conduct of great bodies was like to be directed. You appear to me to expect, that the ingenuous feelings which you bring into private life, and which you meet there, may be converted into rules of general influence and practice\*. Let, you say, the Government do this, and the Parliament that; and let the Catholics pursue this conduct, and the Protestants this other; and then, all

\* It has been repeatedly alledged that the advantages expected from an Union are theoretical. Now I appeal to any man of plain understanding, which supposition is more theoretical—that a constitution which has uniformly generated faction and discontent, and nothing else, will henceforward operate more benignly; or that, corrected by an Union, its vices will be softened, and such a protective system be established, as that, under which Great-Britain flourishes?

To this you will oppose the relative prosperity of the country for some years back. I propose elsewhere, to prove that the improvements arose from the repeal of the Popery Laws, which was forced upon Parliament, and from other circumstances, which might as well have arisen under a general, as a local legislature; but which under the former would probably have sooner occurred and extended more widely. Every syllable advanced against the measure of an Union is the contrast of theory to practice, of what might be against what is.



all things will proceed admirably. "How rich should I be," said poor Henry in the novel, "if the States-General would pay me." Can it escape your understanding, that the entire difficulty consists in drawing these several bodies to a sense of what is mutually right, and of the conduct they ought to pursue towards one another? \* A proneness to faction is the distemper of the Irish nation. What scheme of relief do you offer to remove these fatiguing solitudes that agitate the public mind? To direct the popular attention to different objects? Not at all. Still preserving cautiously the matter and motives of disunion, you invoke the virtues of patience and forbearance to assuage its effects. To be sure these qualities are inestimable, if they were to be attained; but they are the very contrast, the direct antipodes of the spirit of party under which we labour; and to the existence of the one, it is essential, that it excludes the others; so that the remedy which you and several others insist on, presupposes the extinction of the vice it is to be applied to. We should not stand in need of the aid of medicine, if men were uniformly temperate; nor of the guidance of the statesman, if they were wise; nor of the discipline of criminal justice, if they were virtuous. To expect that an high state of perfection shall prevail generally in a large society, or shall operate with any constancy of influence,

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\* It is observable, that in Mr. Foster's speech, this head is utterly omitted. One might suppose that gentleman to have gone to rest when the Commercial Propositions were disposed of in 1785, and to have awakened from his dream on the 11th of April, 1799—Surely no person could think of changing the conditions of government, if in the actual state of it the management of public affairs were not attended with great difficulties and perplexity; and surely any man might deliver an unanswerable speech, if you give him leave to put out of the argument, whatever might furnish a reply to it.



is the rhapsody of a poetic imagination. To take as the basis of a scheme of policy, a disposition to propriety of conduct, in which multitudes must concur, is resting the welfare of mankind on the chance of a miracle. General rules should be—precautions against indiscretion, not provisions which require the aid of prudence to give them effect. Every day our parties approach nearer to an equality of consideration and influence; and if an assembly be kept up, with scarcely any other function, besides marshalling the pretensions of these parties, and giving audience to their controversies, no person of ordinary forecast will ensure us six months of harmony under any circumstances whatever.\* But of all other projects

\* I have seen not a little false wit and reasoning displayed against a very sensible observation—that a description of our citizens, whose pretensions to consequence in the state are increased by feeling themselves a majority of the people of Ireland, would be more easily induced to acquiesce in establishments derived under an imperial government, of which they would be a minority. I will beg to enforce the remark by this example:

In the first years of the French revolution, all the interests of the country were warmly agitated. There were several Protestants in the Assembly, yet no one ever heard of parties of Catholic and Protestant. If local legislatures had been erected in the several provinces, suppose in Languedoc, where the Protestants are numerous and powerful, it would not be possible to prevent such parties from being formed and taking root, and becoming the principal occupation of the Assembly. But a National Assembly was remote from these objects of contention; and amidst the general and important concerns that occupied its cares, if any member proposed to introduce the topic, he would not be attended to.

Open governments, those I mean in which political affairs are discussed without reserve, are of themselves prone to faction—where there is a difference of religion, it tends in proportion, as the parties are nearly balanced, to increase this propensity. That is a very urgent reason to render Ireland as little as possible the scene of political activity.

The



projects for appeasing civil strife, this scheme you offer of mutual kindness and conciliation, founded on a sense of obligations conferred, and of favours to be expected, is the most unpromising. It requires a co-operation so universal, as cannot possibly be procured; it renders the discerning and the wise on either side, responsible for the worthless and the desperate; and whilst those are labouring to establish a good understanding, these are free (and they will never want instigation) to squander the entire stock of merits, in a single fall of intemperance; in the vast collections of men who are the subjects of this arrangement, there can be no subordination. I have dwelt somewhat longer on this head, as so many opponents

The parties of Church-established and Dissident distracted Poland, until at length, the neighbouring powers profited of the occasion to interpose; and, after a dreadful havoc of human happiness, they completely overturned that Republic. The parties of Church-Established and Arminian in Holland, produced many bitter contentions and tumults, and at length proved fatal to that government. Religious difference exists without animosity in some governments, but these are close constitutions.

Scotland was before the Union in a state of the highest irritation, political added to religious; the difference between Episcopacy and the Conventiclers, like Protestant and Catholic with us, was artfully managed and fomented. A very serious tumult took place about the time of the Union, on account of opening a church of England chapel in Edinburgh. When the political motive was withdrawn, religious rancour subsided totally. Every sect of christians, worships at present in the principal towns of Scotland without incommoding each other. There is at this moment in the service a very fine regiment, composed, officers and privates, of Scotch Catholics. Until very lately a sect was preserved in Scotland, with all the ostentation of a regular hierarchy, who only dissented from the Church of England, in denying his Majesty's title to the Crown. By neglect they mouldered away, until the death of the late Pretender furnished a convenient occasion for their submission: and so little was their former obliquity visited upon them, that the bounty, allotted by Queen Anne to the Scotch Episcopalians, has been revived in their favour, and they now enjoy it.



nents of the Union have discoursed in the same strain; although it may appear superfluous to enter into the merits of the plan, whilst the party that preponderates in the state, neither by its political acts, nor the tenor of its publications, discloses any inclination to conciliate.

Upon one fact all are agreed, that there is somewhat materially astray either in the temper, or in the politics of our country. Some conclude hastily and summarily against the people, hoping that the advantage of situation may be sufficient to exempt them from the impeachment against their species. Historical experience teaches another lesson, that vice, widely diffused, is the unerring symptom of a society defectively organized, or regulated injudiciously. Are the Irish gentry overbearing and inattentive to their inferiors? Are the commonality restless and untractable? Are their tumults ferocious? Is their state of peace, a dull, indolent, insipid langor? Every charge that can be brought against the people, recoils upon the institutions that formed their character. Three modern insurrections of the common people—that of Poland in 1768, of France from 1789 to 1792, and this of Ireland in 1798, will be traced in history by a very uniform course of atrocities. In these countries that class of men were greatly depressed by their superiors; in Flanders and in America they were permitted to participate liberally in the natural and political advantages of the country; and the risings which took place there, nearly within the same period, did not differ from any other regular hostility. I accuse the habits and condition of my countrymen, as well of those who are spoiled by the exercise of power, as of those on whom it bears very heavily. Their natural dispositions differ not from those



those of other men with whom fate has dealt more kindly.\* Whilst the adjacent nations were resolving into civilized habits, what has been the government of Ireland, but a perpetual scuffle between the state and the people? And in that contest it might have continued to waste its strength for ever, if the British government had not interfered with views very different from those of our domestic rulers. The secession of America, first rendered it essential to concentrate the remaining powers of the empire. This inducement awakened, in the British government, towards the close of the last war, a disposition to attach the people of Ireland to the state, and led to the first relaxation of the laws against the Catholics, which, like every subsequent measure of the kind, was extorted by the Crown from a reluctant aristocracy. The government was too intelligent not to perceive, that however acceptable to that body, it would not promote the cause of general vigour and resource to rule this land by force, and in opposition to the genius of the people.† Ministers

\* "Nature," says an elegant and admired author, "never made an unkind creature. Ill usage and bad habits have deformed a fair and lovely creation."—STERNE.

† By laws, enacted in the reign of Queen Anne, the Catholics of Ireland, which is another name for the people, were as to franchises, political influence and power, reduced to the situation of women and children; and as to property, they could acquire no beneficial interest in land, for even on the leaseholds, which they were permitted to enjoy, the reservation of a full rent was stipulated. This constitutes a degree of discountenance equal to that which aliens incur, where alienage is least favored.

The natural consequence of this arrangement, was to form the nation into two casts; a minority, the favourites of the state, who possessed all the authority, and influence, and emolument; a majority, the mere objects of power, unprivileged and outcast. I am warranted in calling this a government against the genius of the people.

About



ters fought to render Ireland an effectual helpmate to Great-Britain, and they only could succeed

About twenty years ago, that part of the system, which related to property was abandoned, probably on account of the inducements stated in the text, but certainly the consequence was an immense accession to the capital and industry of the country, which is most unfairly set down to the account of the vigilance of Parliament. Catholics, who acquired property abroad, settled in Ireland, and others laid out their money at home, who would have emigrated.

Still all the avenues to honor, emolument, and political influence were interdicted, and these concessions on the side of property, (although they otherwise benefited the nation,) as they turned men's thoughts from an asylum in foreign countries, led them to speculate more minutely on the inconvenience of their situation at home. I take it to have been one of the wildest projects that ever occurred to any person, to suppose that this country might be made to flourish with such an obvious provocation to discontent. But some statesmen imagine, that things go on very smoothly, if they are strong enough to suppress or prevent rebellion. It never occurs to them that a nation, like an individual, may languish under bad management, and that a state must be robust, to struggle with the buffettings of these times we are placed in.

A further concession was made about six years since, in consequence of strong representations offered on the part of the Catholics to his Majesty. But this favour was so warmly disputed, that it revived animosities through the country, or sharpened them where they appeared to have been dormant. And the concession was in some (and these very principal) parts, more nominal than real. For the weight of Parliamentary interest is so strong against the Catholics, that after all, they participate as little as ever in situations of influence or advantage.

I apprehend that it is the interest of Ireland to bring the parties nearer to a state of equality than they are at present, which can only be effected by a change in the constitution of Parliament. Augment the importance of the counties and diminish that of the close boroughs. The Church establishment is secured by England; it has, moreover, the balance of property on its side. The object is to put man and man upon a level in the affairs of civil life. This appears preferable to the policy of raising up one party against another.

Another circumstance, which operates more immediately against the repose of this land, and to which I shall have occasion to recur again,



succeed by improving the circumstances of the people. Next came the conflict with France, which exemplified at once the insufficiency of the means hitherto employed, and the urgent necessity of binding us to the commonweal, and to each other, by a more impressive feeling of affection and interest. The feuds of the Irish were to be plucked up by the roots. The system that cherished these contentions was to be abandoned.

Whilst to every man out of Ireland, the objects of our domestic altercations were contemptible, the condition of this kingdom, of Britain, and of Europe, has given the most alarming aspect to their consequences. Elevated above the considerations of a selfish, or a local nature, which sway individuals in this island, the councils of the Sovereign contemplated the mischief in its full extent: and in the spirit of a wise and benignant discharge of duty, the crown proposes a plan of adjustment to compose the difference for ever; the project is not to be listened to:—No, let us rather trust the repose of our country to accident, or to romance; the distinctness of Parliament is not to be impaired; we must not forego the pride of independence! To all this fussian it may be replied, that to sacrifice your comfort to your pride is folly. Parliament is but one of the forms of the constitution, the end of which, and the end of independence, is social happiness;

again, is the habit of suspecting the members of the subject religion. They were very properly supposed to be attached to the house of Stuart after the Revolution, but, ever since every disposition to that attachment must have ceased, people are unwilling to admit that there is not some other actuating principle of disaffection.

It is worthy of remark, that there is no other project on foot, which aims, or professes to aim at suppressing the feuds of the Irish people. Those who oppose the Union, desire us to go on in the old way, that is, laying the foundation of disturbances in bad polity, and repressing them by sanguinary executions.



happiness; and both good sense, and patriotism enjoin, to vary the means, if they do not correspond to their destination.

What in truth is the extent of this independence? and how far does it justify the pride and pretensions that are built upon it? It may not be irrelevant to bestow a few lines upon this enquiry. Do not expect that I shall allow you the choice of weapons, that has been generally made on this occasion; this double game of two constitutions, one for use, and one for argument; one which we wield against Great-Britain, whilst we smite with the other our own presuming population. I must fix you to that constitution, which we have been enrolled together to protect, and which consists with our submission to the legal establishments, to the British crown and empire. I presume you will willingly circumscribe yourself within these limits. If Ireland does really maintain the port and figure of an independent state, nothing less than irremediable abuse in the conduct of public affairs, can justify the sacrifice of national dignity. The deed admits of no alternative:—It is suggested by the most generous feelings of enlightened patriotism, by pious sensibility, and unbiassed discernment; or else, it is prodigal and profane, and to be severely reprehended. If the pride of place, reflected from the nation to the individual, elevates and invigorates the character of the people; if they are well protected, comfortable, and contented; what Switzerland was, with some defects in its political arrangements; but what it now has ceased to be, then he is a base traitor who, even by his speculation, would interrupt the enviable enjoyment. We shall consider how that separateness of legislature, commonly called the independence of Ireland, operates externally as to rank, and internally



nally as to happiness. It will be incumbent on me to justify the opinion I have formed, by stripping our constitution of the false plumage, in which, for this occasion, false patriotism dresses it; and I hope to shew that Ireland, in order to be practically free, ought to be incorporated with Great-Britain. An Act of Union, framed as we are authorised to expect, will prove to the people a great charter of civil liberty. To every other side I look in vain for a consolatory perspective. Our present state of connexion, is indeed, subserviency. If we agree to consider ourselves blended with our fellow citizens of Britain in a community of privileges and pretensions, we of course stand as equals. If we rest upon the capacity of a separate, but confederated people, whilst the confederacy subsists, we are necessarily inferior. Under the same head, the state of Ireland will ever be subservient to the state of Britain; but let the states be united, and between the subjects resident in either, locality cannot make an humiliating difference. If subservient, you will reply, we are so by our own forms. That may be very well for the few, (for they are but few) who draw advantages from contributing to this accommodation; I do not see how it can favourably affect the public. Upon these questions I must invite you to decide. Was Ireland at any time decorated with the constitution that is now set up? At this hour do we substantially enjoy it?

In the infancy of the present European system, it was the fate of Ireland, (whether on an happy or unpropitious moment, it is now too late, and beside the present question, to enquire) to be attached to the fortunes of the sister island. At that period, there was little intercourse even between contiguous states. The great continental powers



powers of our day, were in embryo. Spain and Germany had scarcely introduced themselves to the acquaintance of these regions; and Italy would have been as little known, but that it happened to be the residence of the Pope, and the center of religious correspondence. France and Flanders were split into as many distinct principalities as there are sovereignties in modern Europe. Let it not wound the pride of Ireland to hear an historical fact repeated, which, in her ancient condition, and in the circumstances of this quarter of the globe, was inevitable: ~~and which, as an Irishman, I should pause to lament, if the most idle of all things were not—superfluous and unavailing regret at accidents we cannot redress, and at the lot, however hard, that Providence assigned to us.~~ A remote country, not naturally very potent, but rendered eminently feeble by internal distractions, was neither cultivated nor considered by foreign princes; we did not, of course, establish a foundation for future notice; and when the commerce of states became more perfect, our nationality, with respect to them, was merged in that of England. The common, Sovereign naturally represented his entire dominion. We do not attend to internal rules between Denmark and Norway, or to the provincial policy of all those regalities that constitute the Spanish monarchy. We do not take the trouble to discriminate the king of Bohemia from the king of Hungary, or either independent sovereign from the Archduke of Austria. In like manner, the potentates who perceive in George the Third, a complete competence to maintain the relations of sovereignty, witnessed by his capacity to preserve his royal faith, and avenge in others the breach of their engagements, never cast their eyes beyond the Court of St. James's,



James's, to learn by what customary instruments of authority, he fixes the obedience of his subjects. The public law of Europe recognizes no such state as independent Ireland; whilst the rights and possession of our executive government, are inseparably annexed to the British Crown, it cannot recognize us otherwise than as an undiscriminated portion of that monarchy. The state is represented by the prince; it is from their relation to him, and not to Parliament, that individuals derive respect and consideration among foreigners. Europe took no notice of the states of Guelderland and Friesland, yet these and the other members of the Batavian confederacy were perfectly sovereign and independent among themselves; inasmuch, that in the dispute in 1796, relative to the privileges of the Stadholderate, they were at war with each other: some were in alliance, and others at enmity with the King of Prussia, in his invasion. We only considered the States General, the executive Government by whom the Republic was represented. These separate jurisdictions are now broken down into a single representative Government; still our eyes are fixed on the head of the state, we perceive in this respect, no diminution of dignity among its members.

So the British state is divided into two separate jurisdictions of legislation, as it is into three of jurisprudence. These are municipal conventions which regard only the parties. They were instituted to suit local convenience; and upon a different sense of that convenience, they may, and ought to be new modified. By the same reason that there are two, there might be twenty distinct councils of legislation, and the motives which induce



duce us to abridge the number to two, \* extended a little further may evince, that we should be more justly governed by a single Parliament. The nature and essence of the connexion would not change upon an Union establishment, although the terms should be somewhat varied; and as to rank, and dignity, and importance, we have none without the circle of the monarchy; we have no claims in that respect, but as against Great Britain, our co-estate, our equal and co-member; and I call upon any man to shew how the relation of these nations to each other, would be altered by an Union. The degree of strength and resource, which each part contributes to the common stock is the real ground, upon which it can expect to be considered. Limited, as our independence is, to a certain sphere of action, will you seriously tell me that we are more respectable, because the system of our Union is a shade or two more intricate? Although to each other, Great Britain and Ireland are distinct provinces, in the contemplation of mankind, they already form an incorporated state, under a single head, with all the external appearance of an united people. Our common prince leads us, at his discretion, to war and peace, with an entire conjunction of interest; he acts and regulates jointly for us, and supports, in our mutual behalf, all the offices of good and bad neighbourhood. The united Irishmen proposed to introduce this island into the world, in the new character of a substantive Government. I reject and reprobate their design, with feelings such as might be expected to arise in the bosom of an Englishman; if a scheme were propounded to revive, under a republican

There were formerly, in either kingdom, two houses of convocation. ~~When~~ <sup>These</sup> ~~these~~ <sup>assemblies</sup> discontinued from motives of convenience, to check the growth of faction, and avoid the mischief of so many deliberative councils.



republican form, any denomination of the Heph-  
 tarchy. It is too late, at the end of 600 years,  
 to look out for new relations and dependencies.  
 Blended in races, by the intercommunity of that  
 space of time; assimilated in manners, in cus-  
 toms, and in language, it is now too late to dis-  
 turb the throne of King George with the anti-  
 quated dignity of King Roderic. But then, the  
 abettors of this plan have something to hold by,  
 in their argument for independence; whilst, to  
 use the words of our act of Parliament, "the  
 Crown of Ireland is inseparably knit to the Im-  
 perial Crown of England," our mouths are closed;  
 this land can have no place or influence in the  
 world, except what belongs to it as a member of  
 the empire. The conspirators were aware of this  
 difficulty, and they attacked the law, the parlia-  
 ment, and the constitution. They were persuaded  
 that your vestry, or grand jury parliament, is a  
 false foundation of grandeur; and, as national ele-  
 vation was their object, or pretence, they quite  
 consistently aimed at the establishment of an ap-  
 propriate, ostensible government, to maintain  
 our consequence with alien powers. They set up  
 against the entire constitution, those rights which  
 you oppose only to such parts as do not suit  
 your purpose. The Gallican innovators rea-  
 soned justly enough upon false premises: if  
 that pride of nationality, which the politicians of  
 your school assert only against Great-Britain,  
 were necessary to national happiness; if the va-  
 nity of holding a rank among states, was either  
 a wise, a salutary, or a just pursuit; then, the  
 means, which these persons pointed out, and these  
 only, ought to be adopted. On your principles,  
 without the dignity of being a separate state, we  
 have all the inconvenience of being a separated  
 people. It is mere delusion, mere credulity to ap-  
 prehend



prehend that this kingdom stands more high in general estimation, by reason of the bye-laws of it's connection with a people, at the distance of 60 miles; subjects of the same prince, in the same right and with the same interest.

The definition of our political establishment is, a qualified sovereignty, vested in an assembly, which may be a wise and virtuous senate, but cannot pretend to be a popular delegation. From the law and usage of the empire it derives a right to bind the subjects of this land. This is the beginning and the end of it's jurisdiction; and all the tokens and evidences of its constitution are not imperial, but municipal. If supreme, in the sense that vanity suggests, why may we not act against any power we think fit? why not freely make contracts with any state? why in either case, do we permit the duty of British connexion to bar or trammel our prerogative?—We are bound by affection. Then indeed, it was merely to check the devious wanderings of the heart, that the kingdom has reeked with blood from the gibbet and the whipping post. I am warranted in affirming, that Ireland is not legally or practically competent to make any assumption of authority which may be inconvenient to Great Britain. The vote of either, or of both Houses of Parliament, would not protect a man from the penalties of high treason, who proceeded to Paris under that sanction, to negotiate with the Convention. We have no Irish jurisdiction with which any foreigner would treat unless he proposed to foment rebellion; no individuals whose execution, for the very crime of confederating with him against the British Crown, he could resent as an infraction of settled law and justice. Our Third Estate is, by fundamental provision, which we cannot alter, placed beyond

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our



our controul, and entirely within that of the sister nation. She is enabled to employ the direct influence of his negative, and his indirect influence, as dispenser of the public patronage, and (equal in importance to either prerogative) his situation as representative of the community, in order to restrict our independence within the limits she prescribes to it. How does this fettered functionary resemble the representative of a sovereign people? Whilst it sits upon incapacities and confiscations, how can Parliament pretend to justify its rights, by a popular, or national title? What, beside a deference for legal and prescriptive establishments, can render palatable such representative fictions as Harristown or Clogher? Numberless questions of this kind might be proposed without the possibility of obtaining a satisfactory reply, from those who pretend to trace the prerogative of parliament to a higher origin than municipal regulation:—you cannot carry the claim one step farther back, without setting up King James's parliament, which was declared to be a treasonable meeting; and the Assembly of Confederates at Kilkenny, who forfeited their estates, for acting, in virtue of an unequivocal delegation of the *people*. Our own deeds, over and over again, bar our claim to imperial splendor. We never looked upon the sceptre, but to declare our incompetence to wield it: \*— We resigned the lofty

\* Those writers, who have treated of the connexion between Great-Britain and Ireland, with temper and good sense, and not in the wild rant of declamatory speculation, admit that the great questions of peace and war, religion, commerce and revenue, ought to be finally settled to the satisfaction of Great-Britain. (See pamphlet by Richard Jebb Esq. pages 24 and 25.) Now, it appears to me, that if a separate Parliament be good for any thing, it should exist for the purpose of giving consequence to Ireland in these very deliberations.



lofty pretension, when we surrendered to King Henry II.—We resigned it more fully and formally in the reign of Henry VIII. when we enacted that whosoever reigned in England, and under whatsoever colour, should of course, be the sovereign of Ireland. Thus admitting, that the line of succession might possibly be interrupted by a title differing from that of direct descent; and in the same moment, renouncing any right of option, enquiry or discrimination. The arrangement of 1782, merely went to remove a concurrent jurisdiction of the British and Irish Parliaments. It made no alteration in the rights of the British Crown, to the obedience of the Irish people. A strong illustration of this law of Henry VIII. and in exact conformity to its doctrine, was the case of Ireland under James II. That Prince succeeded to a long line of ancestors; he had, of course every claim that could be derived from the most obvious of our prejudices. Although his administration might have disgusted the people of England, the Irish could not be displeased with his measures, for the means did not affect them, and the end coincided with their sentiments. Far from abdicating the Crown of Ireland, he came into the realm and challenged the protection of his subjects. The entire authority of the state was possessed by his officers. A parliament, by election at least as free, by national concurrence at least as popular, as any that ever sat in Ireland,  
very

deliberations. When these points are waved, matters of internal regulation alone remain, and here it is that the Irish Parliament is most liable to error, on account of the partial bias under which it acts; so that Mr. Jebb proposes to surrender those prerogatives of Parliament, which might possibly be useful, and which certainly give an air of dignity. And he would preserve functions, the exercise of which has been least beneficial, most reprehensible and most obnoxious.



very warmly espoused his cause, and a people almost unanimous, took up arms to defend it. On the other hand was King William, invited to govern by a private deputation of English noblemen, confirmed on the throne not even by an English parliament, but by a convention of estates, and the doubtful acquiescence of the people. He claimed the crown, under an appointment on which Ireland was not consulted; to which, far from concurring, she gave every testimony of dissatisfaction; yet the Irish, presuming to resist **J**oyalty thus acquired, and exercised in despite and contempt of their opinion, their resistance was treated as rebellion, and punished by a very extensive confiscation. In the glory of that empire, of which Ireland constitutes a most essential member, there are many things to inspire a generous pride, an elevated consciousness of dignity; but when you detach the pride of separated Ireland from the aggregate fund of honour in which the entire state participates, I am obliged to ask, where can an Irishman cast his eyes to seek for the evidence of his national dignity? We chose a monarch, he was expelled; we chose a religion, it was prostrated; and adherence to the one or to the other, was averted on by heavy penalties. With what prodigality was the ancient blood of Ireland shed? With what vindictive profusion was the proprietary body dissipated? Was it, that they betrayed the dignity of Ireland? No; for they were the Ireland of their day. But because, prepossessed with this very distinctness, they endeavoured to assume the port of an integral people, associated, but not blended, whose will, expressed separately from that of England, was entitled to some deference; and in pursuance of this opinion, they thwarted the favourite measures of the empire: And had those who capitulated



lated with the Crown of England fewer and inferior rights, than persons who came in under that power, and were planted and nursed by it into opulence? Or do gentlemen claim by a Tartar transmigration, to inherit the pretensions of the men whom they ~~now~~ destroyed? It is not decent, to propound tenets as legitimate, which were deemed unlawful when held by the Aborigines of the land. The ancestors of the forfeiting Irish might indeed be presumed to have made terms, for their settlement was antecedent to the royal title: upon popular notions, what beside compact with *them* could give a colour to that title? Admit the Irish to be a separate people in right of what are called first principles, to which you opposers of the Union, have become so fond of resorting, and upon which, you imagine the prerogative of distinct legislation stands as on a rock, eternal and inviolate; you will then perceive to what absurdities we are betrayed, when we travel beyond positive institutions. If Britain be an alien power, if the King's subjects of the sister island be foreigners, there is not a tenable establishment in the country. All the proceedings I have recited, the spoliation of property included, were tyrannical and unjust, and ought to be rescinded. But we are not a separate people, but a part of the British aggregate; such are we in the eyes of the world, and such are we rendered by these fundamental laws, which far from disturbing, you propose to cherish; and the adherents of the proscribed establishments in Church and State, were a minority of the empire. The present forms of Ireland cannot be defended upon any other construction. The constitution of your state, even the titles of your lands, are documents of this fact, that Ireland is actually but a branch of the undivided Empire, Whilst I write, a law is on its way through Parliament, to supply



supply, what is supposed (able lawyers say erroneously, and the spirit of the institution supports their assertion) to be an omitted case in the catalogue of concessions. By this bill, in case the station of regent of these realms should at any time become necessary, the nomination is exclusively conferred upon the British Parliament. Observe, that to confirm a Regent is a parliamentary function, and the Irish House of Commons, who refuse to be mixed with the representatives of Britain, must here admit their body to be an improper depositary of this prerogative. I do not notice with disapprobation any act that binds, or affects to bind the sister nations to each other. But I ground upon this avowal, an argument against the propriety of preferring a separate, to an United Legislature, when it must be admitted, that the former can, only by its sacrifices, reconcile its existence with that of the Empire. I ground an argument upon it of the absurdity of cherishing that tribunal, as a piece of national importance, which gentlemen acknowledge, unfit to exercise the high prerogatives for which it demands our reverence. I see no paramount or pre-eminent token of consideration, reserved to Ireland except the *droit de potence*, which is, in truth, possessed in ample plenarity. And as I cannot discover, that our national dignity is advanced, by being governed by the possessor of the English Crown, and a separate legislature; neither can I admit, that we should be debased, by the rule of the same prince, and a general delegation from every quarter of the empire. I have endeavoured to argue this question, with  
a view

~~\* The right of inflicting capital punishment, testified by a gibbet standing on the manor, called "le droit de potence", was an high source of pride to the barons on the continent.~~



a view to shew that the incorporation, now proposed, is no material deviation from the settled practice, under which our ancestors have lived for generations; and that it involves no matter of deliberation, except that care of the public weal, by which every legislative act is, or ought to be directed. Prudence should decide whether the affairs of the empire are like to be better conducted on the system of a single, or of a double legislature? In the shape of a point of honor the reflection is idly and intemperately urged, however it may deserve to be maturely weighed, as a consideration of expediency.

There are men who will call this statement, (may I venture to pronounce it fairly supported by fact and argument?) a diminution of my country's honor. It is easy to perceive for what purpose they enlist these lofty pretensions in their service. Let them be successful, and you will only trace the claim in the punishment of a deluded multitude, who are attracted by the name, and who cannot so readily cast away their predilections. High-sounding appellations cost little; they may be bestowed with indiscriminate facility on any cause or party. There are those among the opposers of the Union, who would cry up the government of Turkey, if they happened to be bashaws, and find the golden dreams of republican felicity realized in Venice, if fate had placed them among its aristocracy. If it be true that neither dignity, nor convenience are attached to our political condition, what motive can there be to suppress a fact, to us essential to be understood? Is it the honor of Ireland to raise false conceits of a grandeur that does not exist, and draw the people by means of it from the pursuit of their genuine welfare? Is it honourable, in order to render us less than we ought to be, to flatter us with the notion



tion of being somewhat more than we are? No, the ambition, the pride, the profit of individuals are thus held out, as the dignity and public good of Ireland; and will you be the deluded and deluding accomplice of that error? Not a peasant but is trampled to the earth, if he presumes to rear his crest in the spirit, nay in the letter of your claims to independent right, and of your jealousies against Great-Britain. I have laid down the constitution of Ireland, not as carved out or enforced by our potent sister; but as it stands, the creature of our own legislature, deliberately adopted by the high-minded Parliament of 1782, in the full career of victorious triumph. I describe our political establishment, not as any gentleman pleases to decorate it to his own imagination, but as it practically and substantially exists; as it has been interpreted throughout that copious catalogue of confiscations which composes the history of this hitherto unhappy island; as it formed the standard of guilt and innocence before King Charles's Court of Claims, and the present commissioners for suffering loyalists. You may repair to Vinegar-hill, and utter sighs for a purer independence; but clearly the present constitution of Ireland cannot be supported on the foot of pride; for the Prince who represents the state, is the point to which pride should be directed; and in that respect the union with England has been complete for some centuries. The constitution you defend, is that which necessitates dependence. Sicily, Spain, Achaia were provinces to Rome. They were administered by a Proconsul sent from the center of the empire, whose proceedings were guided by instructions from the metropolis. The inhabitants of Italy stood in a very different relation to the Republic. They enjoyed common franchises with the actual residents of Rome, forming, like them, a con-



a constituent part of the supreme authority. The former was the subordinate state, the latter the participating people. The first, is the condition in which Ireland is actually placed; the second, that to which an Union would advance her.

Although the policy of a distinct parliament confers no external consequence on Ireland, the institution must be put to another test, and there perhaps, its merits will be conspicuous. I mean to turn to our domestic situation. The mediocrity of rank will sit lightly on the friend to Ireland, if, in the absence of ostentatious splendour, he sees peace, content, and comfort—the consolations of obscurity. We must then look for the kind effects of parliamentary vigilance in a prosperous state of society, in provisions for the people's happiness; we shall find it illustrated in the liberal confidence that a free people reposes in the delegates of their choice, and their chearful submission to an authority they approve of. Affectionate solicitude for their constituents, will distinguish the representative body, and frank acquiescence be the characteristic of the subject. Governments which are not powerful, ~~have~~ usually ~~their recompence in~~ being paternal.—Really, if the state of Ireland presents this picture, it were sacrilege to deface it. What is the fact? It is on this side our wounds are green: It is here the poignard has been driven home, and every expectation most miserably falsified. Such is

~~Suppose, which is not the fact,~~ that Ireland was to become a province by an Union; the Catholics are in this sense, at present provincials to the imperial Protestants: the Protestants are provincials to the more imperial borough-holders. Now if the superiority of each part over the other be removed, the good of the multitude, upon whom this advantage would be conferred, more than compensates to the nation for the diminution, if any, of its lustre.

Scilicet ut Turno contingat Regia conjux.



is the state of society in Ireland, such the eternal struggle between rich and poor, not unlike the wars waged between the Indian tribes, and the back settlements of North America, that if the measure of our pride were full, and that we were eminently distinguished among nations, it would be wisdom and compassion to renounce our trophies, and seek in an humbler rank, a milder and more practicable rule of polity. Perhaps you will tell me that we have British laws and institutions. We certainly have; and the result of these parallel establishments, with regard to security, to the consideration of the individual, and to civil accommodation in general, is, in the one country, the very contrast of the other: It here is discontent, and there satisfaction. How will you reconcile these facts? My solution of the difficulty is, that a chain of circumstances which I shall presently enumerate, rendered the establishment abortive as to Ireland; that the system was laid upon a basis not calculated to uphold the superstructure. I feel that I do not address these reflections to a man, who would think panegyrics on Parliament cheaply made at the expence of the people's character. Such patriots are however to be found; and they will attribute the failure of civil society in this land, to that common place invective, the perverse temper, and evil disposition of the Irish. "General accusations," said upon some occasion our illustrious countryman, (that luminary of Europe, whom Heaven has withdrawn to the repose of his exalted virtue) "although they involve many, are only conclusive testimony against one." I discard every assertion founded on the presumption of general character, existing independent of collateral causes, not produced, nor subject to be changed by them. Man is every where moulded by the situation in which he is placed, and from the thriftiest husbandman,



bandman, to the most prodigal wanderer on earth, he is uniformly the creature of the circumstances that act upon him. We have been placed under bad laws, and the effect is matter of astonishment. Remove this Irishman, whom they accuse of indolence to a new scene, and to the influence of kind encouragements, and mark the active enterprise by which he is distinguished. Inebriety and idleness in our common people are not the cause, but the effects of our public disorders; upon these the short sighted patriot may discharge his spleen with unavailing indignation, whilst the root of the mischief, the system remains unmolested. Gentlemen must recollect, that the humble man has his value: In social life a function of high, of very high importance is assigned to him. Some means must be devised to allay the fever of vigilance, suspicion and jealousy, and to correct the habit of busy intermeddling which disturb him. Perhaps you will doubt the reality of this officious harrassing? You are not conversant with the parts of the country it infests. It is not to be met in the metropolis, nor generally in the cultivated seats of the linen manufacture. You do not witness the evil, nor hear the complaint of those who feel it. If you seek for information, you are likely to consult the man, who exempt from the lash himself, and not employing it, is inadvertent to the conduct of others. The law gave to a part of the people magisterial powers over another. The law has yielded to a better sense of public good. But, though the letter of the law does not give them the usual countenance, some men are found, enough for the purposes of irritation, tenacious of these magisterial habits; and such men will be found, until a radical change of maxims shall render their position untenable. Do not suppose I mean to level this censure against any religious description. Those



Those who err in the exercise of power, must of course belong to that division, to which power is confined, but surely the men of whom I speak are a minority, a narrow and despicable minority.—How have I rambled in this description! Let the man in humble life be protected, and treated with regard, and he will be frugal. If he is to be religious, communicate to him some better impressions, than those he has received. If you cannot succeed in this attempt, or will not try the experiment, do not weaken his attachments, treat with respect the things and persons he is used to reverence.\* “ May I live, said the Great Henry, to see every peasant in my dominions, eat his fowl in  
in

\* Unless it is wished to plunge this country into irredeemable barbarism, the body of Clergy, from whom a great part of the people choose to receive religious consolation, ought in common prudence to meet a very considerable degree of attention and encouragement. Instead of this, the Catholic Priest is, in some places, treated by our rural magistrates as a sort of wizard, who is to be answerable for the demeanour of the Parish. For his example and doctrines he ought to be strictly responsible; but if this be extended far, no man will enter into that ministry who in any respect is fit for it. It is inevitable to have a Catholic Clergy in this kingdom; a very important care then should be, to have that Clergy of the best possible description; so respectable, as a body, and individually, that they shall set a value upon both public and private reputation, and dread the diminution of either. Well-instructed men should be provided, and induced to undertake this function, as such only are fit to conduct the people, and mould their character. It was at all times a matter of precarious policy, to send an order of men, so important to this kingdom, as the Romish Priesthood, to seek education in a foreign country, at the hazard of being alienated from their own. This inconvenience is however at an end, as the establishments for that purpose have perished in the present troubles on the Continent. Still a clergy is to be supplied to the wants of the people, and candidates will not be backward for that function. You must have this Clergy of one kind or the other, cultivated or illiterate; the powerful men of the country are to decide; they may incline the balance either way. Let them be a Tutor, that if they suffer this order to be debased, the people  
all



in comfort." Let them come to the fight! is the war-hoop of Ireland.

More penalties have been ordained in this kingdom since the commencement of the 18th century, than in any other country during any space of time whatever. And the result, as might most naturally be expected, was to leave the people in their primitive condition, as to manners, as to comfort, and cordiality with the government. The end of legislation elsewhere, is to protect man against man; but here it was an entrenchment thrown up, in order to fortify one people against another.† I do not propose either to justify or impeach

will sink with them. A rational laity will not subsist under an Abissinian Priesthood. If they will not accept of the christianity of the polished Catholic world, they may have those abject superstitions that exist under the name of Christianity, in some parts of the Turkish dominions near the Archipelago. The government has, by the establishment of the College at Maynooth, shewn a most laudable disposition. But one is astonished to find that the institution meets very assiduous opposition from a party, who in general display their zeal against their Catholic fellow-citizens. Moral instruction is to be provided for four millions of the people, and can any man regret that the state takes up the cause, and contributes to it most bountifully? Is the instruction of millions to be compared to the accommodation of a single parish? Having said so much on this subject, I shall add that the project of making provision for the Catholic Clergy is not so easy of execution as at first view it appears to be. Something of that nature might be practicable, and in many respects useful.

\* See in Sully's Memoirs this interesting anecdote.

† An anonymous writer, whom I have before me, expresses with so much justice and good sense the sentiments I wish to convey, that I shall transcribe his words. Speaking of the religious liberty granted by the Empress Maria Theresa, he says. "It has been observed even in its first operation, to have produced, particularly in Hungary, the happiest effects. The most mortal animosities subsisted between the Roman Catholics and Protestants in that country, occasioned by the power which the laws afforded to the worst members of one communion (*who are those that are always busy in such matters*) to grieve and harass even the best of the other. The taking away of this *unnatural and ill-bestowed power* has strongly operated



impeach the state expediency of these proceedings. In a general system of severity, possibly no particular measure might have been misplaced; one harsh exertion of authority created the necessity of another. They were the laws of war, they were the lines and outposts of a garrison. Be it that those rigid courses were necessary to protect the recently acquired property, you will not therefore require of me to receive them, as a peace establishment of morality. It is enough for my argument, that in the agency of the Irish legislature, a competent cause is to be assigned for the ill-condition of its subjects. The British branches of our state occasionally interfered to correct the spirit of angry legislation, but never to excite it. These Popery laws never found an advocate out of Ireland; they were discredited in appeals to Westminster. Lord Camden and Lord Mansfield were the first who cried shame upon the system. Lenity came from abroad, whilst harshness was the immediate and natural propensity of our own government; no unfavourable omen for the meditated change; no light inducement to prefer the usual composition of the British Legislature, to the native rule, recommended by volumes of coercive laws, and a century of inauspicious interference.

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rated to subdue all animosity and dissension, and it probably may not be long, when both they and the causes from which they originated will be equally forgotten."

\* Mrs. Jebb who treated this subject at its outset, with a degree of good sense, to which little has been added, speaks of the Catholic question as a matter requiring the appropriate interference of the Irish Parliament. I beg leave to call that gentleman's attention to the facts I here state, from what appeared to the public, it must seem that the relief of the Catholics was effectually debated in the British Cabinet.



After the revolution war, the spirits of the Irish were completely broken: It is impossible to suppose, that with the aid of a conciliatory administration, they might not have been rendered useful and obedient subjects to the new succession. The Highland clans engaged rather more zealously in the cause of the house of Stuart. They felt the wrath of the government which they had exasperated; but precaution and punishment were temporary, and a calm was permitted to succeed. That bulwark of the empire, which Scotland is, Ireland would have become, had she been blessed by a similar policy; and resourceless as we are, would Scotland have remained, had the grantees of forfeited estates been negligently permitted to establish themselves in the government, at once independent of the crown and of the people, and with their power to transmit their jealousies to posterity.\* The propriety of these forfeitures is no question for modern investigation. They come to us sanctioned by the laws of property, and sacred let them remain for ever. But I may be permitted to lament the consequences of the event. I may be permitted to arraign the inexpedient policy that accompanied it. When England changed the property of this land, she ought to have taken measures to prevent the clashing of the old and new pretensions. Against the old indeed, she effectually provided, but took no precaution against the probable

\* It is strange that when gentlemen impeached the efficacy of the Union, on the evidence of the Scotch rebellions, they did not perceive the inference to be directly against their opinion. The Union-government could not be put to a better test than this. It has withdrawn the Scotch from an ancient prepossession, which three times prompted them to take up arms, and under which they were on many occasions ready to act, if circumstances permitted. See Lockart's Memoirs.



ble errors of the new. She gave us a government of hereditary alarmists, whose minds, fatigued with the eternal apprehension of re-assumption, would never settle, and would never permit a settlement to form about them. Your notions of political right will probably be shocked at my assertion, that simple monarchy, without representation, had been preferable to the representation of a party. So at the present day, a representation, which does not tell for all descriptions of the people, is better altered than adhered to, for it can never produce an impartial and uniform administration.

It was religion say some; it was democracy say others, the prevalent perversion of the hour, and transitory as its cause, which alienated the people from their duties.\* Give me leave to assert that it was neither the one nor the other. A principle was planted in our constitution, when it received the seeds of life, and unfolded itself at maturity. It was fostered by the manifold discouragements under which the common Irish labour, by the intercourse between squire and peasant, and by every thing that throws into the hands of the former an exorbitant authority; it was the result of that sentiment, so frequently disavowed; yet so assiduously encouraged, that the mass of the people are to be suspected. Religion, it is true, was the catch-word of discountenance; the victories of the French Republic suggested

\* A question is very often put, why may not the Irish Parliament investigate and redress the grievances of the country? why could not the French nobility, assembled in their chambers of notables, redress the inconvenience of the people? Because, joined to all the other difficulties of drawing them to the discussion, one of the most inconvenient things in the state was their own constitution. An Incorporating Union is the only change that can be made in Ireland, consistent with the security of the properties, and the rational encouragement of the non-property classes.



suggested a time for insurrection, and the intrigues of that government opened a probability of succour. But the agents of France had nothing to create; they found a vigorous spirit of insubordination. They found confidence circumscribed within narrow limits; the pale of property somewhat wider; but then, an immense gulph between the rich man and Lazarus, beyond the confines of which, no attachment to the state was known, ~~no feeling but those of outlaws on a doubtful frontier.~~ Let me induce you to ascertain the fact, by passing with me in a slight survey of our modern history.

From the close of the Revolution war, by the surrender of Limerick, to the accession of George the Third, this country enjoyed for near seventy years, a cessation of hostilities; no sterility; no ravages of famine, pestilence or enemy; no assignable cause of backwardness, but what arose from political circumstances. It is usual to impute a great deal to the commercial restrictions; but how many districts are there, equal in size to Ireland, in which no interchange of commodities is known beyond the rude produce of the earth? And yet the boors or peasants are at peace with themselves, and with their superiors, and live in the coarse comfort of rustic competence, and simple civilization. Here seventy years of calm, only prepared the way for thirty-five years of insurrection. There was in Munster an annual rising of White-Boys, from 1763, to 1776; whilst the propertied classes were arrayed in arms, during the war of America, this other disorder ceased; in 1785, it again broke out by the name of Right-Boys. From about 1786, to a recent date, under the very nose of Government, an open war was waged in the county of

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of Armagh\* between Protestants and Catholics, until the latter were completely rooted out, and sent through the land to disseminate disaffection against the government, which had permitted these excesses. In 1792 and 1793 there was a rising in Louth, Meath, Limerick, Roscommon, Leitrim, Westmeath; besides Hearts of Oak, and Hearts of Steel, Peep of Day Boys, and Defenders, United-men and Orange-men. Were the example, or the contagion, or the intrigues of France, accessary to these mischiefs, thirty years before the revolution of France was thought of? Our Parliament has undoubtedly never been niggard of remedial penalties, ~~jubeo exire~~ (like Moliere's Doctor) ~~saignerent, atque refaignerent~~. But no preventative was enquired after. The disease recurred with unabated vehemence, and will never cease to recur, until the tenure of power be generally changed, and the objectionable occupants of subordinate authority either varied, or corrected; and until the government be rendered strong in behalf of the neglected peasant, against those who immediately interfere with him. I feel that details are invidious; let us avoid them by studying the case of our country in the analogies of other nations. Why have Greece and Italy degenerated?† Why does the Mameluke government

\* From what we know of the conduct of the British House of Commons, could it be supposed that open hostility should be carried on for months, battles publicly fought, and notices given to persons, under penalty of death, to quit their habitations, in any territory, subject to its jurisdiction, without parliamentary investigation and redress?

† "Let us exemplify this matter by a more recent change, compare the English of the present day with those under Henry III. Edward VI. Mary and Elizabeth. This people, now so humane, indulgent, learned, free, and industrious, such lovers of the arts and philosophy, were then nothing more than a nation of slaves, inhuman and superstitious, without arts, and without industry."—Helvetius's Treatise on Man.



government in Egypt produce the most wretched subjects in the world? From these you may pass to another question of as easy solution. Why is the credulity of the Irish open to receive impressions from every impostor who promises to improve their circumstances? Why are they so ready to exclaim—we may profit, but we cannot suffer from a state of turbulence?

Summary jurisdiction has crept upon us, until at length, the trial by jury is universally suspended. To what extent the arbitrary discretion of magistrates is permitted, let those bills declare, by which they are indemnified and re-indemnified. We have peopled the navy with malcontents; we have colonized with them the outcast settlement of New-Holland; we now call in the aid of Prussian discipline to their correction: merely to keep the vessel of the state afloat, we have been constrained to throw over board the most useful and valuable effects. As to the necessity of these measures, take concessions the most ample, they only tend to strengthen my argument. The partition is slender between Governments who voluntarily employ force, and those to whose existence force has become essential. I admit, that come whence it may, the fanaticism of revolution was to be repressed with vigour. My argument and my conclusions run in a very different direction. You do not wish to govern by violent means, but so completely are the subjects alienated from your government, that these means are not to be dispensed with. Then in the name of common sense, is this the eulogium of the principles upon which our state is constituted? Is it to stand on this foundation?

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\* In a very judicious pamphlet on this subject, under the title of "A Friend to Ireland." I have noticed an argument, which may acquire some currency from the manner in which it is put, but



dation? Great Britain has been assailed by the same epidemic rage for innoyation; yet she has not been constrained to alter the landmarks of her constitution; a well assorted distribution of powers preserved the popularity of her government. Power is not judiciously balanced in this kingdom, and popularity never was sought for; enquire of that comprehensive chain of disabilities that runs through your statute book, whether the favor of the people was ever esteemed or cultivated by the men who regulated this island. Ask it of your annals. The

but when examined, will be found to make against the cause it is employed to vindicate. The author touches us on a point, where we ought to be sensible; the administration of justice. He compares the conduct of the British Parliament, on the complaint made of the sentence against Mr. Muir, Mr. Gerald, and others, convicted of sedition, with the proceedings of the Irish House in the matter of the Fiats issued against Mr. Magee, and, the exorbitant bail required of him. In the former case, the Judge, he says, was applauded, in the latter only "not censured."

In the Scotch cause, the judges were vindicated, as acting in strict conformity to the law of the land, and the House of Commons sanctioned their proceeding. In the Irish case, no person ventured to utter a syllable in defence of the judge, and nevertheless he came off with impunity. The proceeding in Scotland, rather resembled the attachment cause against Mr. Stephens Reilly, which came into Parliament, and was defended there on controverted authorities. There were other complaints made, before the case of Magee, against the administration of justice, but I do not find that the magistrates incurred censure. At present we hear no murmur of dissatisfaction on this head, thanks to the fortunate selection of judges, which is not a parliamentary prerogative.

Now, let me say one word, for the different execution of the law in both countries. Here, it generally requires an armed force to take possession of the land, under legal authority. The great Douglas cause, both on account of the rank of the parties, and the value of the estate, created the most universal interest through Scotland. When the house of Peers made its decision, the decree of possession was carried into effect by the Sheriff unaccompanied.

It was not until after the Union, that the use of torture in Scotland was abolished by the united legislature.



The representing body has lived near a century in open hostility with the represented, and exhausted against them the whole artillery of penal legislation. To my mind, the inference is irresistible against the form of political establishment, that arose under these disadvantages.

Which right of an Irish citizen will be abridged, which will cease to flourish, in consequence of an incorporating Union with Great Britain? Not the trial by jury. Not the privilege of free investigation. Not the security of person and property. Let me put it to the conscience of any man, who is pleased to bestow a moment's notice on these remarks, will the scheme of government they recommend, interfere in the most remote degree with his comforts, with his means of industry, and with his independence? Will it impose, should the measure take effect, subserviency on any individual? Will he be less than he now is, master of his thoughts, or of his actions, of his pride, or of his property? Certain Gentlemen do not choose to forego their parliamentary situations, and others wish to keep the avenue open for their ambition. Of all others, it is ungracious in those, who never winced at coercive severities, to oppose a measure offered as the basis of conciliation, and as the means to prevent in future the lamentable necessity of these examples.

I am aware that some of these opinions may be liable to misconstruction, and in a political controversy one is not to expect candour in every critic. Perhaps I shall be represented as disposed to palliate the late rebellion, or to impute the blame of it, to either the executive, or superintending branches of government. Nothing can be further from my intention. I do not mean to blame either the present, or the late, or any particular Parliament; neither do I impute any where a deficiency



ficiency of good designs and private virtues. The truth is, that the personal qualities of individuals are lost in the irretrievable difficulty of political situation. In the actual circumstances of our constitution, Ireland cannot, without exertions more than human, be effectually served by her representatives. Our Parliament, like the late Court of France, is the center of a system that goads and irritates the people, and which never can cease to draw down on Ireland a repetition of the disasters we have witnessed. That system branches too widely to be counteracted by beneficent intentions, however prevalent, in any of its members. Partial agency, or temporary efforts are inadequate to correct the general mischief. It was not the fault of Lewis XVI. that his subjects were withdrawn from their allegiance. It was not the consequence of acts of harshness, proceeding from the monarch, or from those who cooperated with him in the duties of legislation. Although not so actively benevolent, the intentions of Lewis XV. were not less upright than those of his successor. The game laws, the collection of the revenue, *the power of subaltern men*, the habitual contempt of the lower people, the defective constitution of *a noble cast*, widely diffused through all the classes of life, and interfering with the pride and ambition, and with every other pretension of men, whose birth was not adorned by privileges,\* all these concurring circumstances of irritation had acted long and sensibly upon the people, and when the syren voice of reform sounded in their ears, they listened to its promises and were seduced.

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\* Where they were not thwarted, the rule of the French gentry was affectionate and gentle, but it was capricious and did not brook opposition.



I can account for the perversion of the public mind, both in France and Ireland; but I do not regard with less horror the outrages, to which it led; nor would I recommend in either case less activity in repelling the licentiousness that arose from it. If the King of France had, on the first appearance of insubordination, employed, like the British Monarch, his hitherto untainted force, he had acted well and wisely for humanity. But indeed, he would have been unpardonable, if he had sat down after his victory, to that very constitution, to which the refractory temper was, with justice, to be attributed. To the good fortune of subduing his misguided subjects, our Sovereign adds the nobler enterprize of reclaiming them. The riot of Paris, and that of London in 1780, ought to have been suppressed by the same measures; but the former should have given occasion to a serious train of reflections; which the latter, the most groundless perhaps and unprovoked of all popular risings, did not in any respect call for. The causes, that tend to produce disorders and commotions in the state, are matters for the consideration of the statesmen, not of the magistrate. Let civil society at all hazards be preserved; but examine by what means civil society came to be thus imminently in peril. Neither the views of the leaders in this late conspiracy, nor the temper of those who took the field, could have answered the purpose of improvement to this country. Their success, dearly purchased by the miseries of war, waged at our own doors, and between the tenderest connexions, could have only added to our other calamities, the dominion of a people, who in many countries have tasted of power,

† This appears to be the object of Lord Cornwallis's mission to Ireland, and the exact character of his government.



power, and in all abused it; or, if fortune favored the insurgents against their ally and their enemy, their climax of victorious hope would be the anarchy of an armed multitude. With them no terms were to be made; from them only desolation was to be expected. What then?—Means inadmissible were employed. Is the improvement to be rejected, which is safe and practicable?

I must offer my protest against another misconstruction. Let not my objections to our mode of limiting the monarchy, be deemed an impeachment of the principle. We are not so situated, that it should be necessary to decide between a government of will and caprice, and the rule of law and course of settled justice.\* Political, is the bulwark of civil liberty. I have learned as much as any other person to reverence that form of society, under which the sister nation has risen to unparalleled prosperity. I admire the system through all its branches and institutions; but if in the entire mechanism I were to select that article, which appears most essential to the perfection of the whole, I should point without hesitation to Parliament, and applaud the utility of that institution, which, revising the exercise

\* The gentleman, to whom this letter is addressed, imputed to my former publication, the confusion of civil with political liberty. I apprehend that I am not guilty of that error; but I consider the state itself to exist merely for the good of the individuals who compose it. Political liberty, or the privileges of the state, is consequently inferior to civil freedom, or the advantages of the individuals. The former is the means, the latter is the end. The one is merely subservient and auxiliary to the other. I adopt Mr. Hume's sentiments on this subject, "We are to look upon all the vast apparatus of our Government, as having ultimately no other object or purpose but the distribution of justice; or in other words, the support of the twelve Judges. Kings and parliaments, fleets and armies, Ministers, and Privy Counsellors, are all in their end subservient to this part of Administration"—*Essay on Government*.



exercise of authority, corrects its tendency to degenerate. My argument was directed against the superfluous extension of the principle of Parliamentary controul, and against an unprofitable and delusive imitation of British forms. When we pronounce this just eulogium on the British government, that it is calculated to provide for liberty,\* and corresponds to its destination, we draw the line with accuracy, that discriminates it from our own. I am not indifferent to political freedom, nor inattentive to the means by which it is to be procured, or to the value of the enjoyment; but I must not therefore be expected to pursue my object through obstacles, to which a difference of circumstances has given rise, and which that difference renders insurmountable. Is he the enemy of liberty who says of France, that it is not free, or of Athens that it was not happy? There are few shades of dissimilitude between the constitutions of America and France, but there is a disparity in the habits of life, and in the division of property; need I tell you how unlike is the agency of either government upon its subjects? The very institutions, under which Rome flourished at one period, after a change of manners, proved her weakness, and the cause of her destruction. The civil privileges enjoyed under the British government are of universal application; but the British distribution of powers is not adapted to many

\* A political writer of very and deservedly high reputation, has made an eulogium on the English constitution to which I so fully accede, that I am willing to yield the argument, if the description can be made to apply to the government of Ireland. "The British Government is the only one in the annals of mankind, which has aimed at diffusing liberty through a multitude of people, spread over a wide extent of territory."—Professor Millar's View of the English Government.



many countries; and still contemplating the absence of those leading interests, which are destined in that system, to be the protection of the people, I must class Ireland among the exceptions. Neither Wales nor Scotland appear to me to afford proper materials for a mixed monarchy, but both nations enjoy that advantage, engrafted on the capability of England. Ireland stands, at least as much as the latter, in need of this assistance. You do not act in the spirit of enlightened attachment, but in a ridiculous and pedantic bigotry, when you chain yourself down to the forms of British liberty. You ought to propose for your object the social happiness, that these forms confer; and you should pursue it by whatever means it is most easily attainable. The practice, as we have before observed, is wofully at variance with the theory of our government. When it is attempted to reconcile them by merely internal regulations, difficulties occur, which are not to be approached without the imminent hazard of anarchy; whilst neither the state is endangered, nor are its material institutions, by incorporating the legislative councils of the empire; and by that measure the powers and influences would be cleared away, which affect the people unfavourably. Let me add, that this circumstance of distinct and independent authorities in the same state, is anomalous in history. All other governments have tended to unity in legislation.

But this inaptitude of British institutions to the Irish state, passes generally unnoticed in our political

I mean distinctly to assert this proposition, that an Union with Great Britain is calculated to produce the beneficial consequences of a reform in Parliament, without throwing into the democracy of the country a weight or power, which the experience of the age convinces us, is not to be exercised without abuse, or conferred without indiscretion.



cal circles. It is there presumed, that to make ample provision for liberty and happiness, we have only to copy the code of England; whilst to that degree do circumstances vary, that in the exactness of the transcript we generally lose the spirit of the original, and the widest disparity is to be found in the effects of regulations, which to the incurious observer seem to correspond most critically. For instance, the law which limited the duration of Parliament. Until the year 1768, every member of the House of Commons held his seat for the term of his own life or for that of the King; it then was enacted that every eighth year a new Parliament should be elected. There was no appearance of partiality upon the face of this measure; yet it was felt in some parts of the country as a scourge; in others it was wholesome, in others again an indifferent regulation; just as county elections happened to be affected by it. Where the people generally were Protestants, (I speak of that time when the Catholics were universally disqualified from the franchise of electing) the representatives were placed under a salutary controul. Where the number of Protestants, and consequently of electors was small, the nomination, pretty much as before, remained in the hands of some powerful family; but in many places the two leading denominations were nearly balanced; there all the interests of life, and all the principles of action were driven out of the course of their ordinary direction. It is not necessary to enter here into details on a grievance which has been remedied. One description of citizens were on every eighth year, the dispensers of a favour which was earnestly sought after by the most considerable persons of each district; another party were incompetent to confer that obligation; to which side would power, to which would consideration



deration naturally incline? This octennial law was general in its provisions. There appeared no exception on the face of it. As Magna Charta was only intended for the Barons, and their free followers, so was this privilege designed to embrace a comparatively small proportion: it brought to perfection that monstrous constitution as Mr. Burke appositely denominates it, of a plebeian oligarchy, under which for above thirty years we existed: it was the occasion, perhaps the cause of most subsequent disorders; by enhancing the superiority of a party, it promoted materially the popular division and discontents. There can be no doubt, that if one set of citizens enjoy advantages over another, in proportion as they are less familiarly displayed, the preference will be less invidious.\*

Again in the instance of the Place-bill, nothing can be conceived more fair, than to oblige a representative, who has submitted to the influence of the Crown, to return to his constituents for their approbation; but of your 300 representatives, 194 sit by private nomination, and family influence secures many more from the effects of popular censure. The sole effect of this famous law, was to add an additional clause, to the bargain for a borough. So whilst the independence, recognized in 1782, is exercised by an House of Commons,

\* The argument applies equally to the more important discussion now before the public. And not upon such mean motives as private pique; but upon this reason of sound policy, that every distinction which is inevitable, should be softened as much as possible. One submits the better to inconvenience, by not being reminded of it. One is really less incommoded by the superiority of either a rival or a neighbour, when it is sparingly exercised.



mons, slightly communicating with the country,\* it must obviously be more the game of the representatives, than of the represented.

Let me not be classed among the advocates of a very false sentiment, that a popular delegation is necessary for the purposes of good Government. The British Parliament, although popular in a much greater degree than ours, would be an eminent exception. In the late constitution of the Dutch states, there was not any thing popular, beside that widely diffused prosperity which arose from it; but an aristocratic body, governing by popular forms, should make up in public spirit for the unfavourable circumstances of its origin. It should cultivate the representative character; at least in sentiment communicate with the people; direct or adopt the publick wishes; and discharging its duties, with a delicate sensibility to reputation, prove itself worthy to have been elected. The British Parliament forms an efficient control upon the executive magistrate; it even answers the purpose for which it is designed, better than a more popular and tumultuous delegation. In that assembly are collected, the principal persons of the landed, monied, and

\* The Irish House of Commons consists of 300 members, who are thus appointed :

32 Counties return	-	-	64
4 Open Cities	-	-	8
The University	-	-	2
16 Cities and Boroughs, in which some particular family interest predominates, but which are not secure from change, return			32
97 Boroughs so close as to be transferable property.	-	-	194
			<hr/>
			300

There is a greater mass of Irish property in the English Peerage, than in the attending members of the House of Lords of Ireland.



and commercial interests; with a moderate intermixture of active, aspiring men, who support the weight, and animate the investigation of public business. The prosperity of the greater number of individuals, who sit in Parliament, is so intimately combined with the welfare of the state, that they cannot more effectually promote the public good, than by inclining the minister to adopt their own views. The patronage of the Crown, which in a poor state is omnipotent, here loses totally its effect; it is not sufficient to compensate to individuals, their private loss in a public injury; they cannot of course, be blindfolded to the neglect or mismanagement of ministers. Whilst you see in daily practice, the trifling accidents by which great property in land, in stock, or in commercial capital is materially affected, you will find abundant reason for relying on the active providence of a society, in which these influences eminently predominate. Who so fit to superintend the state, as men who must ruin themselves if they betray their country?

Contrasted to this organ of Government, in our parliamentary constitution, is an aristocracy of persons in office, with fixed emoluments, whose interests do not fluctuate with the good or evil of the nation, who have no danger to apprehend, beside a total overthrow of government, and from that catastrophe the strength of the empire protects them. We have the name, not the utility, of the British system. We have not the same resources to carry it on with effect; the fabric is not supported in Ireland by those pillars which insure its solidity in the sister country. The bulk of our landed interest is non-resident; our monied and commercial interests are at best but thinly scattered, and are rendered yet more inefficient by religious incapacities. There is not a merchant in



in Parliament; scarcely a man who feels the fluctuations of the money market, and comparatively few of the considerable land-owners: the representation of some capital towns, and of the counties, absorbs whatever remains to us, from habitual absence, of a proprietary body. The seats for boroughs are generally filled by gentlemen, who enter Parliament in pursuit of promotion, and who have few sympathies with the public. Thus the security for a judicious inspection of public affairs in the one country is *honor*, in the other a community of feelings between the governors and governed. The honor of our countrymen runs as high as that of any other persons; but it is a capricious sentiment, and the safety of millions deserves a less vulnerable protection.

True, as I have already noticed, fortune is often worshipped in the British Senate, but she is not the sole deity of the Temple. Fame too has her votaries, even among the most energetic, and least affluent part of that august body. The wide range of its discussions, and the elevated rank to which it has arisen, give this impulse to ambition; whilst there is but one incentive here to mix in public affairs, the desire of preferment; and upon those who come under this attraction, the patronage of the crown can frequently act with great facility. The fault consists in the excess. Men of mere enterprise in the English House are few, and adopt the sentiments of the greater number. They predominate in Ireland, and give to the whole a collective character of expectation. I suppose there is no gentleman in Parliament individually exceptionable. But every man of sense, even those of whom I speak, will admit, that one hundred persons may each be an eligible member, to mix in any council of state, and still a council composed exclusively, or even principally of those hundred men, may be liable to strong objections.



It will be replied that some controul upon the executive department is preferable to a total latitude of confidence. But is it proposed that restraint and superintendance on the part of the people, should be abolished? The incorporation of legislatures goes to a transfer, not a suppression of jurisdiction. It substitutes an effective controul for one that is inefficient. If the number of representatives is to be diminished, the retrenchment must fall upon the most objectionable parts of the representation. The leading men of the kingdom, whether by influence or election, will still be placed in Parliament. As to the effect of the measure upon the consequence of the country, and upon the protection and privileges of the inhabitants, the people will have more influence over one hundred gentlemen, generally elected for counties, and great towns, than over treble the number, most of whom owe no compliment to their quasi constituents. And that number of members in the imperial House of Commons, joined to the several branches of the Irish interest, who already act upon the British Government, will confer on Ireland greater consideration, than she can derive from a domestic Parliament, thus deficiently organized, which neither proceeds from the people, nor returns to them; which neither leads the public mind by the influence it enjoys, nor by the confidence it has acquired.

Perhaps, you imagine, that this difficulty of procuring an adequate representation may be placed among the inconveniencies that time may rectify. Quite the reverse; time has hitherto enhanced the disproportion between the property of those, who interfere in the supreme disposal of public concerns, and that of the nation whom they regulate. And the same causes cannot cease to produce the same consequences. When a man of fortune procures



cures a peerage, he ceases in general to have any object to cultivate in this kingdom, and lapses from active pursuit to indolent enjoyment. His family, at least, speedily relinquish the care of politics, and become absentees; the landed interest in the House of Commons has considerably declined since the year 1776, when the crown became liberal of Irish peerages. A great part of the wealth, recently acquired, or improved, by which this perpetual drain ought to be supplied, is in the hands of Catholics, and these persons are also directed to other pursuits, by the nature of our constitution.

I conclude this head with a position which cannot be put too often, or too strongly. If the country does not afford materials for a proper controul over the executive department, some other provision ought to be made for the public welfare. The privilege of superintendance cannot by its nature be indifferent, but must directly lead to good or evil. It should not be permitted to deviate from public to private purposes; and if the situation of supreme influence in the state be inaccurately filled, such misapplication is inevitable. Jobbing and manœuvres will disgrace the Irish government, whilst it is obliged to act through the medium of persons, who do not disdain the practice. A man of fortune in the House of Commons is a figure of so much magnitude, that Administration cannot well resist him in any thing he takes in hand. Even a man of lesser rank is too useful not to be gratified. The Minister sways the British House of Commons, but on extremely different principles: he cultivates the favour of that body, by not pressing any measure against the sense of the majority; or of the interests, which that majority are bound to cultivate. When he ventures upon other conduct,

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they withdraw their confidence, and his power terminates. Lord North and Mr. Fox possessed the means which Mr. Pitt enjoys, of procuring a majority by influence, to ratify the measures of their respective administrations. Sir Robert Walpole is said to have retained his place against the personal inclination of his Sovereign. What is the case at this hour? Does Mr. Pitt hold the reigns of government by the weight of his distributions? Has he corrupted the people of England? Parliament is but the echo of their assenting voice, which confirms him in the administration of his country.

When I published the pamphlet you were pleased to notice, I had in contemplation a more important question, than any, that affected the being of Parliament alone. I looked to the people, for whom Parliaments exist. The views of government, and the circumstances of the country seemed to have conducted us to the eve of a great change of system; and the relation to the state, of a most comprehensive description of its citizens, appeared to be weighed very lightly. Ungracious as the sound is to some ears, I cannot, in discoursing of the state of Ireland, decline the concern of one of its most important branches. I have not prepared the political chart of the country; as it lies open before me, I am bound to follow it. Be assured that the Catholics of this kingdom are perfectly aware of the inconvenience of their situation. They see, they touch the impervious line that is drawn between them and the other descriptions of their fellow subjects. The feeling is not less poignant, whether I or any other individual, who engages in a political controversy, be silent on the subject, or loquacious. I talk of sentiments, with which no man is more conversant. In an arrangement, which ought to be complete,



plete, as it was designed to be final, every murmur should be collected, every complaint be fairly heard, and judiciously investigated. Idle expectation, that the perception of inconvenience was to be blunted by neglect of its objects; as some animals imagine danger to be at an end when they have shut their eyes on the pursuer. I introduced the Catholics, not as you, and others less respectable, strangely represented, in the capacity of a partisan; but as a lover of the empire, and as an Irishman. I seek in an Union for the tranquillity of Ireland, the increased strength of Britain, the more vigorous protection of the world; but if the settlement were to be formed on a defective basis, these glorious ends would still remain unaccomplished; indeed something worse; for the measure of an Union, between these countries, does not admit of intermediate consequences; it must be to both, the extreme of good, or the extreme of mischief; and the previous disposition which is created on either side, by liberality of conditions, by wholesome laws, and by the contentment of the people, must determine the alternative. Should we conceive ourselves at ease, because discontent slumbers amidst unextinguished embers? Such is not a bulwark, on which the power and glory of Britain can securely rest. Such is not a benign opening of repose to Ireland. With these views, and with these feelings, I endeavoured to draw into notice, by such means as I was competent to employ, that cardinal question of Irish politics, the privileges of the Catholics. As a necessary preliminary, I applied myself to refute certain notions which were circulated among the indisposed to that people; and to reprehend certain institutions, which were considered to be unkindly directed



against them.\* The moment was critical and called for the discussion. If the government was to be new-modelled, it would be right to adopt such regulations as should silence every whisper of general grievance; if the proposed change did not take effect, still the abolition of the incapacities I complained of, would render our state of society more tolerable. Having formed an opinion on the subject of uniting the two legislatures of the empire, I did not hesitate to express it; but as it was not my primary object, nor the matter of which I proposed to treat, I did not find it incumbent to detail the series of reasoning that led to my conclusion; the point came incidentally in my way, and I expressed what occurred to me. Subsequent reflection has confirmed my opinion, as to the general concern of the country in this question; and it has impressed the matter upon my mind, even more forcibly than when first it was propounded, as the genuine relief and exoneration of that great body, who, under the appellation of Catholics, are doomed by our present system to collective and individual inferiority: I have not, of course, occasion to retract any of my leading assertions; I must still maintain, that by incorporating our parliament with that of Britain, we have equal security for the liberty of the subject, and a much fairer prospect of a sound and steady

\* Such as the Orange Societies, of which I must persevere in insisting, that they tend to perpetuate the division of the people, and to counteract, by a combination, the beneficial effects of the repeal of the Popery Laws. The question at present before us, is of too much magnitude to admit a detail of these subaltern follies; yet I must say that when people observe such a combination, and are enabled to collect its temper from the publications that seem to please it, absurd and silly as these publications may intrinsically be, it is an inducement to strengthen Government, as a protection against them.



steady administration: that the kind or degree of independence, which fate and circumstances seem to have allotted to this island, does not so support the external dignity of Ireland, as to become a legitimate object of pride; and, as it operates internally, that it is, what I have already termed it, "a great domestic cause \* of irritation." I know not whether the present be the proper time and temper for the discussion of the subject. The care and selection of such circumstances belong to persons in an elevated place of public function. I treat abstractedly and in general, of a judicious change of constitution, and my private opinion is not to be affected by collateral considerations.

Perhaps it is true, that I recommend my doctrine by its negative merits; or, as you call it, by "a short catalogue of evils to be removed, without any persuasive observations, grounded on advantages to be conferred †." Your objection indeed is whimsical; shall not a man pull a thorn from his own side without a recompence? Must we, Irishmen, be induced by sugar plumbs to do what is good for us? I do not distinctly comprehend the difference between the removal of evil and an advantage. If you mean that I have not entered into comprehensive details on the head of Commerce, I must candidly say, that I think this question is to be decided upon considerations of an higher nature. If our constitution be sound, and if the operation of it be beneficial, I would not be reasoned out of it by cold calculations of shipping and tonnage; I would not be induced by all the wool and cotton, and all the tea and sugar in the world, to forsake it. If its defects militate

\* Memoire, page 1.

† See Letter, by Mr. Hamilton.



militate against human happiness, I want no other impulse to desire its correction. No doubt, should a treaty of union proceed, there will be found a proper season for commercial regulations, and the concern will be important ; but the settlement of the country stands uppermost in my mind ; prosperity and affluence come of course when your state is well regulated. The extinction of our feuds would be of itself a fortune to Ireland ; to pacify them should be the beginning, the end, and the object of all our endeavours. I can discuss no question but the means of drawing the people into amity with each other, and with the government ; and of rooting out, on either hand, the seeds of jealousy. Your constitution may be as brilliant as theory can make it ; unless you can procure this temper, it is a splendid deception ; and the utmost range of commercial opportunities is nugatory.

But this short catalogue of evils, of which you appear to make so light account, comprizes whatever has kept the people of Ireland at variance with its government : The factions of the high ; the discontents of the low ; poverty and turbulence, each as in a circle promoting the other, and the inaccurate application of authority the cause of both. It comprizes the monopoly of political power and patronage in a few hands, and the means that were employed to fortify that monopoly. A principal engine was the division of the nation into distinct casts, by the contrivance for each, of a totally different code of laws and of immunities. The force of this system is weakened ; but the hostile dispositions, that were formed under it are preserved, with more heat perhaps, and pertinacity and address, because the parties who relied upon this as a bulwark, perceived the security begin to fail them.

I concluded



I concluded that Parliament was not qualified to remedy the disorders of the state, because the root of the mischief lies in the constitution of our House of Commons, and in the opposition of particular to national interests, which is not any where so predominant, as within the circle of Parliament itself. I feel that it is incumbent on me to enforce my opinion, by a detailed explanation of the reasoning that produced it. I have endeavoured to clear the ground for the admission of argument, by substantiating what every Irishman ought clearly to feel before he assents to an incorporation of Legislatures, that the measures does not involve the settled dignity of his country. I have also endeavoured to substantiate, that our present form of constitution has not acted kindly or beneficially for the subjects. It was not formed upon a scheme of general concern for the entire people, and of course it only promoted exclusive advantages. I shall proceed with my analysis, having, as I hope, ascertained the point of honor, and made some progress in the considerations of expediency.

Let me first complete the outline of what I conceive to be the interest of the Catholics in the present question. This also is no unimportant preliminary. The situation of that part of the people may be thus described: A slender aristocracy, an extensive middle order, an immense class of labouring and industrious. Obviously it is more essential to a people thus circumstanced, to be placed under the protection of a strong government, than to be admitted to a participation of power in a feeble state, from any efficient share in which their situation must generally exclude them.

There is not the least probability that the factions of Protestant and Catholic will subside under



der our present constitution\*. Admitting them to subsist, this alternative remains for consideration, whether would few or many of the latter be introduced into Parliament by an emancipation? In the former case, these few would obtain the usual parliamentary consideration; they would act like other men in the same place, and there the matter would end without any alteration in the general management of the country. If many got access to Parliament, they would form a Catholic opposed to a Protestant faction, precisely as in the last century, when the parties ran at length into civil wars, in which one was reduced to a pitiable subjugation.

The grievance which most materially affects the Catholics is a disposition, ungraciously and for unkind purposes, to discriminate them from their fellow-subjects. A comparison of the effects of the respective measures of union or emancipation upon this temper, should form the ground of their decision. They are excluded by law from certain high posts and from Parliament. If the incapacities by statute were removed, there would still remain a natural disability in their general inferiority of rank, so that in a great degree they could not profit of the concession. When the test laws are abrogated, little more is done than an act of justice to certain individuals, and the abolition of a stigma which produces discontent, by offending the feelings of a large portion of the people. These, to be sure, are most meritorious considerations; but they do not go to the extent of the inconvenience; no restraint is thereby placed upon

\* There is not a line in this argument which does not apply equally to the Dissenters, and indeed to all descriptions of persons who are without the pale of the Oligarchy.



on the untoward disposition I have mentioned. The remedy is, of course, not so substantial as this other, which makes the Government strong against that temper, and which removes the motives and powers that support it. On the most favourable calculation, not above twelve could procure themselves to be returned to Parliament, six suppose by purchase, and as many upon the landed interest and that of open towns. The occasional elevation of a dozen men, is not to be compared in point of national advantage to a measure, which either equalizes all parties, or at least reduces them to a state of reciprocal inoffensiveness. The British government protects the Catholics of France, Portugal and Italy, and if it were not under some impediment, why should it not equally protect its own subjects of Ireland?

Of two Parliaments, neither of which they can materially influence, it is more the interest of the Catholics to live under the jurisdiction of that, which has not been educated with any indisposition to them. Now the majority of the Irish Parliament has upon all, or most occasions, displayed strong marks of rooted disinclination to that people. Nay it is a fashion with many persons of high consideration here, to dislike a man for being a Catholic. This is certainly not the case in England. Protestant and Catholic, not having been known there, as political parties, for above a century, the distinction became obsolete. The liberal and continued intercourse of the fashionable, the diplomatic, and the commercial classes, with Catholic countries, contributed also to obliterate the prejudices, which formerly arose from the difference of religion. Except through the interposition of the Crown, which is the British branch of our Government, the Irish Legislature has never been distinguished for condescension to its Catholic subjects. Besides, the property of the  
 individuals,



individuals, who compose the British Parliament is so extensive, and so much connected with the safety of the state, that they never will hazard to excite discontents, upon motives of a petty and capricious disapprobation. I am therefore indifferent to the declarations which any man, or any minister may make. I know the British Government is conducted upon principles of reason, and I can calculate how far reason will go. From this light only one may with confidence pronounce, that the Catholics will, on the Union establishment, obtain a total eligibility; and, what is more material to them, that until they do obtain it, they will have an exemption from vexatious jealousies, and the practical enjoyment of the privileges, which have already been conceded to them. It may equally be predicted, that in a collective capacity, the Catholic body will not be advanced to be a dominant party either in Church or State, because whilst the balance of property inclines against them, it would neither be necessary, politic, nor desirable.

It may be right to explain, wherefore the Catholics cannot materially influence the Parliament, although they constitute a majority of the population. They are excluded from the boroughs by the Constitution of them; and from the freedom of cities by the jealousy of the magistrates. You will perhaps

The Catholics who are often freeholders, but seldom freemen, will have their due influence over the government, when the representation is confined to counties, and counties of cities. And considering how the members of that body are generally circumstanced, no event can be more favourable for them, than that the general importance of the order of freeholders should be augmented. To that order the Catholics belong, and there lies the entire force of their political influence. Now the influence of that class will encrease in proportion as the boroughs are diminished, and that the number of persons becomes more small who can get into Parliament, independent of the choice of freeholders.



haps ask of me, wherefore we were anxious to procure this franchise of suffrage, of which the operation is so much restricted. Because though we cannot have great influence, it does not follow that we should have none at all. Because although a Catholic interest is not any where superior, yet the individuals of that communion ought to have the full benefit of their respective situations. A Catholic tenantry will vote with their Protestant landlord; but is it indifferent to them, that they, as well as their neighbours, are competent to confer that compliment?

The influence of the Catholics prevails principally in civil life: there indeed it is immense. Composing very much the trading and industrious portions of the community, they are concerned in the greater part of transactions through the kingdom. The bar, wholesale merchants, attornies, persons engaged in money dealings, will always cultivate the favor of this part of the people. Now the relative importance of these descriptions will generally rise in consequence of an Union, and those, who will relatively decline, are the persons most independent of these influences. The Protestant Prelacy \* of Ireland have generally declared, that in the event of an Union, they could no longer imagine the interest of the establishment entrusted to their care, to be in any wise endangered, by the most liberal indulgence to the subordinate communions. Is this sentiment no recommendation to persons who wish to enjoy in peace the advantages of their country?

The

\* The clergy of all descriptions appear to favour the project of an Incorporating Union, and really this coincidence of persons, who do not concur in any thing else, must appear a powerful recommendation.



The most ingenious arguments against admitting the Catholics to political franchises, are to be found in the speech of Mr. Foster, (the Speaker) in 1793: they follow very closely the reasoning of Lord Bolingbroke, against a Catholic Prince, in his letter to Sir William Windham. But the analogy completely fails; for ~~as the prince is made for the people~~ it is justifiable to impose on him a condition of conforming to their convenience; but it is absurd to talk of making such terms with the people, for whose accommodation and advantage the state exists and was created. If you prove that a particular franchise cannot with propriety be entrusted to those inhabitants at large, who are obviously within its purview, the conclusion, in my mind is, to remove the matter of contention altogether; I should not think of forming a monopoly in favor of the few who chuse to appreciate highly their own fitness for the enjoyment.

Embellish it by whatever splendid names you please, the government of Ireland is an oligarchy. In the popular member of our constitution, the weight of certain individuals is immense, and that of the people is inconsiderable. This bears materially upon the Administration; for neither are the ministers of the Crown acted upon in any eminent degree by the influence of the people; nor have these the benefit of that impartiality among his subjects, which must be the natural feeling of every monarch. There is a controul indeed over the royal authority; but as it is almost completely severed from the public interest, it is necessarily directed in its exercise by the private views, or at best by the personal character of the individuals, who compose



pose it.\* A compromise is made, such as can only consist with a very irregular government, and which if it were not the result of disorders in the state, must eventually introduce them. The patronage and internal management of the country is given up to those who have power to do, what usually is called the King's business; that is, to raise the supplies, to preserve the British interest and an uniformity between the two governments.

The considerable members of the oligarchy are, by the nature of their situation, rendered apprehensive of a popular spirit, and adverse to the body of the people: it cannot be otherwise. When power is not bottomed upon hereditary prepossession, popular favour, or the influence of property—the persons, who hold it, must be sensible that it is insecure, and that it is invidious.—They will seek to turn the popular mind from public to private considerations. Men who have such urgent motives to promote competition, will fasten with avidity upon any tendency to that temper. They will meet in their adherents, the greatest promptitude to second them in widening the breach; for a rivalry in emolument is as much apprehended by them, as a diminution of power by their superiors. The exclusive spirit which they seek pretences of mistrust and jealousy to authorise, confirms their own exclusive title to preferment.

I have

\* The only thing which the King cannot do in Ireland is to confer favour upon a certain description of his subjects, and that description by far the most numerous. What an outcry, what an opposition, when any kindness is intended to them! So that the Crown is here free in its power, but circumscribed in its benignity—the very reverse of what is designed by a popular controul on the Executive.

† Among the Protestants who are removed from these inducements, and the Catholics of the same rank, there has long appeared a tendency to an oblivion of their ancient differences; but the jealousies of the former have been revived at different times artificially.

From



I have described the course of feelings, which like circumstances will produce in every country ; but

From the memorable meeting at Dungannon, to about 1785, this disposition to harmony was very prevalent. The two descriptions displayed equal zeal to resist the invasion we were then threatened with, and shared together the Volunteer service. About this latter period the peasantry of Munster, fell into commotions on the old ground of tithes: publications immediately issued from the press, stuffed with aspersions on the religion and moral character of the Catholics; representing them as a refractory, perfidious people, who were to be kept at the point of the sword from you. The expedient succeeded. The passions of the people were set in motion, and the incipient harmony was broken up effectually. Another incident occurred lately. (I put out of the way the disposition, the very prevalent anxiety to insinuate that every Catholic was a rebel, and to confound uneasiness under the Popery laws, with hostility to the constitution.)

Doctor Caulfield, the Catholic Bishop of Ferns, had the misfortune to live in a county which was the scene of the late outrages. He, with those of his clergy whom he could collect about him, exerted all that influence, which in better times their function, and personal virtue had acquired, to resist the excesses of an armed mob, and at the imminent peril of their lives, rescued many from massacre. This was the conduct of christian clergymen; but it was a conduct, for which christian clergymen deserve every applause that can be bestowed upon a sublime discharge of duty; yet there are persons so much mortified to perceive, that Roman Catholic ecclesiastics have acted nobly, that books and paragraphs have been circulated, in order, by blackening the motives of these gentlemen, and detracting from their merit, to prevent this amiable and heroic conduct from making a suitable impression on the minds of their fellow citizens.

There are many persons now alive, who recollect, when it was very usual to terrify the Protestants by reports of sham plots, and even days were named, when the Catholics, it was asserted, were to rise and massacre them. These artifices have fallen into disuse, since the affairs of this country came to be more closely looked after by the British Administration; and since the Government by Lords Justices was discontinued. Lord Townshend was the first Viceroy who permanently resided, and in his attempts to break the aristocracy, he found it expedient to bestow some little countenance on the subordinate religion.



but doubtless, the state of Ireland, rushes upon your mind as it does on mine, and forms a striking illustration. The persons most distinguished, by political, and almost by personal disinclination to that material branch of the people, the Catholics, are to be found among the parliamentary interests; those who endeavour principally to make Popery a bugbear, are men in office under corporations, and subordinately under government. I have no idea that any particular disapprobation of religious tenets enters into this hostility. The term of division is convenient; but if any other equally answered the design, it would equally be made use of. You may talk, and I am sure you believe it, of advances to conciliate. The ministers of the Crown perceived the wretched policy under which this country languished, and they procured laws to be enacted favourable to the Catholics.\* Many liberal and enlightened Protestants did cordially adopt the change. But, of that party, all those who by the coarseness of their habits, or of their understanding, may be said to constitute the vulgar, observed with great spleen the advancement of men to the order of fellow citizens, whom they had been accustomed to regard as subordinate; and their jealousy was countenanced by a large portion of the powerful. The novelty of their situation, the warmth of controversy, but above all the un-neighbourly temper that broke out, whilst the repeal of the popery laws was agitated, did betray many

\* In 1778 the first relaxation of the Popery laws took place, and so much was the merit of this measure to be attributed to the royal interposition, that when in the beginning of the session, a bill, far less extensive, was proposed, it was contemptuously rejected. On the first attempt the House was left to itself.



many of the Catholics into political indiscretion.† On the whole, what you consider advances to conciliate, were accompanied by circumstances which appear to me to have rather repelled each people from the other. The texture that legislation attempted to weave, manners unravelled as assiduously. There are families in Ireland, who, having acted for generations upon this crooked policy of disunion, have at length lost the clue to their conduct, and candidly conceive that whilst inflamed by passion they pursue their interest, they are cultivating a sober and judicious principle. Tradition, education, intercourse have contributed, so entirely to work into the frame of their minds, the anti-popular prepossession, that in the modern manifestations of zeal for Protestantism, as a political not a religious designation, there is infinitely less of pre-determination than of character.

To a body thus constituted, the crown must under our present forms resort, in order to carry on the government without obstruction; and its consent must be procured by the terms I have specified.

† I allude here to acts of alienation, not from the state, but from the individuals in authority. As to the rebellion, I conceive the remote operation of the popery laws to have conduced to it, by throwing too much power into the hands of private gentlemen, by preventing the diffusion of property, and so creating a lawless character in the common people; but certainly it had nothing in it of political pretensions of the one party against the other. If the rebellion had not been suppressed, there is no doubt it must have proved fatal to religion in general. The people here, precisely as in France, were fanaticised by Deists. If they had proceeded much farther, they would have been induced, as they were in France, to leave their Pastors in a minority of timid devotees and women, and the former pretensions of that clergy to popularity, would have occasioned to them a very bitter persecution. I say with confidence that the sentiments I here express, were, pending and previous to the late commotions, entertained by the heads of the Catholic clergy in this kingdom.



fied. Now can you for an instant argue that this is a suitable organ for the management of the most divided people on the earth, and of the most jarring interests? Itself a principal in the dispute, itself the soul and prime mover of the conflict. Let the Crown be relieved from this necessity, encouragement and protection will be dispensed according to the feelings and interest of the Sovereign; that is, in other words, they will be dispensed indiscriminately; for the situation of a Prince places him above the views and quarrels which pass from private into public life; he cannot be sensible to any other division of his people, than of those who are, or who are not refractory to his government; those who make his dominions flourish, or those who neglect them. Here are my premises: Ireland stands eminently in need of an impartial Administration; strangely predisposed to disunion and unsocial humours, by religious difference, it requires a vigorous, a steady, and an even-handed government to restrain or counteract the unhappy propensity. Can you deny my conclusion, that it is not so consonant to the welfare of the country, to be governed by persons, who are themselves engaged in the distracting factions, as by a power that nature and situation render indifferent, and which in addition, presents an equal assurance for our civil liberties? If with you, I attributed to accident, any part of the temper which we all deplore, I should be disposed with you to expect the remedy from time and patience. The history of Europe for a few years back, that rich harvest of experience, has instructed me not to admire the short cut to political improvement. But it is here I beg leave particularly to remind you, that the source of our country's misfortunes seems to lie deeper than you conclude from your examination.—They must

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be traced to influences and interests, arising from the organization of our constitution, and which contain a renovating principle of discord, calculated to endure to the utmost term of its existence; where there is partiality in the exercise, or distribution of power, he who is called on to obey, will to the end of time perform his duty with reluctance. Where there is even the appearance or suspicion of partiality, the subject will not be cordial. I do not accuse our parliamentary leaders of any conduct that is rare, extraordinary, or unprecedented. Power is grateful, and few who have a situation to preserve, are philosophically scrupulous in employing the means, which are most easy and effectual for their purpose. The foible is of human nature, and for that very reason to human nature I would apply myself, and endeavour to counteract a general infirmity, by principles of equally extensive operation. The heads of the nation are subjected to certain influences and interests; let the misguiding motives be removed, and the conduct of those whom they affect will receive a new direction, and through the land new springs of action will be generally communicated. This is not a narrow or a palliative policy, but broad and fundamental, such as the exigency demands; and in analogy to the means, by which, when the heart is sound, you seek to reclaim your friend, to rectify the faults of habit, and the errors either of his education or his judgment. Reform the Irish House of Commons, and you have a democracy; the consequence is unavoidable, if the alteration be on any very capacious scale; and if it be not, the oligarchy is merely shifted into other hands, without any accession to the popular interest from the transfer. Repeal the distinguishing laws; good; but you cannot by your act of Parliament reach the spirit of distinction. The tendency



cy to disunion will subsist, with all the irritating circumstances that accompany that temper, so long as these interests are preserved, which give to persons of the very first influence in the land, a powerful inducement to encourage it. And they never will want a pretence; for whilst the lower people are wretched, they will be turbulent; and the name of a common religion will furnish the ground of jealous accusation against the Catholics of more improved condition. Interested men will circulate the charge, and selfishness and credulity will combine to supply believers. Political parties will attach themselves as it may suit their purpose, either to the side of those who are unwilling to acknowledge a superior, or of these, who, with less appearance of propriety, refuse to admit an equal. It may be very desirable for party leaders to place themselves at the head of the Catholics, but that body can never, to any material extent, be more than the footstool of factions; a situation I should apprehend, neither enviable nor advantageous, and from which, he is their friend, who desires to rescue them: they are most generally dependant, are most exposed to the abuse of power, and stand most in need of protection. What, although amidst scrambles for authority, some of that body might get within the precincts of the oligarchy. Catholic, or peasant, or by whatever name you please to call them, the people would not, therefore, be exonerated from the heavy hand of power. Perhaps you will tell me that this propensity to division, is the inherent vice of free constitutions. True it is so; we are not therefore to encrease the causes of difference, in number and malignity. Without this inconvenience, we can have the secure enjoyment of civil liberty, under the sanction and superintendence of a popular assembly, with the advantage of representation, in my opinion, to an adequate extent;



tent; but beyond question, in a more ample<sup>\*</sup> degree, than at present we enjoy it. In common life, a man would be warned by habitual infirmity, to avoid the occasion of his misfortunes. And shall not Ireland, to whom feuds and strifes have cost so dear, prefer that form of free government, which is best protected against the recurrence of the very disasters we complain of? It was on this view of the subject, and upon this reasoning I grounded my assertion, that the necessities of Ireland called for a "a great change of manners, to be founded on a great change of Constitution."

Sir, the evil of restrictive laws upon the people, has been lost in the magnitude of their consequences. The statutes of Queen Anne formed the nucleus of a system of abuses. Not the primitive mischief alone, but all its incidents are to be rectified. All the bearings, and relations of authority are to be varied: civil society itself is to be new-modelled. Where is the power, where the perseverance, where the virtue, to undertake that task?—to prosecute with vigour and discharge the duty with fidelity? Are we to await in pious expectation, that the country may be regenerated by the play of factions, where factions are proverbially corrupt? or retrieved by the energetic virtue of some chief governor, whilst notoriously the most feeble thing on earth, against local cabals, is the government of Ireland? How many of these cabals would start up to obstruct a project, by the success of which nearly all of them would be offended? No; let the cabals be first put out of the way, and then the stupendous labour of improvement may be attempted. When the borough interest shall be reduced and fixed in England, its influence will be altered materially as to the empire, but

\* See page 55.



but almost totally as to Ireland. It will no longer feel the necessity of leaning for support on party spirit; and if any persons still retain a hankering for that stale expedient, the Crown, relieved from its actual state of dependance, would be fully competent to controul them. I smile to hear people tell, what prodigies were to be effected by particular administrations: we should have a Viceroy in each parish to carry into effect any extensive scheme of benevolence. General benefit and impartial kindness to all the people is contrary to the nature of our present arrangement. A Chief Governor may extend the practice, just so far as his eye and his activity can reach and for just so long a term, as the duration of his authority. Let his vigilance relax for an hour, or let a successor come, with different views or inferior energy,—chaos returns again; every thing relapses to suspicion and severity. Lord Cornwallis brought with him to the government of Ireland greater personal advantages, than perhaps any nobleman possessed, since the Duke of Ormond filled that situation. What obstructions has he encountered? How comparatively little has he been able to effect? How unavailing will all his efforts prove, if retiring from the helm, he shall leave the system as he found it? What were the virtues of Trajan to the Roman world? They passed without consequence or impression, beyond the day on which they were displayed: As the beam that shoots across a dull horizon, for an instant it seems to cheer, and the general gloom envelopes it.

Arguing politically, I know nothing of implicit confidences. I propose to trust to the Crown, because the interests of the Prince concur so exactly with those of the people; and, as little inclined to general suspicion, I inculcate diffidence of



of the native powers in that point only, where I see them repelled from the general good by the law, the omnipotent law of self-aggrandizement, and merely to the extent of that repulsion. Does my credulous faith embrace the honor of Britain? It does precisely, under the guidance of the same rule, and to the same latitude. The British Government is conducted upon principles which do not leave room to suppose, that it would be unjust gratuitously, and to its own detriment. There do I fix my mind, where I see positive regulation, supported by obvious interest. Our empire depends for its existence in the European system, on the resources of its subjects. Compared with the powers to whom it is opposed, its population is small, its range of territory diminutive. As she is obliged to adopt a naval method of defence, England could not, if she were inclined, act in that spirit of summary despotism, which we see practised on the Continent. Constraint may collect an army; plunder may subsist and clothe it; a fleet must be equipped by money; and that revenue, which is indispensable to a maritime state, can only be drawn from a people in opulence. Now if the subjects of Ireland were rich, and that a wayward Parliament dealt out the public treasure with a parsimonious hand, I might suppose the Minister was anxious to be relieved from the restriction. When I find, that a poor state is taxed profusely; taxed to the full amount of what is at any time demanded, I must endeavour to assign a motive more intelligible. Administration hopes to make Ireland contribute to the general exigence. Granted; but does it therefore mean to wring from poverty, by means of a new constitution, what it may have at discretion under the agency of the old? or does it rather undertake the severe task of bringing this new order



der to perfection, that it may create by a more kind management the ability to afford assistance? it proposes to diffuse content, to protect the productive classes, to govern us, an experiment which has not yet been tried, in some conformity with the genius of the nation. Truly if the officers of the Crown have any other object in view, they give themselves much unnecessary trouble. If they entertain designs of a less gracious kind, they pursue their end by the most improbable and unprofitable of all expedients. I have somewhere read of a giant who was choaked by a six-penny loaf after he had breakfasted upon wind-mills. Have all the old contrivances for government in Ireland failed? Is the hand paralyzed that dispenses patronage? Has influence become innoxious? To be plain and serious, what is that unfavourable measure of regulation for Irish people, or Irish pretensions, which might not be carried into effect without this concussion and this removal, and effected too by means, infinitely less troublesome and invidious? But, say they, the Minister projects to render this island a military depot for the Empire. Then indeed, he is a simpleton, who refuses to leave us this constitution, which requires forty thousand auxiliaries to preserve its equilibrium. I should think that he deprives himself of a very competent excuse for martial preparations.

An Incorporating Union does not arm the Crown with new powers against the people. Ministers do not gain any thing on the side of authority. All their resources for that effect are as complete and perfect as they could wish. The public mind, indeed, requires to be cultivated; from thence alone, resistance to the will of superior men is to be apprehended in Ireland. But after an Union, the public mind will just act as powerfully as before; and it may as well communicate its impressions to the imperial,



imperial, as to the local legislature;\* What! after all her exertions to produce a change of government, of which this country stands in need, Great Britain is at once to cast the advantage from her, and play the tyrant to her own detriment. She is to go to Russia and the Morea to look for troops, and will not attach to her a warlike people, her closest neighbour. She will suffer this land in every war to be the advanced post of the enemy! Such terrors are for the nursery, and more simple than children are those who will indulge in them. I confess if, like the persons who affect to entertain these apprehensions, I could bring myself to think, that the English government was not to be induced, even by its interest, even by the urgent necessity of self-preservation, to deal honestly by this kingdom, I should much hesitate to doom a man to death, who turned his thoughts to separation. Good gentlemen, how do you support the Crown, when you lay down, that the state, over which his Majesty presides, is the most incorrigible of all enemies to this people?

If between government and subject there is to be no amnesty—no oblivion of erroneous policy; not a power on earth can so correct its rule of conduct, as to create satisfaction in the people

\* The British Parliament, it cannot be doubted, is more accustomed to treat its subjects with attention, and is more easy of access than the Irish, witness the very different manner in which the case of the Maroons has been treated, and that of the Catholics, at times discussed in Ireland. Now, I should think that, abstracted from political influence, the mere sentiment of any part of its subjects would have more effect upon that, than upon this legislature. I do not recollect any circumstance of a British Member of Parliament distinguishing himself by invectives against the subjects for whom he legislates.



people. Relations commercial and political are at this day better understood, than they were in the middle of the present century. The science of society is still in progress; and are we to fix our eyes upon the retrospect, and pine over exploded faults? and are we to imagine that in the great change of maxims that has taken place, one course of impolitic proceedings will alone be preserved, although this system of conduct has been renounced, has been discarded as injudicious, and atoned for as offensive; abjured by statesmen, and censured by authorities; and all this through the mere love of doing evil; for the apology for putting any restraint upon this country, the only one indeed ever offered, that Ireland was not pledged to all the burdens of the empire, is at an end, when the two countries shall be formed by an incorporating Union into one government.

If our domestic government were to be subjected to the same jealous test, and to the same rigid scrutiny, has it so exercised its functions, as to be entitled to the confidence, which, on the ground of England's delinquencies, we are advised to withhold from the Imperial Legislature? Has such been the blameless tenor of its political existence, that we are to throw ourselves with implicit reliance on its discretion? If false policy be inexpiable, where is the shade of the Popery Laws to repose? The Parliament of England abridged our foreign trade; a series of English writers \* exposed the error of the practice, and it was abolished. The Parliament of Ireland submitted to the inconvenience, and filled up the system, where it was incomplete; but it also interdicted the people from the cultivation of the land, and from civil liberty. We might have lived

\* Child, Decker, Postlewaite, Tucker, Smith and Young.



lived without foreign trade; but what is a nation without arts, or manners, or improvement? A law was in force in this kingdom, to a date as recent as the British restrictions upon our commerce, which authorised any man to fix at five pounds the value of a Papist's horse, or to levy upon that description of the people, the amount of depredations committed upon the coast by an enemy. Now I rely upon the manners of the age, that these laws will not be again imposed. I rely upon the same manners, and upon an improved sense of public interest, that the Catholics will not again be rendered incapable of holding landed property, even although no more than twenty years have elapsed, since, in this respect, the statute law has been corrected in their favour. Shall we not at least expect the manners of the age, to be as accurately followed, and a judicious sense of public interest to be consulted by an Imperial Legislature, as by this domestic Parliament, which does not touch the people very closely either by delegation or property? It is morally certain, that the British\* government

\* No circumstance has contributed in a greater degree to render the Union popular in some parts of Ireland, than the temper displayed by the gentlemen who came over, in the beginning of the disturbances, as officers of the guards and militia regiments. It was not the least of the good consequences resulting from that generous and fortunate accession of military strength, that loose suspicion ceased to be followed by the punishment of atrocious guilt; and the religious description, under which a man was classed, to be received as presumptive evidence of his criminality. Those who are acquainted with the style of conversation that prevailed during the last summer, will readily agree, that Ireland was saved from itself by the British reinforcement. The party would have chosen in preference, to arm their own adherents, who were certainly very adequate to suppress the rebellion, but whose means and projects for restoring peace were no less pernicious, than the disorders they were opposed to.



government must, for its own sake, conduct this nation with a view to its improvement; and equally certain, that passions must eternally arise, which will prevent the high Protestant ascendancy from becoming a mild dominion. I conceive that the controversy between the Minister, and a certain party, deep in the opposition to this measure, might be reduced to a dialogue of this tenor. “ Sir, we will undertake to preserve Ireland to the Crown; but you must give up the country to our mode of management.” “ No, gentlemen, I do not approve of your project; it is a bad system, which has been pursued too long, and we are weary of it. I know Ireland may be kept by a government of terror; but a resourceless subjection will not answer the exigencies of the times. I must not only hold Ireland, but make it a profitable member of the empire. I will endeavour to reclaim the people. The Duke of Cumberland reduced Scotland; but a judicious management, and clemency secured it. I will make the law apply with equal vigour and vigilance to all classes of the Irish nation. I will hold you gentlemen by your properties; I will gain the affection of the lower people.”— This language sounds strangely in the ears of persons who cannot imagine any resource of imperial government, except affixing Ireland by a party to Great-Britain. They exclaim that the connection of the countries is in danger; they made the same exclamation, on the different steps to the abolition of the popery laws,\* and each outcry may be

\* Compare the resolutions of the county of Louth, and those of the Corporations of Dublin, in 1782 and in 1799.



be explained by the other. The narrow provincial or garrison policy, to which their minds had been formed, was certainly put to hazard. But the members of the cabinet, not having imbibed their politics in College-green, happened to entertain a more rational and comprehensive scheme both of government and connection.

The law of the land does not bear heavily on the Irish people.† They are oppressed by the practical discipline between rich and poor, and by grievances arising from the local management of counties and districts. Then, preserve the law, and take effectual measures to compel a change of practice. The mild application of authority may in the case of a very unthinking people, be expected to precede, it certainly cannot fail to produce, a benignant temper.

Let the influence of private men be diminished. Accommodate, in some degree to the temper of the people, the manner of forming a fund for the maintenance of the Church, and place that income under the safeguard of the laws of property. The weight of landed interest gives to the body of Protestants an immense preponderance; but it is such, as cannot admit of a reasonable exception. It secures every object they hold dear; it ought to suffice; it does satisfy the most valuable and intelligent members of that communion. A preponderance, founded on party pretensions alone, the

† I have omitted a head which is very material, but which has been already very sensibly discussed. The difference of interest between the government and the people, running in adverse currents, and only to be reconciled by an Union,



the good will decline, and the wife will reprobate; let it be legally suppressed, and practically discountenanced, and give Great-Britain an interest to guarantee the settlement. Such is the scheme of pacification, which the state of the country seems to demand, and which promises to be durable. Such I humbly offer as the Euthanasia of our short-lived, but boisterous, and ill-omened independence.

FINIS.



Houses of the Oireachtas



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