

No. 3

LETTER

TO

JOSHUA SPENCER, Esq.

OCCASIONED

BY HIS

T H O U G H T S

ON AN

U N I O N.

BY A BARRISTER.

Wm Johnson Esq

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LETTER

BY A MEMBER

OF THE HOUSE

OF REPRESENTATIVES

IN SENATE

BY A MEMBER

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OF REPRESENTATIVES

IN SENATE

BY A MEMBER

Houses of the Oireachtas

TO JOSHUA SPENCER, Esq.

SIR,

YOU have already given your name to the public as a political writer, and like an honest, though perhaps not like a wise man, have fairly avowed, in your own person the opinions you would wish to impress upon the minds of your countrymen. I therefore make no apology to you for this address. I will treat you as you deserve to be treated, like a gentleman of liberal manners and elegant acquirements, like one who ingenuously means what he openly avows, but at the same time with much greater respect for your motives than your opinions. In truth it has been with this habit that I have ever listened to you. You know that you are not a man who wrap yourself up in mysterious silence, and might therefore pass for a wise man, without really being so; you pour yourself abroad upon all occasions, with a full tide of liberal communication. Whatever you are, you are known to be; no real depth or natural obscurity prevent you from being perfectly intelligible. If you are not profound, you are at least clear, and though I do not see much ground for vanity in your performance, there is still less for mortification.

In comparison with most men, you have many advantages; and on some subjects I know few men whose opinions I would prefer; there is a great difference, however, between the understanding and the acquirements which are necessary to determine the conduct of nations, and those which would enable a man to make a just comparison between the eloquence of a Cicero and Demosthenes, or to mete out the proportionate praise due to a Homer and a Virgil.

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You

You have, however, thought proper to resign for a time your favourite studies, and with a zeal, which I feel to be laudible or I should not imitate it, have given your thoughts to the public upon a most interesting political concern; you have ventured to support this strong and bold assertion, *that circumstanced as Ireland and England now are, both with respect to their own particular internal concerns, their mutual relation to each other as connected kingdoms, and the particular state of Europe at this moment, no possible Union of the Legislature of the two countries can be for the advantage of the former.* This is certainly laying the ax to the root of the question, and will save, if you are right in your decision, an immensity of idle discussion upon subordinate details. By what process of investigation you have arrived at this conclusion, you have thought proper to withhold. You indeed talk of the honourable pride and the temper, and the feelings of an independent nation, of the loss of national honor, and the increase of public burthens; but why our pride should be wounded, our temper soured, our feelings hurt, our honor sacrificed, or our public burthens increased *beyond the probable increase of our resources*, you have totally omitted to prove. Surely this is a question which requires sober discussion, not passionate exclamation. We have been hitherto too much a people of sentiment; good sense and reason present too slow a march to the vivacity of our minds; and it is from feeling so much, and thinking so little, that we have made so small a progress in national improvement. It is time for us to view objects through some other medium than passion and prejudice; if calamity could chasten, and suffering make us wise, we have had our full share of such sources of improvement. The history of this country, as long as its annals can be traced, furnishes no other spectacle than such as humanity must deplore, and philosophy regret. A people divided and ferocious, a gentry ignorant and corrupt, an aristocracy insolent and overbearing: all those national evils which might be supposed to flow from such conditions, overspread a seemingly devoted land—

Religious

Religious feuds, and political animosities divided the nation—A combination of moral causes appeared to give perpetuity to these calamities. From most of these causes England was entirely free—hence alone that decided difference of character between the two countries. The reformation in the acmè of its zeal, when alone it was usefully and powerfully operating, did not reach us: it travelled to us in a state too languid to overthrow generally a superstition founded in deep and inveterate darkness. Hence as well the antient inhabitants of the country, as the English settlers previous to the Reformation in England, remained devoted to the Catholic faith: the descendants of the latter forfeited by subsequent events in a very extensive degree the estates they had acquired here; and were reduced to a similar state of poverty with the original natives. The established church was the religion of a small minority, but that minority engrossed the real property and political authority of the land. They were protected in the enjoyment of these by the strong hand of England, and the enacting of severe and sanguinary laws. The operation of all these circumstances have unhappily contributed to form the Irish character. One less formed for domestic tranquillity, or the pursuits of sober industry can scarcely be imagined; some alteration in the causes which have produced this condition is devoutly to be wished—to continue in a tract in which we hitherto have met with nothing but misery and distress, would be something more than national folly.

Some step must be taken, by which we may put an end to the operation of these causes, without introducing a more formidable danger. That those causes still affect our welfare with all their original malignity cannot be doubted. The late evidence we have had of the effect of religious and political rancour bear melancholy testimony of their subsistence. The outrages "*bella plusquam civilia*" which lately disgraced, and still disgrace us as a nation, will not be speedily forgotten; while the same cause of alienation and hatred

continue among us, we will ever remain the same divided unhappy and degraded people we have ever been. No alteration in our present laws, *while the mode of administering our constitution remains as it is*, can ever remove them. The re-enacting of that code which kept the bulk of the people in slavery might, with the assistance of England restore a species of horrid tranquillity, the result of oppression and of fear; even if this could be effected by the strong *military* interposition of England, to what kind of condition would it restore us? let those who recollect the state of this country from the Revolution to the first relaxation of the Catholic code of laws, tell. Can any state be imagined more calculated to destroy the energy of a nation? What then remains to be done? There is at present a strong contest between the Catholics and Protestants for the civil authority of the State; the former, under the plausible pretext of participation are supposed to aim at ascendancy in their turn; the nature of man, greedy of authority, the recollection of injuries inciting to revenge, the testimony of our own hearts telling us how we have acted, make this more than a vague unfounded fear. I ask the Protestants of this Country, (and let them in answering it, take a dispassionate view of the state of this kingdom, past and present,) are they prepared in *the present mode of administering the constitution*, either to grant or to withhold the claims which the Catholics now make for political power? The resistance which they have hitherto given to the first part of this alternative is demonstration of their opinion on that side of the question;—can they then withhold them, and at the same time secure the peace and promote the prosperity of the country?—Let our present condition answer for them in this respect. To remain as we are, with our experience of the evils which press upon us, would be madness; some change must be made—some radical change which will remove the evil in the only permanent way by which such evils can be removed, by removing the cause of them. This course at once wise and safe, (at least more apparently

rently so than any other which has been proposed) consists, in my mind, in the adoption of that Union with England, which you so strongly reprobate. In any thing which I say on this subject, I do not mean to go into any details—the form and shape it may assume we are yet ignorant of, but to the principle of an Union, *circumstanced as we are*, I am deliberately a friend.

The abstract question of Union, independent of all details and regulations, means nothing more than this ; the having one Imperial legislature, consisting of king, lords and commons for the united countries of England, Ireland and Scotland—one king, one house of lords, one house of representatives. The progress of British power and glory has been from their first dawning, a progress of Union. This has been sufficiently detailed in a very sensible pamphlet, which has already appeared upon this subject.

While the kingdom of England and Scotland were absolutely separated, there subsisted between them a continued war, and a perpetual warring of mutual strength ; even after the king of Scotland became king of England, their connection was a connection of distrust, jealousy, and mutual weakness. Inefficient as to imperial power, and subject to a thousand contingencies ; the happening of any of which might have separated them for ever. These objections were only got rid of by a Union. The progressive policy of these islands has been a concentration of their entire strength by the gradual abolition of all those circumstances which tended to separate and divide—Causes both physical and moral rendered the attainment of this object a matter of necessary difficulty and delay. Common manners and general language, corresponding laws and similar usages were absolutely necessary to effect this great end :—our manners, our language, our laws, and usages, have been all progressively tending to this desirable uniformity, and there is now existing no moral cause whatever why those kingdoms should not be *one and undivided*.

We will suppose an enlightened statesman, well acquainted with the blessings of the English constitution, desirous of forming an efficient government for 14,000,000 of people situate as the inhabitants of these countries are, and that his object was, as the object of such a person would necessarily be, to encrease the power of the state, and the comfort and happiness of the people to the greatest degree that both were capable of: and that local *pride* and *dignity* and *importance* were out of the question, and that nothing but a common general interest was to be attended to; would he not say to them all, “*form one government that is necessary to your strength and security, form it upon the model of the British constitution, that is necessary to your comfort and happiness.* Let your metropolis be where, from whatever causes, the greatest number of *your* people are assembled, where the greatest portion of *your* national wealth is accumulated, where the greatest degree of trade exists, and where the majesty and splendor of a *great nation* are best and most efficiently represented—Let every part of your extended kingdom have the means and the channels of industry thrown equally open to all—with the power of commanding the trade of the universe, identify your interests in such a way, that petty jealousies and local advantages may give way to a sense of general prosperity. Be assured that in whatever portion of the *united* kingdoms wealth is accumulated, it will find its way through unnoticed channels and pervade and fructify the whole.” United as the kingdom of England *now* is, does London feel, as any way detrimental to its interest, the adult prosperity of Bristol, or the rising and almost rivaling commerce of Liverpool?—are the exertions of Manchester and Birmingham, where is realized the “*potentiality* of growing rich beyond the dream of avarice,” restrained by the jealousies of any other part of the kingdom. It will not be asserted. What is the reason for this want of jealousy? because a common legislature has but a *common* interest; because the prosperity of Bristol or Manchester is indissolubly connected with the rest
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of the empire, makes of necessity a part of it, and is diffused, in its fertilizing effects through the whole. So long as the kingdoms remain connected by the single and precarious bond which at present holds them together, the lesser must of necessity be sacrificed to the greater;—the *distinēness* of interest is perpetually before the eyes of the respective inhabitants. The idea of possible future separation is continually in their view—the encreasing strength and wealth of the inferior country, render this idea at once more practicable and formidable. Its prosperity, is in such a case at once a temptation to itself and to other powers. The wealthier country is not, cannot be blind to the possibility of such an event—it is therefore its interest, ungenerous I will admit it (but the generosity of nations is the dream of fools,) to restrain to a certain degree, this rising prosperity. Even the extended view of liberal policy, (which wisely grounds the general prosperity of an empire on the diffusion of power and wealth to its utmost extremities,) is, in this instance, curbed by jealousy, and palsied by fear.

Before we can hope that England will promote our interests to the extent our situation is capable of, she must be well assured that we make *part* of herself. We must be placed beyond the reach of foreign cabal, or the temptation to internal conspiracy; these two are promoted by each other, and both arise from the supposed practicable dissolution of that connection which now subsists between the countries. But we are asked, “shall we lend our assistance to remove from this country the *visible signs* of the English constitution?” at present indeed we may have some of the *visible signs* but we certainly want much of the *inward* and *spiritual grace*; I mean no unhallowed allusion, for I consider as almost *divine* the genuine spirit of that constitution. But I confess, I care not how far these *visible signs* are removed from me, provided I enjoy the substantial blessings which arise from their *existence*. It is indifferent to me if I never see a king or an assembly of lords, or of commons, (for these
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are the visible signs you allude to,) provided I know that my interest, in common with that of every individual in the land, is submitted to the wisdom of their councils. I would be glad to know what visible signs of the English constitution have Liverpool, Bristol, Birmingham and Manchester? the two latter have not even representatives in the assembly of the nation. No king of the house of Brunswick, that I know of, ever set his foot in one of them, and if a Lord has passed through them, he has probably been like any other passenger, unnoticed and unknown. Have they suffered by this absence of *those visible signs* of the English constitution? I apprehend not. Are we then to be treated thus like children, and is it to be seriously lamented that an Union will in future preclude us from the enjoyment of this *shew*? My idea of the *visible signs* of the English constitution are very different from those which seem to engage your imagination. I see them in the cultivated farm, the independent landholder, the comfortable artist, the wealthy merchant, in respect for the laws and their administration, in reverence for religion and its teachers, in the secure protection of life, liberty and property, and in that diffused morality, which reaching from the highest ranks of society to the lowest, connects them in one beautiful and harmonious whole. Here I behold the effects of a good constitution well administered. To attain such things. I would sacrifice much of form, much of pride, and much of dignity. You ask † “ what may be the cause why this country, which, “ while inconsiderable in point of population, agriculture, and “ commerce, had a distinct and separate legislature, should now, “ with a population of five millions of inhabitants, with a flourishing agriculture, and a greatly extended, and still extending “ commerce, resign its legislature into the hands of another country.” One would think from this statement that the project in question was not a project of Uniting the two countries under a common legislature, of governing both by general laws, binding each

each separate part of the common country, and extending equally to the whole, but a project at once annihilating both the form and substance of our constitution, leaving us no share in the common concerns of the empire, but obliging us to fall back, † as you express yourself; and sink into the situation of a province.—I do not like invidiously to dwell upon our past or present condition—there is nothing in it that can soothe the feelings of an Irishman, or gratify that pride of country which it is at once honest and useful to encourage; but I ask in whose hands has our legislature ever been. Except in the moment of general weakness and alarm, what will of their own were they ever known to profess. I ask any reasonable man, who has paid the slightest attention to the legislative history of this country, if the independence, honour, or interest of this kingdom would not be better mentioned by fifty or sixty wealthy commoners of this country, seated in the general representative assembly of the empire, with a due proportion of our peers in the House of Lords, than ever they have been by these parts of that legislature which we so fondly call our own?—How are those defects to be remedied? Is it by *Catholic Emancipation, and Parliamentary Reform*? Are we again to fight over that melancholy ground which, as a stage for combat has been furnished to us by these watch words “ of *treason and rebellion*. Such, or at least in part seems to be your opinion; for one evil which you charge upon this projected plan of an union is that it will ‡ absorb the question of *Parliamentary Reform*, and with it the dignity of the country for ever; if the dignity of fighting this question in the various shapes in which the adroitness of political combatants have hitherto dressed it be the only dignity which this kingdom will loose by an Union with England, I care not how soon we strip ourselves of this melancholy grandeur, and assume the garb of industry and peace. I remember one occasion more exclusive of that

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to which I have alluded above, when our parliament may be said to have had a *will* of their own, I mean the time when the question of regency was agitated in this country. How nearly on that occasion had mischievous folly and corrupt ambition dissolved the only bond by which the two countries were connected; had we been subject at that moment to the influence of French intrigue, what security had we for our independence in the wisdom or honesty of *our own* parliament? With such an example before her eyes, while the connection remains so loose as it is at present, can England make a common cause with us, or consider us a part of herself. Can she make this country a permanent station for her fleets, while she is ignorant how soon those advantages may be turned against her, and swell the power of her most inveterate adversary? With what cordiality can we expect she will assist us in our commercial enterprises, or promote a manufacturing spirit among us, when the wealth which may result from success in those pursuits may serve only as a temptation to ourselves or to others in some hour of wanton *pride* and fancied *dignity* to shake off a connection which the vociferating patriots of the day might call insulting or degrading—but it may be asked would a Union secure us against so fatal a calamity. Though I do not positively assert that it would, I have no hesitation in saying that it presents many barriers against such an event which does not exist in the present state of things. In political reasoning we cannot attain the certainty which we do in mathematical induction; it turns altogether upon probabilities, and the investigator of such questions can never presume to do more than state which way and to *what degree* probability inclines; to me it appears that there is one circumstance in our present situation which tends considerably to weaken, and might at length lead to dissolve the connection between the two countries, and that is the idea of *distinction* which is perpetually present to the mind both of the English or the Irish nation: every reflecting person knows the influence of habits upon men;

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I do not say that an Union would at once destroy this notion, but, there can be little doubt that it would tend much to diminish its influence, and would in all probability in time completely efface it. There is nothing serves so much to keep alive those mutual jealousies, suspicions and fears, which have hitherto contributed to mar the prosperity of this country as that idea of distinctness. The progress from distinctness to separation, from separation to hostility, was a beaten tract in which the mind travelled without difficulty or obstruction. These marks by which the kingdoms were meted out from one another will gradually disappear; the face of the countries, the manners of the people, their habits and opinions will from day to day assimilate: it will be forgotten they were once a distinct people or only remembered to enhance the value of the condition they will have attained. This is I confess the flattering point of view in which an Union presents itself to my mind. I dwell with fond anticipation upon this prospect of rising prosperity, and I keep no terms with that *false dignity* and affected *importance*, which prevents it from being realized. That an Union will disappoint the interested views of many individuals, and perhaps affect the particular interests of some districts of the kingdom cannot with any truth be denied.—This will occasion a loud outcry against it, which if not sufficiently attended to, may be mistaken for the voice of the nation—I therefore caution the English cabinet, and the particular administration of this kingdom from giving too much importance to these factious complaints. They will hear much of surrendered dignity, subverted constitution, and annihilated Ireland, every thing which can excite popular discontent and popular fear will be resorted to by these men.—If there should even be found in the ranks of the opposers of this question, a man of acknowledged talents, great learning, untainted honour, and one from these causes possessed of high respect and great influence, let not the government hastily surrender the intention of securing wealth and

happinefs for a whole people, to the opinion of one man. Cato himfelf was not always in the right—the truth is that in all queftions that afford a variety of views, in which they may be confidered, and which from their nature do not admit of certainty, but furnifh plaufible topicks to ingenious minds, whatever view they take of them ; accident determines our original opinions much more frequently than we are aware of the judgment of thofe with whom we live and affociate,—the light in which the queftion has been firft prefented to the underftanding, or habitual notions inftilled early into our minds before we were capable of examination, all have their influence—the impreffion once made, from whatever caufe the whole power of the mind is directed to ftrengthen and fupport it. The clouds and darknefs which originally refted on the queftion are by degrees difpelled, and the fatis fied underftanding fees nothing about which to doubt or hesitate. You may ask me is not this precifely my cafe ? I can only answer, I have endeavoured that it fhould not.—I refifted my earlieft impreffions ; motives of intereft and delufions of ambition, if they had been liftened to, would probably have induced me to be the advocate of a different opinion. My underftanding whatever it is, has had fair play, and I fubmit to you and to the public, the confideration by which it has been governed. If I could perfuade myfelf that an Union would fubvert our conftitution, I would refift it to the laft extremity—but I confefs I fee nothing in it but a different mode of adminiftering that conftitution with many advantages in favour of the change. But we will be governed by Englifh representatives—if they govern us as they govern themfelves, I fee no great reafon for diffatisfaction, but what is the truth—in every representative government there is no part of it that is not governed by the reft, but the fecurity of each portion is, that it muft be governed as the remainder is governed—and that it governs in its turn—If the general intereft be fufficiently taken care of by the adopted fcale of representation, the fecurity
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of the particular interest follows of course.—Once the Union is completed there cannot be one law for Ireland, and another for the rest of the united kingdoms. When the terms of the Union are settled the government of the whole as far as is consistent with those terms must be uniform.

I cannot entertain a doubt that when the particular plan of that Union shall be known, it will be found that we are to have our own weight in the grand councils of the nations. A possible retrenchment of English representation, which it could well bear, might diminish the numbers necessary to be sent from this kingdom, and perhaps operate as a parliamentary reform which the present occasion furnishes an opportunity of effecting, without trouble or confusion.

When I consider the temper and disposition of the inhabitants of Ireland at this day, the peculiar nature of their jealousies and antipathies, long growing, deeply rooted, and now in full maturity, I see no hope of accommodation, or even of *secure hostility*, save what is presented by an Union. If the Catholics should be admitted into the united legislature, (and that would be a policy at once wise and liberal,) their weight in the general representation of the kingdoms would be as a feather in the scale. All ground for dissatisfaction on the score of political authority would be removed, all possibility of encroachment on the Protestant establishment through the medium of an Imperial Parliament utterly done away: their favourite argument of preponderating numbers diffipated in a moment, and the authority of our church, as by law established, secured for ever. If, on the other hand, a contrary policy should be adopted, and the Catholics should still continue to be excluded from seats in the legislature, a barrier of ten-fold the strength of any that now exists, would be placed between their hopes and the accomplishment of them; instead of a native parliament,
and

and a minority of fellow citizens, they would have to contend with the united legislature of the three kingdoms, with a majority of Protestants greater than their own boasted majority within this kingdom, and with the direct authority and power of the whole empire. The first plan of Union namely yielding to claims of the Catholics, would in my mind, effect the prosperity and happiness of this country for ever, and the last would secure at least its permanent tranquillity.

The condition of this country is this. We must either continue to refuse to accede to the claims which the Catholics make for a full participation of what they call their rights in the constitution, and so perpetuate the seeds of internal animosity and dissension: or we must yield to their claims, under the obvious apprehension of risking the Protestant ascendancy in church and state and, in the struggle, even the additional hazard of dissolving the connection with Great-Britain for ever. Whichever of these courses we pursue, we must remain a weak, divided, and distracted country, a prey to internal conspiracy, and foreign interference. It is with nations, as with individuals, the wisdom either of one or of the other usually consists in choosing well between different evils. If an Union presents a revolting picture to the imagination, and abounds with serious mischiefs to our happiness and prosperity, let it in the name of common sense be rejected: but if it furnishes the only means, as I humbly apprehend it does, by which the particular grievances of this country can be mitigated or healed, and holds out to us the reasonable hope of bettering our condition, and permanently securing our peace and welfare, in the same name of common sense, let us resort to it—in judging of it, let us, above all things attend only to the general interest, let our view of it be as comprehensive as the subject. Let our determination be the result of a calm consideration of the state of this country, of Great-Britain, and of Europe—it will all be found necessary to a right judgment.

Permit me before I have done to take notice of two other objections which have been made to the accomplishment of an Union. I mean the oath which we took as Yeomen, and the competency of parliament to effect this change. The substance of that oath, (for I do not recollect the words of it,) bound us to support the constitution and the laws. By the word constitution I will admit, was meant *the constitution* by king, lords, and commons of *Ireland*, and by-laws, *the laws* by which it was then, or *might thereafter be supported and established*. But surely in a great question of this kind we are not to be entangled in a mesh of form. While we have a king, lords, and commons of Ireland, to take care of our interest, and regulate our concerns, I still see the constitution of Ireland, it makes no difference in my mind, in essence, whatever it does in form, that the sphere of representative government is widened to the same extent with the executive authority, so as to embrace in its protecting arms the whole of these two islands, and to give us *one* parliament, as we have *one* king. I still see in this *that* constitution I was sworn to defend, *that* mixed monarchy, the pride and glory of the world, not changed but simplified, not subverted, but renewed in another and a better form.

With respect to the competency of the legislature of the respective countries to effect this change it may be necessary to say a few words. I might object to this argument, that like most theoretical arguments, it proves too much; and is utterly inapplicable to the practical concerns of politics and government. If the want of competency in parliament to effect the proposed change arises from this, that parliament cannot transfer a trust which they hold merely as a delegation, I answer, I admit they cannot do so without the assent, or against the consent of the people whose representatives they are; that assent is to be collected from the acquiescence of the people, provided such acquiescence be not procured by fraud or force. It may therefore be safely
said,

said, that whatever parliament *can do*, if fraud or force be not used to effect it, *they may do*. I know for my part, no limitation to this rule—there is no rule which secures to the people more completely their original right which this objection supposes, of forming a government for themselves. I have shewn, I think already, that the constitution of this kingdom, in substance and in spirit, is not changed by the proposed Union. While the constitution lasts, says Blackstone “we may venture to affirm that the power of parliament is absolute and without controul;” any other supposition includes in it a perpetually recurring dissolution of the whole frame of government, reduces society to its original chaos, and would make the wisest and most necessary changes utterly impracticable.

I have given you the honest result of my own deliberate inquiry, I am at least sincere, however I may be mistaken; I confess indeed I had much more confidence in my opinion, 'till I found I differed from a man whom you and I equally love and respect; from one whose opinion will have great and deserved weight with the nation at large, with whom to agree would perhaps be my greatest security against error, and whom I would feel it my greatest misfortune to offend. However, I now act in the capacity of a citizen, not a soldier. I have often *turned* at his word of command. But I know he will not think me wrong, at least in my motives, if I refuse to do it now.

- I am, Sir, &c. &c.

FINIS.