

## ‘LIKE AMPHIBIOUS ANIMALS’: IRISH PROTESTANTS, ANCIENT BRITONS, 1691–1707

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**ABSTRACT.** *Ireland in the 1690s was a protestant state with a majority catholic population. These protestants sometimes described themselves as ‘the king’s Irish subjects’ or ‘the people of Ireland’, but rarely as ‘the Irish’, a label which they usually reserved for the catholics. In constitutional and political terms their still evolving sense of identity expressed itself in the assertion of Irish parliamentary sovereignty, most notably in William Molyneux’s 1698 pamphlet, The case of Ireland’s being bound by acts of parliament in England, stated. In practice, however, the Irish parliament did not enjoy legislative independence, and the political elite was powerless in the face of laws promulgated at Westminster, such as the 1699 woollen act, which were detrimental to its interests. One possible solution to the problem of inferior status lay in legislative union with England or Great Britain. Increasingly in the years before 1707 certain Irish protestant politicians elaborated the economic, constitutional and practical advantages to be gained from a union, but they also based their case upon an appeal to the shared religion and ethnicity of the sovereign’s loyal subjects in the two kingdoms. In short the protestants insisted that they were English. This unionist episode thus illustrates the profoundly ambivalent character of protestant identity in late seventeenth- and early eighteenth-century Ireland.*

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With the victory of William of Orange at the Boyne in July 1690, and the final surrender of the catholic and Jacobite forces at Limerick in October 1691, political power in Ireland passed into the exclusive possession of the protestants. Who were these protestants? Were they British, Irish or Anglo-Irish? The question of collective identity should be addressed because senses of identity reflect, affect and may even determine political loyalties, structures and behaviour. For the Williamite generation the issue of identity was complicated, first by their ‘colonial’ relationship with England, and second, by the fact that while they enjoyed a virtual monopoly of public life and controlled the Dublin parliament, they were nonetheless an (unwanted) minority, comprising perhaps only ten per cent of the Irish population. This essay investigates who the post-revolution protestant elite were; who they thought they were; and finally, how who they thought they were helped to shape the political agenda.

The political nation of the 1690s was composed of landed families, who were the beneficiaries, or the descendants of the beneficiaries, of the sequence of confiscations of catholic property which punctuated the sixteenth and seventeenth centuries. The defining characteristic of this social and political

elite was religious rather than ethnic. Although overwhelmingly composed of men of English extraction, those of Scottish, Irish, or more exotic ancestry, could obtain entry to the political nation by conforming to the established church. The family histories of two prominent protestant spokesmen illustrate this rule. Archbishop William King was born in Ulster, of Scottish stock. William Molyneux's great grandfather came to Ireland in Elizabeth's reign from Calais.<sup>1</sup> The anglican character of the elite is underlined not only by its hostility to catholicism, but also by its antipathy, so marked in the writings of the churchmen William King and Jonathan Swift, to the Scots presbyterians concentrated in the north. Understandably the animus was reciprocated, especially after 1704 when dissenters, like catholics, though to a lesser extent, were denied full civil and political rights.

If the protestantism of the ruling elite is clear-cut, its national allegiance is not. In a recent essay about the crises of protestant identity in the seventeenth century, T. C. Barnard concludes that an 'appropriate terminology' is unlikely ever to be agreed.<sup>2</sup> Louis Cullen dismisses the term 'Anglo-Irish' when applied to the protestant elite of the eighteenth century as 'meaningless' and advises his colleagues to 'run from it'. But where to run? As Cullen's own work demonstrates, 'Anglo-Irish' is one anachronism which will prove extremely difficult to avoid.<sup>3</sup> Nicholas Canny asserts that by the 1690s protestants had adopted the name Irish 'with enthusiasm', whereas David Hayton stresses the unsettled and ambivalent quality of protestant self-perceptions.<sup>4</sup> Indeed, for many protestants 'Irish' was synonymous with 'Jacobite' and 'catholic'.<sup>5</sup> Thus the parliament of 1692 refused to destroy the transactions of the 1689 Jacobite parliament on the grounds that it wished to preserve a record of 'Irish barbarity'. In 1698 Sir Richard Cox published a pamphlet aimed at converting 'the Irish' to protestantism.<sup>6</sup> Yet some of Cox's

<sup>1</sup> C. S. King, *A great archbishop of Dublin, William King, D.D. 1650-1729* (ed. P. H. Kelly) (London, 1906), pp. 1-2; J. G. Simms, *William Molyneux of Dublin, a life of the seventeenth-century political writer and scientist* (Dublin, 1982), pp. 11-12.

<sup>2</sup> T. C. Barnard, 'Crises of identity among Irish protestants, 1641-1685', *Past and Present*, cxxvii (1990), 40-2.

<sup>3</sup> L. M. Cullen, 'Catholics under the penal laws', in *Eighteenth-Century Ireland*, 1 (1986), 28, 30. For Cullen's earlier use of the term 'Anglo-Irish' see *The emergence of modern Ireland, 1600-1900* (London, 1981), pp. 136, 172, 178. See, also, the comments of S. J. Connolly, *Religion, law and power, the making of protestant Ireland* (Oxford, 1992), pp. 103-5.

<sup>4</sup> N. Canny, 'Identity formation in Ireland: the emergence of the Anglo-Irish', in N. Canny and A. Pagden (eds.), *Colonial identity in the Atlantic world, 1500-1800* (Princeton, 1987), pp. 201-2, n., p. 205; D. Hayton, 'Anglo-Irish attitudes: changing perceptions of national identity among the protestant ascendancy in Ireland, ca. 1690-1750', *Studies in Eighteenth-Century Culture*, xvii (1987), 145-57.

<sup>5</sup> J. C. Beckett, *The Anglo-Irish Tradition* (London, 1976), pp. 45-6.

<sup>6</sup> *An account of the sessions of parliament in Ireland, 1692* (London, 1693), p. 13. (Elsewhere the author of this pamphlet refers to 'the protestant and English interest' and to 'the English in this kingdom', pp. 1, 4, 7.) Sir Richard Cox, *An essay for the conversion of the Irish showing that 'tis their duty and interest to become protestants* (Dublin, 1698). Both of these pamphlets and, with the exception of those by Maxwell and Burridge which were consulted in the British library (see notes 15 and 24), all the pamphlets cited hereafter, are held in the Bradshaw collection in Cambridge University library; C. E. Sayle (ed.), *A catalogue of the Bradshaw collection of Irish books in the University of Cambridge* (Cambridge, 1916).

co-religionists did describe themselves as Irish. Like the historians, the protestants of the late seventeenth and early eighteenth centuries had no agreed terminology.

It might be argued that this confusion simply registered the perennial dilemma of the English settler in Ireland. That just as the English gentry are forever 'rising', so the English in Ireland are forever being assimilated. The chronicler of the original Norman invasion, Gerard of Wales, has Maurice Fitzgerald declare in 1170, 'We are English as far as the Irish are concerned, likewise to the English we are Irish.' And the problem of gaelicization or, as the medieval colonists called it, degeneracy, has continued to exercise commentators and scholars ever since.<sup>7</sup> In the early eighteenth century Molyneux's nephew, Samuel Madden, reflected that the protestants 'like amphibious animals are envied as Englishmen in Ireland and maligned as Irish in England'.<sup>8</sup> In his memoir, *West Briton*, the journalist and historian Brian Inglis recalled his county Dublin childhood: 'we were unaware that anybody could believe that we were not Irish; and if we had been told that there were actually people... who made no distinction between us and the British from whom we were descended, it would have seemed rather a bad joke.' Nevertheless later in the book he writes of the ways in which his community 'remained English'.<sup>9</sup> The surface continuity between Fitzgerald's, Madden's and Inglis's predicaments is deceptive. In each case the context is different. The self-image of the settler in Ireland was never unchanging. The protestants of the late eighteenth century considered themselves to be 'the Irish nation' without hyphen or qualification; their ancestors and their descendants did not. Protestant senses of identity in the 1690s were fluid. In the final draft of his celebrated tract, *The case of Ireland being bound by acts of parliament in England, stated* (1698), Molyneux employed the phrase 'the British protestants of Ireland', but he then deleted the word 'British' from the printer's copy.<sup>10</sup> With hindsight we can now see the direction in which protestant identities were flowing – towards an affirmation of Irishness – but that was neither clear at the time, nor pre-ordained. Molyneux made choices.

Historians in search of the origins of 'colonial nationalism' have emphasized the processes by which the protestant community in Ireland differentiated itself from England. The duality of the colonial mind is acknowledged, but its evolution towards the 'nationalism' or patriotism of Grattan's generation is never lost sight of. In the political arena, for example, Irish support for a union either with England or with Great Britain, is usually portrayed as a

<sup>7</sup> J. F. Lydon, 'The middle nation', in J. F. Lydon (ed.), *The English in medieval Ireland: proceedings of the first joint meeting of the Royal Irish Academy and the British Academy* (Dublin, 1984), p. 2. The issue of gaelicization is further explored by A. Cosgrove, 'Hiberniores Ipsi Hibernis', in A. Cosgrove and D. McCarthy (eds.), *Studies in Irish history, presented to R. Dudley Edwards* (Dublin, 1979), pp. 1–14.

<sup>8</sup> Quoted in C. Robbins, *The eighteenth-century commonwealthman* (Cambridge, Mass, 1959), p. 158.

<sup>9</sup> Brian Inglis, *West Briton* (London, 1962), pp. 31, 213.

<sup>10</sup> P. H. Kelly, 'The printer's copy of the MS of William Molyneux "The case of Ireland's being bound by acts of parliament in England, stated"', *Long Room*, nos. 18–19 (1979), 6–13.

consolation prize sought in lieu of parliamentary independence.<sup>11</sup> This reading fits the ‘emerging nationalism’ thesis very neatly, but underestimates the protestant sense of Englishness – the strength of the ties and attitudes which still bound the settlers so closely to the ‘mother country’. For many of them union was an attractive, indeed the preferred, option. It is scarcely surprising that, in the years after the battle of the Boyne, protestants in Ireland remained uncertain about who exactly they were. English racist stereotypes of the Irishman, at once a comic and menacing figure,<sup>12</sup> were reinforced by homemade images of the native Irish papists. Protestants recoiled in horror whenever Englishmen ‘looked upon the people [of Ireland] in gross’.<sup>13</sup> Memories of their deliverance from catholic, Jacobite and ‘Irish tyranny’ were too fresh, memories of the 1641 massacres too evergreen and, related to this, the view that, as the parliamentary chaplain John Travis put it, they still inhabited ‘an enemies country’ was too powerful,<sup>14</sup> to allow the protestants of the 1690s to appropriate the name Irish wholesale, or with ease, let alone enthusiasm.<sup>15</sup> That some did, at this stage, so name themselves, is testimony to the completeness with which they had come into their inheritance: they alone comprised the Irish political nation. It is testimony, too, to the rapid

<sup>11</sup> Simms states that in 1703 ‘union was asked for [by the Irish parliament] as a second best’, although some years later ‘emphasis was laid on union for its own sake’: J. G. Simms, *War and politics in Ireland, 1649–1730* (ed. D. Hayton and G. O’Brien) (London, 1986), p. 259. He again used the phrase ‘second best’ in T. W. Moody and W. E. Vaughan (eds.), *A new history of Ireland*, iv. *Eighteenth-century Ireland, 1691–1800* (Oxford, 1986), p. 7. A useful antidote to this traditional approach is provided by J. Kelly, ‘The origins of the act of union: an examination of unionist opinion in Britain and Ireland, 1650–1800’, *Irish Historical Studies*, xxv (1987), 236–63.

<sup>12</sup> A particularly scurrilous example of contemporary paddywackery, in this instance focusing on the comic dimension, is *A trip to Ireland, being a description of the country, people and manners, as also some selected observations on Dublin* (London?, 1699). This squib was written, according to a MS note, by ‘The celebrated Tom Brown’. For a discussion of racist stereotyping, see D. Hayton, ‘From Barbarian to burlesque: English images of the Irish c. 1660–1750’, *Irish Economic and Social History*, xv (1988), 5–31.

<sup>13</sup> *Considerations concerning Ireland in relation to England and particularly in respect of an union* (1692?), p. 2. J. A. Froude dates this anonymous pamphlet at about 1703 (*The English in Ireland in the eighteenth century* (3 vols., London, 1872), i, 287). However, from clear internal evidence the earlier date suggested above is more likely. Sir Francis Brewster complained that Englishmen who lived in Ireland ‘some few years... must rest satisfied with the odious character of Irishman’: *A discourse concerning Ireland and the different interests thereof, in answer to the Exon and Barnstaple petitions; shewing that if a law were enacted to prevent the exportation of woollen manufactures from Ireland to foreign parts, what the consequences thereof would be both to England and Ireland* (London, 1698), p. 46.

<sup>14</sup> The phrase ‘Irish tyranny’ was used to describe the Jacobite episode by Edward Wettenhall, bishop of Cork: *A sermon preached Octob. 23 1692, before his excellency the lord lieutenant, and the lords... and commons in Christ Church, Dublin* (Dublin, 1692), pp. 12–13. John Travis, *A sermon preached in St. Andrews church Dublin...* (Dublin, 1698), p. 13. The power and longevity of 1641 in the protestant imagination is explored by T. C. Barnard, ‘The uses of 23 October 1641 and Irish protestant celebrations’, *English Historical Review*, cvii (1991), 889–920.

<sup>15</sup> Professor Canny cites Ezekiel Burridge’s equation of ‘the king’s “Irish subjects”’ and ‘the people of Ireland’ with the protestant nation, as evidence of ‘the ease with which Irish protestants could monopolize the description Irish: ‘Identity formation in Ireland’, pp. 201–2, n. In fact, on the basis of the evidence in the pamphlet cited, Burridge, like so many of his contemporaries, was ambivalent in his usage, referring a number of times to the catholics as ‘the Irish’: *A short view of the present state of Ireland; with regard particularly to the difficultys a chief governor will meet with there in the holding of parliament, written in the year 1700* (Dublin, 1708), pp. 14, 16, 18.

identification of the settler with his adopted homeland. 'When an Englishman came hither' wrote one pamphleteer, 'he quickly degenerated in his affections... we hardly find a man who liv'd seven years in Ireland and consign'd to be in it, but he became sensibly averse to England, and grew something of an Irishman.'<sup>16</sup> For Molyneux, Ireland was 'my own poor country'.<sup>17</sup>

The processes of settler identification with their new *patria* and its political expressions are well-known and well-documented. In J. C. Beckett's pithy phrase 'descent is less important than environment'.<sup>18</sup> The tenacity with which many protestants still clung to their English heritage is less well understood, but equally germane to explaining the political and constitutional history of the period. Distinctions between 'English protestants' and 'Irish papists' were widely used, not least by the impeccably patriotic William King, in his *State of the protestants of Ireland under the late King James's government* (1691).<sup>19</sup> Among other things unionist advocacy was predicated upon the common ethnicity of the king's loyal subjects in the two kingdoms. And it should be remembered that the claim to legislative independence was also advanced on the legal ground that as the descendants of free-born Englishmen the protestants of Ireland were entitled to English liberties.

Molyneux, drawing on the theories of John Locke, further argued that the principle of government by consent was a natural right inherent in all mankind. How then could he justify the continued denial of this right to catholics? Molyneux attempted to minimize this logical anomaly by apparently wishing the catholics away. 'Now 'tis manifest' he wrote,

that the great body of the present people of Ireland are the progeny of the English and Britains, that from time to time came over into this kingdom; and there remain but a mere handful of the ancient Irish at this day; I may say, not one in a thousand: so that if I, or anybody else, claim the like freedom with the natural born subjects of England, as being descended from them, it will be impossible to prove the contrary.<sup>20</sup>

This notorious passage from *The case of Ireland... stated* has been dismissed as specious, evasive, barefaced, radical, extraordinary and clearly disingenuous.<sup>21</sup> Surely Molyneux must have known, as we know, that the 'ancient Irish' or catholics were in fact a vast majority. Only J. G. Simms suggested another explanation: that the phrase 'the present people of Ireland' referred to 'the

<sup>16</sup> *Considerations concerning Ireland in relation to England...*, p. 3.

<sup>17</sup> Molyneux, *The case of Ireland... stated*, p. 3.

<sup>18</sup> Beckett, *The Anglo-Irish tradition*, p. 46.

<sup>19</sup> On the other hand the non-juror, Charles Leslie, King's fiercest critic, his near contemporary at Trinity College, Dublin, and sometime minister of the Church of Ireland, consistently used the phrase 'Irish protestants' in his *An answer to a book intitled the state of the protestants in Ireland under the late King James's government* (London, 1692).

<sup>20</sup> Molyneux, *The case of Ireland... stated*, p. 20.

<sup>21</sup> E. M. Johnston, *Ireland in the eighteenth century* (Dublin, 1974), p. 60; R. F. Foster, *Modern Ireland, 1600-1972* (Harmondsworth, 1988), pp. 161-2; Hayton, 'Anglo-Irish attitudes', p. 150; Simms, *William Molyneux*, p. 105; I. L. Victory, 'Colonial nepotism in Ireland, 1692-1725: from common law to natural right' (unpublished Ph.D. dissertation, Trinity College, Dublin, 1985), p. 56.

political nation... the men of property'.<sup>22</sup> A third interpretation is possible. Molyneux may have meant something close to what he wrote.

That interpretation is corroborated to some extent by the conversionist pamphlet written by Sir Richard Cox, and published in the same year as *The case*. Like Molyneux, Cox asserted that the majority of the inhabitants of Ireland were 'beyond controversie of English extraction, and the progeny of the first conquerors, or of such as came over afterwards from England to support them', in other words, the Old English. What is more, even the ancient or pre-conquest Irish were 'originally English, and of British extraction'. This was proven, he believed, by the authority of 'Tacitus, Polybius and many other ancient historians' and by the irrefutable facts of geography. The island of Ireland could only have been first peopled by the inhabitants of the neighbouring island: 'many of the customs of the ancient Britons are retain'd in Ireland to our own day... your character is Saxon, and your language originally Welsh'. Cox also turned the familiar assimilationist version of history on its head. The settlers had not gone native; on the contrary, intermarriage and acculturation had subsumed the indigenous race to the point when 'there is scarce a man of any note, but has of the old English or new English blood in his veins'. The self-evident superiority of English over Irish culture meant that, as far as Cox was concerned, this was a wholly benign outcome. The only hope for Irish papists lay in 'total conversion and conformity to the laws, language, habits, manners and religion of England'. 'And pray, gentlemen', he asks, 'what greater honour can you desire than to be accounted English?'<sup>23</sup> Cox was born in Bandon, county Cork.

If Molyneux and Cox believed their own rhetoric – and it would be a mistake blithely to assume that because they were politicians they did not – then these excursions into pseudo-history offer an intriguing glimpse of who, some at least, of the post-Boyne protestant elite thought they were. Protestants knew that they were a minority, but in the absence of accurate statistics it seems likely that protestant estimates of their own numbers were larger and of the size of the catholic population smaller, than was in reality the case.<sup>24</sup> More significantly, the prospects of converting the catholics to protestantism, thereby absorbing the 'ancient Irish' into the English nation, was not, for the

<sup>22</sup> Simms, *William Molyneux*, pp. 105–6.

<sup>23</sup> Cox, *An essay for the conversion of the Irish*, pp. 10–13. Some years earlier Cox elaborated a more complex racial theory: the English in Ireland were 'a mixt nation composed of Britons, Danes, Saxons and Normans'; the Irish likewise were 'a mingled people of Britons, Gauls, Spaniards and Easterlings, and therefore called Scots'. But here too he claimed that 'there is hardly a gentleman among them [the Irish] but has English blood in his veins': *Hibernica Anglicana: or, the history of Ireland from the conquest thereof by the English, to the present time* (2 vols., London, 1689), I, xx. The English historian, Laurence Echard, stated that 'the inhabitants [of Ireland] descent originally from the Britains' and that 'the language that they commonly speak is originally British, or at least a dialect of it': *An exact description of Ireland* (London, 1691), pp. 14, 16, 27.

<sup>24</sup> As Henry Maxwell wrote, 'The number of the protestants are much increased of late': *An essay upon an union of Ireland with England* (London, 1703, Dublin, 1704), p. 13. The relative and absolute sizes, real and imagined, of the various confessional groups, are discussed in the section on 'Numbers', in S. J. Connolly, *Religion, law and power*, pp. 144–9.

protestants of the 1690s, a mere pipedream. This generation had lived through an era of extremely rapid social and political change. Their deliverance from popish tyranny and arbitrary power was evidence of God's favour. Why should change suddenly stop, or God's favour be withdrawn? Now that the rival catholic political elite had been eliminated and, in Henry Maxwell's words, 'there is no danger to be apprehended from the popish Irish',<sup>25</sup> who could prevent the triumph of English culture and reformed religion?<sup>26</sup> This ebullient 'victors' mentality' coexisted with more pessimistic estimates of the catholics as treacherous, hostile and irreconcilable. Protestants could speak of the formidable numbers and power of the papists when it suited them. Yet, although these views conflict, it is possible to view the world in two ways at once.

Before considering the relationship between protestant senses of identity and the constitutional problem which the political elite confronted between the revolution settlement and the Anglo-Scottish union, contemporary uses of the concept 'British' should be noticed. Once again, the imprecision of the terminology is striking. From the variety of contexts in which it appears the word 'British', it seems, was sometimes conflated with 'English', sometimes it denominated the historic Welsh, and on yet other occasions it referred to the Scots in Ireland, or more inclusively to the Scots and English 'nations' in Ireland.<sup>27</sup> In political terms a British composite identity proved too indeterminate to be serviceable. Protestants in Ireland claimed the rights, liberties and privileges of Englishmen.

After 1689 the enhanced power of the Westminster parliament in relation to the crown had direct constitutional implications for the kingdom and parliament of Ireland. Irish lawyer-politicians had long insisted upon Ireland's status as a separate and distinct kingdom under the crown, with its own laws, parliament and ancient constitution.<sup>28</sup> According to that theory, the English parliament exercised no more jurisdiction over Ireland than it did over Scotland. In practice the English parliament could, and did, ignore Irish constitutional theory. Moreover, as the doctrine that sovereignty was located in the crown in parliament gained acceptance in the 1690s, it followed that the imperial crown of England lodged in an imperial parliament. Westminster's jurisdiction therefore extended to all the king's dominions. The inevitable clash between Westminster's imperial pretensions and the self-proclaimed

<sup>25</sup> Maxwell, *An essay upon an union*, p. 12.

<sup>26</sup> See Sean Connolly's incisive remarks in 'Religion and history', *Irish Economic and Social History*, x (1985), esp. 76–8.

<sup>27</sup> Hayton, 'Anglo-Irish attitudes', pp. 150–1; Cox, *Hibernica Anglicana*, 1, xx; Echard, *An exact description of Ireland*, p. 16; Connolly, *Religion, law and power*, p. 118. The ambiguities of contemporary perceptions are nicely conveyed in a letter written by Cox in 1704: this country 'is inhabited by people of several nations, interests and religions... There is no remedy so proper for both kingdoms as some sort of union which would conduce to enrich and strengthen England, and establish the English interest here...all the British would be good Englishmen': Cox to Nottingham, 13 Feb. 1704, Cal. S.P. dom., 1703–4, p. 531.

<sup>28</sup> A. Clarke, 'Colonial constitutional attitudes in Ireland, 1640–1660', *Proceedings of the Royal Irish Academy*, vol. 90, c, no. 11 (1990), 357–75.

autonomy of the Dublin parliament occurred over the woollen bill which was first proposed in 1697, and which reached the statute books two years later.<sup>29</sup> It also provided the occasion for Molyneux's celebrated defence of Irish legislative independence.

The purpose of the woollen act was to protect the English wool trades by prohibiting the export of Irish woollen goods, thereby eliminating Irish competition. Unlike other controversialists who entered the fray Molyneux, in his *Case of Ireland...stated*, sidestepped the economic issues involved, and concentrated all his fire on the constitutional effrontery of an English parliament presuming to bind Ireland by laws to which the 'Irish' had not consented. The *Case* operated at a number of levels. In order to demonstrate that Ireland was a distinct kingdom, Molyneux had to refute the view that it was a conquered country. He maintained that the rights of conquest did not extend either to those who had assisted in the conquest, or to the progeny of the conquered. In any event the original Norman invasion did not amount to conquest anyway. The Irish 'nobility and clergy' had, in fact, 'voluntarily accepted' Henry II as their king, and Henry in return had granted them English law and the right to hold parliaments.<sup>30</sup> That original compact guaranteed Ireland's status as a kingdom with its own constitution – and that status, the record showed, had never been violated. So far the *Case* ploughed a well-tilled furrow. Many of the precedents assembled by Molyneux were recycled from the 1660 *Disquisition* and other papers of Sir William Domville, and these in turn drew freely on Patrick Darcy's 1641 *Argument*.<sup>31</sup> What marked the *Case* as an intellectual advance on these earlier works was Molyneux's application of whig libertarian rhetoric and natural rights theory to the predicament of the Irish parliament. The irony is palpable. On the one hand the *Case* directly echoes Robert Molesworth's *Account of Denmark* with its cry of the 'noble Gothic constitution' in danger, on the other its target is (English) parliamentary supremacy.

Although, as we have seen, Molyneux's tract owed much to an older constitutional tradition, his chief grievance was not so much the infringement of Irish sovereignty, as government without consent. If Ireland were to be bound by laws made at Westminster, then the 'Irish' – that is the protestants – should be represented at Westminster. Union would ensure consent, but union, in Molyneux's words, was 'an happiness we can hardly hope for'.<sup>32</sup> William King adopted the same position. If Ireland was to 'be governed by the parliamentary law of the English parliament' he observed, 'we shall like it very well, provided we be all represented in the English parliament... I take all power that is not with consent of the subject to be arbitrary.'<sup>33</sup> The right

<sup>29</sup> H. F. Kearney, 'The political background to English mercantilism, 1695–1700', *Economic History Review*, 2nd ser., xi (1959), 484–96. P. H. Kelly, 'The Irish woollen export prohibition act of 1699: Kearney revisited', *Irish Economic and Social History*, vii (1980), 22–44.

<sup>30</sup> Molyneux, *The case of Ireland...stated*, pp. 12–13, 18–22, 29, 37–8.

<sup>31</sup> Simms, *William Molyneux*, pp. 103–5; Clarke, 'Colonial constitutional attitudes', pp. 363–4.

<sup>32</sup> Molyneux, *The case of Ireland...stated*, pp. 97–8.

<sup>33</sup> Simms, *William Molyneux*, pp. 103–4.



of representation and consent could thus be secured either by an independent Irish parliament, or by a union. Representation was one reason for desiring a union: prosperity, security, the containment of the Ulster presbyterians, and the affinity of the protestants of Ireland with the protestants of England, were others. All of these reasons were canvassed as soon as the Anglo-Scottish union manoeuvres began in 1702, but they had already been deployed to a remarkable degree in the earlier and different context of the debates about the woollen bill.

Critics of the proposed woollen act disputed its economic rationale. Picking up the lead laid by the writings of Sir William Petty,<sup>34</sup> they argued that the British Isles made a natural unitary market, and that consequently the prosperity of each of the parts, whether Dorset, Cheshire or Ireland, added to the prosperity of the whole. Conversely, trade restrictions at the periphery, such as the prohibition of Irish wool exports, would inflict economic damage on the centre. The English woollen interest and parliament, alert to the competitive edge which allegedly cheaper labour costs gave to the Irish, were not convinced.<sup>35</sup> After all, in 1689, before Ireland had been reconquered, they had been served warning, by none other than Sir Richard Cox, that one consequence of an independent Ireland would be the ruination of England's woollen manufacture.<sup>36</sup> It is something of a paradox that the imposition of the woollen act in 1699, the drafting of which had provoked the classic statement of legislative independence, at the same time stimulated unionist opinion. Like the Scots the Irish hoped, via a reordering of constitutional relationships, to gain unfettered access to the lucrative English market.

The argument which carried greatest force was security. As James's Irish campaign so vividly demonstrated, catholic Ireland represented no less a threat to the English protestant constitution than it did to the local protestant elite. The protestants, as it were, garrisoned enemy territory, adjacent to the 'mother country'. The ink on the treaty of Limerick was barely dry when the accountant-general, James Bonnell, wrote to Robert Harley that 'nothing can secure [this kingdom] against the Irish but increasing the number and power of the English'.<sup>37</sup> Since the woollen trades in Ireland were concentrated in the hands of the protestants, the proposed legislation would accordingly have a devastating effect upon the English interest there. Deprived of their livelihoods the protestants would either return to England or 'turn Irish or Scots'. The English garrison and established church would collapse, once again exposing the 'mother country's' achilles heel.<sup>38</sup> Moreover, the presbyterian-dominated

<sup>34</sup> Kelly, 'The origins of the act of union', pp. 238–40.

<sup>35</sup> I. Hont, 'Free trade and the economic limits to national politics: neo-Machiavellian political economy reconsidered', in J. Dunn (ed.), *The economic limits of modern politics* (Cambridge, 1990), pp. 78–89.

<sup>36</sup> Cox, *Hibernica Anglicana*, I, xii–xiii.

<sup>37</sup> Bonnell to Harley, 3 Nov. 1691, H.M.C., Portland MS, III, 479–81.

<sup>38</sup> [Francis Annesley], *Some thoughts on the bill depending before the right honourable the house of lords for prohibiting the exportation of the woollen manufactures of Ireland to foreign parts* (London & Dublin, 1698, reprinted, Dublin, 1740), p. 20. This pamphlet is often attributed to Sir Richard Cox – as recently by Hont, 'Free trade and the economic limits to national politics', p. 79, n. 1 follow

linen industry would inevitably rush into the vacuum left by the destruction of the wool trades. During the 1690s Scots migration into Ulster had increased at a rate which deeply alarmed the churchmen. The advance of linen at the expense of wool could only aggravate an already dangerous situation.<sup>39</sup> Again, this argument resurfaced in slightly altered form after 1703. The protestant elite feared an Anglo-Scottish union which excluded Ireland because that, in their view, would strengthen the hand of the anti-episcopalian party in Scotland and, by extension, Ulster.<sup>40</sup> Not surprisingly, Jonathan Swift in his then unpublished allegory, *The story of the injured lady*, castigated England for wooing the Jacobite and presbyterian infested Scots while at the same time spurning the loyal Irish protestants.

But perhaps the greatest injustice of the woollen act, in protestant eyes, was that it was aimed by the English parliament at its own people. Ireland, John Hovell protested, was ‘an English protestant country’,

is it because there is a little channel that runs between Wales and Wexford, that when any English dare cross the stream they must be divested of English privileges, as if they had transgressed some law of nature... [yet] we are the same people, parents and children, brothers and sisters, sometimes dwelling here, sometimes there... we are of one religion... we are a province of their empire, and have neither laws, nor governors, but of their sending.<sup>41</sup>

The protestants, declared Francis Annesley, ‘are Englishmen sent over to conquer Ireland, your countrymen, your brothers, your sons, your relations, your acquaintance; governed by the same king, the same laws; of the same religion, and in the same interest’. ‘Bone of their bone, and flesh of their flesh’, as a third pamphleteer put it, and, Hovell reminded his readers, ‘a very great addition to the loyal party in England, with whom we must live and die’.<sup>42</sup> Special pleading this may be, but the important point here is not so much the intention of the writers; rather it is the availability to them of arguments based on the concept of a shared English ancestry and culture.

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Patrick Kelly’s attribution to Annesley as the more likely: P. H. Kelly, ‘The Irish woollen export prohibition act of 1699’, pp. 34–5, p. 35, n. [Brewster] *A discourse concerning Ireland and the different interests thereof...*, pp. 12–13, 23, 51, 58. J. Hovell, *A discourse on the woollen manufacture of Ireland and the consequences of prohibiting its exportation* (Dublin, 1698), pp. 4–5.

<sup>39</sup> [Brewster], *A discourse concerning Ireland...*, pp. 24–5, 28, 33. This writer estimated that between 1691 and 1698 80,000 Scottish families had migrated into Ulster, and that the presbyterians were beginning to penetrate the other three provinces as well (p. 34). For the economic causes of Scottish emigration and the anxieties which the newcomers aroused among Irish anglicans see L. M. Cullen, *The emergence of modern Ireland*, pp. 12, 34, 39.

<sup>40</sup> Francis Annesley to King, 1706, in King, *A great archbishop of Dublin*, pp. 117–18; Victory, ‘Colonial nationalism’, p. 80.

<sup>41</sup> Hovell, *A discourse on the woollen manufactures of Ireland...*, p. 8. I have altered the sequence, but not the sense, of this passage.

<sup>42</sup> [Annesley], *Some thoughts on the bill depending before... the house of lords...*, p. 22; [Brewster], *A discourse concerning Ireland and the different interests thereof...*, p. 50; Hovell, *A discourse on the woollen manufactures of Ireland...*, p. 12.

The utility of this 'one people, indivisible' rhetoric for Irish unionists is obvious, even if, as in the case of the woollen act controversy, it carried little weight with English public opinion. Maxwell claimed that 'it was more difficult to unite Wales, than it is now [in 1703] to unite Ireland. For at the time of the union, the language, customs, and laws of Wales were very different from those of England, whereas in Ireland they are all the same'. Ireland had a stronger claim to union 'because the people of Ireland are naturally the offspring of England, the Welsh were not'.<sup>43</sup> Another writer, turning to Scotland, insisted that Ireland had 'at least as good a title to [the advantages of union] by religion, blood, and a constant adherence' to the mother country.<sup>44</sup>

Anglo-Scottish constitutional jousting re-opened the unionist question in Ireland as early as 1702.<sup>45</sup> The following year, still smarting from the commercial and constitutional implications of the woollen act and subsequent infringements of parliamentary sovereignty,<sup>46</sup> the Irish Lords and Commons issued addresses to the throne which rehearsed 'the many grievances' and 'deplorable condition' of the kingdom. This situation could only be redressed, declared the Commons, by the calling of 'frequent parliaments', by 'restoring us to a full enjoyment of our constitution, or by promoting a more firm and strict union with your Majesty's subjects of England'.<sup>47</sup> Perhaps more than anything else, it is the wording of this address which has prompted the union-as-second-choice reading of protestant political aspirations in the early eighteenth century. But it is equally plausible to read this formula as a compromise, cobbled together by committed unionists in order to maximize parliamentary support. There is no hint of the second choice syndrome in the report of the chief secretary, Sir Edward Southwell, that 'considering the many misfortunes the country lay under in point of trade and other circumstances, all speakers concluded that they did in most earnest manner desire a union with England'.<sup>48</sup>

The unionist solution of Irish grievances appealed to different people for different reasons. Sir Richard Cox, the Tory lord chancellor, was an outright integrationist, whereas William King was only lukewarm in his support (which he eventually withdrew) for union. Cox, as a tory, and King, as a bishop of the established church, were both wary of increasing Scottish and presbyterian influence and saw an inclusive union as a way of counteracting the danger. In contrast, Robert Molesworth, a radical whig and the chairman of the committee which drew up the 1703 address, favoured toleration of

<sup>43</sup> Maxwell, *An essay upon an union*, p. 12.

<sup>44</sup> Anonymous preface to Burridge, *A short view of the present state of Ireland*, p. 4.

<sup>45</sup> Robert Southwell to King, 14 Mar. 1702, in King, *A great archbishop of Dublin*, pp. 100–2. For the continuing stimulus provided by Anglo-Scottish discussion see Sir Thomas Coningsby to the duke of Ormonde, 16 Dec. 1704, H.M.C., Ormonde MS, VIII, 125.

<sup>46</sup> Protestant opinion was particularly perturbed by the Westminster resumption act (1700), and the appointment of trustees, by the English parliament, to supervise the sale of confiscated property.

<sup>47</sup> *Commons Journal, Ireland*, II, 341–2.

<sup>48</sup> Southwell to Nottingham, 4 Oct. 1703, Cal. S.P. dom., 1703–4, p. 144.

dissent, and supported the Anglo-Scottish union on federalist principle.<sup>49</sup> Of course, the Scottish patriot, Andrew Fletcher of Saltoun, rejected the English proposals precisely because it was an ‘incorporating’ not a federal union on offer.<sup>50</sup> Molesworth and Fletcher were agreed, however, that a federal framework offered the best means of securing a more equitable devolution of political power within the British Isles.

The English government ignored Irish requests for legislative union, presumably for economic policy reasons. It also ignored the Dublin parliament on this issue simply because it could. The Scottish parliament’s act of security, which placed the Hanoverian succession in jeopardy north of the border, provoked a constitutional crisis which was only resolved by the 1707 act of union. An analogous situation could not have arisen in the case of Ireland. Firstly, the security problem cut both ways. If, as its spokesman liked to remind the English, the protestant community in Ireland stood as a bulwark against a catholic *revanche*, they were also on the front line. Protestant security ultimately relied on English arms. For better or worse, self-preservation bound the Irish parliament to England, and in the 1703 address the Commons were at pains to endorse the 1701 act of settlement and the Hanoverian succession. Secondly, Molyneux’s protests notwithstanding, in both practice and theory the kingdom and parliament of Ireland were subordinate to the imperial crown and parliament of England. The crowns of Scotland and England were united – and could therefore be disunited – there was no distinct Irish crown; rather the king or queen of England was, *de facto*, king or queen of Ireland. In addition, through the operation of Poynings’ law, no Irish legislation could reach the statute book without the prior consent of the English privy council. In short, the Dublin parliament was in a much weaker constitutional position than its more autonomous Edinburgh counterpart. Unlike the Scots the Irish had nothing to trade; unable to bargain they could only ask. They asked for union again in 1707 and 1709, and again they received only platitudes in reply.

Writing in the 1870s Froude saw this episode as an historic missed opportunity. If a union had been granted at this stage then ‘Irish grievance and Irish character, bred on separation, would have dissolved into things of history’. He believed that the Scottish experience bore this out.<sup>51</sup> Undoubtedly he was too optimistic about the absorbative capacities of union, as from the vantage-point of the 1990s the Scottish experience shows. But Froude’s speculation is valuable insofar as it helps us to imagine the kind of future which certain Irish unionists must have imagined. When we turn to what actually

<sup>49</sup> Kelly, ‘The origins of the act of union’, p. 243; Southwell to Nottingham, 11 Oct. 1703, Cal. S.P. dom., 1703–4, pp. 156–9; Robbins, *The eighteenth-century commonwealthman*, pp. 111, 147.

<sup>50</sup> Above all Fletcher opposed the abolition of a separate Scottish parliament. David Daiches (ed.), *Andrew Fletcher of Saltoun, selected political writings and speeches* (Edinburgh, 1979), especially the 1704 pamphlet, reprinted here, *An account of a conversation concerning a right regulation of government for the common good of mankind*, pp. 106–37. These issues are explored from a Scottish perspective in W. Ferguson, ‘Imperial crowns: a neglected facet of the background to the Treaty of Union of 1707’, *The Scottish Historical Review*, LIII (1974), 22–44. <sup>51</sup> Froude, *The English in Ireland*, I, 287.

did happen, a keener appreciation of Irish unionist opinion, based in part on a continuing sense of English identity, throws the emergence of eighteenth-century protestant 'nationalism' into sharper focus. England's refusal to grant a union left the protestants to shift for themselves; born in Ireland, they did, nevertheless, have their Irishness thrust upon them.