"OUR OWN CATHOLIC COUNTRYMEN": RELIGION, LOYALISM, AND

SUBJECTHOOD IN BRITAIN AND ITS EMPIRE, 1755-1829

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ABBREVIATIONS

British Library- BL

Cambridge University Library- CUL

Dublin Diocesan Archives- DDA

Library and Archives of Canada, Ottawa- L & A Canada

National Archives, Kew- TNA

National Archives of Ireland- NAI

National Archives of Scotland- NAS

National Library of Ireland- NLI

National Library of Scotland- NLS

Public Record Office- PRO

Scottish Catholic Archives- SCA

Westminster Diocesan Archives- AAW

William L. Clements Library- WLC

INTRODUCTION

In 1780, the Irish-born MP Edmund Burke addressed his constituents in Bristol to explain his continued support for the recently passed Catholic Relief Act of 1778. Although the act itself had not done much to dismantle the broad body of penal legislation that criminalized the practice of Catholicism, denied Catholics' civil rights, and winnowed away their property, it had become the focus of an island-wide repeal campaign led by the Scottish Lord George Gordon. Following Parliament's rejection of their petition, Gordon's followers had devolved into a mob, attacking Catholics and their supposed allies. The resulting riots were the most severe in London's history, eventually resulting in hundreds of deaths and thousands of pounds in property damage.[1] The rioters' actions may be understood in part as an attempt to assert what has been called the "moral economy." They saw themselves as defending the traditional anti-catholic stance of the British Constitution against a government that was failing in its duties.[2] Burke, however, envisioned a significantly different version of the British Constitution. In his address, he argued that the British Constitution and its legal protections should not be restricted by religion. Rather than ensuring British liberty, the penal laws restricting Catholics' property ownership and religious practices had been unjust and unworthy of

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1. Burke himself only narrowly succeeded in convincing the rioters not to destroy his house. Iain McCalman, "Mad Lord George and Madame La Motte: Riot and Sexuality in the Genesis of Burke's 'Reflections on the Revolution in France'," *The Journal of British Studies* 35, no. 3 (1996): 352.

2. For the idea of the moral economy, see Edward Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," *Past & Present*, no. 50 (February 1971): 79. For the Gordon riots, see Colin Haydon, *Anti-catholicism in Eighteenth-Century England, c. 1714-80: A Political and Social Study* (Manchester: Manchester University Press, 1993), chapter 6. Eugene Charlton Black, "The Tumultuous Petitioners: The Protestant Association in Scotland, 1778-1780," *The Review of Politics* 25, no. 2 (April 1963): 210; George Rude, "The Gordon Riots: A Study of the Rioters and their Victims," *Transactions of the Royal Historical Society*, 5th ser., 6 (1956): 93-114.

the British government. With Britain in the midst of an international war, Burke argued that the time had come to "unite with our own Catholic countrymen" and strengthen the British Isles against foreign threats.[3]

The Gordon Riots and Burke's response to them took place within a larger debate on the nature of the relationship between the state, the empire, and the various peoples who lived within it. Between the mid-eighteenth and early nineteenth centuries, the British Parliament increasingly sought to assert its authority over the growing British empire, re-opening questions about the status of such groups as Scottish Highlanders, black slaves, British American colonists, Irish Catholics, and the peoples of India.[4] Who were one's countrymen? How should religion affect one's status as such? What effect did one's geographical location have? How should religiously or culturally distinct populations be dealt with? Who would be included and excluded from the empire? These issues provoked a range of responses that varied according to the circumstances of the time.

This dissertation addresses these questions by focusing on the changing position of Catholics in Britain and the empire between the Seven Years War and the passage of Catholic emancipation. Since the publication of Linda Colley's *Britons*, it has been common for historians to argue that Britain and the empire were, or were perceived to be,

3. Edmund Burke, "Address at Bristol on the Gordon Riots and the Catholic Question," in *The Portable Edmund Burke*, ed. Isaac Kramick (New York: Penguin, 1999), 312-314, 316-317; in 1775, Burke claimed that, if he could, he would allow "Jews, Mahometans, and even Pagans" to conduct their public worship and teach in schools with impunity. "To William Burgh, Esq.," in Kramnick, *The Portable Edmund Burke*, 535.

4. The position of African slaves and the peoples of India are largely beyond the scope of this dissertation. However, those interested should see Robert Travers, *Ideology and Empire in Eighteenth-Century India: The British in Bengal* (New York: Cambridge University Press, 2007); Christopher Brown, "Empire without Slaves: British Concepts of Emancipation in the Age of the American Revolution," *William and Mary Quarterly* 56 (April 1999): 273-306; and Brown, *Moral Capital: Foundations of British Abolitionism* (Chapel Hill: University of North Carolina Press, 2006).

fundamentally Protestant.[5] At its most basic level, this dissertation aims to take Burke seriously and re-evaluate the idea that a Catholic could have been a Protestant Briton's countryman. Between the late eighteenth and early nineteenth centuries, there was a moment of potential for Catholics in Britain and the wider empire. While anti-catholicism had been a motivating feature of British politics since the Reformation, it had grown weaker by the mid-eighteenth century. During the same time that English and Scottish Protestants were developing a common British identity, Catholics were also becoming legally integrated into British society. Despite George III's continuing aversion to Catholic emancipation, British ministers and administrators made concessions to Catholics in order to win the support of Catholic gentry and clergymen during this period. Like Protestants, Catholics became involved in defending and expanding Britain and the empire through a series of wars. While sectarian hostilities may have increased during the nineteenth century, the persistence of the Catholic Question demonstrated that Protestants could not write off Catholics' desires for political participation. Some Catholics, especially those from England and Scotland, considered themselves British. Nevertheless, this dissertation does not seek to simply make room for Catholics in a British versus "other" dichotomy. Inspired by the works of Murray Pittock and Andrew Mackillop, this dissertation acknowledges that the people of the British empire had a range of identities and allegiances, and Britishness did not necessarily trump local or

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5. Colley, *Britons*, 18-19; see also Kathleen Wilson, *The Sense of the People: Politics, Culture and Imperialism in England, 1715-1785* (Cambridge: Cambridge University Press, 1995); David Armitage, *The Ideological Origins of the British Empire* (Cambridge: Cambridge University Press, 2000), 8; Carla Gardina Pestana, *Protestant Empire: Religion and the Making of the British Atlantic World* (Philadelphia: University of Pennsylvania, 2009); and Keith Robbins, *History, Religion and Identity in Modern Britain* (London: Hambledon, 1993); for a more cautious assessment of the Protestantism of the British state and empire in the nineteenth century, see Stewart Brown, *Providence and Empire, 1815-1914* (Harlow: Pearson, 2008).

regional attachments even within Britain itself.[6] Catholics and Protestants were separated by degrees of difference that fluctuated depending on a variety of conditions and circumstances. Rather than focusing on Britons in particular, this dissertation embraces the more expansive and fluid category of the British subject, defined here as those who lived in dominions that the British king claimed authority over. [7] By using British subjects, rather than Britons, as the baseline for this study, this dissertation presents a more nuanced approach towards national and imperial belonging.

Within recent years, numerous historians have addressed issues of nation-building, identity, and empire in the long eighteenth century.[8] Colley, whose book *Britons* provided the initial inspiration for this dissertation, has been one of the most influential of these. According to her thesis, over the course of the eighteenth and early nineteenth centuries, the people of England, Scotland, and Wales developed a common British identity based on Protestantism, commerce, and liberty in opposition to the Catholic, absolutist states of France and Spain. Colley's description of a British Protestant identity would have resonated with many nineteenth century Britons, and her emphasis on

6. Murray Pittock, *Inventing and Resisting Britain: Cultural Identities in Britain and Ireland, 1685-1789* (Basingstoke, Hampshire: Macmillan, 1997); Andrew Mackillop emphasizes the importance of local identities in his work on Highland soldiers. Mackillop, "For King, Country and Regiment?: Motive & Identity Within Highland Soldiering, 1746-1815," in *Fighting for Identity: Scottish Military Experience c. 1550-1900*, ed. Steve Murdoch and Mackillop (Leiden: Brill, 2002), 185-211.

7. P. J. Marshall, "Britain and the World in the Eighteenth Century: IV, The Turning Outwards of Britain," *Transactions of the Royal Historical Society* 24 (November 2000): 3-4.

8. See T. H. Breen, "Ideology and Nationalism on the Eve of the American Revolution: Revisions Once More in Need of Revising," *The Journal of American History* 84, no. 1 (June 1997): 13-39; this focus is intertwined with a growing interest in writing British, rather than English, histories. For a discussion of the historiography behind this development see David Cannadine, "British History as a 'new subject': Politics, perspectives and prospects," in *Uniting the Kingdom: The Making of British History*, ed. Alexander Grant and Keith Stringer (New York: Routledge, 1995; reprinted Taylor & Francis e-library, 2003); Jonathan Pocock was one of the first to call for a new British history. See Pocock, "The Limits and Divisions of British History: In Search of the Unknown Subject," *The American Historical Review* 87, no. 2 (April 1982): 311-336; also see Pocock, "The New British History in Atlantic Perspective: An Antipodean Commentary," *The American Historical Review* 104, no. 2 (April 1999): 490-500.

warfare as a source of national unity is a significant insight. However, her thesis in *Britons* depends on a dichotomy that obscures differences among British Protestants, downplays British Catholics, and avoids Ireland as a whole.[9]

Numerous historians have challenged or complicated the ideas put forth by Colley. Jonathan Clark, whose book *English Society* describes radical politics as a result of heterodoxy, objects to the idea that eighteenth century Britons were united by a common Protestantism. Although Clark overstates his case in equating Protestant dissent with political radicalism, hostilities between Protestant sects could be as fierce as those between Catholics and Protestants. In a later essay, Clark identifies a significant qualification in British anti-catholicism, arguing that "the enemy was less Roman Catholicism as such than 'popery,' a heady cocktail of power, luxury, uniformity, universal monarchy, and pride," which was attributed to enemies regardless of their religious affiliation.[10] Although Clark does not go into the subject at much length, the question of whether Catholicism could be meaningfully distinguished from popery, and how the distinction could be made, shaped much of the discussion of Catholic relief.

In *Inventing and Resisting Britain,* Murray Pittock argues that up to a majority of the people in the British Isles did not accept Britishness until the French Revolutionary War. Examining Ireland alongside Scotland, England, and Wales, Pittock describes the persistence of religious, regional, political and linguistic divisions both between and

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9. Colley, *Britons*, 4. Her depiction of the French "other" is likewise problematic for ignoring how the French Revolution gave rise to the idea that the French were anarchistic deists; Robin Eagles challenges the idea of the French "other" by emphasizing positive relations between the French and the English. Eagles, *Francophilia in English Society, 1748-1815* (New York: St. Martin's Press, 2000).

10. Jonathan Clark, "Protestantism, Nationalism, and National Identity, 1660-1832," *The Historical Journal* 43, no. 1 (March 2000): 261-262; see also Clark, *English Society, 1660-1832: Ideology, Social Structure and Political Practice during the Ancien Regime* (Cambridge: Cambridge University Press, 2000).

among the people of each kingdom.[11] Like Pittock, Kathleen Wilson also challenges the idea of a dominant British identity in the eighteenth century. In a 1995 article, she emphasizes the continuing strength of a narrow and exclusionary English identity that celebrated masculine, Protestant Englishmen of independent means, and left everybody else in an unstable and inferior position as "others" within the nation and empire. Rather than accepting the other inhabitants of Britain or the wider empire as equals, this sense of English identity dictated that England was superior to the rest of the empire, even as the English became invested in empire as a site of commerce and military glory.[12] In her more recent work, *The Island Race*, she further explores the connection between Englishness and empire, arguing that empire threatened English attempts to maintain a sense of distance and superiority by producing a "middle ground" that undermined oppositional dichotomies.[13]

Both Pittock's and Wilson's studies have helped to shape this dissertation. Particularly before the American Revolution, British subjects were more likely to identify with their region than with an overarching British identity. Furthermore, even as the Scottish succeeded in asserting their position as Britons, the English of the upper and middle classes had a tendency to assume their own supremacy by using "British" as a

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11. Pittock, *Inventing and Resisting Britain*, 1, 173-174.

12. Kathleen Wilson, "Citizenship, Empire, and Modernity in the English Provinces, c. 1720-1790," *Eighteenth Century Studies* 29, no. 1 (Fall 1995): 76-80, 88. These ideas are explored further in her book *The Sense of the People.*

13. Wilson, *The Island Race: Englishness, Empire and Gender in the Eighteenth Century* (New York: Routledge, 2003), 17. Wilson is one of several historians to explore empire's ability to undermine stable national identities; see also Linda Colley, *Captives: Britain, Empire and the World, 1600-1850* (London: Jonathan Cape, 2002); and Kate Teltscher, *India Inscribed: European and British Writing on India 1600-1800* (Delhi: Oxford University Press, 1995), 240-244.

synonym for "English" and by regarding themselves as the embodiment of civilization.[14] As far as Britishness is concerned, I lean towards the view of Alexander Murdoch. He asserts that, over the course of the eighteenth century, British identity became less about religion and more about empire, racial superiority, and capitalism. This view compliments my own that, depending on their social status and regional affiliations, Catholics could embrace Britishness. He also claims that "the idea of Britain" allowed the elite of the four kingdoms to create a "new imperial identity" based on commerce, genteel culture, public service and "the extension of government authority under the Crown in defense of property and the liberty of those who held it." [15] While this view downplays the existence of a British identity among the lower classes, it is reflective of the Pitt and North ministries' attempts to appeal to Catholic elites in particular.

The following work is a study of politics and culture on a broad scale. Like Robert Kent Donovan's work on the failed Scottish Catholic Relief Act of 1779, this dissertation interprets events such as the passage of Catholic relief legislation or the creation of the United Kingdom in the context of the surrounding culture. [16] It explores how Catholics

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14. See Catherine Hall, *Civilising Subjects: Colony and Metropole in the English Imagination, 1830-1867* (Chicago: University of Chicago Press, 2002).

15. Alexander Murdoch, *British History 1660-1832: National Identity and Local Culture* (London: Macmillan, 1998) 62, 65, 87; for a similar view, see Laurence Brockliss and David Eastwood, "A Union of Multiple Identities," in *A Union of Multiple Identities: The British Isles, c.1750-c.1850*, ed. Brockliss and Eastwood (Manchester: Manchester University Press, 1997), 3; likewise, Pasi Ihalainen argues that after the Seven Years War, "virtue, liberty, commerce, and science, among other concepts, were becoming more important than Protestantism in defining English and British identity." Ihalainen, *Protestant Nations Redefined: Changing Perceptions of National Identity in the Rhetoric of the English, Dutch and Swedish Public Churches, 1685-1772* (Leiden: Brill, 2005), 209.

16. Robert Kent Donovan, *No Popery and Radicalism : Opposition to Roman Catholic Relief in Scotland, 1778-1782* (New York: Garland, 1987); see also Donovan, "The Military Origins of the Roman Catholic Relief Programme of 1778," *Historical Journal* 28, no. 1 (1985): 79-102; and Donovan, "Sir John Dalrymple and the Origins of Roman Catholic Relief," *Recusant History* 17, no. 2, (October, 1984): 188-196; Philip Lawson, *The Imperial Challenge: Quebec and Britain in the Age of the American Revolution* (Montreal: McGill-Queen's University Press, 1990).

throughout the British Isles and Canada acted in regard to the British state, how the British state and its regional counterparts interacted with Catholics, and how some Protestants responded to both. However, while other historians have discussed aspects of this dissertation, this study brings them together to create a more nuanced picture of identity and belonging in the British empire. Each chapter is structured around warfare and moments of imperial expansion or appropriation. The issue of how to deal with Catholic populations was often central to attempts to define the British state and the empire. With the passage of the 1707 Act of Union, Britain became a dual confessional state with two separate established churches.[17] Although differing Protestant sects could be vehemently opposed to each other, Catholics posed a particular challenge to the integrity of the British state. Because of their recognition of papal authority, the existence of Catholicism in British territory created the possibility of *imperium in imperio*, or the creation of a separate imperial rule within British territory.[18] The danger of Catholics' adherence to outside rule was only compounded following the overthrow of the Catholic King James II during the Glorious Revolution of 1688 and the emergence of the Jacobites, who refused to accept the new monarch. Furthermore, throughout the early modern period, many Catholics dwelt in regions such as Ireland or the Scottish Highlands, which proved resistant to central authority from London. The central

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17. Jonathan Clark argues that England was a confessional state until the repeal of the Test and Corporation Acts. Clark, *English Society*, 7.

18. For more on the concept of imperium and the Catholic Church's role in building European empires, see Anthony Pagden, *Lords of All the World: Ideologies of Empire in Spain, Britain and France c. 1500-c.1800* (New Haven: Yale University Press, 1995), chapters 2 and 3.

government was still expanding its rule within the British Isles until after the suppression of the 1745 Jacobite Rebellion. [19]

Between 1760 and 1829, the British empire was completing a shift from early modernity to modernity.[20] In his book, *The Birth of the Modern World*, Christopher Bayly argues that in the early modern period, states made up for their limited authority by winning over local elites, accommodating their religious and political institutions, and employing them for military purposes.[21] To an extent, this describes the strategy used by ministerial proponents of Catholic relief legislation. Any concessions that the British government or its officials granted to Catholic communities were predominantly aimed at communal elites such as clergymen and landholders, in the hopes that they would encourage loyalty, and often enlistment, among their subordinates. However, the situation was complicated by two developments associated with the onset of modernity: an expanding central government and an increasingly vocal public sphere. The British Parliament was expanding its power and demanding to have greater oversight over the rest of the empire, at the same time that a growing press was making it easier for literate

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19. Numerous studies have been done on this topic. See Michael Hechter, *Internal Colonialism: The Celtic Fringe in British National Development* (New Brunswick, NJ: Transaction, 1999). Myron Noonkester examines how the empire was constructed through the spread of English institutions of local administration. Noonkester, "The Third British Empire: Transplanting the English Shire to Wales, Scotland, Ireland, and America," *The Journal of British Studies* 36, no. 3 (July 1997): 251-284.

20. This is not to say, like Clark, that the collapse of England's ancien regime can be dated to the repeal of the Test and Corporation Acts, and the passage of Catholic emancipation and the First Reform Bill. Clark, *English Society*, 409-410. Instead, I, like many historians, see the shift from early modern to modern as a gradual one. See Joanna Innes, "Jonathan Clark, Social History and England's 'Ancien Regime'," *Past & Present* 115 (May 1987): 177. Christopher Bayly argues that eighteenth century British society was "not quite ancien regime." Bayly, *Imperial Meridian: The British Empire and the World 1780-1830* (London: Longman, 1989), 11.

21. Bayly, *The Birth of the Modern World 1780-1914: Global Connections and Comparisons* (Oxford: Blackwell Publishing, 2004), 32.

individuals to transmit their opinions on political and religious issues.[22] Up until 1801, it was the combination of three factors that induced some British ministers to support concessions for Catholics: the belief that local Catholic elites could control their co-religionists, the belief that the central government had the authority to override regional governments, and the desire to win support, or discourage unrest, from large Catholic populations. Protestant supporters of Catholic relief frequently worked from the assumption that it would be possible to grant concessions to Catholics without undermining the hierarchy that made the dominance of the established church possible. As the nineteenth century progressed, however, the idea that Catholic elites could, or would, restrain their lower class counterparts from displays of civil unrest in Ireland and Lower Canada fell away before a growing Catholic populism.

Besides the recent work on national identity, this dissertation engages with a number of historiographical traditions in order to contribute to current debates surrounding identity, religion and empire building. Most obviously, it interacts with the history of Catholicism and religion throughout the British Isles and Canada. Since the nineteenth century, the history of Catholics in the British Isles has been the subject of numerous monographs. Particularly before the mid-twentieth century, much of this work was done by Catholic scholars who wrote from an openly sectarian viewpoint. Although some of these works provide useful details and extended excerpts from primary documents, they tend to be more concerned with the development of the Catholic Church than with the Church's connection to identity formation or the state.[23] More recent studies on British

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22. See John Brewer, *Party Ideology and Popular Politics at the Accession of George III* (London: Cambridge University Press, 1976).

Catholics in the late eighteenth and early nineteenth centuries, such as John Bossy's *The English Catholic Community, 1570-1850* and Christine Johnson's *Developments in the Roman Catholic Church in Scotland, 1789-1829*, place little emphasis on questions of identity or state-building.[24] While historians such as Ethan Shagan have written on Catholicism and national identity with regard to the sixteenth and seventeenth centuries, historians of the eighteenth century have tended to address Catholics from a negative stance, as "others" rather than potential Britons in their own right.[25]

Most of the work done on Catholics in the British Isles has focused on the Irish. While much of the writing on English and Scottish Catholics focuses on church history, scholars have frequently considered Irish Catholics in a political light. Questions surrounding Irish national identity and the nature of the relationship between Britain and Ireland have featured prominently within this historiography. While nationalist historians such as Kevin Whelan have emphasized opposition between the Irish and the British,

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23. Notable examples of these works include: William Amherst, *The History of Catholic Emancipation and the Progress of the Catholic Church in the British Isles (chiefly in England) from 1771 to 1820* (London: K. Paul Trench & Co, 1886); Bernard Ward, *The Dawn of the Catholic Revival in England, 1781-1803* (London: Longmans, Green, 1909) and Ward, *The Eve of Catholic Emancipation: being the history of the English Catholics during the first thirty years of the nineteenth century* (London: Longmans, Green, 1915); Edwin Burton, *The Life and Times of Bishop Challoner (1691-1781),* 2 vols. (London: Longmans, Green, and Co. 1909); for Scotland, see Peter Anson, *The Catholic Church in Modern Scotland, 1560-1937* (London: Burns, Oates & Washbourne, 1937); Anson, *Underground Catholicism in Scotland* (Montrose: Standard Press, 1970); and Sir Compton Mackenzie, *Catholicism and Scotland* (Port Washington, NY: Kennikat Press, 1936, reprinted 1971).

24. John Bossy, *The English Catholic Community, 1570-1850* (New York: Oxford University Press, 1976); Christine Johnson, *Developments in the Roman Catholic Church in Scotland, 1789-1829* (Edinburgh: John Donald Publishers, 1983); see also Edward Norman, *Roman Catholicism in England from the Elizabethan Settlement to the Second Vatican Council* (Oxford: Oxford University Press, 1985); John Aveling, *The Handle and the Axe: The Catholic Recusants in England from Reformation to Emancipation* (London: Blond and Briggs, 1976); and Michael Mullett, *Catholics in Britain and Ireland, 1558-1829* (New York: St. Martin's Press, 1998).

25. Ethan Shagan, *Catholics and the 'Protestant Nation': Religious Politics and Identity in Early Modern England* (Manchester: Manchester University Press, 2005); Haydon, *Anti-catholicism*; and Donovan, *No Popery and Radicalism.*

others have observed points of commonality.[26] In *The French Disease*, Dáire Keogh examines how the Irish Catholic Church denounced radical unrest in the 1790s and called for increased loyalty to the established government.[27] John Biggs-Davison and George Chowdharay-Best address the little studied phenomenon of Irish Catholic Unionism in their book *The Cross of St. Patrick*.[28] Thomas Bartlett takes a nuanced approach in his writings, depicting how Catholics, Protestants, and the governments of Britain and Ireland regarded each other in varied and changing ways depending on their social status and surrounding circumstances. My dissertation draws from his work, particularly his monograph *The Fall and Rise of the Irish Nation*, which depicts how the movement for Catholic relief in Ireland transformed from an elite movement that made common cause with either the British government or the Protestant Dissenters as seemed best at the time to a nationalist movement with broad popular support, facing strong opposition from Protestants and government.[29]

This study has also been influenced by recent work on the British empire. As Wilson and others have shown, imperial dominance was an important element in the development of national identity in the eighteenth and nineteenth centuries. Much attention has been aimed at the Scottish in particular. Colley's argument that imperial administration provided the Scottish with a means of demonstrating their Britishness

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26. Kevin Whelan, *The Tree of Liberty: Radicalism, Catholicism, and the Construction of Irish Identity, 1760-1830* (Notre Dame, Ind: University of Notre Dame Press in association with Field Day, 1996).

27. Dáire Keogh, *The French Disease: The Catholic Church and Irish Radicalism, 1790-1800* (Dublin: Four Courts Press, 1993).

28. John Biggs-Davison and George Chowdharay-Best, *The Cross of St. Patrick: The Catholic Unionist Tradition in Ireland* (Bourne End, Buckinghamshire: Kensal Press, 1984).

29. Thomas Bartlett, *The Fall and Rise of the Irish Nation: The Catholic Question, 1690-1830* (Savage, MD: Barnes & Noble Books, 1992). Some of his other works include Bartlett, "An End to Moral Economy:

while improving their fortunes has been widely accepted.[30] However, Irish Catholics seem to have been less successful at obtaining positions of imperial power, despite the large number of Irish soldiers in imperial service. To some extent, Ireland's role in the empire has been portrayed as one of lost potential. While acknowledging its limits in practice, Patrick Geoghegan sees the union as an attempt to incorporate Ireland into Britain so that it could take a full part in British affairs and the running of the empire.[31] For Bayly, "Irish nationalism arose from Ireland's perceived exclusion from empire, not her inclusion within it." [32] Bartlett, however, argues that Irish men and women had increased access to empire following the union and that "throughout the nineteenth century, the bond of Empire was at all times stronger than that of Union."[33]

The Irish Militia Disturbances of 1793," *Past & Present* 99 (May 1983): 41-64; and Bartlett and Keith Jeffrey, eds., *A Military History of Ireland* (Cambridge: Cambridge University Press, 1996).

30. Colley, *Britons*, 127-130; T. M. Devine, *Scotland's Empire and the Shaping of the Americas, 1600-1815* (Washington: Smithsonian Books, 2004); Michael Fry, *The Scottish Empire* (East Lothian: Tuckwell, 2001); see also Armitage, "Making the Empire British: Scotland and the Atlantic World 1542-1707," *Past & Present*, no. 155 (May 1997): 34-63; Martha McLaren, *British India & British Scotland, 1780-1830: Career Building, Empire Building, and a Scottish School of Thought on Indian Governance* (Akron, OH: University of Akron Press, 2001); Ned Landsman, "Nation, Migration, and the Province in the First British Empire: Scotland and the Americas, 1600-1800," *American Historical Review* (April 1999): 463-475; Landsman, *Scotland and Its First American Colony, 1683-1765* (Princeton: Princeton University Press: 1985); Anthony Parker, *Scottish Highlanders in Colonial Georgia: The Recruitment, Emigration, and Settlement at Darien, 1735-1748* (Athens: University of Georgia Press, 1997); several scholars have argued that the Scottish were more interested in developing a British identity than the English. See Arthur Williamson, "Patterns of British Identity: 'Britain' and its Rivals in the Sixteenth and Seventeenth Centuries," in *The New British History: Founding a Modern State, 1603-1715*, ed. Glenn Burgess (London: I.B. Tauris, 1999), 138-152.

31. Patrick Geoghegan, *The Irish Act of Union: A Study in High Politics, 1798-1801* (Dublin: Gill & Macmillan, 2001).

32. Bayly, *Imperial Meridian*, 12.

33. Bartlett, "'An Union for Empire': The Anglo-Irish Union as an Imperial Project" in *Hearts and Minds: Irish Culture and Society Under the Act of Union*, ed. Bruce Stewart (New York: Oxford University Press, 2002), 257; see also Bartlett, "'This famous island set in a Virginian sea': Ireland in the British Empire, 1690-1801," in *The Oxford History of the British Empire, Vol. II: The Eighteenth Century*, ed. Marshall (Oxford: Oxford University Press, 1998), 253-275.

Imperial expansion had mixed results for Catholics. It is one of the contentions of this dissertation that the expansion of the empire following the Seven Years War helped motivate the repeal of the penal laws. Faced with the need to accommodate Catholics and other non-Protestant peoples within the wider empire, the British government showed more willingness to do so domestically as well.[34] At the same time, a growing empire required a military force to sustain it, and the British government turned to Catholics and other historically suspect populations to staff their armies. However, the Catholics of the empire were not simply colonizers. Most obviously, the French Canadiens of Quebec were both a conquered population and a body of colonial settlers. More controversially, Irish Catholics and Scottish Highlanders can be seen as subjects of internal colonization.[35] In the early modern period, British monarchs had treated Ireland as a colony, encouraging English and Scottish Protestants to settle there and establish their own customs in place of those of the indigenous population.[36] Although intermarriage and conversion helped to blur the distinction between colonizer and colonized by the mid-eighteenth century, the majority of the Irish population was still ruled by a culturally distinct group who traced their ancestry back to the neighboring island. Matters were complicated further by the existence of a large population of Scottish Presbyterians in Ulster, who had originally arrived as colonizers, but lacked the political power of their

34. Jacqueline Hill, "Religious Toleration and the Relaxation of the Penal Laws: An Imperial Perspective, 1763-1780," *Archivium Hibernium: Irish Historical Records* 44 (1989): 98-109.

35. The term "internal colonialism" comes from Hechter, *Internal Colonialism.* Hechter has been criticized for treating all of Scotland as a colonized zone.

36. Nicholas Canny, *Kingdom and Colony: Ireland in the Atlantic World 1560-1800* (Baltimore: John Hopkins University Press, 1988). S. J. Connolly argues that Ireland was actually an ancien regime society rather than a colony. Connolly, *Religion, Law and Power: The Making of Protestant Ireland, 1660-1760* (Oxford: Clarendon, 1992), 2.

Anglo-Irish counterparts.[37] The linguistic divide that separated speakers of Gaelic and English only reinforced the idea of the Anglo-Irish as an alien culture.[38] The Scottish Highlands can also be regarded as an internal colony, particularly in the decades following the suppression of the Jacobite rebellion of 1745. Saree Makdisi sees the Highlands as "a site for the rehearsal of Britain's larger colonial project: an imaginary zone in which the spatial processes of colonial penetration and development were practiced on a small scale before being brought to bear on much of Africa and Asia." While attempting to restructure Highland society to make it more governable, the British government appropriated Highland culture for its own uses. The British government not only used Highland regiments to expand its imperial reach overseas but eventually redeployed Gaelic trappings to signify loyalty to itself.[39]

However, Scottish Highlanders were not subjected to the rule of a foreign landlord class to the same extent as the Irish. Although many Highland lairds were killed or forced into exile following the Jacobite defeat at Culloden, their descendants returned to reclaim their property and develop a political culture that, in Mackillop's words, "stressed loyalty to, and interaction with, the British 'fiscal-military' state."[40] Until the second quarter of

37. See Marianne Elliott, *The Catholics of Ulster: A History* (London: Allen Lane, 2000).

38. Daniel Corkery was the first to attempt to uncover popular Irish sentiment by examining Gaelic sources. Corkery, *The Hidden Ireland; A Study of Gaelic Munster in the Eighteenth Century* (Dublin: M. H. Gill and Son, 1925); within recent years, more Irish historians have been incorporating Gaelic sources into their work. See Vincent Morley, *Irish Opinion and the American Revolution, 1760-1783* (Cambridge: Cambridge University Press, 2002); and Éamonn Ó Ciardha, *Ireland and the Jacobite Cause: 1685-1766: A Fatal Attachment* (Dublin: Four Courts Press, 2004); for Scottish Gaelic, see Janet Sorenson, *The Grammar of Empire in Eighteenth Century British Writing* (Cambridge: Cambridge University Press, 2000).

39. Saree Makdisi, *Romantic Imperialism: Universal Empire and the Culture of Modernity* (Cambridge: Cambridge University Press, 1998), 79-80.

40. Mackillop, "The Political Culture of the Scottish Highlands from Culloden to Waterloo," *Historical Journal* 46, no. 3 (2003): 513.

the nineteenth century, many Highland proprietors could trace their ancestry to an established Highland family. Although they often adopted the habits of their Lowland and English counterparts, including the use of improving agricultural practices, they were not colonists in a standard sense. Furthermore, Highlanders of all social classes were active participants in imperial expansion, both by enlisting in the armies that conquered and maintained the empire and by settling permanently in places like Canada.[41]

The expansion of empire was closely tied to another prominent theme of my dissertation: warfare and military service.[42] From the time of the Glorious Revolution to the end of the Napoleonic Wars, the people of the British Isles were frequently at war or anticipating the possibility of it in the near future. The impact of this on-going warfare has been a subject of debate. Colley sees the existence of a persistent foreign threat and the need to develop a national defense force as facilitating the growth of a common British identity. Mackillop and Murdoch agree that Scottish military service helped contribute to common imperial goals, but they argue that the British military itself was built upon "multiple concepts of allegiance" in which "subnational and regional expressions of soldier consciousness were accepted and turned outwards as part of a much larger refocusing of British society towards the imperial project[.]"[43] While

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41. See Marianne McLean, *The People of Glengarry: Highlanders in Transition, 1745-1820* (Montreal: McGill-Queen's University Press, 1991).

42. Numerous historians have noted the importance of war to eighteenth century Britain. See John Brewer, *The Sinews of Power: War, Money, and the English State, 1688-1783* (London, 1989); Lawrence Stone, ed. *An Imperial State at War: Britain from 1689 to 1815* (London: Routledge, 1994); Stephen Brumwell, *Redcoats: The British Soldier and War in the Americas, 1755-1763* (Cambridge: Cambridge University Press, 2002); Scotland has received particular focus in recent years. See Norman Macdougall, *Scotland and War: AD 79-1918* (Edinburgh: John Donald, 1991); and Bruce Lenman, *Britain's Colonial Wars, 1688-1783* (New York: Longman, 2001).

43. Introduction, Steve Murdoch & Andrew Mackillop, *Fighting for Identity: Scottish Military Experience c. 1550-1900* (Leiden: Brill, 2002) xlii-xliii.

military service is often seen as uniting the people of England and Scotland, however, it is less clear if the same can be said of the Irish. Since Donovan's essay "The Military Origins of the Roman Catholic Relief Programme of 1778," numerous historians have argued that warfare provided opportunities for Catholics and other marginalized populations to demonstrate their usefulness to the state in the hopes of receiving reward.[44] Despite hesitation about arming Catholics or accepting them into the armed forces at the time of the Seven Years War, by the early nineteenth century the rights of Catholic soldiers had become the subject of regular debates in Parliament. However, until after 1829, most enlisted Catholics were not allowed to obtain the officers' commissions that would have cleared the way for profit and respect. Instead, undertaking military service was a potentially dubious endeavor that exposed individual soldiers and sailors to rough treatment and death. Not every soldier enlisted willingly, and many of those who did were probably motivated by financial concerns. At the same time, the possibility of invasion could motivate people to serve in the militia or in volunteer units. In some cases, Catholics may have been motivated by what J. E. Cookson calls "national defense patriotism," a patriotism focused on defending one's family and homeland, regardless of one's political ideology.[45] However, the same cannot be said for those such as the United Irishmen or the Defenders, who saw the French as potential allies.

In creating this study, I have consulted a wide range of sources. I have incorporated state papers and political correspondence from throughout the British Isles and Canada.

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44. Donovan, "Military Origins"; Bartlett, *The Rise and Fall*; Stephen Conway, *War, State, And Society in Mid-Eighteenth Century Britain and Ireland* (Oxford: Oxford University Press, 2006), 9, 170, 183-184, 200; J. E. Cookson argues that Scottish soldiers' military service in the Napoleonic Wars improved Scotland's reputation within Britain, while Irish Catholics were frequently treated with suspicion. Cookson, *The British Armed Nation, 1793-1815* (Oxford: Clarendon Press, 1997), chapters 5 and 6.

In addition to the papers of such ministers as Pitt the Younger, the Earl of Castlereagh, and the Earl of Shelburne, I have employed the correspondence of Irish Lord Lieutenants like Charles Cornwallis, and colonial governors like James Murray and Guy Carleton. I have also drawn from *Hansard* and other accounts of Parliamentary debates. Beyond these high political sources, I have used pamphlets and newspapers, such as the *Quebec Gazette*, to reconstruct the arguments about Catholics that were spreading through the public sphere. I have supplemented these items with visual materials, such as paintings and political cartoons, which can convey stereotypes to a broad range of people quickly, if not unambiguously. For instance, I draw upon a number of cartoons depicting Scottish Highlanders over the course of the American Revolution to demonstrate how they came to embody positive stereotypes. Many of my Catholic sources have come from the Westminster Diocesan Archive, the Scottish Catholic Archive, and the Dublin Diocesan Archive, although I also found useful material at the National Library of Ireland and the Library and Archives of Canada in Ottawa. Many of these sources are bishops' papers, taking such forms as private correspondence, published pastoral letters to clergy and laity, and petitions to government. I have also turned to the records of Catholic political organizations, such as the Cisalpine Club or the numerous Catholic Committees. To develop my discussion of Catholic Highlanders, I have sought out Gaelic ballads in translation and incorporated them when relevant. Furthermore, I have used fictional works, such as the writings of Sir Walter Scott and Sydney Owenson, in order to explore how contemporary writers depicted Catholics and how they used them to shape opinions regarding history and current events.

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45. Cookson, *The British Armed Nation*, 8-10.

The first chapter, "Catholics, Jacobites and the Illusion of Protestant Unity," focuses on the period between the beginning of the Seven Years War and the end of the American Revolution. In this period, the British state began to turn away from the anti-catholic position that it had embraced anew after 1688. The end of the Jacobite threat and the reintegration of former Jacobites into British society eroded the connection, both real and perceived, between Jacobitism, Catholicism, and disloyalty to the British state. The passage of Catholic Relief Acts in England and Ireland was an early step in recognizing Catholics as legitimate British subjects. At the same time, however, both the reintegration of the Jacobites and Catholics' legal advances had the long term effect of forging tighter connections between English and Scottish Protestants.

In the mid-eighteenth century, Britishness was not yet a mainstream identity. Particularly in the wake of the 1745 Jacobite rebellion, many English Protestants regarded the Scottish with suspicion. Instead of identifying with the Scottish, many English Protestants conceived of a connection with their Anglo-American counterparts, whom they saw as embracing their love of liberty, commerce, and Protestantism against Catholic France and Spain. However, this began to change with the Seven Years War. Seeing an opportunity to ingratiate themselves with the state, some former Jacobites and Irish Catholic elites offered to raise regiments for the war effort. While Protestant opposition in the Irish Parliament prevented the establishment of an openly Irish Catholic regiment, former Jacobites like Simon Fraser of Lovat were allowed to raise Highland regiments, which went on to win renown for their participation in some of the most famous battles of the war. Inspired in part by the success of the existing Highland regiments, the North Ministry revisited the idea of enlisting members of marginalized

groups during the American Revolution. Responding to the suggestions of Sir John Dalrymple, the North ministry agreed to pass a series of Catholic Relief Acts removing some minor penalties on Catholic religious practice and expanding their ability to hold property in the hopes that it would facilitate recruitment in Ireland and the Scottish Highlands. Although the acts were passed in England and Ireland, the Scottish act failed due to a concentrated opposition campaign by the Protestant Association, whose tactics included using the image of the Highland soldier to represent Scottish defenders of Protestantism at the very time that the English press was beginning to depict Highland soldiers in a positive light. The presence of Catholics within the Highland regiments remained obscured in order that Scottish Presbyterians could use the regiments as evidence of their contribution to a common British Protestant cause at the same time that the previous Anglo-American bond was coming undone.

Despite the controversy surrounding Catholic relief in England and Scotland, it was in Ireland that the issue was most pressing. While Anglo-Irish Protestants criticized the British government for treating Ireland as a colony and demanded to be allowed greater political control, numerous Irish Catholic elites came to see the British government as a potential ally against the bigotry of the Anglo-Irish. Irish Catholic writers displayed proto-nationalistic tendencies, explaining how the penal laws against the Irish Catholics had undermined the Irish economy and writing new histories of Ireland that explored the Catholic past from a sympathetic angle. While the Anglo-Irishmen of the Irish Parliament showed themselves to be adverse to the Irish Catholics at the time of the 1778 Catholic Relief Act, some elements of the Protestant-led Volunteer movement attempted to reach out to Catholics as fellow Irishmen. However, the Volunteer movement and the new Irish

government it produced were ultimately incapable of winning the allegiance of Irish Catholics or fully satisfying the Presbyterians. Despite the political difficulties within Ireland, the British government recognized Irish Catholics as a potentially valuable source of manpower. Having openly recruited them in the American Revolution, the British government later repeated the attempt during the French Revolutionary and Napoleonic Wars.

The second chapter, "Quebec and the Reshaping of Empire," approaches the period between the Seven Years War and the American Revolution from a different angle. Although Britain's victory in the Seven Years War initially appeared to mark a triumph for the alliance between British Protestants and their American counterparts, the French colonies that Britain acquired as a result challenged the idea that the British empire consisted of free Protestants linked by liberty and trade. Although British ministers initially tried to preserve this ideal in the newly acquired French colonies, they soon discovered that British law and governing institutions could not be established in Quebec without granting extensive concessions to the Catholic inhabitants. However, the few British settlers who had arrived in the colony since conquest demanded the establishment of English-style courts and a representative assembly, while also proving reluctant to allow the Catholic majority to participate. Even those who accepted the idea of allowing Catholics some limited role in government balked at the idea of allowing them full participation in British institutions. Instead, the British governor Guy Carleton devised the plan of establishing a hybrid form of government, which incorporated both English and French aspects and recognized the Catholic Church. By allowing wealthy Canadians to sit on a Legislative Council and making allowances for the Church, Carleton hoped to

win the support of the Canadian elites while concentrating authority in the hands of the governor. As far as the Canadians themselves were concerned, Carleton's policy, embodied in the Quebec Act, had limited results. Although he gained the support of the seigneurs and the bishop of Quebec, the latter had little success in persuading the ordinary Canadian *habitants* that they should enlist to defend British rule when the American rebels invaded in 1775. Meanwhile, the Quebec Act inspired widespread opposition from Protestants in the British Isles and America, who regarded it as contrary to the spirit of the British Constitution and dangerous to liberty throughout the empire. At least some Irish Catholics, however, supported the act. The Quebec Act was not directly responsible for the Catholic Relief Acts of 1778, but it did help make them conceivable. Along with the American Revolution, the experience of governing Quebec helped establish the idea that the colonies were fundamentally distinct from the metropole and should be governed according to local traditions.

In the mid-eighteenth century, Protestant British political commentators frequently associated Catholicism with tyranny and slavery. France, with its lack of juries or representative legislative assemblies, seemed to embody the Catholic, absolutist antithesis to the free British state. However, as shown by the third chapter, "Catholic Relief and Loyalty in the Time of the French Revolution," the coming of the French Revolution upset this dichotomy. The people of the British Isles reacted to the events of the late 1780s and early 1790s in a variety of ways. For some reformers, the beginning of the Revolution, coinciding as it did with the centenary of the Glorious Revolution, was evidence of the progress of liberty throughout Europe. During these years, Cisalpine Catholics, who sought to limit the power of the pope, attempted to associate themselves

with Protestant Dissenters as loyal British subjects whose religion should not exclude them from full participation in civic life. However, between the increasing violence of the Revolution abroad and the emergence of political radicalism domestically, many Britons became more concerned about the threat of anarchy than absolute government. Under the circumstances, conservatives grew increasingly suspicious of Cisalpines and Unitarian Dissenters, while at least some of them began to perceive the orthodox Catholic Church as shoring up stability and social hierarchy against the forces of irreligion. At the same time, French Catholics, many of them clergy, came to Britain seeking refuge. Between the apparent chaos of revolutionary France and increased interaction with suffering Catholics, many British Protestants adopted a more sympathetic attitude towards Catholics.

With the Catholic Relief Acts of the early 1790s, the British and Irish Parliaments decriminalized Catholicism throughout the British Isles, and affirmed Catholics' position as members of British society. The English Catholic Relief Act of 1791 and the Scottish Catholic Relief Act of 1793 were moderate in scope. Aimed at helping the clergy and more prosperous Catholics, these acts further legalized Catholic worship, granted Catholics greater security for their property, and admitted them to the legal profession. However, they also maintained the privileged status of the established church and the hierarchical nature of British society by denying Catholics direct political power or military commissions. In the case of Ireland, the Pitt ministry took a different course. Concerned to promote loyalty and strengthen the national defense, the ministry attempted to win the support of Catholic elites in the hopes that they could encourage their social inferiors to enlist. Unlike their coreligionists in Britain, Irish Catholics received the

ability to vote and hold low level officers' commissions within Ireland. However, between the campaigns leading up to these concessions and on-going calls for parliamentary reform, political tensions had risen in Ireland to the point that the Catholic Relief Acts could not calm them.

The Revolution had a particularly significant impact on the Catholic Church itself. Legally forbidden from establishing colleges and nunneries within the British Isles, the Catholics of Britain and Ireland had established them in France and other parts of Europe. Faced with the prospect of losing control of their overseas properties to French revolutionaries, the Catholic Churches turned to the British government to ask for help in defending their ownership rights and to request the right to establish their own colleges domestically. At the same time, Catholic clergymen produced sermons and pastoral letters encouraging lay Catholics to show loyalty to King George III and resist revolutionary ideas on pain of excommunication. With the outbreak of the French Revolutionary War, Catholics from across the British Isles enrolled in military service. Particularly in Ireland, where Catholics gained the legal ability to join the militia, become low-ranking officers, and vote if they made at least 40 shillings a year, Catholics were beginning to take on the duties of citizens as well as subjects. Despite the opportunity of the early 1790s, however, the sectarian violence of the late 1790s eroded some of the earlier goodwill that had existed between Catholics and Protestants.

The fourth chapter, "Ireland and the Promise of Union," examines the creation of the United Kingdom and its immediate aftermath. Throughout the latter half of the eighteenth century, relations between Catholic elites and the British government had been generally improving. The Catholic Relief Acts of the early 1790s decriminalized Catholicism

throughout the British Isles, and allowed Catholics many of the same rights as their Protestant counterparts. Pitt's original plan to pair the union with Catholic emancipation, or the ability of Catholics to sit in Parliament, marked the zenith of this relationship; the way he envisioned it, by uniting Britain and Ireland as one country, allowing Catholics to sit in Parliament, and granting state salaries to Catholic priests, it would be possible to incorporate Irish Catholics into British society without endangering the existing Constitution. Despite Irish nationalists' later hostility to the union, most Irish Catholics do not seem to have opposed it, and some actively supported it in the expectation that concessions would be forth-coming. However, the king's refusal to allow Catholic emancipation robbed the union of much of its potential to reconcile Catholics and Protestants while also undercutting the limited political power Irish Catholics had enjoyed as a majority population. In the first two decades following the union, sectarian tensions arguably increased across the British Isles. In Ireland, the campaign for Catholic emancipation was taking on an increasingly adversarial tone as Catholics began to think of themselves as a persecuted nation. Meanwhile, an increase in Irish immigration and evangelical Protestantism made British Protestants of all classes increasingly wary of Catholicism. During this period, Irish Catholics identified themselves as the Irish people and demanded rights as such. Nevertheless, the relationship between Irish and British and Catholic and Protestant was not simply adversarial. For instance, debates about giving Irish Catholics commissions were necessary because Irish Catholics were taking on an increasingly visible role in the British military. Catholics were not looking to opt out of the British state and its empire, but to gain access to its benefits.

The fifth chapter, "War and the Reinvention of the Highlands," focuses on a very different Catholic population: Catholic Highlanders. Unlike Ireland, Scotland had few Scottish-born Catholics by the end of the eighteenth century. Those Scottish Catholics who were around were few in numbers and wielded limited political influence. What influence they did possess depended largely on individual bishops' abilities to maintain good relations with ministers like Henry Dundas and the continuance of the notion that there existed an untapped supply of Catholic Highlanders who could be recruited into the military. However, by the end of the eighteenth century, this latter notion was becoming unsustainable. Not only had Highland proprietors arranged for most of their qualified men to go into the military, but the improving methods they introduced to their holdings made it difficult for Highlanders to maintain the traditional lifestyle that had supposedly made them exceptional warriors in the first place. Those Highlanders who could afford it left for Canada, where they could maintain or advance their social position without giving up their Gaelic identity.

Despite their limited numbers, however, Scottish Catholics were significant for their contributions to both Scottish and British national identity. Although popular interest in the Highlands had been growing throughout the latter half of the eighteenth century, it exploded in the nineteenth as British newspapers began reporting stories about heroic Highland regiments fighting against the forces of Napoleon. Highland culture provided the Scottish with a way to distinguish themselves from the English without necessarily rebelling against the idea of a unified British state. The key figure in this development was Sir Walter Scott, whose writings on the Highlands provided the Scottish with a colorful and romantic national history that they could treasure even as they reaped the

benefits of their connection with England. One of the most prominent developments to come out of the romanticization of the Highlands was the emergence of sentimental Jacobitism. In the early nineteenth century, Jacobitism was an ambiguous and potentially politically loaded concept. Sometimes, as it was during George IV's visit to Scotland, Jacobitism was shorn of its Catholic connotations and redeployed as form of loyalty to the ruling monarch. In contrast, when Scott wanted to address Jacobitism as a primarily historical phenomenon, he played up its ties to Catholicism and defeat, creating memorable Catholic Jacobite characters who would appeal to the reader's imagination while remaining safely in the past. Even as actual Catholic Highlanders were leaving the country, romanticized versions of historic Scottish Catholics provided a useful psychological function for nineteenth century Scottish Protestants; they symbolized moments of Scottish independence, frequently including resistance to the English, without undermining the modern British state.

This study concludes at the time of Catholic emancipation in 1829. Catholic emancipation, coming between the repeal of the Test and Corporation Acts and the First Reform Bill, rendered the state more secular, while demonstrating the power of mass movements to force the government to capitulate to popular demands. In the years following it, the climate of the United Kingdom and the nature of the British empire changed. The migration of Irish workers to Britain and other parts of the empire brought working class Irish Catholics into conflict with their British Protestant counterparts, while making British Catholicism appear increasingly Irish. Throughout the empire, legal distinctions between various Christian sects were lifted, even as racial distinctions were hardening. In the Victorian Age, the idea that the British had a duty to spread Protestant

evangelicalism and civilization to racially inferior peoples, often including the Irish, became widespread.

For historians living in the early twenty-first century, it is easy to write off Burke's call for unity between the Catholics and Protestants of the British Isles. Armed with the knowledge that Irish Catholics would develop a strong nationalist movement in the nineteenth century and eventually oust the British government from most of Ireland in the twentieth, it is easy to read these developments as inevitable and accept that Catholics were, both in a literal and figurative sense, eternally beyond the pale.[46] Nevertheless, it is not the point of this dissertation to present a teleological picture of history, in which sectarian animosities and religious restrictions fell away in progressive fashion before the spread of religious toleration and secularism. The Victorian era, which followed the period of this study, was characterized by notable instances of sectarianism, including a public outcry at the official reinstitution of the Catholic hierarchy in Britain and on-going struggles over the state of Ireland.[47] Rather, this dissertation explores the late eighteenth and early nineteenth centuries as a moment of potential when relations between Catholics, Protestants, and the British state were in flux. Although anti-catholicism never disappeared, Catholics' legal position underwent a thorough change between 1755 and 1829. The Catholic Question, particularly as it related to Ireland, was an important issue

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46. For an investigation of loyalism among Catholics in Canada and Australia from the eighteenth century to the present see Donal Lowry, "The crown, empire loyalism and the assimilation of non-British white subjects in the British world: An argument against 'ethnic determinism'," *The Journal of Imperial and Commonwealth History* 31, no. 1 (May 2003): 96-120.

47. For instance, see Robert Klaus, *The Pope, the Protestants, and the Irish: Papal Aggression and Anti-Catholicism in Mid-Nineteenth Century England* (New York: Garland, 1987); Walter Ralls, "The Papal Aggression of 1850: A Study in Victorian Anti-Catholicism," *Church History* 43, no. 2 (1974): 242-256; C. T. McIntire, "Mid-Victorian Anti-Catholicism, English Diplomacy, and Odo Russell in Rome" *Fides et Historia* 13, no. 1 (1980): 23-33.

in the formation of the United Kingdom. It challenged the limits of Britishness and raised

questions about the nature of the British state.

CHAPTER 1

CATHOLICS, JACOBITES, AND THE ILLUSION OF PROTESTANT UNITY

New Year's Day 1766 marked the death of James Edward Stuart, alternatively known as King James III/VIII or the Old Pretender. Although James' father, King James II, had been forced off the throne during the Glorious Revolution, the Catholic Church had continued to recognize him as the rightful ruler of the British Isles. Following the younger James' death, however, Pope Clement VIII broke with this policy. Clement refused to acknowledge the kingship of James' son, Charles Edward Stuart, and, burying James' crown with his body, officially recognized the Hanoverian King George III and his descendants as the rightful kings of Britain.[48] While Rome continued to function as a harbor for the remnants of the Jacobite line until the death of Charles' brother Henry at the end of the century, Clement denied Charles Edward the ability to appoint bishops for the British Isles and instructed that Catholic priests no longer pray for the Stuarts during mass. In so doing, Clement removed one of the central barriers standing between British Catholics and their legal and political integration into British society. Once the Catholic Church ceased to be a *de jure* Jacobite institution, Catholics could pledge their loyalty to George III without automatically appearing duplicitous or hypocritical.

At the time of James Edward Stuart's death, Hanoverian Britain was enjoyed unprecedented strength. In the wake the Seven Years War, the British empire was larger than it had ever been before; in addition to its settlements in North America and the Caribbean, Britain had won control of Canada and Senegal, as well as parts of India and

several French West Indian islands. Like their Protestant countrymen, British and Irish Catholics had assisted in the victory by serving in Britain's army and navy and as well as attempting to promote loyalty at home. Many former Jacobites who had fought under Prince Charles had used the Seven Years War as an opportunity to redeem themselves in the eyes of government by raising regiments and serving abroad. Furthermore, with the addition of formerly French and Spanish colonies, the British empire gained tens of thousands of new Catholic subjects; with such problems as the need for a new bishop in Canada, both the Catholic Church and the British government had an interest in getting along.[49]

During the mid-eighteenth century, the English saw themselves as belonging to an Anglo-American empire that was connected by commerce, liberty, and Protestantism.[50] As anti-Scottish cartoons and tracts attest, many English resisted seeing the Scottish as their countrymen, although Scottish Lowlanders prized many of the same things that they

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1. Prince George of Mecklenburg-Strelitz to George III, 8 January 1766, in *The Correspondence of King George the Third, Vol. 1*, ed. Sir John Fortescue (London: Macmillan, 1927), 209.

2. Stephen Conway, *War, State and Society in Mid-Eighteenth Century Britain and Ireland* (Oxford: Oxford University Press, 2006), 9; Hilda Neatby, *Quebec: The Revolutionary Age, 1760-1791* (Toronto: McClelland and Stewart, 1966); Philip Lawson, *The Imperial Challenge: Quebec and Britain in the Age of the American Revolution* (Montreal: McGill-Queen's University Press, 1990).

3. Kathleen Wilson, *The Sense of the People: Politics, Culture and Imperialism in England, 1715-1785* (Cambridge: Cambridge University Press, 1995); David Armitage also argues those living in the empire perceived it as "primarily Protestant". Armitage, *The Ideological Origins of the British Empire* (Cambridge: Cambridge University Press, 2000) 8; Carla Gardina Pestana emphasizes the diversity of Protestant denominations throughout the Atlantic while also acknowledging widespread anti-Catholicism. Pestana, *Protestant Empire: Religion and the Making of the British Atlantic World* (Philadelphia: University of Pennsylvania, 2009); Other useful discussions of identity in the British empire include Jack Greene, *Peripheries and Center: Constitutional Development in the extended Polities of the British Empire and the United States, 1678-1788* (Athens: University of Georgia Press, 1986); Linda Colley, *Britons: Forging the Nation, 1707-1837* (New Haven: Yale University Press, 1992); See also, Wilson, ed. *A New Imperial History: Culture, Identity and Modernity in Britain and the Empire, 1660-1840* (Cambridge: Cambridge University Press, 2004); and Wilson, *The Island Race: Englishness, empire and gender in the eighteenth century* (London: Routledge, 2003); Greene, "Empire and Identity from the Glorious Revolution to the American Revolution," in *The Oxford History of the British Empire: The Eighteenth Century*, ed. Peter Marshall (Oxford: Oxford University Press, 1998); Boyd Stanley Schlenther argues that commerce

did. Protestants throughout the empire often regarded Catholics as opposed to, or incapable of, attaining liberty and commerce for themselves.[51] According to works such as the perennially popular *Fox's Book of Marytrs*, Catholicism was a superstitious, persecutory religion, which encouraged its adherents to suppress Protestantism.[52] Many Protestants believed that ordinary Catholics were servile towards Catholic authorities. At the same time, Protestants often doubted whether Catholics could be loyal to Protestant rulers on the grounds that Catholics supposedly felt no obligation to keep faith with heretics. Furthermore, Protestant commentators alternatively accused the Catholics of undermining their productive value with their effeminacy or their barbarity. Catholic holidays and monasticism supposedly exacerbated the problem of low productivity by encouraging idleness.[53] This Protestant-Catholic dichotomy was encapsulated in contemporary retellings of the Glorious Revolution, an event which British Protestants often saw as embodying the principles of the British Constitution. According to Hanoverian retellings of the event, the Protestant William of Orange, having come at the invitation of the British people, had defeated the Catholic James II's plans to establish himself as an absolute monarch and restored the liberties of the British people by granting Parliament its due powers. The establishment of the Protestant Succession, limiting the British throne to Protestants, encapsulated the idea that Catholicism was incompatible

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allowed a traffic of religious ideas that undermined Anglican hegemony in "Religious Faith and Commercial Empire," in Marshall, *The Oxford History of the British Empire*, 128-150.

4. Clement Fatovic, "The Anti-Catholic Roots of Liberal and Republican Conceptions of Freedom in English Political Thought," *Journal of the History of Ideas* 66, no. 1 (January 2005): 37-58.

5. Colley, *Britons*, 25-28.

6. For a discussion of the connection between Protestantism and capitalism, see Hans Turley, "Protestant evangelicalism, British imperialism, and Crusonian identity," in Wilson, *A New Imperial History*, 176-193.

with British government, and underlined the supposedly foreign attachments of its adherents.[54]

Nevertheless, the Protestants of the British Isles were frequently at odds with one another. Eighteenth century Anglicans frequently used the term "Protestant" to refer to themselves exclusively. Although Protestant Dissenters enjoyed more toleration than their Catholic counterparts, they faced reminders of their inferior legal status. Until the repeal of the Test and Corporation Acts in 1828, Tractarian Dissenters could only sit in Parliament as long as they took communion in an Anglican Church twice a year; Unitarians were excluded altogether. Likewise, all scholars were required to subscribe to the thirty-nine articles of the Church of England in order to matriculate from Oxford or Cambridge. Irish Presbyterians, who were excluded from the Irish Parliament until 1782, also faced restrictions. In Scotland, where Presbyterianism was established, Episcopalianism was illegal until the 1790s, despite sharing common roots with the established churches of England and Ireland. These restrictions reflected the suspicion that members of the established churches sometimes showed to Protestant Dissenters. While Jonathan Clark overstates the connection between religious heterodoxy and religious dissent, Protestant Dissenters, especially non-Trinitarians, were frequently associated with republican ideals. Hostility towards Dissenters sometimes led to rioting, as it did during the Church and King riots of the 1790s. [55]

7. H. T. Dickinson, *Liberty and Property: Political Ideology in Eighteenth-Century Britain* (New York: Holmes and Meier, 1977); Jim Smyth, *The Making of the United Kingdom, 1660-1800: State, Religion and Identity in Britain and Ireland* (New York: Longman 2001); Hannah Smith, "The Idea of a Protestant Monarchy in Britain 1714-1760," *Past & Present*, no. 185 (November 2004): 91-118.

8. Jonathan Clark, *English Society, 1660-1832: Ideology, Social Structure and Political Practice during the Ancien Regime* (Cambridge: Cambridge University Press, 2000).

Tensions between Protestants spilled out into the larger empire, where New England Congregationalists opposed the establishment of an Anglican bishopric as a threat to their own position. As far as the congregationalists were concerned, Anglicans were too close to papists for comfort.[56] Even if the presence of large Catholic populations in places like Ireland and Maryland is ignored, the Protestant empire was an ideal rather than a reality. While the concept never died out entirely, its attraction for members of government varied, waning in the eighteenth century only to wax in the nineteenth.

Following the Seven Years War, it became increasingly hard to maintain the already deceptive idea of a unified Protestant empire. As P. J. Marshall argues, the establishment of British government in Quebec and India after the Seven Years War was part of a shift from an earlier empire of settlement and cultural similarity, embodied in the lower thirteen American colonies, to a territorial empire composed of heterogeneous peoples and cultures.[57] The American Revolution, which was largely inspired by the attempts of the British government to increase its control over its colonies and make them pay to maintain the gains of the Seven Years War, ultimately cost the British empire thousands of Protestant subjects. At the same time, advocates of Catholic relief within the British Isles sought to demonstrate Catholics' compatibility with the dominant culture. They appealed to ideas of liberty, national prosperity, and social stability while also ingratiating themselves with the government through offers of military service. They had

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9. For example, see Peter Doll, *Revolution, Religion, and National Identity: Imperial Anglicanism in British North America, 1745-1795* (Madison: Fairleigh Dickinson University Press, 2000), 162.

10. Marshall, *The Making and Unmaking of Empires: Britain, India, and America c. 1750-1783* (New Delhi: Oxford University Press, 2005); Marshall, "Britain without America—A Second Empire?" in Marshall, *The Oxford History of the British Empire*, 576-595; Vincent Harlow, *The Founding of the Second British Empire, 1763-1793*, 2 vols. (London: Longmans, 1952-1964).

some success in England and Ireland, where some of the restrictions on Catholics' property and worship were removed, while similar legislation failed in Scotland.

The shift from an empire that was perceived to be composed of Protestant settlers to an empire of diverse groups led to one of the central conflicts involved in determining national belonging in Britain. This conflict is encapsulated in the difference between being a "British subject" and being "British." Whereas a "subject" is defined in terms of his or her subjection to the authority of the monarch, a person's status as "British" may be considered to be dependent upon his or her sharing a common value system and cultural background with other people who identify themselves as British, combined with residence in, or at least ancestral attachment to, Great Britain.[58] Ideally, at least as far as early eighteenth century Whigs were concerned, the conditions of loyalty to the monarch and adherence to the culture would overlap and reinforce each other. As long as Catholics could be equated with Jacobites, Whigs could attack them on both counts. After Catholics began to proclaim their allegiance to George III, however, they could argue that religious distinctiveness did not prevent one from being a loyal subject. Nevertheless, when royal ministers began to show more leniency towards Catholics, demagogues, opposing politicians, and segments of the British press interpreted this leniency as part of a broader conspiracy against the British Constitution. As the notable abundance of eighteenth century opposition literature indicates, a vocal minority of the population was far more

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11. For more one the distinction between British subjects and Britons, see Marshall, "Britain and the World in the Eighteenth Century: IV, The Turning Outwards of Britain," *Transactions of the Royal Historical Society* 24, (November 2000): 3-4.

willing to question its allegiance to an individual king, or at least attack his ministers, than modify its opinions about its culture.[59]

Throughout the British Isles, the penal laws had been instituted to promote national security, encourage conversion, and defend the governing elite's preferred version of the social order. By the mid-eighteenth century, England, Scotland, and Ireland all had relatively similar penal laws in place. Catholics were forbidden to hear mass, and Catholic priests discovered saying it were subject to banishment or life imprisonment. Catholics could neither employ Catholic school teachers to instruct their children within the country, nor could they send them abroad for education. Catholics could not attend British universities or practice law or medicine without abjuring their faith. They could not vote or sit in Parliament, and they could not appear on juries in cases involving Protestants. They could not join the military or own any weapon or horse worth more than £5.[60]

Catholic relief advocates found the laws against property rights particularly objectionable. At a time when the ruling elite and hordes of pamphlet writers described the possession of property as a nearly inalienable right, many of them endorsed the policy of undermining Catholics' ability to hold property in order to destroy their social and political influence. Catholics could not buy property or sell it to another Catholic. If a Catholic landowner died, his Protestant relatives could claim his property for themselves,

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12. Cartoons on this theme include "The botching taylor cutting his cloth to cover a button" Pub. James Tomlinson. London: 27 December 1779, Library of Congress: LC-USZ62-4544; see also Robert Kent Donovan, *No Popery and Radicalism: Opposition to Roman Catholic Relief in Scotland, 1778-1782* (New York: Garland, 1987).

13. Colin Haydon, *Anti-catholicism in Eighteenth Century England: A Political and Social Study* (Manchester: Manchester University Press, 1993), 47; Donovan, *No Popery and Radicalism*, 156-157; S. J. Connolly, *Religion, Law and Power: The Making of Protestant Ireland, 1660-1760* (Oxford: Clarendon, 1992), 267-8, 273.

even if his Catholic heirs had a closer hereditary claim. The conversion and impoverishment of the Catholic gentry was particularly important in Ireland. To a large extent, Protestant landowners in Ireland owed their property to Oliver Cromwell's scheme of confiscating Catholic estates and redistributing them among his soldiers. Vastly outnumbered by the Catholic natives, Protestants needed to ruin the Catholic gentry in order to deprive the Catholic majority of their traditional leaders and better secure their own position. To this end, Catholic landowners' property was subject to gavelkind, provided that their heirs were Catholic. If a Catholic landowner's son turned Protestant, he could claim the entire property for himself during his father's life time and make his father into his tenant. Although Catholics found ways around these laws, which were not enforced very strictly for most of the century, the laws succeeded in moving most of the landed property of Ireland into Protestant hands, while highlighting Catholics' inferior position.[61]

Between 1759 and 1783, the British empire underwent substantial reshaping. In large part, the change was geographical. During this period, Britain gained control of a world-wide empire while also losing its older settler colonies in North America. However, these geographical changes were accompanied by cultural developments, both domestically and in the wider empire. In the wider empire, the British government attempted to both tighten its control over its colonies and manage to its newly conquered subjects by making some concessions to regional cultures.[62] In the British Isles themselves, the

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14. Haydon, *Anti-catholicism*, 47; Donovan, *No Popery and Radicalism*, 156-157; Connolly, *Religion, Law and Power*, 267-8, 273; for more on the penal laws in Ireland, see Charles Ivar McGarth, "The provisions for conversion in the penal laws, 1695-1750," in *Converts and Conversion in Ireland, 1650-1850,* ed. Micheal Brown, McGarth, & Thomas Power (Dublin, Four Courts Press, 2005).

15. For examples of this practice within the empire, see Lawson, *The Imperial Challenge*; Lawson, *A Taste for Empire and Glory: Studies in British Overseas Expansion, 1660-1800* (Brookfield, VT: Variorum,

government began to grant some accommodations to members of traditionally suspect groups, such as Catholics and Jacobites, in exchange for the military service that would allow it to obtain, and retain, control of the growing empire.[63] Throughout the empire, when the central government or local administrations made concessions, they did so in the hope of winning over local elites, whom they expected would be capable of influencing the rest of the population.[64] In the case of the Catholics of the British Isles, government succeeded in gaining the support of many wealthy Catholics and high-ranking clergymen, while lower class Catholics, particularly in Ireland, continued to regard the British government with suspicion. The idea of granting concessions in exchange for troops and loyalty emerged during the Seven Years War. Although Irish Catholics such as Lord Trimbleston and Charles O'Conor attempted to appeal to government with demonstrations of support, it was the Scottish Highlanders who profited most from the conflict. Former Jacobites, such as Simon Fraser of Lovat, got into the government's good graces by adopting Protestantism while raising regiments from their own tenants, who were often Catholic. During the American Revolution, North's ministry embraced the idea of enlisting Catholics and encouraged the passage of rudimentary Catholic Relief Acts for England, Ireland, and Scotland in order to facilitate recruitment. Many British Protestants, however, remained wary of Catholics, and interpreted the

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1997); and Nicholas Dirks, *The Scandal of Empire: India and the Creation of Imperial Britain* (Cambridge, Mass: The Belknap Press of Harvard University Press, 2006).

16. See Donovan, "The Military Origins of the Roman Catholic Relief Programme of 1778," *Historical Journal* 28, no. 1 (1985): 79-102; Andrew Mackillop, *'More Fruitful than the Soil': Army, Empire and the Scottish Highlands, 1715-1815* (East Lothian: Tuckwell, 2000); and Thomas Bartlett, *The Fall and Rise of the Irish Nation: The Catholic Question, 1690-1830* (Savage, MD: Barnes & Noble Books, 1992).

17. In the words of C. D. A. Leighton, "however one may categorize those who were likely to be in a position to take advantage of early Catholic relief measures, it will not be possible to include among them

concessions as part of a larger attempt by the King to co-opt the British constitution, leading to rioting in Britain and a surge in Protestant nationalism in Ireland that would ultimately result in the Irish Constitution of 1782.

The Seven Years War

As Thomas Bartlett has argued, "[from] the Seven Year's War on,… war would mean opportunity rather than danger for Irish Catholics: opportunity to draw up addresses, to stress their loyalty and, especially, to beat the recruiting drum."[65] The quotation could as easily be applied to the lairds of the Scottish Highlands, who employed their tenants of various religious persuasions to win favor in the eyes of government. The Seven Years War, with fronts located around the world, required a massive number of troops. According to Stephen Conway's estimate, 201,000 Britons and Irishmen, or approximately one in nine of all males of soldiering age, had served in the military or other national defence efforts by 1762.[66] Facing serious man-power needs, some members of the British government were willing to consider recruiting men of traditionally suspect backgrounds. Scottish gentry who had lost their estates because they, or their relatives, had participated in the Jacobite uprising of 1745 found that they could demonstrate their value to the Hanoverian regime by offering to raise regiments to fight overseas.[67] Some Irish Catholic gentry adopted a similar strategy, although the Irish

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anyone who might have been described as a helot[.]" Leighton, *Catholicism in a Protestant Kingdom: A Study of the Irish Ancien Régime* (New York: St. Martin's Press, 1994), 5.

18. Bartlett, *The Fall and Rise*, 59.

19. Conway, *War, State, and Society*, 61, 66.

Parliament refused to allow for the creation of Irish Catholic regiments. In both instances, former rebels and Catholics set a precedent for the future with their offers of military service.

At its core, Britishness was based upon a sense of partnership between England and Scotland. Regional tensions between the English and the Scottish remained strong during the 1750s and 1760s, and it would be premature to speak of a widespread sense of Britishness at this time. However, in these years the Scottish began to sow the seeds of a British identity by rising to political, economical, and cultural prominence.[68] George III showed a greater willingness than his predecessors to work with Scottish ministers. By mid-century, Scotsmen like the Earl of Bute, George III's tutor and early favorite, and Chief Justice Lord Mansfield enjoyed positions of political prominence.[69] With fewer opportunities to advance themselves at home than their English counterparts enjoyed, the sons of Scottish gentlemen sought their fortunes elsewhere in the empire, making the empire a truly British project.

However, imperial expansion was not limited to the territories beyond Britain. Following the suppression of the 1745 uprising, the British government turned its

20. Monographs addressing this topic include Geoffrey Plank, *Rebellion and Savagery: The Jacobite Rising of 1745 and the British Empire* (Philadelphia: University of Pennsylvania Press, 2006); Mackillop, *'More Fruitful than the Soil'*; Robert Clyde, *From Rebel to Hero: The Image of the Highlander, 1745-1830* (East Lothian: Tuckwell, 1995); and W. A. Speck, *The Butcher: The Duke of Cumberland and the Suppression of the 45* (Cymru: Welsh Academic Press, 1995); for the motivations behind Jacobitism, see John Stuart Shaw, *The Political History of Eighteenth-Century Scotland* (New York: St. Martin's Press, 1999), chapter 5.

21. Murray Pittock, *Inventing and Resisting Britain: Cultural Identities in Britain and Ireland, 1685-1789* (Basingstoke, Hampshire: Macmillan, 1997), 129.

22. For more on Bute and Mansfield, see *Oxford Dictionary of National Biography*, s.v. "Stuart, John" (by Karl Wolfgang Schweizer), http://www.oxforddnb.com.proxy.library.vanderbilt.edu/view/article /26716?docPos=1 (accessed March 25, 2010); and *Oxford Dictionary of National Biography*, s.v. "Murray, William" (by James Oldham), http://www.oxforddnb.com.proxy.library.vanderbilt.edu/view /article/19655?docPos=6 (accessed March 25, 2010).

attention to reforming the Highlands, which it regarded as the primary hotbed of Jacobite

disaffection in Britain.[70] Improvers sought to bring economic development to the

Highlands in an effort to destroy the power of the clans and tie the Highlands to the rest

of Britain through commerce. In the words of Bob Harris, commerce was "the principal

vehicle for the expression of a British patriotism in mid-eighteenth century Scotland."[71]

Reflecting upon their predecessors' failure to stamp out Jacobitism following the 1715

uprising, administrators endeavoured to inject life into lapsed policies, and invent new

ones, with the intent of assimilating the Highlands. The 1752 Annexation Act granted the

crown permanent possession of thirteen estates that had been confiscated from Jacobites.

Reformers, such as members of the Society in Scotland for the Propagation of Christian

Knowledge, attributed the Highlanders' tendency towards Jacobitism to the influence of

their society. Adopting the standard eighteenth century view that members of the lower

social orders were incapable of independent thought, reformers blamed clan leaders for

forcing their underlings to revolt and set about trying to destroy the clan system. The

crown stripped Jacobite lairds of their estates and abolished the system of heritable

jurisdictions, which had authorized the lairds to hold court over their people. Establishing

the Annexed Estates Board, the government threw its support behind the idea of

agricultural "improvement," although it failed to come to a consensus about what exactly

this might mean besides bringing the land and its people into accordance with current

23. See Alexander Murdoch, *'The People Above': Politics and Administration in Mid-Eighteenth Century Scotland* (Edinburgh: John Donald, 1980), 74-82.

24. Bob Harris, *Politics and the Nation: Britain in the Mid-Eighteenth Century* (Oxford: Oxford University Press, 2002), 149; for more on the Scottish economy, see T. M. Devine, *Exploring the Scottish Past: Themes in the History of Scottish Society* (East Linton: Tuckwell, 1998); Devine, *Clanship to Crofter's War: The social transformation of the Scottish Highlands* (Manchester: Manchester University Press, 1994); and Charles Withers, *Gaelic Scotland: The Transformation of a Culture Region* (London: Routledge, 1988).

market practices.[72] The Board encouraged attempts to introduce fishing and the linen manufacture to the Highlands. However, linen proved too expensive to develop profitably while laws on salt and misdirected policies undermined the effort to encourage fishing.[73] By act of Parliament, the government forbid Highlanders to own firearms and sent military personnel through the countryside to confiscate weapons.[74] In an early instance of the cultural imperialism that writers like Sir Walter Scott would develop more fully in the nineteenth century, Parliament reserved the right to wear customary Highland dress to members of the Highland regiments. Reformers also aimed to convert the Highlanders to Presbyterianism, teach them to speak English, and instill them with loyalty to the Hanoverian regime. The association of loyalty with economic improvement can be seen in the case of James Fraser, who had been attempting to ingratiate himself in government circles only to be accused of Jacobitism. Each of the letters he obtained to vouch for his Hanoverian proclivities focused largely on his promotion of industry and agriculture.[75]

Catholics made up a small minority of the Scottish population. There were approximately 16,500 Catholics in Scotland by the end of the Seven Years War.[76] While there were a handful of Catholics elsewhere in Scotland, the majority of them lived in the

25. Mackillop, *'More Fruitful Than the Soil'*, 81.

26. Harris, *Politics and the Nation*, 185-186.

27. For one man's account of his attempts to confiscate firearms in the Highlands, see Report, "Captain Barlow Commanding a Detachment of the Regiment of the Buffs to Lieut General Churchill from Vala in North Uist 30th June 1753," Add. 35,891, Hardwicke Papers, BL.

28. John Munro to James Fraser Esq of Rilick, 3 July 1753, Hugh Rose to James Fraser, 6 July 1753, and John Forbes to James Fraser, 12 July 1753, Add. 35,448, Hardwicke Papers, BL.

29. Daniel Szechi, "Defending the True Faith: Kirk, State, and Catholic Missioners in Scotland, 1653-1755," *The Catholic Historical Review* 82, no. 3 (July 1996): 399; for more on Catholics in eighteenth century Scotland, see Clotilde Prunier, *Anti-catholic strategies in Eighteenth-Century Scotland* (Frankfurt am Main: Peter Lang, 2004).

Western Highlands and neighboring islands, which put them beyond the easy reach of government authorities or the Kirk. Like Highlanders in general, Catholics came under attack immediately following the suppression of the '45. Cumberland's armies set the tone when they tore down numerous Catholic chapels in the months following the Jacobite defeat at Culloden.[77] Over the course of the next decade, government agents sent to scout out the Highlands and confiscate weapons continued to search for Catholic priests. Despite the anti-catholicism that Charles Edward's 1745 invasion provoked in Britain, Jacobitism was not synonymous with Catholicism. Most Scottish Jacobites were Episcopalians who came from the Lowlands.[78] However, like the Catholic Church itself until 1766, Scottish Catholics tended to be Jacobites. For instance, George Hay, one of the most prominent Scottish bishops of the late eighteenth century, spent the 1745 uprising as a medic in the Prince's army.[79] One report, supposedly written in 1750 by the government agent Edmund Bruce, betrayed the assumption that no Protestant who truly adhered to his religion would be a supporter of Charles Edward. In Bruce's discussion of the Camerons, whom he claimed had surprised both Catholic priests and Protestant ministers with their adherence to Protestantism, he concluded that their behavior was so generally irreligious "that their Adherence to Protestancy seems to have been a part of the

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30. Speck, *The Butcher*, 164.

31. According to recent scholarship, only 43-46% of Charles Edward's troops seem to have been Highlanders, with most of the rest coming from other parts of Scotland. A majority of the Jacobite army's leaders were Lowlanders. Pittock, *The Myth of the Jacobite Clans* (Edinburgh: Edinburgh University Press, 1995), 60-61; for the preponderance of Episcopalians in Charles Edward's army, see Pittock, *Jacobitism* (Basingstoke, Hampshire: Macmillan, 1998), 112; for the religious composition of the Highlands, see Margaret Sankey and Szechi, "Elite Culture and the Decline of Scottish Jacobitism, 1716-1745," *Past & Present* 173, (November 2001): 97.

32. Peter Anson, *Underground Catholicism in Scotland 1622-1878*, (Montrose: Standard Press, 1970), 165. At the time of the uprising, Hay was an Episcopalian.

Pretender's Political Scheme. It would have appeared too glaring to have had none but Popish Clans appear Zealous for his Interest."[80]

The most successful Jacobite to reinvent himself was Simon Fraser, Master of Lovat. Although Simon Fraser claimed to have been raised a Protestant, his father, Lord Lovat, had declared himself to be Catholic before his execution.[81] At the insistence of his father, Fraser led his clansmen into battle against government forces during the '45. Following Culloden, both Frasers were captured and imprisoned on charges of treason, Lovat was hanged, and the family estates were confiscated by the crown. Taking advantage of Lovat's bad reputation, the younger Fraser's supporters successfully portrayed him as the victim of his father's influence, and he received a pardon in 1750. Like other former Jacobites, Fraser had to demonstrate his Presbyterianism. In a petition on Fraser's behalf, some Presbyterian ministers of Invernessshire, Rossshire, and Nairn asserted that he had been 'raised in "Protestant and Revolution Principles" even though his father had been a Catholic.[82] Whether or not Lovat exposed his son to Catholicism, Fraser does not seem to have shown any signs of it in later life. He cultivated a friendship with the Duke of Argyll by influencing electors in favor of Argyll's preferred candidates, and, in return, Argyll convinced William Pitt the Elder to offer Fraser the command of a Highland regiment in 1756. Fraser's regiment, which contained many Catholics and former Jacobites, fought at

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33. Report, "The Highlands of Scotland Described with some Observations Concerning the Late Rebellion, & Scotland in General….," 13, n.d., King's 104, BL. The date and the identification come from Clyde, *From Rebel to Hero*, 50; Prunier, *Anti-Catholic Strategies*, 54.

34. Plank, *Rebellion and* Savagery, 76.

35. Bruce Lenman, *The Jacobite Clans of the Great Glen 1650-1784* (Aberdeen: Scottish Cultural Press, 1995), 178. Lord Lovat, who was also named Simon Fraser, seems to have been a genuinely manipulative and duplicitous character. Having been pardoned for his role in the 1715 uprising, Lovat spent much of the '45 vacillating between the government and the Jacobites. Upon his capture, he insisted that his son had

the siege of Quebec alongside General Wolfe and other men who had helped suppress

Scotland following the '45.[83] Eleven years after the conquest of Quebec, Fraser became a

major general, and in 1774, he succeeded in regaining his estates and his title.[84]

In 1757 Simon Fraser and a Scottish officer named Archibald Montgomery received

commissions to lead two new Highland regiments. Writing to his father, a leading figure

with the Annexed Estates Board, Andrew Fletcher commented "It will be much for the

Honour of the Country, and the good of the Service, that [Fraser's and Montgomery's

regiments] are soon complete."[85] The commissioners for the Annexed Estates Board

agreed and instructed their factors to assist in raising troops for Fraser's regiment.[86]

However, as Andrew Mackillop has argued, recruitment was at odds with contemporary

attempts at economic improvement, because eighteenth century improvers believed the

latter required dividing up families onto small plots while the former worked better in

areas with a large population.[87] The tension between the need to maximize the land's

productive value and to maintain a surplus population that could be sent into the army

remained a feature of Highland development until the end of the Napoleonic Wars.

Although men such as Fraser needed to demonstrate their Presbyterianism, evidence

of religious conformity was less important for most ordinary Highland soldiers, many of

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sided with the Jacobites against his orders. For a more detailed examination of the Frasers, see Lenman, passim.

36. For individual biographies, see Ian McCulloch, *Sons of the Mountains: The Highland Regiments in the French and Indian War, 1756-1767* (Fleischmanns, NY: Purple Mountain Press, 2006).

37. Lenman, *Jacobite Clans*, 179-198; for a more detailed description of how the officers of Cumberland's armies transplanted the techniques they used in suppressing the Highlands to North America, see Plank, *Rebellion and Savagery*, chapter 6.

38. Andrew Fletcher to Lord Milton, 13 January 1757, MS. 16519, Saltoun Papers, NLS.

39. Clyde, *From Rebel to Hero*, 152-153.

whom only spoke Gaelic. While specific numbers are unclear, the regiments included numerous Catholics. In some cases, related documents contain stray references to Catholics. For instance, among the Earl of Hardwicke's papers is a "Note of Inhabitants of Scotland," which lists the number of inhabitants in Scotland's armed counties, its disarmed counties, and its Catholics before ending with the suggestive statement "Scotland at this present Time exhausted by the new Levies."[88] However, geography provides a more direct means of evaluating recruits' Catholicism. By comparing Andrew Mackillop's Table of "Recruitment and Demobilisation Rates, West-Highland Seaboard, 1756-63" with the population figures that Captain Barlow gave in his 1753 reports on the Western Islands of Scotland, it appears that Catholic recruits were probably taken from the islands of South Uist, Benbecula, Canna, and Barra; South Uist and Benbecula, which Barlow described as almost entirely Catholic, provided 100 recruits for the Seven Years War, while Canna, which only had one Protestant during Barlow's visit, provided 14 recruits. The island of Barra provided 31 recruits, out of a population of 1800 Catholics and 50 Protestants.[89] Recruits were also taken from Inverness, which had a large Catholic population. Besides the Frasers, the Gordon volunteer regiment established in 1761 would have also contained numerous Catholics. The Gordons themselves had been

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40. Mackillop, *'More Fruitful Than the Soil'*, 85-86.

41. "Note of Inhabitants of Scotland," n.d., Add. 35,891, Hardwicke Papers, BL.

42. Mackillop, "Appendix 5: Recruitment and Demobilisation Rates, West-Highland Seaboard, 1756-63," in *'More Fruitful Than the Soil'*, and Report, "Report from Captain Barlow of the Buffs, giving a Description of the Western Isles of Scotland, where the Parties under his Command were employed on Outpost Duty Summer 1753," 1 February 1754, Edinburgh, Add 35,891, Hardwicke Papers, BL. Due to the questionable nature of eighteenth century statistics, and the possibility that the religious composition of the population might have changed somewhat between the time of Barlow's report and the recruitment drives of the Seven Years War, the details presented above are probably not completely accurate, but they provide a basic idea of Catholic recruitment in the Western Islands.

Catholics during the early eighteenth century, and they controlled and protected the Catholic college at Scalan in Glenlevit.[90]

At mid-century, the English and Lowland Scots generally regarded Highlanders as a violent, primitive people who had more in common with American Indians than other Britons.[91] By allowing Highland elites to raise regiments from their subordinates, British ministers could alleviate their need for troops while also putting the Highlanders' supposedly barbaric characteristics to good use. James Wolfe, himself no friend to Highlanders, indicated as much when he suggested that Highland companies should be raised because "they are hardy, intrepid, accustom'd to a rough Country, and no great mischief if they fall. How can you better employ a secret enemy than by making his end conducive to the common good?"[92]

During the Seven Years War, Highland regiments fought on the vanguard of the empire. Fraser and Montgomery's regiments went to North America where they played a key role in the defeat of the French at Quebec, while some of their members went on to serve in the Caribbean. Gordon's regiment served for years in India.[93] Most of the estimated 6,000 Scottish Catholics who had engaged in military service during the Seven Years War did so in India or the West Indies.[94] In large part, this was because ministers feared to allow armed groups of Highlanders to remain in Scotland, where they could

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43. James Frederick Skinner Gordon, ed. *Journal and Appendix to Scotichronicon and Monasticon*, vol. 1 (Glasgow: John Tweed, 1869), 275.

44. For a comparison of Highlanders and Native Americans see Margaret Szasz, *Scottish Highlanders and Native Americans: Indigenous Education in the Eighteenth Century Atlantic World* (Norman, OK: University of Oklahoma Press, 2007).

45. Quoted in Clyde, *From Rebel to Hero*, 153; Lenman, *Jacobite Clans*, 195.

46. Lenman*, Jacobite Clans*, 193.

conceivably rebel. As the Secretary of War, Joseph Barrington, told the Duke of Cumberland, "I have no doubt but that the additional Highland Companies will be sent to America as soon as they are raised; and that none will be suffered to remain in the Country on any pretence."[95] Regardless of the concerns that sent them out of Britain, however, Highland troops helped to conquer and secure the expanded empire that was to prove such a source of prestige by the end of the eighteenth century.[96]

Ordinary Highlanders were more devoted to their social leaders than to the British government. Mid-eighteenth century Gaelic ballads show a mixed response to the prospect of fighting for the British. One song from 1757 about the departure of Fraser's Highlanders accuses Fraser with the words "[you] who go to turn your coat, your inconsistency wounds your country!" Fraser's subordinate Ronald MacDonald of Keppoch received a similar song from the Keppoch piper, who was supposedly upset by MacDonald's decision to convert to Protestantism. Upon the return of Fraser's regiment, however, a piper honored them with a song commemorating their victory in Canada, their Highland uniforms, and "the King who is on the Throne" who "has shown great favor to the Highland warriors as a result of their victory on the fields of slaughter of Quebec."[97] However, the admiration of the ordinary Highlanders for their leaders was not always reciprocated, and, particularly as the century wore on, the Highland gentry showed more interest in increasing the commercial value of their estates and adopting the manners of their counterparts in London than in acting as clan heads.

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47. Colley, *Britons*, 326.

48. Barrington to Cumberland, 8 July 1757, quoted in Lenman, *Jacobite Clans*, 188.

49. Lenman, *Britain's Colonial Wars, 1688-1783* (New York: Longman, 2001).

Clan loyalties aside, recruiters often coerced men into joining the regiments. For instance, Donald MacDonnell reportedly seized the young men of North and South Uist and forcibly enrolled them in Fraser's regiment. In a song from South Uist a widow laments having lost all four of her sons to him.[98] Likewise, a memorial from 1760 accused the Duchess of Gordon and her husband of using a variety of tactics to pressure men to enlist, ranging from sneaking money into people's pockets and pretending they had accepted it as a payment for joining the regiment, to arresting able-bodied male tenants, convicting them on trumped-up charges, and torturing them until they agreed to serve. In a particularly egregious example, one man was supposedly found guilty of "wearing arms" because he had two arms attached to his body. [99]

While recruiters often used coercive measures to obtain the men they needed, military service had an important benefit for soldiers: increased access to land. The Commissioners of the Annexed Estates Boards granted plots of land to veterans returning from the Seven Years War in the hopes that they would be a good influence on their neighbors. Unfortunately for the veterans, most of them failed to prosper as farmers and ended up leaving.[100] Individual soldiers sometimes tried to use their past services in order to petition for better land. For instance, Captain Alexander MacDonald reminded the

50. Translated and reprinted in Michael Newton, *We're Indians Sure Enough: The Legacy of the Scottish Highlanders in the United States* (Auburn, NH: Saorsa Media, 2001), 85, 127-129, 138-140.

51. McCulloch, *Sons of the Mountains*, 28.

52. Memorial for James Austie, George Gordon, and Robert McGown. February 1760, MS. 17506, NLS.

53. Memorandum, "Heads of a Plan for providing able bodied Disbanded Soldiers upon the Annex'd Estates," 1763, MS. 17590, NLS; Memorandum, "Plan for Laying out £3000 for Encouraging disbanded Soldiers to Settle upon His Majesty's Annexed Estates in Scotland," n.d., MS. 17590, NLS; A. J. Youngson, *After the Forty-Five: The Economic Impact on the Scottish Highlands* (Edinburgh: Edinburgh University Press, 1973), 28; T. C. Smout, "The Landowner and the Planned Village," in *Scotland in the Age of Improvement*, ed. N. T. Phillipson and Rosalind Mitchison (Edinburgh: Edinburgh University Press, 1970), 90-91.

commissioners that he had served at Martinico and Havannah and done some recruiting in Britain before requesting a tract of farm land that two other parties already owned.[101] The connection between military service and land would remain present throughout the century. As landlords began moving their tenants off of prized holdings, tenants would often resist the loss of land by either claiming a history of military service or offering to serve in the future.

Despite plans to stamp out Catholicism after Culloden, the government was slow to act on them. The Kirk and the SSPCK called upon the government to subdivide existing parishes into smaller units with accessible meeting houses and to staff them with well-paid ministers, who, while not Highlanders themselves, would be capable of preaching a combination of English and Gaelic sermons. While many Episcopalians turned Presbyterian in the decades following the '45, the Kirk enjoyed questionable success in converting Catholic Highlanders or even establishing itself as a presence among them. Fifteen years after the '45, the General Assembly was still complaining to the King about its need for more parishes with ordained ministers. According to the General Assembly, the itinerant ministers it had been sending to the Highlands could not compete with the local Catholic priests, because, unlike the Catholics, they did not have the power to solemnize marriages or baptize children.[102] Following the war, the Kirk continued to hound the government to provide additional aid for its attempts to assimilate the Catholics. In 1765, Dr. Walker, an agent of the Kirk, produced a report on his travels in

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54. Memorial for Capt. Alexander MacDonald late of his Majesty's 42d Regiment of Foot, 1763, MS. 17590, NLS.

55. Memorial from the General Assembly of the Church of Scotland, 1760, the National Archives: Public Record Office SP 54/45/446.

the Highlands, in which he concluded that Catholicism was on the increase throughout the region because there were not enough Protestant clergy to compete with them. In response, the commissioners for the Annexed Estates Board asserted that the construction of roads, villages, and industry had done much to promote Protestantism and claimed to "have no Reason to believe, that Popery is on the increase among the Inhabitants of the annexed Estates." Nevertheless, they approved of Walker's recommendations regarding parishes and schools.[103]

In the fifteen years following Culloden, the British government attempted to colonize the Scottish Highlands by abolishing Highlanders' social structures, suppressing their cultural traditions, and indoctrinating them in Presbyterianism. The recruitment of Highland regiments had contradictory effects on this project. By organizing Highlanders in regiments and outfitting them with traditional Gaelic trappings, people like Fraser helped establish an association between Highland culture and the British military. This reinforced the subordination of the Highlands, while also demonstrating the apparent value of the traditional culture that made Highlanders superior soldiers.

If the Highlands were in the process of being colonized, Ireland already had been for several centuries. It was both a settler colony and a territorial colony with a substantial native population. The Anglo-Irish dominated Ireland politically, owning most of the land and controlling the Irish Parliament. The Presbyterians, most numerous in Ulster, were excluded from the Irish government, as were the Catholic majority. Despite their exclusion, however, the economic position of Irish Catholics had improved since the

56. Dr. Walker's Report concerning the state of the Highlands and Islands of Scotland to the General Assembly, 1765, TNA: PRO SP 54/45/603; the Commissioners for Managing the Annexed Estates to the Lords Commissioners of His Majesty's Treasury, 14 December 1765, TNA: PRO SP 54/45/625-627; for

early part of the century to the point that Ireland had developed a Catholic middle class with the wealth and position to advocate for their own advancement as Catholics.

At the same time that Fraser's regiment was serving in North America, Lord Trimblestown, an Irish Catholic aristocrat and self-appointed representative of his people, set about a similar plan in Ireland. Unlike their Scottish counterparts, the Irish Catholics had remained quiet during the '45. The Lord Lieutenant, Lord Chesterfield, had recognized the Catholics' relative peacefulness at the time, and had refused to step up enforcement of the penal laws without evidence that the Catholics were planning to rebel.[104] Trimblestown and others later pointed to the Irish Catholics' good behavior at this time as an indication of their loyalty. Nevertheless, James III retained a hold on some parts of the Catholic population, most notably through his ability to approve or reject candidates for bishoprics within the British Isles. He used his influence to quash measures designed to connect Catholics more closely to the Hanoverian government, such as a plan in which registered Catholic priests would be allowed to perform their duties unmolested. Devotion to James and his son also persisted among some of the Gaelic speaking community, where balladeers composed songs about the Stuarts for decades. [105] It was the upper and middle class Catholic laity who were most willing to disavow their allegiance to James III and come to an understanding with the Hanoverian regime at mid-century; this was the group Trimblestown claimed to represent.

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more on Presbyterians' attempts to convert Scottish Catholics through education, see Prunier, *Anti-catholic Strategies*, 52-54, 96-97, 123-165.

57. Plank, *Rebellion and Savagery*, 70. Chesterfield's decision was particularly noteworthy because he despised Jacobites. His proposed solution to the '45 was to cut off all provisions to Scotland so that everyone who lived there might starve to death.

58. Éamonn Ó Ciardha, *Ireland and the Jacobite Cause, 1685-1766: A Fatal Attachment* (Dublin: Four Courts, 2002), 359.

Some time before February 1762, Trimblestown approached the Earl of Halifax, then Lord Lieutenant of Ireland, to discuss the possibility of Irish Catholics serving in the military. According to Halifax, Trimblestown assured him "that all Impressions in favour of the Stuart Family are worn out with the Gentlemen of consequence and fortune in this Country" and reminded him of the Irish Catholics' good conduct during the last war. Presenting the Seven Years War as a global conflict consuming men "beyond what England can well bare," Trimblestown claimed that the Catholics wanted the opportunity to fight for Britain. After some discussion, Halifax and Trimblestown hit upon a solution: Irish Catholics might be permitted to form a regiment to serve under one of George III's allies.[106] Halifax sent the Earl of Egremont, Secretary of State for the Southern Department, a letter describing his conversation with Trimblestown, along with an address signed by several Catholic nobles and gentlemen and a letter from the Catholic Archbishop Richard Lincoln, which was to be read in all the Catholic churches in Ireland. The address claimed that the penal laws were restricting the Catholics' ability to help the country in its war and that they would flock to the army if they were given a chance to join it. It closed with a promise that the signers would pray for the king. The Archbishop's letter gave off the impression that the Catholic hierarchy was united in its support of the Hanoverians, and that, far from inciting disloyalty to the government, Catholicism expressly demanded it. It opened by asserting "that the Law of God, and your Religion command you, in the strongest and most explicit Terms, to be faithful, dutiful, and obedient to the Powers, and Governors, His Vicegerents, which the Omnipotent has placed over you." Furthermore, the letter enjoined the priests to

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59. George Dunk, Earl of Halifax to the Earl of Egremont, February 1762, TNA: PRO SP 63/421/75-79; Egremont to Halifax, 23 February 1762, TNA: PRO SP 63/421/115-117.

participate in the country's civic religion by instructing them to observe a fast that Halifax had declared "exactly according to the Tenor of the Proclamation for that Purpose."[107]

Egremont's initial response to Halifax was generally optimistic. The king had received the address favorably, and he would allow Halifax to pass his compliments on to Trimblestown. Furthermore, Egremont suggested that George III would permit Irish Catholics to enlist in the service of the king of Portugal, whom George III had promised to help defend against a threatened Spanish invasion. Trimblestown, who was in London at the time, met with Egremont and Lord Bute to discuss the possibility. Egremont also spoke about the matter with the Catholic Lord Kenmare. Trimblestown's associates were agreeable to the plan, and they drew up a proposed set of conditions for their service. Unfortunately for them, however, the Irish House of Commons firmly opposed allowing Catholics to be recruited for Portugal and voted twenty-six to nine against having the relevant proposals put before them. Lord Carrick, who had presented the motion, was the only one who spoke in favor of it.

While Irish MPs' anti-catholicism may have led them to vote against the measure in any case, the emergence of the Whiteboys gave them another reason to oppose it. The Whiteboys were agrarian rioters who claimed to be motivated by socio-economic grievances. Although the Whiteboys attacked both Catholics and Protestants, Protestants generally assumed that they were Catholic. Rumors circulated that the French, allied with the Irish Catholic gentry, were arming and training them so that they could destabilize Ireland and make it easier for the French to invade. By mid-April, these rumors had come

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60. Address from Roman Catholic Nobles and Gentlemen to Halifax, TNA: PRO SP 63/421/79; Message to Priests, TNA: PRO SP 63/42/83.

to the attention of the British government. Egremont, acting on the king's orders, instructed Halifax to investigate them. Halifax, interpreting Egremont's letter as a sign that he had lost the government's confidence, attributed the rumors to Protestants who opposed the creation of the Catholic regiments out of self-interest. Faced with a threat to his own position, Halifax dropped his support for the measure, suggesting "that if His Majesty should accidentally lay aside the Plan of the Roman Catholicks Corps, he will hear nothing further of the Rioters than their just Punishment[.]"[108]

Although Trimblestown's hopes for an Irish Catholic regiment went unrealized, the incident reveals the contradictory nature of subjecthood for Irish Catholics. Those Catholics who supported the measure wanted to demonstrate their status as loyal British subjects. Trimblestown initially hoped that the Catholics might be allowed to serve George III in his capacity as elector of Hanover. Even after the Catholics agreed to serve the king of Portugal, their list of proposed conditions revealed that they still desired to be regarded as a British regiment. Among other things, they requested to "be looked upon and deemed British Subjects, and under the immediate Protection of His Britannick Majesty" and optimistically stipulated that George III should be able to recall them whenever he saw fit to employ them with his regular troops. Furthermore, unlike Portuguese Catholics, they specifically requested to be "entirely exempt from the Jurisdiction of the Inquisition" and punishable only by a British court martial. The

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61. Egremont to Halifax, 23 February 1762, TNA: PRO SP 63/421/115; Halifax to Egremont, 28 February 1762, TNA: PRO SP 63/421/151; Halifax to Egremont, 14 March 1762, TNA: PRO SP 63/421/193; Halifax to Egremont, 8 April 1762, TNA: PRO SP 63/421/227; Egremont to Halifax, 15 April 1762, TNA: PRO SP 63/421/245; Halifax to Egremont, 7 April 1762, TNA: PRO SP 63/421/253; Halifax rejected the prevailing belief that the Whiteboys were part of an international Catholic conspiracy, writing: "Protestants, My Lord, as well as Papists, have been concerned in these Tumults, one or two of the most considerable of those we have hitherto detected are Protestants, their Outrages have fallen indiscriminately on Persons of both Persuasions, and I cannot yet find that any Matter of State or Religion has been mentioned at their Meetings." Halifax to Egremont, 17 April 1762, TNA: PRO SP 63/421/256-257.

regiment also wanted the ability to grant pardons and commissions to any Irishmen serving as officers in a foreign corps so that they could reconcile these so called "wild geese" to the British government. Regardless of the Catholics' intentions, however, the corps was hampered by its foreign status. Like the wild geese who were supposed to join them, members of the regiment were not legally permitted to serve in George III's military without renouncing their Catholicism. One condition, which would have been essential to the corps' receiving any degree of acceptance from Protestants, stipulated that the regiment would not receive any arms or training until it got to Portugal. Responding to accusations that Catholics would join the regiment with the intention of deserting to Spain, the regiment's backers felt the need to try to prevent this by guaranteeing soldiers a term of seven to nine years. [109] This notion even enjoyed some currency among relatively sympathetic Protestants. Despite his initial openness to the idea of sending a Catholic regiment to Portugal, Egremont still referred to the Irish Catholics' "well known old Predilection in favor of Spain" when discussing the Whiteboys' activities a couple of months later. [110]

Despite the failure of Trimblestown's efforts, Irish Catholics had been serving in the British military for years. Halifax did not object to the regiments because they would have Catholic soldiers, but because they would have Catholic officers. [111] While Catholics were not legally eligible to serve in Britain's armed forces until the 1770s, they were

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62. Halifax to Egremont, 14 March 1762, TNA: PRO SP 63/421/195.

63. Egremont to Halifax, 15 April 1762, TNA: PRO SP 63/421/246; Pitt the Elder and other members of the British government shared a similar suspicion of Irish Catholics, attributing a 1759 riot in Dublin to the work of Irish Catholics and French agents, even though the Lord Lieutenant had explained to them that it was perpetrated by Protestants. Sean Murphy, "The Dublin Anti-Union Riot of 3 December 1759," in *Parliament, Politics and People: Essays in Eighteenth-Century Irish History*, ed. Gerard O'Brien (Blackrock: Irish Academic Press, 1989), 58-61.

sometimes recruited, or impressed, anyway. One curious instance of this can be found in a petition to James III from 1743. The petitioner, an English Catholic named William Medden, explained that he had been impressed into the British navy and forced to serve there for several months until he could escape. At one point he "told them he was a Roman Catholic in hopes of getting his discharge but the Captain told him it would not serve his turn[.]"[112] In 1759, Fletcher reported hearing that Irish Roman Catholics were being recruited for the marines, because "they can do no harm being dispersed on board the several Men of War."[113] Likewise, Egremont may have been encouraging the deployment of Catholic soldiers when he gave Halifax the following orders:

> I am to acquaint Your Excy [sic] that it is proposed to send 2000 of the last raised Troops from Ireland, and to replace the same by an equal Number of Scotch, It is therefore the King's Pleasure that you do fix upon Two of those Regiments last raised, & that you do augment the same up to One Thousand Men each, by Draughts from the other Young Regiments taking Care that those two Corps so completed, shall consist, as much as possible of such Men, as, from their suspected Religious Principles, are least to be trusted with the Defence of Ireland, in Case of actual Danger…[114]

While Fletcher and Egremont indicated their suspicion of Catholic troops, those who actually commanded them gave them a more positive evaluation. In 1774, the Irish MP Colonel Brown spoke to the Irish House of Commons in support of granting Catholics greater leasing rights. Openly admitting that he had recruited "above two hundred papists raised about Cork" into his regiment during the Seven Years War, he commended them,

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64. Halifax to Egremont, February 1762, TNA: PRO SP 63/421/77.

65. William Medden's Petition to James III, January 1743, in *Ireland in the Stuart Papers: Correspondence and Documents of Irish Interest from the Stuart Papers in the Royal Archives, Windsor Castle, Vol. II*, ed. Patrick Fagan (Dublin: Four Courts Press, 1995), 1.

66. Fletcher to a lord, 4 January 1759, MS. 16521, Saltoun Papers, NLS.

67. Egremont to Halifax, 23 February 1762, TNA: PRO SP 63/421/117.

saying "They went to Canada, behaved bravely, and when in garrison, in a popish town, and surrounded with papists, whilst many Protestants deserted, not one of these papists ran away." [115] Likewise, in December 1770, General Burgoyne made a motion before the House of Commons to remove the penal laws and allow Catholics to serve openly in the armed forces. According to the Catholic publisher John Coghlan, Burgoyne told the House that:

> he had the honour to command five hundred of Roman Catholics in the late war. It is true said he they was passed to me as Protestants. But he knew they went to their own places of worship which, as they went without their red coats, he never opposed them. But he said, they were as brave soldiers as any in the King's army and he said it surprised all Europe at this time to think a Roman Catholic must seek bread in a foreign land or accept of it at the hazard of their souls. [116]

As can be seen from Egremont and Brown's respective comments, Catholics' military service created differing impressions among military and government officials. Although military service played a key part in marginalized groups' efforts to demonstrate their loyalty to government and improve their economic and social standing, both the government and the population at large regarded soldiers with suspicion. [117] Even in the case of Protestant Englishmen, members of government were often anxious at the prospect of giving ordinary people arms and training them in their use. [118] In the case of suspect groups, not only Catholics and Highlanders but also Irishmen and Scots in

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68. *Freeman's Journal*, 15 February 1774, quoted in Vincent Morley, *Irish Opinion and the American Revolution, 1760-1783* (Cambridge: Cambridge University Press, 2002), 87.

69. James Coghlan to [Thomson?], 18 December 1770, in *The Correspondence of James Peter Coghlan (1731-1800)*, ed. Frans Blom, et al (Suffolk: Boydell Press, 2007), 4.

70. See John Butler, *An Address to the Cocoa-Tree from a Whig. And a Consultation on the Subject of a Standing-Army....* (London: 1763); William Thornton, *The counterpoise, being thoughts on a militia and a standing army* (London; 1753).

general, these anxieties only increased. Despite their later reputation for bravery and loyalty, Highland regiments only received government approval with the understanding that they would be sent abroad. Even into the period of the American Revolution, the government regularly left Scotland poorly defended because it hesitated to allow Scots to raise militias and insisted on sending Scottish regiments out of the country.[119] Likewise, Irish regiments were normally shipped out of Ireland to prevent them from causing unrest at home. They were often replaced by Highland regiments, whose members were less likely to develop ties with the Irish locals. While Irish Protestants could be officers, the rank and file of the Irish army were not supposed to be Irishmen of any sort; this precaution was designed to exclude Irish Catholics who might otherwise be recruited as Protestants.[120] By fighting to defeat Britain's enemies and extend the empire, Catholic soldiers played a significant part in establishing the conditions that would allow for the development of a British identity later in the century.[121] By not only fighting to establish the empire, but trading with its component parts and consuming its products, the people of Britain and Ireland participated in a common project that would define British greatness for the next two centuries.[122]

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71. See Joyce Malcolm, *To Keep and Bear Arms: The Origins of an Anglo-American Right* (Cambridge: Harvard University Press, 1994).

72. During the Seven Years War, Parliament refused to pass a Militia Bill for Scotland due to fears that arming Scots would lead to unrest. Devine, *The Scottish Nation: A History, 1700-2000* (New York: Penguin Group, 1999), 28.

73. Alan Guy, "The Irish military establishment, 1660-1776," in *A Military History of Ireland*, ed. Thomas Bartlett and Keith Jeffrey (Cambridge: Cambridge University Press, 1996), 218-219.

74. Pittock, *Inventing and Resisting Britain*, 135.

75. John MacKenzie, "Empire and National Identities the Case of Scotland," *Transactions of the Royal Historical Society*, 6th ser., 8 (1998): 215-231.

Reform and Revolution

In the twenty years that spanned the time between Britain's victory in the Seven Years War and its defeat in the American Revolution, Catholics' relations with the British government changed substantially.[123] No longer burdened by a religious adherence to the Stuarts, both lay Catholics and clergy could declare their loyalty to the Hanoverian regime without running up against church policy. The pope's recognition of George III made Catholic clergymen's claims that their Church had a stabilizing effect on society appear more reasonable. The government also proved increasingly willing to entrust Catholics with greater rights. The creation of a new oath of allegiance that did not specify its speaker's religion in 1774, along with the English and Irish Catholic Relief Acts in 1778, marked the beginning of the legal integration of Catholics into English and Irish society. Like Irish Catholics, former Jacobites also benefited during the 1770s as more of them succeeded in repairing their fortunes and obtaining permission to raise regiments. As the American Revolution gave former Jacobites another opportunity to improve their reputations, it also helped the Catholics to improve theirs through military service and displays of loyalty. However, the American Revolution also represented the culmination of tensions that had been brewing among the Protestants of the British empire since the 1760s.[124] For those Britons who adhered to the mid-century ideal of the

76. Numerous works have addressed the effects of the American Revolution on Britain. See Eliga Gould, *The Persistence of Empire: British Political Culture in the Age of the American Revolution* (Chapel Hill: University of North Carolina Press, 2000); H. T. Dickinson, ed., *Britain and the American Revolution* (London: 1989); Stephen Conway, *The British Isles and the War of American Independence* (Oxford: 2000).

77. For an explanation of this development, see John Shy, "The American Colonies in War and Revolution, 1748-1783" in Marshall, *The Oxford History of the British Empire*, 300-323; Woody Holton explores the ways the Seven Years War made Americans less likely to rebel in Holton, "How the Seven Years' War

empire as a union between free British Protestants on both sides of the Atlantic, the American Revolution suggested that they had been betrayed, either by the rebellious Americans, or by the king and his ministers. To people such as Lord George Gordon and the members of his Protestant Association, concessions to Catholics were of a piece with a larger ministerial conspiracy to undermine Protestantism and establish tyranny throughout the empire.

Although Catholics' traditional adherence to the Stuarts leant justification to their legal and social oppression, they could not necessarily shake off popular suspicions against them by swearing their allegiance to George III. While the widespread belief that Catholics felt no obligation to keep faith with non-Catholic "heretics" led some Protestants to reject Catholics' professions of loyalty out of hand, others believed that, regardless of Catholics' possible loyalty, Protestantism was a more important feature of Britishness than allegiance to the king. Indeed, for many Protestants, the improvement of relations between Catholics and the government indicated that George III was a Jacobite himself. By the time Pope Clement VIII recognized George III's kingship, the issue of expressing loyalty to the king had become more problematic. Between the king's determination to take an active part in ruling and his government's attempts to centralize control over the British empire, the king's opponents concluded that he was attempting to establish his own absolutist, Jacobite government. George III's tendency to employ Scotsmen, some of whom did have Jacobite connections, made the accusation that the

turned Americans into (British) Patriots," in *Cultures in Conflict: The Seven Years' War in North America,* ed. Warren Hofstra (Lanham: Rowman & Littlefield, 2007), 127-143.

government was run by Jacobites appear somewhat plausible.[125] With the king cast in this role, Catholics could express support for him and still be construed as the enemies of the country.

As relations between Britain and its American colonies worsened, the popular opposition increased its attacks on the government. Operating under the supposition that American colonists were culturally British Presbyterians, their supporters took particular offense to the government when it appeared to favor subjects from different cultural backgrounds to the detriment of the Americans. The passage of the Quebec Act in 1774 added a specifically religious issue to the Americans' list of grievances by condoning, and apparently encouraging, Catholicism in Canada and along the American frontier. Despite their service in the Seven Years War, Highlanders were initially viewed with suspicion for their role in the American Revolution. One cartoon from 1775, "The Scotch Butchery, Boston 1775," (figure 1) shows Bute and Lord Mansfield directing a Highland regiment, labelled "Scotch Butchers," against the city of Boston, while a party of "English soldiers struck with terror, & dropping their Arms" refuse to join in the attack. Fraser, having failed to absolve himself completely in the cartoonist's mind, stands ready to lead his men, while a pardon for his part in the '45 juts out of his pocket.[126] When the British government agreed to lift the ban on recruiting Irish Catholics in 1774, political critics drew similar parallels between George III and the Stuart kings. [127]

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78. See John Brewer, *Party Ideology and Popular Politics at the Accession of George III* (New York: Cambridge University Press, 1976); when Queen Charlotte first came to England, she had some Jacobite associates. James Sack, *From Jacobite to Conservative: Reaction and orthodoxy in Britain, c. 1760-1832* (Cambridge: Cambridge University Press, 1993), 61.

79. "The Scotch Butchery. Boston, 1775" [1775] BMC 5287.
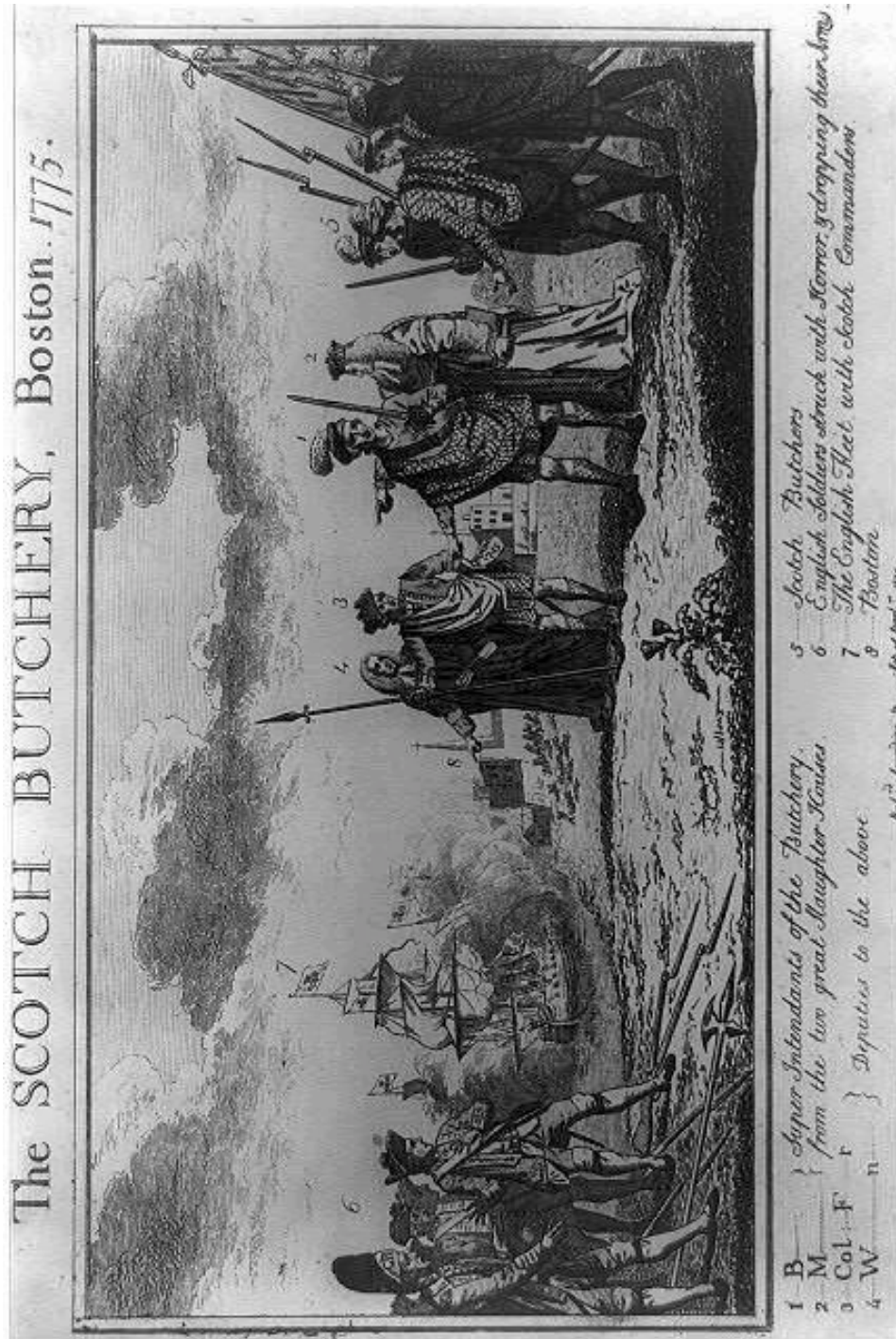
FIGURE 1: "The Scotch Butchery, Boston. 1775," (1775) Library of Congress, LC-USZ62-1512.

80. *The Chester Chronicle; or, Commercial Intelligencer*, Sept. 4, 1775. No. 19 VII. An article advises the ministry to remember what happened to Charles I after he staffed his army with Irish Papists and Germans in order to intimidate his subjects.

The person most responsible for getting the Catholic relief legislation of the late 1770s started was a Scotsman named Sir John Dalrymple. A man of numerous interests, Dalrymple was a pamphleteer and scientist as well as a military recruiter. The recruitment of Catholic soldiers in Ireland was legalized in 1774, but few Catholics had chosen to enlist. Although Dalrymple succeeded in assembling an Irish Catholic regiment for his brother William in 1775, he concluded that offering the Catholics some relief from the penal laws would make them more willing to enlist. After initially trying to interest the Irish government in the idea of offering relief legislation in exchange for recruits, Dalrymple returned to Scotland, where he gained the support of the Catholic Bishop of the Lowlands, George Hay. Upon securing a list of conditions from Hay, Dalrymple went to London and presented them to North and the two secretaries of state, George Sackville Germain and the Earl of Suffolk. Afterwards, he approached Bishop Richard Challoner, Vicar Apostolic of the London District, about pursuing Catholic relief. Challoner declined to get involved, but Dalrymple succeeded in interesting a body of English Catholic laymen, known as the Catholic Committee, in the attempt.[128]

From the outset, Lord North and his government imagined the Catholic Relief Acts of England, Scotland, and Ireland as interconnected. Two main factors inspired ministers' interest in Catholic relief: the need to recruit more soldiers to fight the Americans and their allies, and the need to inspire greater loyalty among the Irish in the event of a French invasion. All three acts would only grant minor concessions, principally giving Catholics greater property rights and legalizing the saying of mass. However, they would also demonstrate the government's good will towards Catholic gentry and clergymen. Of

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81. Donovan, "Sir John Dalrymple and the Origins of Roman Catholic Relief," *Recusant History* 17, no. 2, (October 1984): 191-192. Also see, Donovan, "Military Origins," 79-102.

the three, the Irish Catholic Relief Act was the most important for the ministry's plan, but, as Lord North observed during the debates on the Irish Trade Bills in 1778, only the Irish Parliament could repeal Irish penal laws.[129] To a large extent, the ministry supported the English Catholic Relief Act in order to pave the way for similar legislation in Ireland. Likewise, supporters of the Scottish Catholic Relief Act recognized that the English version had to be passed first.

Alert to the popular hostility that could potentially rise against them, some Catholics feared the consequences that might result if they agitated for relief. Challoner responded to Dalrymple's suggestion that the English Catholics join with the Scottish Catholics in pushing for Catholic relief by "[expressing] his apprehensions of awakening the jealousy of the Dissenters & of drawing a persecution not only upon himself, but the Body at large." When pressed to endorse an address from the Catholic Committee, one Catholic gentleman refused on the grounds that he thought it was "<u>likely to be prejudicial to the Signers or their Heirs.</u>" While only five Catholics out of approximately two hundred wrote to tell the Committee that they did not approve of the address, the Committee itself was reticent about its activities and attempted to suppress the publication of pamphlets discussing Catholic relief. [130]

In contrast to the patriot groups most likely to oppose them, Catholics seeking relief by legal means normally tried to seem as loyal to the monarch and his government as possible. Before pressing for legislative action, Catholic relief advocates sent loyal address to the king, or, if they were in Ireland, to the Lord Lieutenant. Countering the

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82. *The Parliamentary History of England, from the Earliest Period to the Year 1803*, vol. 19 (1778), col. 1112.

83. William Sheldon, Esq., "Minutes Relating to the Bill of 1778," 1778, Bp. Challoner Papers, 175, AAW.

widespread image of lay Catholics as poor, uneducated, and uncivilized, Catholic reformers of the 1760s and 1770s emphasized their respectable backgrounds. Catholic petitions to government routinely proclaimed their signers' status as gentlemen or nobility. Like Lord Trimblestown had done in Ireland, Catholic aristocrats such as Lord Petre took prominent leadership positions in the Catholic relief movement in England. The English Catholic Committee's decision to have three Catholic aristocrats, Lord Petre, Lord Surrey, and Lord Linton, deliver its loyalist address to the king gave its endeavours a reassuring noble face.[131]

One of the more difficult issues that the Catholics and their supporters had to deal with while agitating for relief legislation was their reputation for Jacobitism. Although the Catholic Church had officially regarded the so-called "Old Pretender," James Edward Stuart, as the rightful king of the British Isles during his lifetime, Pope Clement VIII refused to recognize either of his sons' claims after his death in 1766. Despite the Pope's acknowledgement of George III's kingship, however, many members of the Committee found it difficult to approve of the overthrow of James II. The address they presented to the king concealed this scruple and instead started out on a Whiggish note by declaring the Catholics' love of the constitution and praising the Glorious Revolution "which has placed your Majesty's Illustrious House on the Throne of these Kingdoms, and inseparably united your Title to the Crown with the Laws and Liberties of your People[.]"[132] When the Catholics met to read the drafted address, a lot of them objected to the passage praising the Revolution on the grounds that nobody would believe they

84. Sheldon, "Minutes," Bp. Challoner Papers.

85. "The Humble Address of the Roman Catholic Peers and Commoners of Great Britain," from the *London Gazette,* 2 May 1778, Bp. Challoner Papers, 173, AAW.

meant it. Although the Committee's stated reason for retaining the offending passage was that it merely described the facts surrounding the Hanoverians' ascension to the throne, Edmund Burke, who wrote the original draft of the address, recognized that veneration for the Glorious Revolution was one of the main themes of late eighteenth century political culture. If Catholics appeared to be reconciled to the Glorious Revolution, they would fit in more readily. Sensitive to popular concerns that they were overly attached to monarchy, the English Catholic Committee also decided against following their Scottish counterparts' suggestion that their address specify grievances that they wanted redressed on the grounds that "the relief lay in [Parliament] & the application would have been considered, as a remnant of those Prerogative Principles, for their real, or at least supposed, attachment to which the [Roman Catholics] had already suffered so much." The Committee's concern to play down any Jacobite tendencies was a justified precaution. Even some of those lending their support to Catholic relief questioned the Catholics' allegiance to the Hanoverians. While discussing the proposed measure with the Catholic William Sheldon, George Saville, who would later introduce the relief bill before Parliament, objected that the Continental universities Catholics attended "instilled an attachment to the exiled family." Sheldon assured him that this was no longer the case.[133]

In its final form, the English Catholic Relief Act gave Catholics the right to purchase real estate and enabled Catholic priests and schoolmasters to perform their duties

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86. Sheldon, "Minutes," Bp. Challenor Papers. Sheldon admitted that he had been taught to accept Jacobitism while he was studying at St. Omer's, "but that there could not be more criminality in my being educated a Jacobite there, than in one of the Gentlemen present (Northley) being bred up in the same Principles at Oxford."

unmolested.[134] In order to enjoy its privileges, Catholics were required to swear the 1774 oath of allegiance, promising that they would defend George III and his heirs against all "conspiracies and attempts" and abjuring any allegiance to the Stuarts.[135] In the eyes of some people, such as Edward Thurlow, the Attorney General, the oath was unsatisfactory, because it only required the oath-taker to recognize George III as king *de facto*, rather than *de jure*. Although Sheldon agreed with Thurlow that his proposal to alter the oath "was for our benefit," he persuaded Thurlow to let the oath remain as it was in order to avoid impeding the passage of the bill's Irish counterpart.[136]

The English Catholic Relief Bill passed unanimously in both Houses of Parliament. Although several speakers issued cautions about popery's theoretical evils, the MPs seem to have assumed that the majority of English Catholics were basically peaceable people who had quietly put up with nominally oppressive legislation for years. Those who gave reasons for supporting the bill mostly cited the undue severity of the penal laws and the need for Protestants to eschew religious persecution. Saville's statement that "one of his principal views in proposing this repeal was, to vindicate the honour, and to assert the principles of the Protestant religion" fed into the notion, widespread among Protestant supporters of Catholic relief, that demonstrating their tolerance by relieving the Catholics would ultimately strengthen Britain's claim to be a Protestant nation. Most of the debate centered upon the question of increasing Catholics' property rights. Although the Bishop

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87. Haydon, *Anti-catholicism*, 204.

88. Arthur O'Leary, "Loyalty Asserted: Or, the new Test Oath Vindicated," in *Miscellaneous Tracts by the Rev. Arthur O'Leary* (Dublin: Printed by John Chambers, 1781), 86, 88, 90.

89. Sheldon, "Minutes," Bp. Challenor Papers. In private conversation with Sheldon and John Dunning MP, Lord Camden observed that "he thought it more than we ought to swear at present; the relief given us not being such as to exact an oath from us;_ that compleat [sic] allegiance implied complete Protection, which we had not[.]"

of Peterborough, John Hinchcliffe, objected that the new legislation would make it possible for Catholic fathers to disinherit their Protestant sons, the majority of speakers who addressed the bill's impact on family relations saw it as making a positive change. By abolishing rewards for informers, and allowing fathers to determine their children's inheritance and education, the Catholic Relief Act would strengthen the patriarchal family unit.[137]

In addition to strengthening the patriarchal family, the Catholic Relief Acts had the function of strengthening social hierarchy. The acts, which granted Catholics greater freedom to possess and dispose of land and allowed priests to conduct religious rites, were primarily designed to benefit the Catholics of the upper and middle class. While Catholic relief advocates did not state their intentions so bluntly, this message comes across through the recurring theme of informers who used the penal laws to take honest Catholic landowners' property for themselves. In Burke's description, informers produced a kind of social levelling, in which the threat of being informed against made Catholics the slaves of the whole community and rendered "the very servant who waits behind your chair the arbiter of your fate and fortune."[138]

The debates on the English Catholic Relief Act were not particularly heated, and the act did not attract much public attention at the time it was passed. Most of the ministry did not speak on the bill. North walked out of the House during the debate without saying anything at all. This silence may have been strategic on the ministry's part. Even though

90. *Parliamentary History*, vol. 19 (1778), cols. 1137-1145.

91. Burke, "Address at Bristol on the Gordon Riots and the Catholic Question," in *The Portable Edmund Burke*, ed. Isaac Kramnick (New York: Penguin, 1999), 315; compared to those of the seventeenth century, eighteenth century statutes concerning obligations between masters and servants instituted harsher penalties for disobedience. Douglas Hay, "England, 1562-1875: The Law and Its Uses," in *Masters, Servants, and*

Dalrymple had initially sparked the ministry's interest in Catholic relief with the promise of Catholic troops, nobody brought up the issue of Catholic military service during the debate. While the government had not given up its intention to use the act and its Scottish variant to facilitate the raising of Catholic troops, neither the Rockinghamite opposition nor the wider public could have been expected to approve of a plan designed to pit Irish and Scottish Catholics against American Protestants. Both George Saville, who proposed the bill, and John Dunning, who seconded the motion, were outspoken opponents of the war against the American colonists and the apparent growth of executive power. Saville had previously supported John Wilkes' right to sit in Parliament, the repeal of the Stamp Act, and the passage of legislation permitting Dissenting clergymen to decline swearing the Thirty-Nine Articles. Dunning had a similar political background and spent much of his time opposing what he perceived to be the unconstitutional increase of royal influence. He argued that the penalties prescribed in the penal laws were excessive and unnecessary and objected to their attacks on Catholics' property.[139] While the possibility of raising Catholic regiments made the bill palatable to the North ministry, Dunning and Saville's support can probably be attributed to belief in religious toleration and a desire to defend property rights.

Nevertheless, anti-catholic prejudice remained strong among some people. Saville himself later moved to repeal the Quebec Act and reinforce the ban on Catholics teaching Protestant children.[140] Foretelling the rioting that would break out in the next couple of

Magistrates in Britain and the Empire, 1562-1955, ed. Hay and Paul Craven (Chapel Hill: University of North Carolina Press, 2004), 82-83.

92. *Parliamentary History*, vol. 19, (1778), cols. 1139-1140.

years, Hinchcliffe said that he wished that Parliament had had more time to consider the bill and:

> [get] to know the general disposition of the nation ere it past into law, for I hold it to be worthy your lordships' attention… to prevent alarms of imaginary danger, with which ignorance and malice have heretofore, and may again kindle such a flame, as the authority of law will find difficult to extinguish.[141]

The continuing strength of anti-catholic sentiment would become obvious with the controversy surrounding the Scottish Catholic Relief Act. Originally, the Scottish Catholic Relief Act was a natural outgrowth of the government's willingness to accept former Jacobites and Catholics into the Highland regiments. At the prompting of Dalrymple, Lord Linton, a member of the only noble Catholic family left in Scotland, joined with other Scottish Catholics to propose to "make an offer of raising a Regiment of twelve hundred or a thousand men at our own expense, in return of which we are to name our own Officers, which Officers are to have rank and half pay and be made a part of the regular Army."[142] Interested by the offer, the North ministry made plans to reward and inspire such efforts by repealing some of the penal laws against Scottish Catholics. However, by postponing the passage of the Scottish Catholic Relief Act for months after its English counterpart had gone through, the ministry gave the more virulently anti-catholic Presbyterians enough time to organize a mass movement in opposition to it. Within months after forming, Lord George Gordon's Protestant Association had branches

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93. *Oxford Dictionary of National Biography,* s.v., "Savile, Sir George" (by John Cannon), http://www.oxforddnb.com.proxy.library.vanderbilt.edu/view/article/24736?docPos=8, (accessed August 24, 2008).

94. *Parliamentary History*, vol. 19 (1778), 1141-1145; Sheldon, "Minutes," Bp. Challenor Papers.

95. Lord Linton to William Fraser of Kilbockie, 19 September 1778, D111/3/18, Highland Council Archives.

throughout Scotland. Dozens of other organizations, such as guilds and charity clubs, also publicized their opposition to the relief act through addresses and petitions, which were often published in the newspapers. The atmosphere was such that even preachers who did not actually oppose the act were often intimidated into attacking it from their pulpits. In Edinburgh and elsewhere, rioters descended upon Catholics, sometimes physically abusing them and destroying their homes, businesses, and mass houses. Frightened by the mob's violence, the Catholics eventually petitioned the government to stop pursuing the act for the time being. The North ministry, having no greater relish for mob violence than the Catholics did, dropped the act and strove to assure the Scottish Presbyterians that they had no intention of extending Catholic relief to Scotland.[143]

On the face of it, the violent outcry against the Scottish Catholic Relief Act was a stunning example of religious bigotry against a weak and numerically insignificant minority. That being said, the incident reveals the complex relationships between loyalty to the government and adherence to cultural values. For some agitators, the act appeared to be part of a wider government scheme to erode the freedoms of ordinary British subjects, raised in a culture of Protestantism and liberty, by promoting culturally distinct subjects who would willingly serve an absolute monarch. Although the act's supporters had not openly revealed its military aspects, the public heard rumors of the government's plan to grant Catholics concessions in exchange for troops. Bishop Hay confirmed these suspicions in the introduction of his pamphlet *An Answer to Mr. W.A.D.'s letter to G.H.* Particularly in light of the army's employment of French Canadians and Irish Catholics, the recruitment of Scottish Catholics indicated that the government was creating a popish

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96. See Eugene Charlton Black, "The Tumultuous Petitioners: The Protestant Association in Scotland, 1778-1780," *The Review of Politics* 25, no. 2 (April 1963): 183-211.

army to put down the Protestants in America, and possibly in Britain as well. [144] Some of the most vocal opponents of Catholic relief were sympathetic to the Americans, who were often assumed to be Presbyterian; the most notorious anti-Catholic of the 1770s, Lord George Gordon, publicly supported the Americans and embraced republicanism.[145] In a suggestive phrase, Sir James Adolphus Oughton, Commander in Chief of the military in Scotland, attributed the unrest to the efforts of "Republicans and Americans" among both the dissenting and the established clergy who used "the Popery Bill… to inflame the Minds of the Populace."[146] However, while those Scots who opposed the war with America also frequently opposed Catholic relief, many people who supported the war did as well. In Ayr, Dundee, Greenock, and Inverness, magistrates who had levied troops and funds for the war also criticized the ministry for its policy towards the Catholics.[147]

Opponents of Catholic relief frequently based their opposition on the events of the Glorious Revolution and the Act of Union. A petition from Glasgow expressed a typical opinion when it claimed that the repeal of the penal acts would:

> actually overthrow the Union, dissolve the claim of Right, renew the pretences of an abdicated Popish family to the Crown and break down the legal Barriers against that arbitrary religion, so pernicious to the interests of Princes, as well as to the freedom of a brave and virtuous people.[148]

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97. Donovan, "Military Origins," 98-99; George Hay, *An Answer to Mr. W.A.D.'s letter to G.H. in which the conduct of the government, in mitigating the Penal laws against Papists, is justified...* (Dublin: 1779), 4-5.

98. Donovan, *No Popery and Radicalism*, 246.

99. James A. Oughton to Weymouth, Oct. 9, 1779, TNA: PRO SP 54/47/342.

100. Donovan, *No Popery and Radicalism*, 215.

101. Address of private societies in Glasgow to the Earl of Suffolk, Sept. 22, 1779, TNA: PRO SP 54/45/755. At the time of the anti-catholic agitation, most people in Scotland had no way of knowing what concessions were in either the Scottish or the English Catholic Relief Bills. In their petitions against the

Although these charges, along with the accusation that repealing the penal laws would threaten the people's civil and religious liberties, would have resonated with vocal opponents of Catholic relief throughout the British Isles, they possessed additional significance in Scotland because of the legacy of Jacobitism in the country. Most Scottish Presbyterians had little interaction with individual Catholics; instead, their understanding of Catholicism was founded on what they knew from history. Presbyterians' fears that the Highlands contained a rapidly growing Catholic population may have been fuelled by distorted cultural memories of the Catholics and Highlanders in Prince Charles' army.[149] Familiar with accounts of the '15 and the '45, Scottish Protestants were able to cite them as relatively recent evidence of Catholic treason and Presbyterian loyalty. As Thomas Miller wrote to the Earl of Suffolk,

> every person, who knows this Countrey, [sic] must admit of an uniform attachment to the principles of the Revolution, and to the Act of Settlement upon his Majesty's Illustrious Family. To these the Presbyterians of Scotland have adhered, with unshaken Zeal, in two Rebellions, raised in the bosom of their Countrey, in favor of a Popish Pretender [.][150]

For those who credited their ancestors with defeating Jacobitism and establishing the penal laws as a defense against its return, the government's attempts to remove those laws suggested that it had either forgotten the "wisdom" of their ancestors or that it was itself Jacobite. As numerous petitioners warned, the government risked alienating many of its Scottish subjects if it passed the Catholic relief bill. According to their rhetoric at

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Scottish bill, agitators described the legislation as a total repeal of the penal laws. See Donovan, *No Popery and Radicalism*.

102. See *Protestant Interest; Or the Unanimous Resolution of about Forty Thousand inhabitants in and about Glasgow, to Oppose the Popery Bill,* January 1779, for the belief that the number of Catholics is increasing. TNA: PRO SP 54/45/758.

103. Thomas Miller to Suffolk, 25 January 1779, TNA: PRO SP 54/47/208-209.

least, their allegiance to the King was dependent on the preservation of their civil and religious culture.[151] These people attacked the Catholic Relief Act for not only undermining their civil and religious liberties, but for undermining the foundations of the government itself.

However, although the Protestant Association originally formed in order to prevent the passage of a bill aimed at Catholic Highlanders, the organization's attitude towards Highlanders was not necessarily antagonistic. Gordan was a Highlander from a historically Catholic family. Before his father's conversion, the Gordans had been one of the Scottish Catholic Church's primary supporters. Despite opposing his ancestors' Catholicism, Gordan embraced other aspects of Gaelic culture. During his 1774 election campaign, for instance, he had toured the Highlands and Islands, learned some Gaelic, worn plaid, and celebrated with the locals. His love of Highland culture may have also been connected with an interest in Scottish or Celtic nationalism.[152]

Gordon was not the only one to see the Highlanders in a positive light. Despite the hostile reaction to the Scottish Catholic Relief Act, the Highland regiments played a key role in improving Scotland's image during the American Revolution. In notable contrast to the Scottophobic sentiments displayed in "The Scotch Butchery" before the beginning of the war, the 1779 cartoon, "The present state of Great Britain," (figure 2) portrayed a Highlander holding off a Frenchman while trying to protect John Bull, who allows

104. Address from private societies of Glasgow, n.d., TNA: PRO SP 54/45/755; "Supplement to the Glasgow Journal, No. 1957," n.d., TNA: PRO SP 54/45/757.

105. Iain McCalman, "Mad Lord George and Madame La Motte: Riot and Sexuality in the Genesis of Burke's 'Reflections on the Revolution in France'," *The Journal of British Studies* 35, no. 3 (1996): 349.
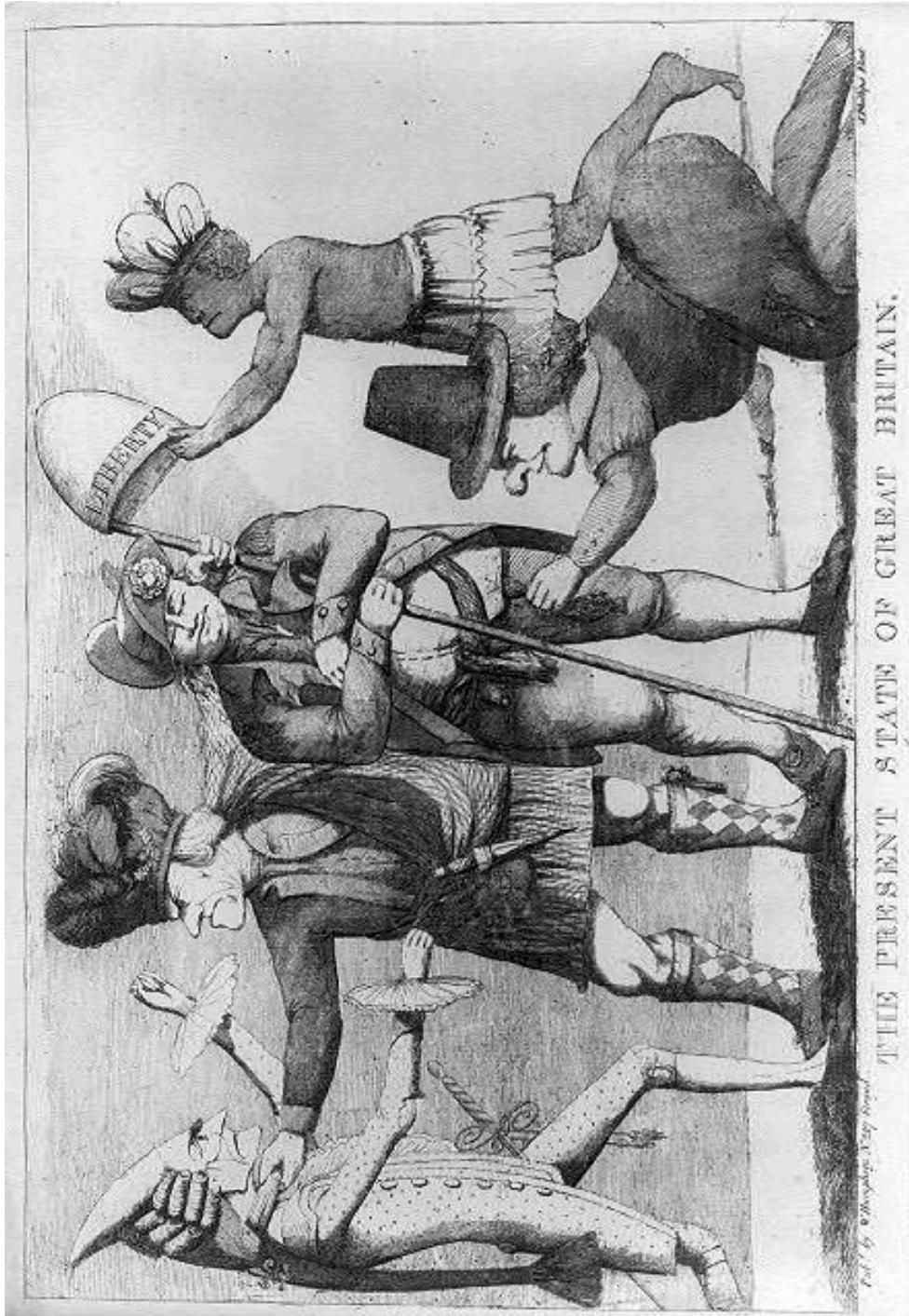
FIGURE 2: "The Present State of Great Britain." (1779) Library of Congress, LC-USZ62-45442.

himself to be robbed by a Dutch man and an American Indian.[153] Neither image, however, made reference to specifically Catholic Highlanders. Despite serving in the very Highland regiments that the British press was beginning to celebrate, Catholic Highlanders were overlooked and ignored by pamphleteers and cartoonists. The Protestant Association even employed the image of the Highlander to show Scotland's resistance to Catholic relief legislation. During the 1780 repeal campaign, several cartoons appeared depicting Scottish Highlanders attempting to prevent George III and his ministers from spreading popery across the river Tweed.[154] In this way, Highland regiments were depicted as safely Protestant. In 1779, Hay drew public attention to Catholics' service in these regiments in the hopes of proving that Scottish Catholics were loyal and trustworthy, writing about "the readiness with which great numbers of Roman Catholics inlisted [sic] in the levies which were then going on in Scotland, and without whom some of those Regiments would not perhaps have been completed to this Day." Hay's attempt backfired, as his account of Catholic soldiers angered hostile Protestants.[155] Meanwhile, the Protestant Associations' anti-Catholic measures may have actually helped Scotland's image among some English Protestants who remained wary of Catholics and perceived the attack on Catholic relief as a sign that the Scottish were defending traditional values.

In the months following the abandonment of the Scottish Relief Act, it quickly became apparent that the recent gains the English Catholics had made had done nothing

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106. "The Present State of Great Britain" (London: Pub. W. Humphrey, 1779).

107. For example, "To the Respectable Association of Protestants & to every Worthy Supporter of both Church & State this Plate is Dedicated by their Humble Servt. the Publisher," 2 June 1779, BCL. S159, NLS.

to decrease popular hostility towards them. Following their success in Scotland, the Protestant Association turned its attention to the repeal of the English Catholic Relief Act. On June 2, 1780, Gordon appeared before the House of Commons with several thousand supporters and an immense petition requesting repeal. As Gordon attempted to present the petition, his supporters moved into the lobby of the House and harassed incoming MPs whom they perceived to be favorable to Catholics. After several hours, the Horse Guards dispersed them, and they went off in search of other targets. Over the next four days, Gordon's supporters launched a concerted attack on chapels and property belonging to wealthy Catholics and Protestants who were thought to support Catholic relief. For the first few days, the mayor of London refused to permit the military to engage the rioters physically. After the rioters assaulted the Bank of England, however, the military received the order to attack them. By the time the military had finished stamping out the riots, over two hundred people had been killed and thousands of pounds worth of property had been destroyed.[156]

The Gordon Riots and their counterparts throughout Britain served as a stark reminder of popular hostility towards Catholics. Although members of the British Parliament were willing to grant Catholics a small measure of toleration, the ideas of the Protestant Association resonated with much of the British public.[157] Nevertheless, by passing the English Catholic Relief Act and refusing to repeal it, the British government

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108. Hay, *A Memorial to the Public, in behalf of the Roman Catholics of Edinburgh and Glasgow* (London, 1779), 2-3; Donovan, *No Popery and Radicalism*, 145.

109. This account is taken from Haydon, *Anti-catholicism in Eighteenth Century England*, 213-215; also see George Rude, "The Gordon Riots: A Study of the Rioters and their Victims," *Transactions of the Royal Historical Society*, 5th ser., 6 (1956); Adrian Randall, *Riotous Assemblies: Popular Protest in Hanoverian England* (Oxford: Oxford University Press, 2006), 200-208. Christopher Hibbert, *King Mob: The Story of Lord George Gordon and the London Riots of 1780* (Cleveland: World, 1958).

set a precedent for the future. When Parliament passed Catholic relief legislation in later years, the riots were not repeated. The failure of the riots not only allowed the British Parliament to demonstrate its refusal to be swayed by popular agitation, but set the ground for English Catholics to take a more secure place in society.

Catholic Relief in Ireland

Ireland occupied a unique position within the British Isles. While the exclusionary legislation it maintained was not unlike that of England or Scotland, the effect was notably different. For most of the eighteenth century, political power was restricted to members of the Church of Ireland, who made up a small minority of the population. The penal laws fell heaviest on the Catholic majority, siphoning off their real estate and discouraging private enterprise. Irish Presbyterians did not face the same economic restrictions, although they were barred from the franchise until 1782.[158] Ireland's various sects roughly corresponded to three distinct national groups. The Church of Ireland was largely the church of the Anglo-Irish elite, who owed their Irish landholdings to the confiscation of Catholic lands in the seventeenth century. Presbyterianism was dominant among the Ulster Scots, who had also come over to colonize northern Ireland in the previous century. Meanwhile, most Irish Catholics were descended from native Irish populations or from the Old English, those English who had taken Irish estates during the

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110. Black, "The Tumultuous Petitioners," 210.

111. Patrick Griffin, "Defining the Limits of Britishness: The 'New' British History and the Meaning of the Revolution Settlement in Ireland for Ulster's Presbyterians," *The Journal of British Studies* 39, no. 3 (July 2000): 276; see also J. L. M. Haire, ed., *Challenge and Conflict: Essays in Irish Presbyterian History and Doctrine* (Antrim: W and G Baird, The Greystone Press, 1981); Peter Brooke, *Ulster Presbyterianism: The*

Middle Ages. These sectarian and ethnic divisions complicated the relationship between the majority of the people and their government and prevented either from readily identifying with the other.

Like the British American colonists in North America, Irish Protestants grew increasingly dissatisfied with the British government's treatment of them in the decades following the Seven Years War. It was not hard to draw parallels between the two regions' situations. After largely neglecting Ireland and the American colonies for the first half of the eighteenth century, the British government began attempting to strengthen its control over them in the 1760s. While his brother, Charles Townshend, was piloting internal legislation for the American colonies through Parliament, George Townshend was rejecting the assistance of the Irish undertakers and transforming the Lord Lieutenancy from a sinecure position requiring little commitment to a position of active governance.[159] Likewise, in 1766, the British Parliament passed a Declaratory Act that affirmed its ability to legislate for the American colonies. It had passed a similar act for Ireland in 1720. Furthermore, as it did with the American colonies, British law restricted Ireland's manufactures and commerce in an attempt to benefit those of the metropole. In order to prevent Irish manufacturers from competing with their British counterparts, Ireland's export trade was restricted to a single product: linen. The Irish were also required to send all of their exports to Britain. They could not legally engage in direct trade with the wider empire. Both groups also developed a sense of national attachment to their regions, although they did not initially want to sever their ties to Britain. At least

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Historical Perspective, 1610-1970 (New York: St. Martin's Press, 1987); and J. C. Beckett, *Protestant Dissent in Ireland, 1687-1780* (London: Faber and Faber, 1948).

until the start of the American Revolution, both Irish Protestants and their American counterparts maintained connections to both their local regions and the British empire as a whole. Indeed, their initial objections to the British government stemmed from the belief that it was denying them the full benefits they were entitled to as subjects under the British Constitution. [160]

Like their Protestant counterparts, Irish Catholic polemists displayed a dual identity in their pamphlets, arguing that the repeal of the penal laws would strengthen Ireland within the British empire. During the 1760s and 1770s, publishers released numerous pamphlets that were sympathetic to Catholicism and Catholics. In these works, Catholics and their advocates attempted to demonstrate the falsity of anti-catholic clichés for the edification of Protestants while also trying to persuade their Catholic readers to adopt their views.

Although many Anglo-Irish patriots had come to think of themselves as the Irish nation to the exclusion of the Catholic majority, the idea that the Irish Catholics needed to be included in the Irish people became increasingly common after mid-century. In 1765, Burke denounced the penal laws on the grounds that "A law against the majority of the people is in substance a law against the people itself."[161] As was the case with their English counterparts, the first Irish advocates of Catholic relief were aristocrats, land-owners, and well-to-do merchants. However, some of the Catholics' most vocal defenders were Catholic bishops. Unlike the English Challoner, who focused his efforts

112. Bartlett, "The Townshend Viceroyalty, 1767-72," in *Penal Era and Golden Age: Essays in Irish History, 1690-1800*, ed. Bartlett (Belfast: Ulster Historical Foundation, 1979), 88-112.

113. Neil Longely York, *Neither Kingdom Nor Nation: The Irish Quest for Constitutional Rights, 1698-1800* (Washington, D.C.: The Catholic University of America Press, 1994); see also Nicholas Canny, *Kingdom and Colony: Ireland in the Atlantic World 1560-1800* (Baltimore: John Hopkins University Press, 1988); and Bartlett, "Ireland, Empire, and Union, 1690-1801," in *Ireland and the British Empire*, ed. Kevin Kenny (Oxford: Oxford University Press, 2004).

on religious tracts, bishops such as Arthur O'Leary and John Thomas Troy wrote pamphlets attacking the penal laws while encouraging loyalty to king and country. Between the mid-1750s and the early 1780s, Irish Catholic relief advocates combined a policy of scrupulous loyalty towards government with a devotion to their native land. For instance, in addition to founding a Catholic Committee to work for the repeal of the penal laws in 1760, Charles O'Conor and James Curry concerned themselves with Ireland's history and culture. At the same time that James Macpherson, the author of *Ossian*, was appropriating Irish legends in order to create a mythical past for Scottish Highlanders, O'Conor was celebrating Ireland's Gaelic past in his own writings.[162]

Catholic polemists had two audiences: one consisted of Protestants whom the polemists sought to persuade about the merits of repeal, while the other consisted of other Catholics whom polemists encouraged to behave with loyalty and decorum. In their writings, they attempted to distance themselves from Jacobitism and appropriate Whig history by shifting the onus of anti-Catholicism away from the Hanoverians and onto the Stuarts. In several cases, they pressed William III into their service by pointing out his support of toleration and his employment of Catholics in his own army. In an early example from 1762, O'Conor, ghostwriting for the Catholic Viscount Taffe, claimed "*Ireland* was never happier than under that monarch. He saw, though others could not, or would not see, that the *Irish Catholics* might, by kind treatment, be rendered as good subjects as the *Catholics in Holland*, who served him faithfully, and fought under him

114. Burke, "Tract on the Popery Laws", in Kramnick, *The Portable Edmund Burke*, 296.

115. Robert Brendan McDowell, *Ireland in the Age of Imperialism and Revolution, 1760-1801* (Oxford: Clarendon Press, 1979), 152-153; see also Colin Kidd, *British Identities before Nationalism: Ethnicity and Nationhood in the Atlantic World, 1600-1800* (Cambridge: Cambridge University Press, 1999).

against king *James.*"[163] Likewise, in his 1774 pamphlet, *Loyalty Asserted: Or the new Test Oath Vindicated,* the priest Arthur O'Leary argued that all of the Stuarts except for James II and Mary II had intentionally made things worse for the Irish Catholics. Nevertheless, James II abandoned them to William III's armies because his fear of harming his English subjects outweighed his concern for his Irish ones, and Mary II only failed to afflict the Catholics because William III prevented her from doing so. If Charles Edward could obtain the throne, O'Leary asserted, he would try appealing to the English Protestants by turning on the Catholics just like his ancestors did.[164] Although O'Conor and O'Leary might have hoped to reassure Protestants with these arguments, they were also trying to convince other Catholics who continued to harbour Jacobite sentiments.

Proponents of Catholic relief legislation also tried to establish common cause with Irish Protestants by showing how removing the penal laws would promote commerce. The patriotic nature of commerce was particularly apparent in regards to Ireland. According to many Protestant commentators, Irish Catholics, and Catholics in general, were poor because they were too lazy to work or make improvements to their property. However, advocates of Catholic relief posed the argument that the penal legislation itself was a primary cause of the Catholics' poverty and Ireland's economic weakness. According to O'Conor:

> The Catholics... keep their farms in a bad plight, as they are excluded, *by law,* from durable and profitable tenures, and they derive *some advantage* from a source, which brings *infinite mischief to the nation.*— Agriculture, the mother of population, the nurse of every useful art, the support of commerce, is exchanged in Ireland, for pasturage, the parent of

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116. Charles O'Conor [pseud. Viscount Taaffe], *Observations on Affairs in Ireland, from the Settlement in 1691, to the Present Time* (London, Printed for W. Griffin, 1766), 4. For the revelation that O'Conor is the writer, see Bartlett, *The Fall and Rise*, 54.

117. O'Leary, "Loyalty Asserted," 92-101.

inconsequence, and the purveyor of national indigence! An occupation…
which occasions frequent returns of famine, drains the kingdom of its
specie, and occasions the emigration of numbers, who, for want of
employment at home, are yearly on the wing![165]

Likewise, the Catholic publisher, George Stacpoole flew in the face of common anti-Irish
stereotypes when he argued that "I will by no Means allow of the Imputation they [the
Irish] lie under, of a confirmed Laziness, nor can I ever be brought to believe, that
Idleness is a natural Disease to the Irish, as the Plague was said to be to the Egyptians."[166]
The willingness to improve one's property or attempt commercial ventures was a critical
part of proving oneself as a useful, respectable individual. In a society where propertied
men were assumed to have more stake in defending the country than those without (who
could theoretically emigrate somewhere without losing much) wealth and loyalty were
bound together. The Catholic Lord Fingall and his compatriots showed an awareness of
this in their 1771 address to the Lord Lieutenant. Presenting themselves as industrious
people who could not improve their property without fear of losing their estates to
informers, they expressed a wish to become "Subjects as profitable as we are loyal to
Your Majesty."[167]

With the outbreak of hostilities with America, the issue of recruiting in Ireland
gained renewed importance. Following the creation of an alternative oath of allegiance in
1774, Catholics could legally serve in Irish regiments, although they still could not hold
officers' commissions. Lord North had agreed to let Dalrymple's brother William raise

118. O'Conor, *Observations on Affairs*, 12.

119. George Stacpoole, Esq. *Some Short Historical Anecdotes with Remarks relative to Ireland, Part 1*
(Corke: Printed by Eugene Swiney, 1762), 24.

120. Address, "The Humble Address and Petition of the Roman Catholics of Ireland," Oct. 27 [1771?], Bp.
Challoner Papers, AAW.

an Irish Catholic corps to serve in Jamaica in 1776.[168] One anonymous writer claiming to be an English officer suggested that Catholics might be temporarily allowed to serve as officers in time of invasion if given permission by Parliament. As long as the Catholic officers did not display their religion in disruptive ways or attempt to proselytize, their property would be protected from the penal laws. The writer's wariness of Catholicism, however, led him to suggest that Catholic officers should be forced to wear a cross or other identifying mark when going out on Sunday or being abroad in Britain, and that they should not be included in a standing army within Britain under any circumstances.[169] The anonymous author of *Hypocrisy unmasked*, a tract denouncing the American rebels, indicated his endorsement for a similar scheme, writing, "Fifty thousand gallant fellows now groaning under the weight of religious disabilities, might be speedily raised in Ireland."[170] In a pamphlet written a few years later, Dalrymple justified his attempt to raise a Catholic corps with the statement that "when the noblest empire that God ever formed, because the freest, was in danger, statesmen whose minds were large... were to take help wherever they could get it[.]"[171] As the war went on, this was increasingly the case.

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121. Donovan, *No Popery and Radicalism*, 136.

122. English officer, *The honest sentiments of an English officer in the army of Great Britain, Vol. 1* (London: 1779), 30-32.

123. *Hypocrisy unmasked; or, a short inquiry into the religious complaints of our American colonies* (London: 1776).

124. Sir John Dalrymple, *Letters from Sir John Dalrymple, Bart. One of the Barons of the Exchequer of Scotland, to the Right Honourable Lord Viscount Barrington, Late Secretary at War, On his Lordship's official Conduct* (London: 1779), 10-11.

Irish Catholic property owners took a significant part in promoting enlistment. Lord Kenmare, a prominent advocate of Catholic relief, offered to raise almost 2,000 men.[172] Likewise, George Goold, a Catholic merchant from Cork, volunteered to loan the Irish government £6,000 for the same cause.[173] As historian Vincent Morley has shown, however, a disparity existed between the middle and upper class Irish Catholics, who wanted to work with the British government, and their lower class, often Gaelic speaking, co-religionists, who retained deep sectarian and ethnic animosities towards the British government and the Anglo-Irish.[174] For the rank and file Catholics, the chance to participate in military service afforded a dubious prospect. Charles Townshend noted this in a speech from the beginning of the American Revolution in which he objected to making religious distinctions when recruiting soldiers "as if [it] were peculiarly advantageous to a Protestant Religion & their Manufacturers that None but Protestants should be knock'd on ye head." [175] Nevertheless, the Irish Catholic elite put itself in good stead with the British government, which they recognized as their most likely benefactor.

In Ireland, where any alteration to the penal laws would have had the greatest impact, the passage of the Catholic Relief Act sent Catholics the message that the British government was more committed to granting them relief than the Irish Parliament was, and it sent Protestants the message that the British government was still capable of forcing its will on them.[176] In fact, while the Irish Protestants had historically relied on

125. Conway, *The British Isles*, 154.

126. Bartlett, *The Fall and Rise*, 98.

127. Morley, *Irish Opinion*, passim.

128. Speech draft, n.d., Add. 50006, Townshend Papers, BL.

129. Bartlett, *The Fall and Rise*, 91.

the British government to support their rule over the Catholic majority, the North ministry was not overly particular about recognizing the differences between Irish Protestants and Irish Catholics. For instance, in the debates on the Irish Trade Bills, North conflated Irish Catholics with the Irish people in general by describing the liberalization of Ireland's trade as serving a similar benefit as a repeal of the penal laws.[177] From the beginning, the Irish Catholic Relief Act was part of a power-struggle between the British ministry and the Irish Parliament. In the months before the bill was introduced to the Irish House of Commons, North had been plotting the measure secretly. North hid his participation well enough that when the Irish MP Luke Gardiner introduced the measure, he appeared to be doing it as an independent. In its original form, the bill would have allowed Catholics to buy land on the same terms as Protestants and abolished gavelling. The Irish Parliament refused to allow Catholics to purchase land outright, which would have potentially given them some political power, and restricted them to 999 year leases instead. On top of these changes, they added a clause abolishing the sacramental test for Protestant Dissenters.[178] By abolishing the test, the Irish Parliament had granted the Dissenters a liberty that they did not have in England, and which the British government was not yet resolved to give them. Burke summed up the situation with the comment: "what must England say to [Ireland's] undertaking to prescribe her policy? I take it for granted that this affair has been thrust in to destroy the Bill and for no other purpose."[179] In the end, the cabinet agreed to remove the clause referring to the sacramental test and

130. *Parliamentary History*, vol. 19 (1778), col. 1112.

131. Bartlett, *The Fall and Rise*, 86-87.

132. Burke to Edmund Sexton Perry, June 25, 1778, in *Correspondence of Edmund Burke*, vol. 3, ed. George Guttridge (Chicago: University of Chicago Press), 460.

accept the rest of the bill pretty much as it was. Dublin Castle put its support behind the approved bill, and the Irish Parliament agreed to accept it in its current state.

Congratulating Gardiner on the success of the bill, Burke expressed a rather optimistic view of its impact, writing:

> You have made those who were Countrymen, become fellow Citizens; Before this, they were only the worse Enemies for the accident of a Common birth place. But they begin to coalesce; and I trust that you will live to see and enjoy the good you have done, in the total extinction of all Spirit of party which has religious opinions for its principle.[180]

As subsequent Irish history would show, Burke was premature in predicting the end of sectarian politics. With the abolition of gaveling and the right to take leases that would not expire for centuries, Irish Catholics obtained greater security for their families' properties, but they were still legally excluded from the social and political advantages that came with full land ownership. Furthermore, the alterations that the Irish Parliament had placed on the bill and the reluctance that Irish MPs had shown towards granting any relief at all were not lost on the Catholics, who recognized that the British government was more likely to grant them the concessions they wanted. Some Irish Protestants learned a related lesson: the ministry could still exercise its dominance over the Irish Parliament, and, as long as the majority of the population supported the ministry more than the Parliament, the ministry's dominance would only increase.[181]

Following France's entry into the war in 1778, Irish Protestants became increasingly concerned about the possibility of an invasion. Despite the passage of a Militia Act that same year, the Irish government could not afford to raise one. Volunteer companies stepped in to fill the need, gaining more adherents as it became apparent that a militia

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133. Burke to Luke Gardiner, Aug. 24, 1778, in Guttridge, *Correspondence of Edmund Burke*, vol. 4, 18.

would not be forthcoming.[182] Most Volunteers were Protestants, although a few Catholics joined as well. O'Conor reported hearing that the Catholics of Roscommon had joined with "a few Protestants" to form their own brigade, in which they "presented a splendid appearance in scarlet uniforms."[183] Exploiting their new-found power over the country, the Irish Volunteers pressed the British government for trade concessions and the abolition of British control over the Irish Parliament.[184] As the war with America turned increasingly against the British, ministers became concerned at the possibility of losing Ireland along with the American colonies. In 1782, Gardiner appeared before the Irish House of Commons to introduce another Catholic Relief Bill. His proposals led to the passage of two bills. One of them allowed Catholics to own property on the same terms as Protestants and excused registered priests from most of the penalties on performing their functions. The other allowed Catholics to open schools after swearing the oath of allegiance. While the North ministry had won the support of Irish Catholics with the 1778 act, the Volunteers successfully undermined the connection between the Irish Catholics and the British government by endorsing the 1782 acts. As Bartlett argues, "Deprived of its 'Catholic card'... the British government could not resist the constitutional demands being voiced in Ireland, and had to concede the 'Constitution of 1782'."[185]

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134. Bartlett, *The Fall and Rise*, 91.

135. Jim O'Donovan, "The Militia in Munster, 1715-78," in O'Brien, *Parliament, Politics and People*, 45; P. D. H. Smyth, "The Volunteers and Parliament, 1779-84", in Bartlett, *Penal Era and Golden Age*, 113-136.

136. O'Conor to Denis O'Conor, 20 August 1782, in *Letters of Charles O'Conor of Belanagare: A Catholic Voice in Eighteenth-Century Ireland*, ed. Robert Ward, John Wrynn, and Catherine Coogan Ward (Washington, DC: The Catholic University of America Press, 1988), 415.

137. David Lammey, "The Free Trade Crisis: A Reappraisal," in O'Brien, *Parliament, Politics and People*, 69-92.

138. Bartlett, *The Fall and Rise*, 101.

Conclusion

The idea that Catholics could be loyal subjects hinged on the notion that a person's loyalty was not necessarily dependent upon his or her conforming to the dominant culture. While some Britons, particularly among the governing elite, were willing to hold out small concessions to Catholics on the basis of that notion, many others remained firmly opposed to it. As Colin Haydon argues, those who participated in the Gordon Riots saw themselves as enforcing traditional standards against Catholicism in opposition to the government's dangerous innovations.[186] For these Britons, Catholicism was naturally hostile to their society, and those who aided Catholics had to be punished, regardless of their social rank.

The issue of Catholicism and the issue of Jacobitism were often intertwined with each other. Just as James II's Catholicism served as an excuse to exclude him and his heirs from the throne, the possibility that British Catholics would support Jacobite attempts to overthrow the Hanoverian government served as a justification to limit Catholics' wealth and influence through severe penal laws. That the Seven Years War marked an important stage in the creation of empire outside of Britain is evident. However, it can also be seen as marking a moment in the expansion of British imperium within Britain itself. The most obvious sign of this expansion, the deployment of Highland regiments during the Seven Years War, was a result of the British government's success in suppressing a dangerously independent Highland society, and then cautiously reappropriating its symbols and personnel for their own use. It may be wondered why the British government succeeded

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139. Haydon, *Anti-catholicism*, 223, and Haydon, "Parliament and Popery in England, 1700-1780," *Parliamentary History* 19, no. 1 (2000): 61.

in incorporating the Highlanders (or at least the Highlands), but never managed to do the same with Ireland. The issue of numbers is a central part of it. The Highlands were poorer and more lightly populated than Ireland. More importantly, however, the British government managed to gain the alliance of Highland elites who, employing both traditional clan ties and economic pressure, could generally keep in line any tenants who they did not lose to emigration. Members of Ireland's socio-economic elite did not have the same control over their tenants.

Catholic loyalism was primarily an elite phenomenon, drawing the support of high ranking clergymen and Catholics of the upper and middle classes. Lower class Irish Catholics in particular remained disaffected towards the Hanoverian regime. Most Catholic relief legislation did not affect them directly, and members of higher social classes often regarded their social inferiors with suspicion. Indeed, during times of unrest, Catholic elites regularly aligned themselves with their Protestant counterparts against rebellious lower-class Catholics.[187] Following the example of the reformed Scottish Jacobite gentry, the Catholic elite of the 1760s and 1770s had attempted to improve its position by promising the government troops and loyalty. However they may have felt about their lower class coreligionists, "respectable" Catholics needed to appeal to the governing Protestant elite, and they were willing to use their Catholic tenants to do it.

North had originally planned the three Catholic Relief Acts as part of a measure to promote unity throughout the British Isles; coupled with a liberalization of the laws governing Irish trade, the measure was designed to inspire people with a greater regard

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140. O'Leary's 1779 pamphlet *An Address to the Common People of the Roman Catholic Religion, concerning the apprehended French Invasion*, establishes the solidarity of the Catholic and Protestant gentry from the outset when he laments about the sorrow that the combined gentry would feel if they had to

for the British government and North's ministry at a time when the war with America had taken a turn for the worse. Instead, the differing fates of the three acts highlighted the continuing distinctions between the regions of the British Isles. In England, the Catholics' legal situation had notably improved. By permitting them to purchase real estate on a permanent basis, the bill allowed English Catholics increased access to influence and respectability. Furthermore, it gave members of the Catholic gentry a reason to look favorably upon the British government in the future. Irish Catholics could also point to some real advantages that they derived from their own relief act, but the Irish Parliament's refusal to allow them to purchase land outright underlined their continuing second class status in a country where they made up the majority. At the same time, the Irish Parliament's attempts to foil North's plans and dictate its own policy on dissenters made plain Irish Protestants' increasing resentment of British control. Finally, the Scottish Catholic Relief Act was a complete failure for both the Scottish Catholics and the British government. Exposed to anti-catholicism in the press and in the streets, Scottish Catholics were reminded that their lives and property were subject to the will of a hostile populace, and that the government could not be counted on to protect their interests. Furthermore, by intimidating the government into dropping the measure, opponents of Catholic relief proved that they could successfully challenge the ministry and Parliament when it sought to change the status quo.

Nevertheless, in the first twenty years of George III's reign, the position of the Catholics in the British Isles had undergone notable change. Whereas Catholics in 1760 arguably had a religious obligation to honor James III as their king, by 1780 that

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crush a peasant rebellion. O'Leary, "An Address to the Common People of the Roman Catholic Religion, concerning the apprehended French Invasion. Aug. 14, 1779," in *Miscellaneous Tracts*, 170.

obligation had been transferred to George III. Like the scions of Scottish Jacobite families, Catholics actually developed a reputation for being overly attached to the monarchy among some quarters. Furthermore, the American Revolution had driven the government to unprecedented lengths to gain the support of Catholics. Although the concessions offered to Catholics were measly compared to the number of penal laws that remained in place, they marked the first time that a penal statute had been revoked and prompted Catholics to believe that future concessions were a realistic possibility.

CHAPTER II

QUEBEC AND THE RESHAPING OF EMPIRE

On May 1, 1775, an unknown party in Montreal marked the implementation of the Quebec Act with a distinctive act of vandalism. According to an anonymous account that Frances Maseres, former attorney general for Quebec, included in a letter to the former Secretary of State for the Colonies, the Earl of Shelburne, "Some malicious evil-minded person, or persons, had blacked and indecently ornamented the king's bust with a mitre, a string of beads with a cross at the end of it, and these words, 'Voice le Pape du Canada, ou Sot des Anglicans (See the Pope of Canada of the Fool of the Anglicans).'" The account went on to relate that a Canadian[188] named Monsieur de Bellestre had offered an additional award for anyone who caught the perpetrator with the comment that "if it was in France, [the perpetrator] would be hang'd," which provoked a man identified as "Young Franks" to reply "on ne pend pas pour si pur de choses in [sic] Angleterre (one doesn't hang people for such trivial things in England)." The two men got into a fist-fight, and, the next day, Bellestre had Franks imprisoned indefinitely without bail for what he had said. Eventually the governor had him released.[189]

Despite its brevity, this account of vandalism and conflict reveals many of the complications and paradoxes resulting from British rule in Quebec. In addition to the

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1. For the sake of clarity, this chapter will adhere to the eighteenth century practice of using the term "Canadian" to refer to people of French ancestry who resided in Canada.

2. Frances Maseres (transcribed) to the Earl of Shelburne, 22 June 1775, Shelburne Papers, Vol. 66, The William L. Clements Library, University of Michigan; for the history of the bust, see Joan Coutu, *Persuasion and Propaganda: Monuments and the Eighteenth-Century British Empire* (Montreal: McGill-Queen's University Press, 2006), chapter 6.

striking image of the stubbornly Protestant George III decked out as a pope, this account presents one Canadian invoking French law in English, and another invoking English law in French, while an unknown third party, the vandal, uses French to express a message that attacks both Catholics and the British government. Making things more confusing, the author of the account speculates that the vandal, presumably a Canadian, was trying to pass his crime off as that of a British settler in order to bring down popular odium upon the British.[190] Finally, the exchange between Bellestre and Franks reveals a further paradox; while the perpetrator could not be hanged because he was not in France, Franks, contrary to notions of "English liberty," could be imprisoned for speaking his mind because he was not in England. As North's ministry recognized in the Quebec Act, the passage of which had inspired the vandalism in the first place, Quebec under British rule was a sort of hybrid colony, in which features of both French and English law were in effect, where French-speaking advocates argued in British courts, and where a Protestant governor approved the appointments of Catholic clergymen.

During the 1760s and 1770s, the decline of Jacobitism combined with a recurring shortage of military personnel to create a climate in which the British government was willing to consider removing some of the penalties against Catholics in the British Isles in exchange for loyalty and military service. While the concessions granted in the 1778 Catholic Relief Acts were relatively minor, however, the British government had already placed Catholics and Protestants on a nearly equal legal footing elsewhere in the empire. Due to a number of factors, including the distance between Britain and its colonies, the presence of pre-existing local populations, and the impossibility of replicating British social hierarchies outside of the British Isles, the colonies were a place where British

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3. Maseres to Shelburne, 22 June 1775, Shelburne Papers, Vol. 66, WCL.

traditions and institutions could be altered more freely than they could in Britain itself. In the case of Quebec, Lord North's administration allowed the Canadian Catholics many of their traditional social institutions in the hopes of making up for the government's relatively weak hold over the population.

As a colony that existed under British rule while maintaining some of its own cultural traditions, Quebec was not alone. The British empire expanded dramatically over the course of the eighteenth century, extending its control over a broad array of peoples and cultures. In addition to gaining Nova Scotia and Minorca in the first half of the century, Britain came out of the Seven Years War with Senegal, almost all of France's possessions in North America east of the Mississippi, and the islands of St. Vincent, Dominica, Tobago, Grenada, and the Grenadines. At about the same time, the British East India Company assumed control of Bengal.[191] While the British took some pride in the acquisition of these territories, they were faced with the problem of governing hundreds of thousands of people who had no ties to Britain. Unable to impose their will upon their new possessions by sheer force, the British had to try to gain the support, or at least the neutrality, of their new subjects in order to retain them. Members of the British government were willing to consider allowing their new colonies to retain some of their traditional, non-British features in the hopes that this would make British authority more acceptable to the new populations. Winning over a body of local elites was an important

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4. For the Seven Years War, see Fred Anderson, *Crucible of War: The Seven Years' War and the Fate of Empire in British North America, 1754-1766* (New York: Vintage, 2000); also Richard Middleton, *The Bells of Victory: The Pitt-Newcastle Ministry and the Conduct of the Seven Years' War, 1757-1762* (Cambridge: Cambridge University Press, 1985); Brendan Simms discusses the conflict from a European perspective in *Three Victories and a Defeat: The Rise and Fall of the First British Empire, 1714-1783* (London: Allan Lane, 2007); Paul Mapp explores why the British government chose to retain continental conquests such as Canada rather than pursuing more French sugar islands in "British Culture and the Changing Character of the Mid-Eighteenth Century British Empire," in *Cultures in Conflict: The Seven Years' War in North America*, ed. Warren Hofstra (Lanham: Rowman & Littlefield, 2007), 23-59.

element in this process. The cooperation of local elites made it possible for colonies to function.[192] In regards to India and other parts of the so called "second British empire," the British attempted to govern through the region's traditional socio-political structures without attempting to Anglicize the population.[193] However, Quebec represented a particular challenge, because, despite its large non-British population, the British regarded it as a potential settler colony whose institutions and customs ought eventually to be made to approximate those of their older North American settler colonies. Complicating matters further, the debate regarding the degree of cultural variation that could be permitted within the British empire was deeply interconnected with another debate regarding the relationship between the subject and the state. While the British government allowed its new colonies to retain some of their old customs on the grounds that they were unlike traditional British colonies, any concessions that it made to colonial tradition could also be used as precedents to justify the implementation of similar policies elsewhere in the empire. For those British Protestant subjects who feared that the government was attempting to aggrandize itself at their expense, any colonial policy that deviated from the norm represented an attack on Britons everywhere.[194]

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5. Donald Fyson, "The Canadiens and British Institutions of Local Governance in Quebec from the Conquest to the Rebellions," in *Transatlantic Subjects: Ideas, Institutions, and Social Experience in Post-Revolutionary British North America*, ed. Nancy Christie (Montreal: McGill-Queen's University Press, 2008).

6. The idea of the first and second British empires was explored in Vincent Harlow, *The Founding of the Second British Empire 1763-1793*. 2 vols. (1952-1964); other historians have complicated or rejected the concept. See P.J. Marshall, *The Making and Unmaking of Empires: Britain, India, and America, c.1750-1783* (Oxford: Oxford University Press, 2005); British attempts to identify and interpret Indian laws and institutions were often problematic. See Jon E. Wilson, "Anxieties of Distance. Codification in Early Colonial Bengal," *Modern Intellectual History* 4, no. 1 (2007): 7-23.
7. For imperial governance during the eighteenth century see Ian Steele, "The Anointed, the Appointed, and the Elected: Governance of the British Empire, 1689-1784," in *The Oxford History of the British Empire: The Eighteenth Century*, ed. Marshall (Oxford: Oxford University Press, 1998), 105-127.

During the mid-eighteenth century, many Protestant subjects of the British empire would have approved of most of the characteristics that Linda Colley cites in her definition of Britishness. As can be seen in popular prints and pamphlet literature, the English prided themselves on their liberty, their trade, and their military successes while denigrating the French, the Spanish, and Catholics of all sorts as the effeminate slaves of tyranny and absolutism. The English popular press often associated the French with a range of negative and supposedly "un-English" traits, such as servility, irrationality, effeminacy, and indolence.[195] Because the Canadians were French colonists, these traits were sometimes attributed to them as well.[196] While the persistence of Scottophobia in England inhibited the development of a widespread sense of Britishness within Britain during the 1760s, the "natural born" subjects living in Quebec did identify themselves as British, possibly because many of them were Scottish and Irish rather than English.[197]

While the ideas of Britishness and Englishness that Colley and Kathleen Wilson explore are helpful for understanding a mindset that remained popular among Protestants throughout the British empire until at least the American Revolution, these terms are not sufficiently flexible to account for the position of the Catholic Canadians under British rule. The Canadians can be better understood through the concept of subjecthood than national identity. Strictly speaking, anyone under the authority of the British monarch

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8. Linda Colley, *Britons: Forging the Nation, 1707-1832* (New Haven, Yale University Press, 1992); For a couple of critiques of this aspect of Colley's argument, see Murray Pittock, *Inventing and Resisting Britain: Cultural Identities in Britain and Ireland, 1685-1789* (London: Macmillan, 1997); and Kathleen Wilson, *The Sense of the People: Politics, culture, and imperialism in England, 1715-1785* (Cambridge: Cambridge University Press, 1995).

9. For example, see Frances Brooke, *The History of Emily Montague*, 4 vols. (London: 1771).
10. Wilson, *The Sense of the People*, 169-170, 201-202; writing from Canada in 1766, Maseres claimed that "there are three Scotchmen in this place to one Englishman." Maseres to Hardwicke?, 15 November 1766, Add 35638, Hardwicke Papers, BL.

could be considered his subject, although not everyone enjoyed all of the same rights as such. As P.J. Marshall argues in his essay, "Britain and the World in the Eighteenth Century IV: The Turning Outwards of Britain," the acquisition of new colonies following the Seven Years War inspired two different conceptions of what it meant to be a British subject. While many of the people of Britain and its settler colonies continued to think of British subjects as people who had ancestral and cultural ties to Great Britain, and, therefore had a right to enjoy British liberties and governmental structures, others thought that it might be possible to extend subjecthood to people of different cultural backgrounds who tied themselves to the British government through allegiance.[198]

In recent years, the position of Quebec within the late eighteenth century British empire has been addressed by such historians as Marshall and Philip Lawson. Encompassing both British-controlled India and Britain's North American colonies, Marshall's *The Making and Unmaking of Empires* argues that the establishment of British government in Quebec and India was part of a shift from an earlier empire of settlement and cultural similarity, embodied in the lower thirteen American colonies, to a heterogeneous, territorial empire. In his writings on Quebec, Lawson takes a more narrow focus. His book *The Imperial Challenge* is a thorough study of the development of British government in Quebec before the American Revolution, while his essay "'The Irishman's Prize'; Views of Canada from the British Press, 1760-1774" examines how the act was received by journalists and pamphleteers in Britain. Through his detailed exploration of the evolution of British policy regarding Canada, Lawson demonstrates

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11. Marshall, "Britain and the World in the Eighteenth Century: IV, The Turning Outwards of Britain," *Transactions of the Royal Historical Society*, 24 (Nov., 2000): 3-4; also see Marshall, *The Making and Unmaking of Empires: Britain, India, and America c. 1750-1783* (New Delhi: Oxford University Press, 2005).

that while the Quebec Act was the product of various administrations' ongoing attempts to devise a pragmatic government for Quebec, its handling of the colony's political and religious establishment posed significant challenges to contemporary ideas of the British Constitution. Building off of Marshall and Lawson's works, this chapter addresses how the Quebec Act and other policies designed to govern the Canadian Catholics influenced and were influenced by contemporary ideas of the British Constitution, while also putting them in the context of Catholics' experiences elsewhere in the empire. Quebec is essential to both the evolution of Catholics' political position and the development of empire. The British government's policies towards Canada marked a shift away from its earlier tendency of dealing with Catholics by merely allowing local authorities to connive at their practices and towards granting Catholics legal rights. At the same time, the passage of the Quebec Act helped to confirm the King-in-Parliament's status as the supreme authority in the British empire, even indicating that Parliament had the power to alter the British constitution.

This chapter investigates how the acquisition of Quebec and its large French Catholic population figured into pan-imperial debates regarding what it meant to be a British subject and what link existed between religious faith and political loyalties. Bearing in mind the government's handling of Catholics in such other places as Ireland and Grenada, this chapter also shows how developments in Quebec influenced and were influenced by those in other British colonies. The first section addresses the government of British Canada before the passage of the Quebec Act, the second focuses on the passage of the Quebec Act itself and the controversy surrounding it, and the third explores the effect of the Quebec Act on Ireland. Even though the British government

hoped that the people of Quebec would eventually embrace Protestantism and adopt their cultural values, ministers and administrators showed an increased willingness to accept the idea that Canadians had certain rights as subjects, regardless of their religion. Furthermore, the colony's early governors, James Murray and Guy Carleton, adopted the idea of attempting to win over local elites in the hopes that they would keep the Canadian majority in line. During the first decade after the conquest, the British experimented with allowing Canadian Catholics some of the rights of British subjects with the goal of making it possible to establish British institutions in Canada. By the time of the Quebec Act, however, this stance had changed; the Quebec Act embodied the idea that Canadian Catholics were not yet fit to enjoy all the rights of Protestants under standard British institutions. The act itself had a mixed legacy. In the short term, it managed to offend British Protestants throughout the empire without securing the loyalty of the Canadian populace, while in the long term it set a precedent for Catholics in other parts of the empire by acknowledging that Catholics could participate in the body politic, but only if their government and their religion were under strong executive control.

Quebec after the Conquest

When news that British forces had taken Quebec reached Britain in 1759, it was an occasion for national rejoicing. Thanksgiving sermons and celebrations were the order of the day, and loyal British subjects chalked up another win in a year when, in the words of Horace Walpole, they had worn their bells "threadbare with ringing for victories."[199]

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12. Horace Walpole to George Montagu, 21 October 1759, in *Horace Walpole: Selected Letters* (London: Everyman's Library, 1967), 359.

Having triumphed over the French in Canada, the military forces of the British empire secured an extensive territory and alleviated a persistent threat to the North American colonies, while also giving British subjects the opportunity to glory in defeating a power that many of them saw as the tyrannical, Catholic antithesis to their own free, Protestant state. Furthermore, because of the notable presence of Scottish Highlanders among the British forces involved in the battle, the victory could be seen as a success for Britain as a whole. The idea of the conquest of Quebec as a victory for the British people was readily apparent in the most famous depiction of the event, *The Death of General Wolfe* by Benjamin West. West's picture, in which a Scottish Highlander and a colonial ranger join a group of British officers in witnessing their commander's death, presented the image of different types of British subjects coming together as soldiers to honor a hero who sacrificed himself for the good of the British empire.[200] By the time the picture appeared on display in 1770, however, it was already apparent that victory in Canada, and the Seven Years War as a whole, had not brought about the unity promised in the image. At the same time that the British government was trying to establish control over Quebec, it was also trying to strengthen its hold on its older settler colonies by stepping up enforcement of existing trade regulations, passing new taxes, and attempting to shift political power away from the assemblies and towards the executive. Despite the government's intentions, however, these acts only succeeded in weakening the connections between the colonies and the mother country by provoking concerted

13. The Highlander is sometimes identified as Simon Fraser of Lovat. Vivien Fryd identifies the ranger as Sir William Johnson, an Irishman who made his career dealing with the Native Americans around New York. Fryd, "Rereading the Indian in Benjamin West's 'Death of General Wolfe'," *American Art* 9, no.1 (Spring 1995), 75; for more on this painting see Simon Schama, *Dead Certainties (Unwarrented Speculations)* (New York: Knopf, 1991); for Wolfe's monument in Westminster Abbey, see Coutu, *Persuasion and Propaganda*, chapter 4.

resistance among some vocal sections of colonial society. At the same time, the need to find an effective way of governing the Canadians foiled British hopes that Quebec could be remodelled into a strictly Protestant colony. The following section addresses how, in the years before the Quebec Act, the British government attempted to resolve the problem of administering the Canadians while creating a colonial government that agreed with its members' sensibilities.

When the British government took control of Quebec, it acquired tens of thousands of new subjects who were culturally French and who were used to living under French political and legal systems. Despite British ministers' early hopes that closing the American interior to settlement would divert settlers to Canada, the colony only attracted a trickle of emigrants among Britain's "natural-born" subjects until after the American Revolution. For the first couple of decades of British rule, the vast demographic disparity between the Canadians, who were overwhelmingly Catholic, and the British settlers, who were mostly Protestant, was the single most important factor shaping British policy in Quebec. Even compared to Ireland, where Catholics outnumbered Protestants by approximately three to one, the ratio between Catholics and Protestants in Canada was far too great to establish an effective Protestant Ascendancy. [201] At the time of the passage of the Quebec Act in 1774, the colony contained approximately 400 Protestants and 98,100 Catholics.[202] Almost as important to eighteenth century politicians, British governor Guy Carleton claimed there were far more "men of substance" among the Canadians than

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14. S. J. Connolly, *Priests and People in Pre-Famine Ireland, 1780-1845* (Dublin: Four Courts, 2001), 50.

15. For the number of Catholics, see "Table 1: Population change in Quebec's Catholic population, 1711-1815," in John Dickinson and Brian Young, *A Short History of Quebec* (Montreal: McGill-Queen's University Press, 2003), 69.

among the British settlers.[203] Those seigneurs who remained in Canada following the conquest retained their property, providing the Canadians with an established gentry that shared their ties to Catholicism and French culture. While some British settlers became seigneurs themselves through the purchase of land and titles, most of the British civilians were involved in trade and many of them were not particularly wealthy.

At the time of the conquest, Quebec still had the aspects of a feudal society. Furs were the colony's main commercial product and trade good, but the trade itself required relatively few people to maintain. Instead, the majority of the population, referred to as "*habitants*," were peasants, who depended on farming to sustain their households. As was the case in rural France, the *habitants* helped support the priests and the seigneurs, who could call on them for payment and labor. Nevertheless, the *habitants* enjoyed a greater degree of independence than their counterparts in France. In at least some parishes, the majority of the land was owned by *habitants*, and a majority of *habitants* were landowners. The seigneurs enjoyed control over the land in their seigneuries, but the seigneurs themselves often lived in or around Quebec, Montreal, or Trois-Rivières.[204]

The biggest obstacle to accommodating the Canadians to British institutions was their Catholicism. Although the regions of the British empire were not united by a common confession, the Protestants who lived within it had found some common ground through a

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16. *The Parliamentary History of England*, vol. 17 (1774), col. 1367. The question of who actually possessed the most wealth in Canada was a matter of some contention. While the Canadians held most of the land, the British settlers claimed to control two-thirds of the commerce.

17. Allan Greer, *Peasant, Lord, and Merchant: Rural Society in Three Quebec Parishes 1740-1840* (Toronto: University of Toronto Press, 1985), xi, 3-4, 20; Neatby, *Quebec: The Revolutionary Age, 1760-1791* (Toronto: McClelland and Stewart, 1966), 104; see also Leslie Choquette, *Frenchmen into Peasants: Modernity and Tradition in the Peopling of French Canada* (Cambridge, MA: Harvard University Press, 1997); and Josette Brun, "Gender, Family, and Mutual Assistance in New France: Widows, Widowers, and Orphans in Eighteenth-Century Quebec," in *Mapping the Margins: The Family and Social Discipline in*

shared anti-catholicism. The laws of Britain systematically discriminated against Catholics in almost all areas of life: outlawing their worship, excluding them from positions of honor and influence, inhibiting their education, and undermining their property rights. While these laws were often not enforced in the British Isles, they made it clear that Catholics only enjoyed their worship and property with the connivance of the government and their neighbors. However, the new British settlers in Quebec could not be relied upon to connive at Catholicism. Earlier in the century, the British government had set a precedent of leniency towards Catholics in its handling of Minorca and Nova Scotia, but subsequent events had called into question the wisdom of doing so. The Acadians of Nova Scotia, whom the British allowed to retain their Catholic priests, had persistently refused to fight against the French, raising doubts about their loyalty to the British government. Less than a decade before the capture of Quebec, the governor of Nova Scotia had finally acted upon these doubts by ordering the forced deportation of the entire population.[205] At the time of the conquest, the example of Acadia was still fresh in the minds of British officers.

Initially, the British government showed little appreciation of the difficulties involved in governing Quebec. Shortly after the end of the war, the Board of Trade began making provision for Quebec to become a British settler colony. The Proclamation of 1763 set out uniform provisions for the governments of Quebec, East Florida, West Florida, and Grenada, without taking into account these colonies' individual circumstances. It directed

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Canada, 1700-1975, ed. Christie and Michael Gaureau (Montreal: McGill-Queen's University Press, 2004).

18. Colin Coates, "French Canadians' Ambivalence to the British Empire," in *Canada and the British Empire*, ed. Philip Buckner (Oxford: Oxford University Press, 2008), 183-184; for the details of the expulsion, see Geoffrey Plank, *An Unsettled Conquest*: *The British Campaign Against the Peoples of*

colonial governors to call general assemblies as soon as circumstances allowed and to implement laws that would agree "as near as may be able to the Laws of England." Electors, representatives and councilmen would be required to take all of the standard oaths. Governors also gained the power to confiscate and redistribute land as they saw fit.[206] As its name would suggest, the Board of Trade was largely concerned with facilitating commerce in the empire, and it was sensitive to British merchants' desire that British constitutional structures be established in Quebec. At the same time, however, this early policy figured into the British government's larger plan to strengthen its hold on its colonies by establishing pan-imperial uniformity, weakening local governments, and regularizing relations between the periphery and the center. As the new governors' instructions revealed, the assemblies that the Proclamation aimed to create in the newly ceded territories would not enjoy many of the traditional, but legally ambiguous, privileges that other colonial assemblies had adopted. Furthermore, like the Irish Parliament, these new assemblies were required to submit any legislation they passed to London for approval before it became law. These instructions also tried to create unity on the religious front by ordering the establishment of the Anglican Church in the new colonies. While the Catholics were to be allowed the practice of their religion "as far as the laws of Great Britain permit," the governor was to encourage the establishment of Protestant schools in each district of the colony and allow sufficient land to support the

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Acadia (Philadelphia: University of Pennsylvania Press, 2001); and N. E. S. Griffiths, *From Migrant to Acadian: A North American Border People, 1604-1755* (London: McGill-Queen's University Press, 2005).

19. "Proclamation of Oct. 7th, 1763," in *Documents Relating to the Constitutional History of Canada, 1759-1791*, ed. Adam Shortt and Arthur Doughty (Ottawa: S.E.Dawson, 1907), 120.

necessary schoolmasters and ministers, all of whom were to be approved by the Bishop of London.[207]

Despite the Board of Trade's instructions, the Proclamation of 1763 was never implemented in Quebec. As was the case with Britain's other North American colonies, it took several months to reach Quebec from Britain even under good weather conditions. During the wintertime, the St. Lawrence River froze and cut Quebec off from outside communication altogether. Under these circumstances, Canada's first two British governors, James Murray and Guy Carleton, enjoyed a considerable amount of freedom in their decision making, and their policies had a far greater impact in determining the running of the colony than the instructions ministers sent from London. Although Murray hoped that the Canadians would convert to Protestantism and adapt to British legal and cultural practices in time, he did not want to alienate them by forcing Protestantism, British laws, and the English language on them too quickly. Carleton, who was put off by British colonists' insubordinate behavior, was even less interested in forcing British culture on the Canadians.[208] As far as they were concerned, the British Protestant minority was far too small a part of the colony's population to make up any kind of representative assembly, and attempts to enforce anti-Catholic penal legislation could only succeed in alienating a population that they had limited ability to control.

Quebec was vulnerable to attack from within and without. After the conquest of Quebec, most of the troops involved had been redeployed elsewhere. Many of the

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20. "Instructions to Gov. Murray," 7 December 1763, in Shortt and Doughty, *Documents*, 136-140. This plan can be seen as an attempt to extend the confessional state that existed in England to the empire as a whole. Its ultimate failure may be attributed to the strength of Presbyterianism in Scotland and North America, and a lack of dedication on the part of the British government. For the English confessional state, see J. C. D. Clark, *English Society, 1660-1832* (Cambridge: Cambridge University Press, 2000).

province's fortifications were still damaged from the war. Writing in 1767, Carleton claimed that Quebec city was the "[only] post in this Province, that has the least Claim to be called a fortified Place; for the flimzy walls about Montreal, was it not falling into ruins, could only turn Musketry."[209] Furthermore, as Pontiac's Rebellion demonstrated, General Amherst's attempts to institute a firmer policy with the American Indians had only succeeded in offending them.[210] Although the Indians were capable of being dangerous enough on their own, the British also feared that they would align themselves with the French, whom the British expected would try to retake the colony at some point in the future. More so than the Indians, the Canadians represented a large pool of support for a potential French invasion. Again, numbers proved essential; while Anglo-Irish Protestants maintained their ascendancy over the Catholics in Ireland with a large military presence, the administration in Quebec did not have access to sufficient troops to do the same. Furthermore, Quebec's proximity to the other North American colonies gave it additional importance. In order to preserve the security of the colony and its neighbors, it was more important to satisfy the Canadians than the incoming British settlers because, in Phillip Lawson's words, "The blunt truth of the matter for the politicians in London was that the Catholic Canadians, not the two or three hundred Protestants, represented the potential fifth column in the North American empire."[211]

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21. Neatby argues that Carleton thought that keeping the Canadians French was the only way to keep them from becoming Americans. Neatby, *Quebec*, 108.

22. Carleton to Shelburne, 25 November 1767, TNA: PRO CO 42/7/21.

23. See Anderson, *Crucible of War*, chapter 56.

24. Phillip Lawson, *The Imperial Challenge: Quebec and Britain in the Age of the American Revolution* (Montreal, McGill-Queen's University Press, 1990) 58-59.

After the Conquest, Canadian elites retained a strong connection to France. Many of them had fought in the French armies during the Seven Years War and had sworn to serve Louis XV. Murray hoped to overcome this problem by persuading some of them to take new military commissions as British subjects. Although initially unsure how to deal with those Canadians who had already sworn to serve the French king, by 1764 Murray was satisfied that the Canadians who swore to become British subjects could absolve themselves of their allegiance to Louis XV.[212] Following the outbreak of Pontiac's Rebellion, Murray and General Thomas Gage agreed on a plan to raise a company of three hundred Canadian volunteers to defend the colony. However, most Canadians proved reluctant to get involved. Monsieur Repentigny, a former French officer whom Murray wanted to head up the Canadian volunteers, refused to do it. Although Murray offered him a large reward, told him that it would impress the royal court, and appealed to his love of Canada, Repentigny preferred to return to France instead. Murray had similar difficulties finding recruits for the rank and file positions. He eventually instituted conscription to make up the numbers.[213] Despite Murray's lack of success, Carleton also endorsed the idea of winning Canadians' loyalty with military commissions. In one letter from 1768, Carleton suggested allowing some the Canadians' "principal Gentlemen" to act as counsellors and hold officers' commissions in "a few Companies of Canadian Foot." Although he only hoped to win over "a Part" of the Canadians, he anticipated that Canadian gentlemen would come to believe that "their Children, without being bred up in

25. Murray to Burton, 7 November 1763, Murray to Amherst, 4 December 1763, and Murray to Haldimand, 11 March 1764, C-2225, Murray's Letters, L & A Canada.

26. Murray to Repentigny, 6 March 1764, and Murray to Repentigny, 17 March 1764, C-2225, Murray Letters, L & A Canada; Michel Brunet, *Les Canadiens après la conquete, 1759-1775. De la revolution canadienne a la revolution americaine* (Ottawa: Fides, 1969), 63-64.

France, or the French Service, might support their Families in the Service of the King their Master, and by their Employments preserve them from sinking into the lower Class of People, by the Division and Subdivision of Lands every Generation."[214]

To some extent, Murray and Carleton's approaches towards managing Canada were probably influenced by their personal backgrounds. Both men were officers by profession, and both had served under General Wolfe in 1759. They both possessed a certain respect for the Canadian seigneurs as aristocrats and fellow military men, while looking down upon merchants and traders. Furthermore, both men were first hand witnesses to the results of early attempts to reintegrate former Jacobites into the British military. The Highlanders, whom the English and Scottish Lowlanders generally regarded as savage barbarians, had proven themselves to be dedicated soldiers during the Seven Years War. Murray and Carleton's plans to win loyalty among the Canadian seigneurs by granting them military commissions were probably inspired in part by the successful integration of the Jacobites. Murray himself came from a Scottish Jacobite family. While he was out of the country during the '45, two of his brothers, Lord Elibank and Alexander Murray, had turned out in support of Charles Edward Stuart. It is unclear where Murray's sympathies lay, but family tradition claimed that he had been a Jacobite as well.[215] Carleton, on the other hand, came from an established Anglo-Irish family and thus had considerable experience living in a country with a Catholic majority long before he reached Quebec. Unlike Murray, who was raised Presbyterian, Carleton was brought up

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27. Carleton to Shelburne, 20 January 1768, C-11889, Colonial Office Q Series, L & A Canada; the next year, Carleton proposed that if some seigneurs were allowed on the Council, they could help with policing the colony, managing the Indian Nations, and offering judicial opinions. Carleton to Hillsborough, Quebec, 15 March 1769, TNA: PRO CO 42/7 Bundle E.

in the Church of Ireland, but he never showed much interest in religion for its own sake.[216]

One of the most contentious issues to arise in the governing of Canada was the question of how to deal with the Catholic Church itself. When endeavoring to explain why Catholics could not be allowed the same rights and privileges as Anglicans, British writers and politicians' main argument was almost always that Catholics' allegiance to a foreign power, the papacy, would supersede their allegiance to the British state. In the Treaty of Paris, the British promised the French Canadians the right to practice Catholicism "as far as the laws of Great Britain permit."[217] Strictly speaking, the laws of Britain did not permit Catholicism to be practiced at all, but British ministers generally agreed that the concession had some practical meaning. Drawing a distinction between Catholicism's doctrinal aspects and its political aspects, the British officially decided to permit the Catholics to exercise the rites associated with the former in a discreet manner while sheering off as much of the latter as possible. As Peter Doll has argued, the British government attempted to set the Canadian Catholic Church on a Gallican footing, with George III at its head. [218] Nevertheless, the British could not cut the Canadian Catholics off from the wider Church altogether, because they had to allow the Canadians to obtain new priests as needed if they were to honor the spirit of the treaty. Although the British

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28. R. H. Mahon, *The Life of General the Hon. James Murray: A Builder of Canada* (London: Murray, 1921), 18, 42; also see Bruce Lenman, *The Jacobite Clans of the Great Glen 1650-1784* (Aberdeen: Scottish Cultural Press, 1995), 180-190.

29. Paul Nelson, *General Sir Guy Carleton, Lord Dorchester: Soldier-Statesman of Early British Canada* (London: Associated University Presses, 2000), 17-18.

30. "Treaty of Paris, Article IV," in Shortt and Doughty, *Documents*, 86.

31. Peter Doll, *Revolution, Religion, and National Identity: Imperial Anglicanism in British North America, 1745-1795* (Madison: Fairleigh Dickinson University Press, 2000), 98.

government failed to persuade Canadian Catholics to switch their religious allegiance to George III, and the process of cutting Canadian Catholics' ties to France actually strengthened their reliance on the pope, the experience undermined the British government's purely Protestant nature and set a precedent for the British government to facilitate Catholicism.[219]

From the time France officially ceded Quebec to Britain in 1763, the British government encountered the challenge of reconciling its attitudes towards the papacy with the Church's need to keep itself staffed. The last Bishop of Quebec, Henri-Marie Debreuil de Pontbriand, had died in 1760, raising the question of whether the British should or could allow the Catholic Church to replace him.[220] In a letter the Earl of Egremont, then Secretary of State for the Southern Department, sent Murray around the time he became governor of Canada, Egremont argued that because the British government could only grant the Catholics a bare toleration, there could be no Catholic hierarchy at all within British territory.[221] His view was not shared by the Archbishop of York, whose 1764 plan presented the appointment of a bishop as a lesser evil, arguing that if there was no bishop in Canada to ordain priests, "they must go to be ordained in a French Colony or to Europe." To minimize the bishop's power, the Archbishop suggested that "he may be there either by Connivance… or allowed publickly, but not to appear with Pomp as in the Romish Church," that he reside in the same place as the Governor, and that he issue no injunctions without the Governor's consent.[222] Wary of allowing an

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32. John Moir, *The Church in the British Era: From the British Conquest to Confederation* (McGraw-Hill Ryerson: Toronto, 1972), 42.

33. For a more detailed account, see Neatby, *Quebec*, chapter 8.

34. Earl of Egremont to Murray, 13 August 1763, in Shortt and Doughty, *Documents*, 123.

actual Catholic bishop into the colony, ministers also considered the possibility of substituting a less powerful figure instead. In another plan from 1765 the Archbishop of York suggested that the King should place an individual in an unspecified position in charge of the Canadian Catholic Church. Critiquing the Archbishop's plan, the Advocate General, James Marriott, suggested that any man they put in charge of the Catholic Church should not be allowed to present himself as a bishop at all, but as "'his Majesty's Ecclesiastical Comissioner [sic]' or 'Intendant for the Province &ca.. by <u>the King's Permission</u>.'" Furthermore, Marriot added, the government should ensure the pseudo-bishop's dependence upon it by making certain that he draw his income exclusively from the royal treasury.[223]

While British ministers were considering the idea of a bishop in Canada, members of the Catholic Church were trying to come up with a way of electing a bishop that the British would find acceptable. The British government granted its unofficial consent to a plan by the Canadian Abbe de La Corne, who suggested that the chapter in Quebec could nominate a candidate who would only go to Rome for consecration after the British had approved him. Although the chapter initially nominated the vicar-general of Montreal, Etienne Montgolfier, the British government refused to accept him, because he had offended Murray with his open resentment of the new Protestant government.[224] The chapter then chose the vicar-general of Quebec, Jean Olivier Briand, as its candidate.

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35. Drummond, Archbishop of York, "Thoughts upon the Ecclesiastical Establishment in Canada," 11 April 1764, Shelburne Papers, Vol. 59, WCL.

36. Drummond, "Plan for regulating Ecclesiastical Affairs in the Province of Quebec," 1765, Shelburne Papers, Vol. 66, WCL.

37. Although Protestants generally enjoyed *de facto* toleration in New France, it had been illegal for them to settle in Quebec before the conquest. Choquette, "Religious conversion in New France: The case of Amerindians and immigrants compared," *Quebec Studies* 40 (Fall 2005): 97-109.

With Murray's support, he won the acceptance of the British government, and went on to be consecrated in Rome in 1766. Following the Archbishop of York's plan for the Canadian Church, Briand was not supposed to use the title of bishop, display any of the pomp of his office, or take part in any matter beyond a limited set of ecclesiastical functions. In practice, however, Briand disregarded these rules without receiving much opposition from the government of Canada. Maseres, who was then serving as Attorney General under Carleton, complained that, in addition to making new Jesuit priests in opposition to the British government's policy of disbanding the Jesuits, Briand "wears his Gold Cross at his Brest (which it seems is looked upon as the distinguishing badge of a Bishop) publickly, [and] he dined with it to day in a numerous Company at the Governors table." Briand also contradicted British expectations by leading religious processions, the public nature of which made the British particularly uneasy. The Canadians, in turn, treated Briand as a normal bishop, celebrating his arrival, and calling him "Mon Seigneur L'Evique [sic]."[225]

Although some Protestants, like Maseres, thought that it was a mistake to give the Canadians a bishop, Murray and Carleton could work with Briand because he tried to accommodate their concerns whenever he could without contradicting his religious principles. He also made a point of stressing the importance of obeying the British government to his priests and their congregations. Briand had worked to develop a positive relationship with Murray since shortly after Quebec fell to the British. When

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38. "Copy of a Letter from Quebec Sept. 30- received Nov:4:1766…", Shelburne Papers, Vol. 64, WCL; Maseres was himself the successful product of the sort of cultural assimilation that many Britons hoped the Canadians would undergo. His parents, who had been French Huguenots, had gone to England following the revocation of the Edict of Nantes, and Maseres had grown up as an Englishman. Possibly due to his French origins, he had some sympathy for the Canadians, but he saw the Catholic religion as dangerous and thought it was best to suppress it as quickly as possible. For more on Maseres' life, see the introduction of

Murray commanded that the Catholics offer prayers for George III, Briand complied and said them in the correct traditional manner, while his counterparts at Montreal and Trois-Rivières only said them at the pulpit and left them out of the mass. At the time, Briand expressed the opinion that "[the British] are our rulers and we owe to them what we used to owe to the French…. Do the Catholics in the realm of Great Britain not pray for their King? I cannot believe it." Briand had even gotten Murray involved in administrative aspects of the Church by asking him to approve the appointment of priests. For similar reasons, Carleton also found Briand to be a valuable ally and used his influence with the Bishop to encourage Catholic priests to try to settle problems between members of their congregations and British settlers and military personnel. [226]

As was the case with Briand's appointment, ministers in London plotted to minimize the strength of the Catholic Church in Canada, but the colonial administration ended up compromising with it instead. British ministers and colonial administrators shared the hope that the Canadians would eventually convert to Anglicanism as long as Protestants did not try to persecute them for their religion. One of the first things that the British thought of doing to manage the Catholic Church was to cut down the size of its hierarchy and confiscate its land for the use of the Protestant religion. In 1765 the Archbishop of York proposed that the Seminary of Montreal should be consolidated with the Seminary of Quebec and that only a limited number of students be allowed to come and study there. The British needed at least one working seminary in Quebec to make it possible for

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The Maseres Letters 1766-1768, ed. W. Stewart Wallace (Toronto: Oxford University Press, 1919); Neatby, *Quebec*, 110-111.

39. Neatby, *Quebec*, 27, 112-113; Briand and Carleton also got along well on a personal level. According to Briand's sister, Briand regarded Carleton as "his best friend in Canada." Catherine Briand's journal, 1768, quoted in Michel Brunet, *Les Canadiens après la conquête, 1759-1775. De la revolution canadienne*

Canadians to learn to be priests without having to go to a French seminary. Convents and female religious communities were allowed to continue operating, but they were not supposed to take in any new nuns. The regular priests, those who belonged to orders, were supposed to be replaced with secular priests, those who did not belong to an order. The Jesuits, whom Protestants saw as particularly dangerous, were supposed to be disbanded right away. Any Catholic priests, normally Jesuits, doing mission work among the Native Americans were to be replaced with Protestant missionaries as soon as possible. The Order of the Mendicant Friars, or Recollects, was supposed to remain in existence in order to supply priests for parochial benefices, but as their members left or died, their revenues were to be gradually given over to pay to support a Protestant ministry. [227] If the Archbishop's plan had been implemented, the Catholic Church in Canada would have been reduced to a small number of secular clergy working on a parochial level with one superintending figure to keep the system going. However, while the British did confiscate some land from the Jesuits, neither Murray nor Carleton actively attempted to suppress the orders after Briand became bishop.[228] Although the British government forbade the Jesuits and the Recollets from accepting any new members, Briand reportedly continued to consecrate them.[229] Furthermore, Carleton

a la revolution americaine (Ottawa: Fides, 1969), 215; for more on Briand, see Dom Guy Marie Oury, *Mgr Briand: Évêque de Québec et les problèmes de son époque* (1985).

40. Drummond, "Plan for Regulating Ecclesiastical Affairs in the Province of Quebec," 1765, Shelburne Papers, Vol. 59, WCL.

41. When Murray took control of Quebec in 1759, he removed the Jesuits from their house in order to use it to store the army's provisions. He later explained that he had needed to remove them "less their turbulent and intriguing genius should prompt them to play some Trick which might have proved fatal in the critical situation of affairs." Murray, "General Murray's Report on the State of the Government of Quebec, June 5, 1762," in Shortt and Doughty, *Documents*, 51.

helped Briand perpetuate the existence of the Jesuits by suppressing the papal bull dissolving the order while Briand reconstituted it under a new name with all of its traditional features in tact.[230]

The British took a particularly lenient attitude towards the female orders, of which there were three: the Ursulines, the Hospitalers, and the sisters of the Hotel Dieu. While the British dismissed monks as useless parasites and potential subversives, they recognized that nuns were useful. Nuns provided some basic social services by nursing the sick and the injured, looking after orphans, and educating young girls. During the British occupation of Quebec, the nuns had developed close ties with Murray by nursing British soldiers; they continued to call upon him to protect them in later years.[231] Furthermore, the head of the Ursuline convent, Mother Esther Wheelwright, made a good impression on the British by talking with Protestants and allowing them to tour the convent; she had an advantage over other Catholics in her dealing with the British because she had been born in New England, which made it possible for the British to consider her their countrywoman by descent.[232] Finally, while British writers such as Frances Brooke lamented that nunneries imprison women and "cruelly [devote] beauty and innocence to slavery, regret, and wretchedness,"[233] some administrators

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42. Nevertheless, the British policy eventually worked. The last Jesuit died in 1800, and the last Recollet left Canada in 1813. Terence Fay, *A History of Canadian Catholics: Gallicanism, Romanism, and Canadianism* (Montreal: McGill-Queen's University Press, 2002), 33.

43. Neatby, *Quebec*, 116.

44. Mabane to Murray, 26 August 1766. Shelburne Papers, Vol. 64, WCL.

45. As a small child, Mother Esther had been abducted by Native Americans, who turned her over to the care of a French Catholic priest. The Ursulines may have elected her Mother Superior as a political move to facilitate good relations with the British. Ann Little, "Cloistered Bodies: Convents in the Anglo-American Imagination in the British Conquest of Canada," *Eighteenth Century Studies* 39, no. 2 (Baltimore: Winter 2006), 1-3, 10.

acknowledged the usefulness of having a place where genteel families could dispose of their daughters. In his 1772 report, Alexander Wedderburn, the Solicitor General, speculated that it may be necessary to maintain the nunneries, or some institution like them, indefinitely "for the convenience and honor of families."[234] While the British eventually succeeded in eradicating the Jesuits and Recollets in the early nineteenth century through a process of attrition, the British allowed the Ursulines and the other female orders to survive.

At the same time that the colonial government was organizing its relationship with the Catholic Church, it does not seem to have done much to promote the growth of a Protestant alternative. While Murray's instructions directed him to have Protestant schools established in Canada, he did not. Over a decade later, British merchants complained that many Protestants still had to send their children to be educated by Catholics, because there were not enough Protestant schools to do the job.[235] Furthermore, the government was slow to build Protestant churches and hire Protestant clergy; although it is questionable how acceptable the British settlers would have found them if they did, because most of the Protestants in Canada were Dissenters.[236] After the British had taken Quebec in 1759, they had adopted the practice of using Catholic churches to hold Protestant services with the Catholics' permission. By the time Murray was recalled to England in 1766, the situation had not changed. A Protestant writer

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46. Frances Brooke, *The History of Emily Montague*, vol. 1 (London: 1774), 30.

47. Alexander Wedderburn, "Report of Solicitor General Alexander Wedderburn," Shortt and Doughty, *Documents*, 300.

48. George III, "Instructions to Governor Murray," in Shortt and Doughty, *Documents*, 139; "Memorial from Montreal to Lord Dartmouth," 15 January 1774, in Shortt and Doughty, *Documents*, 352.

complained that "[the] Protestants have not yet one protestant Church in the whole Province that they can call their own, but we go to Church every Sunday in the Chapel of the Recollects by the Grace and Favour of those Monks[.]"[237] By the time of the Quebec Bill, ministers had resolved to do nothing for the moment. In Parliament, North explained that "[there are] not a sufficient number [of Protestants] to make it necessary now for the legislature to provide establishments, and revenue for them[.]"[238]

When the president of the Board of Trade, Lord Halifax, composed the Proclamation of 1763, he did so in the expectation that an influx of Protestant settlers from Britain and its other colonies would soon produce a more equitable ratio of "old" to "new" subjects.[239] As it turned out, Canadians continued to vastly outnumber British settlers until loyalists began migrating to Canada during the American Revolution. All other considerations aside, there were not enough Protestants to fill all the necessary positions required to administer the law according to standard British fashion. Although British representative bodies, most notably the British House of Commons, normally drew their members and voters from a rather small pool, the number of Protestants in Canada was inadequate to maintain an assembly even by the standards of the time. At least as importantly, there were not enough Protestants in the colony to create an adequate jury

49. Moir, *The Church in the British Era*, 45.

50. "Copy of a Letter from Quebec Sept. 30- received Nov:4:1766," Shelburne Papers, Vol. 64, WCL.

51. R. C. Simmons and P. D.G. Thomas, eds. *Proceedings and Debates of the British Parliament Respecting North America, 1754-1783*, vol. 5 (White Plains, NY: Kraus International Publications, 1982), 131; as late as 1789, Quebec was still without an Anglican church. Moir, *The Church in the British Era*, 59.

52. Cameron Nish, "1: The 1760s," in *Colonists and Canadiens, 1760-1867*, ed. J. M. S. Careless (Toronto: Macmillan of Canada, 1971), 8.

pool without including Catholics as well.[240] Even after deciding to empanel Catholic jurors, administrators in Canada could not enforce the property requirements upon prospective jurors that existed in Britain, because "so few of the British born Subjects have any Freehold [.]"[241]

The establishment of the court system was one of the first and most visible occasions where the interests of the "old subjects," the British Protestants, and the "new subjects," the Catholic Canadians, came into conflict. Despite Britons' Whiggish veneration for their common law traditions, both the laws and the means of administering them were rife with potential problems for the Canadians. For British Protestants, the common law was the product of the wisdom and experience of proceeding generations. Through its regulations, Britons legitimized their property holdings and meted out justice in what they widely proclaimed to be a fair and impartial manner. Even monarchs and ministers were measured according to their ability to uphold the common law. According to eighteenth century political rhetoric, rulers who acted without the sanction of law were despots by definition. The principles of the common law were realized in the trial by jury. The process of allowing twelve respectable men to determine the verdict of court cases supposedly ensured an impartial decision while also allowing the jurors to contribute to the ongoing development of the law itself. While the British settlers claimed the common

53. The most obvious example of this problem happened during the Thomas Walker case. The trial had to be postponed for several years because Walker and the men accused of assaulting him both insisted that the case be tried in Montreal by an exclusively Protestant jury, even though the city did not contain enough impartial Protestant males to form one. Murray to James Oswald, 11 November 1765, C-2225, Murray Letters, L & A Canada.

54. "Papers of the Board of Trade on the Acts of the Governor & Council of Quebec relating to the establishment of Courts of Judicature, and other acc't Constitution," 2 September 1765, Shelburne Papers, Vol. 64, WLC; in 1764, Murray estimated that "there are not ten Protestant freeholders in the province—consequently not ten Protestants qualify'd by the Laws of England to sit upon Juries." Murray, "A List of Protestant Housekeepers in Quebec," 26 October 1764, TNA: PRO CO 42/2.

law as one of their birthrights, however, it appeared notably different to the Canadians themselves. The Canadians held their property on the basis of the custom of Paris. Even if the common law had been administered justly, the act of switching from one type of law to the other would have threatened the Canadians' property rights and undermined their social and political influence. Compounding the problem, the Canadians could not be assured of fair treatment under common law, because they did not know it, and the British justices could not communicate to them about it because they did not speak the same language. Most significantly, however, the law itself contained numerous features designed to strip Catholics of their property and suppress their religion, and the legal structure that administered the common law in Britain systematically excluded Catholics. If these laws were enforced strictly, the Canadians would have been excluded from almost any role in the justice system beyond that of defendant and plaintiff and, without the aid of French speaking lawyers, they would have had no legal control over, or understanding of, the trials that decided their fates. Nevertheless, the common law did not necessarily require the complete reshaping of Quebec's laws and institutions. Canadians and their supporters could cite the common law's veneration for tradition as a reason to retain some of their French legal features. As Fletcher Norton and William DeGrey wrote in 1766, "There is not a Maxim of the Common Law more certain than that a Conquer'd people retain their antient Customs till the Conqueror shall declare New Laws."[242]

The British government was inclined to show some leniency towards the Canadians while it planned Canada's legal system. In the official instructions that accompanied

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55. "Report of Attorney and Solicitor General Regarding Civil Government of Quebec," 14 April 1766, in Shortt and Doughty, *Documents*, 177.

Murray's appointment as governor of Quebec, George III directed him to consider Nova Scotia, where Catholics occupied some minor official positions, as an example to follow.[243] Murray attempted to establish a compromise between French and English law by creating both an inferior court of common pleas, which would judge minor civil cases between Canadians according to French law, and a superior court, which would judge disputes between British settlers and cases involving property worth more than £10. Acknowledging the difficulty involved in having judges who did not speak French try people who did not speak English, Murray recommended the appointment of bilingual judges to the inferior court and authorized Canadian advocates to practice there. In doing so, he tried to ensure the protection of the Canadian laity's traditional property rights against British settlers who hoped to take their estates from them under British law. Through the use of French law in the inferior courts, the British government in Quebec decided temporarily to recognize the Canadians as a different sort of subjects than their British counterparts in order to fulfill what eighteenth century Britons would have considered one of its most important duties: the protection of its subjects' property.

By taking steps to defend the Canadians' property rights, the government broke sharply with the official practice of the British Isles. Because eighteenth century Britons believed that social influence sprang from the possession of land, these policies indicated that the Canadians would be permitted to retain their some of their power in society as well. However, while Murray was willing to allow French law to remain in effect for a while, he hoped to guide the Canadians through a process of gradual transformation that would eventually render them British. Under his plan, the Canadians would only use

French law until they learned English law well enough to switch. [244] For the governor and his supporters, the best way to promote British law and institutions among the Canadians was to enable the Canadians to participate in them. Reflecting on the government's failure to win the hearts of the Irish Catholics, the inferior court judge Adam Mabane praised Murray's decision to allow the Canadians on juries and observed:

> it is remarkable that in Ireland, when the English Law was first introduced there, Trials by Juries were looked upon by the Natives, as one of their greatest Grievances; perhaps the first English Adventurers in ye Country resembled those we have at Quebec, full of National as well as Religious Prejudice; …in a narrow Country, where Jurors are few & connected by Passion and Interest, The Abuses are obvious and no wonder strike forcibly the Minds of the Canadians[.][245]

Murray's initiative did not receive the same approval from all quarters. The grand jury of Quebec responded to Murray's ordinance by sending the King a list of grievances regarding the civil courts and other matters, in which they asserted the superior rights of British Protestant subjects without acknowledging that the French Catholics could have any claims of their own. Presenting themselves as "British subjects," they identified themselves as the closest thing to a representative body in the colony and argued that they should have the right to approve all incoming legislation. Complaining that some parts of the ordinance had been "unconstitutional," they objected to the inferior courts, set up to try Canadian cases, as "tiresome litigious and expensive." After this first section of the document, which was signed by both British settlers and Canadians, came a second part, which had only been endorsed by Britons.[246] This section took particular issue with

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56. "Instructions to Governor Murray," in Shortt and Doughty, *Documents*, 137; Lawson, *The Imperial Challenge*, 51.

57. James Murray, "Ordinance Establishing Civil Courts," in Shortt and Doughty, *Documents*, 150.

58. Adam Mabane to Murray, 26 August 1766, Shelburne Papers, Vol. 64, WCL.

Murray's order that "all His Majesty's Subjects in this Colony… be admitted on Juries without Distinction" in the superior court.[247] Citing the same sorts of anti-catholic arguments that their contemporaries used to justify the penal laws in Britain, the British portion of the grand jury complained that Catholics, who acknowledged the pope's authority and felt bound by his decrees, had been empanelled to try cases between Protestants. Rather than suggesting that Catholics should only try other Catholics, however, they suggested that Catholics be left off of juries altogether because they threatened "the Security of his majesty, as to the possession of his Dominions and of the subject as to his Liberty, property and Conscience is most eminently Concern'd." They followed this up by citing a statue from the time of James I that forbade Catholics from not only serving in any sort of court or military capacity, but also from working as physicians and apothecaries.[248]

The Canadian grand jurors, who had signed their names to the first part of the presentments, responded with a statement of their own in which they claimed that the British signers had intentionally deceived them about the statements in the document and pressured them into signing it without providing them with a French translation. Whereas the British jurors based their right to complain on their British origins, the Canadians presented themselves as both "Frenchmen" and loyal subjects of George III. They rejected the statute of James I by saying that it appeared to only apply to England, and even if it was not so limited, there would need to be an exception. The Canadians fell back upon the precedent the king had set in his behavior towards them since the conquest

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59. "Presentments of the Grand Jury of Quebec," in Shortt and Doughty, *Documents*, 153-155.

60. Murray, "Ordinance Establishing Civil Courts," in Shortt and Doughty, *Documents*, 149.

and his legal obligations to them as a conquered people. Reminding the king that he had previously allowed the Canadians to take the oath of loyalty even though he knew they were Catholics, they argued that it would be "a humiliating thought" and "very discouraging to free Subjects" to bar them from serving in official capacities. In contrast to the British grand jurors' accusations that they threatened the security of the colony, the Canadians pointed to their service during Pontiac's Rebellion, arguing that "For more than six Months we have had Catholic Canadian Officers in the Upper Country, and a Number of Volunteers aiding to repulse the Enemies of the Nation[.]" Similar to arguments that Catholics and their supporters would make elsewhere in the empire later in the century, they asked "cannot a man who exposes himself freely to shed his blood in the Service of his King and of the Nation be admitted to positions where he can serve the Nation and Public as a Juror, since he is a subject?"[249] Ultimately, the Canadians argued, their loyalty had been purchased by the government's leniency towards them, but if that leniency was to end, the British should allow them to leave the colony with their property and let them be useful subjects somewhere else.[250]

By raising the possibility that they might migrate elsewhere, the Canadians would have touched a nerve with the British government in both Canada and London. As he told the Board of Trade, part of Murray's motivation for laying out the court system as he did

61. "Presentments of the Grand Jury of Quebec," in Shortt and Doughty, *Documents*, 155.

62. "Statement by French Jurors in Reference to the Foregoing Presentments," in Shortt and Doughty, *Documents*, 159-161; For more on the role of military service in undermining penal legislation, see Robert Kent Donovan, "The Military Origins of the Roman Catholic Relief Programme of 1778," *The Historical Journal* 28, no. 1 (1985): 79-102; Donovan, "Sir John Dalrymple and the origins of Roman Catholic Relief, 1775-1778," *Recusant History* 17 (1984-85): 188-196.

63. "Statement by French Jurors in Reference to the Foregoing Presentments," in Shortt and Doughty, *Documents*, 161.

was to encourage the Canadians to remain in the colony.[251] However, Canadian petitioners soon moved away from the somewhat independent-minded tone exhibited in the response to the presentments in order to emphasize the depth of their loyalty. Shortly after producing their initial response, the Canadian grand jurors, along with many other prominent Canadians, sent George III an address regarding the legal system in which they gushed with devotion for their new king, while also attributing their loyalty to his defense of their religious freedom. According to the petitioners, who were "deeply attached to [their] religion," their Catholicism posed no impediment to their loyalty. They claimed to have sworn "unalterable fidelity to Your Majesty," from which they would never swerve "although we should be in the future as unfortunate as we have been Happy; but how could we ever be unhappy, after those tokens of paternal affection by which Your Majesty has given us the assurance that we shall never be disturbed in the Practice of our Religion[?]". They asked for the king to defend their religion and their property from the machinations of the British settlers, while hearkening back to the "tranquility" they had enjoyed under the military government. Comparing themselves to the British jurors, who presumed to complain against the governor's decisions, they said that they were willing to obey all colonial regulations, and only wished that they would be explained in French to make them understandable. [252]

In its response to Murray's ordinance, the British government adopted a policy for Canada that reflected some of the concerns of both British settlers and Canadians. In June 1765, the Attorney and Solicitor Generals declared that Catholics living in the colonies

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64. Murray to Lords of Trade, 29 October 1764, in Shortt and Doughty, *Documents*, 167.

65. "Address of French Citizens to the King Regarding the Legal System," Shortt and Doughty, *Documents*, 164-166.

received in the Treaty of Paris were not bound by British penal legislation.[253] Essentially, they agreed with the Canadian jurors that Canada was not England, and English law could not be assumed to be in operation there. This theoretically opened the way for Catholics to enjoy all the privileges of Protestants. There was legal precedent for the idea that British penal legislation did not apply in Canada based on the 1705 Northey case, which found that Elizabethan penal legislation did not apply to Maryland, because the colony did not exist when the laws were made, but only some of the lawyers and politicians involved in regulating Quebec were aware of it.[254] In regards to the superior court, the Board of Trade went further than Murray had and suggested that there was no reason why Catholics should not be able to practice as advocates there or why Canadian laws and customs should be restricted to the court of common pleas. However, the Board of Trade sympathized with Protestants' objections against allowing cases involving all Protestant parties to be tried by Catholic juries, and, despite lamenting that it might "perpetuate a Distinction between British born Subjects and Canadians," it decided that in cases involving a British settler and a Canadian, either party should be able to require that an equal number of new and old subjects form the jury.[255] In the case of any criminal trials, the instructions given to Murray in 1766 ordered that the jury be composed solely of men of the same national persuasion as the defendant.[256] On paper at least, the court system of Quebec divided British settlers and Canadians into two largely distinct groups

66. Fer. Norton and William Degrey, "The Opinion of the Attorney and Solicitor General…," Shelburne Papers, Vol. 64, WCL.

67. Lawson, *The Imperial Challenge*, 45.

68. Papers of the Board of Trade on the Acts of the Governor and Council of Quebec, 2 September 1765, Shelburne Papers, Vol. 64, WCL.

of subjects, who, with some limitations, could both claim a right to their own forms of law. While Canadians retained their traditional property legislation, the British settlers could abide by English common law as long as their cases did not involve Canadians. In practice, however, British lawyers and judges often ignored or subverted Canadians' rights to be judged according to French law. Carleton felt the need to pass a similar ordinance in 1769. Nevertheless, individual Canadians were not merely passive victims. Like their British counterparts, they switched back and forth between the two legal traditions, depending on which one was most favorable to their case at the time.

Despite many British settlers' hostility towards the Canadians, it soon became apparent that they could not enjoy some of their most valued institutions without the Canadians' cooperation. Besides the trial by jury, the institution that British settlers demanded most frequently was a representative assembly. However, neither Murray nor Carleton were willing to call an exclusively Protestant assembly with an exclusively Protestant electorate. Once it was decided that the penal laws did not apply to the colonies, however, the general lack of Protestants was no longer necessarily a problem. Paradoxically, this announcement established that the new colonies were legally distinct from the British Isles while presenting the possibility that all the colonies could be governed under a uniform system of government. The Board of Trade and the Earl of Shelburne, Secretary of State for the Colonies, embraced this development. Besides any political principles they may have felt, they had a financial incentive to do so. Despite the complaints regarding internal taxation that arose from other colonies, ministers accepted that only an assembly could raise taxes in Quebec. Between 1765 and 1770, they

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69. "Instructions to Our Trusty and Wellbeloved the Honourable James Murray Esq….", Shelburne Papers, Vol. 66, WCL.

considered several plans that would allow Catholics to have some part in an assembly while leaving the majority of the seats, and thus the real power, in the hands of the Protestants. Additionally, all of these plans adhered to the policy of excusing Catholics from conforming in doctrinal matters while requiring them to disclaim Catholic political tenets. The Canadians would not have to make the declaration against transubstantiation, but they would have to swear the oath of supremacy.[257]

The issue of how and whether to grant Quebec an assembly was influenced by events that happened elsewhere in the empire. Those interested in granting Quebec an assembly could find a precedent in the West Indian island of Grenada. Like Quebec, Grenada had been ceded by France at the end of the Seven Years War, and a majority of its white population was French Catholic. However, unlike Quebec, Grenada was a slave society where the enslaved vastly outnumbered the free. Since the Treaty of Paris, the British government had been in the habit of implementing the same policies in both colonies, and the Board of Trade was inclined to do so in this case as well. This connection was not lost on the British settlers and their allies, who could follow the major developments affecting the island in *The Quebec Gazette*, Canada's only newspaper.[258] The Board of Trade first suggested that Catholics could serve as electors in Quebec in 1765.[259] This policy was actually implemented in Grenada in 1766, when the Board ordered the governor, Robert

70. "Representations of the Board of Trade to the King's Most Excellent Majesty," 2 September 1765, in Shortt and Doughty, *Documents*, 172; Shelburne to the Board of Trade, 17 May 1767, Shelburne Papers, Vol. 64, WCL; "Report of the Lords Commissioners for Trade and Plantations Relative to the State of the Provinces of Quebec," 1769, in Shortt and Doughty, *Documents*, 267.

71. *The Quebec Gazette* reprinted legislation affecting Grenada and sometimes reported on the proceedings of the Grenadian assembly in relatively lengthy paragraphs. Most of the articles were printed in both French and English.

72. "Representation of the Board of Trade, To the King's Most Excellent Majesty," 2 September 1765, in Shortt and Doughty, *Documents*, 171-172.

Melville, to call two assemblies, one for Grenada itself and one for all the ceded islands. Unlike his counterparts in Quebec, Melville proceeded to summon the assemblies as instructed only to have conflict break out regarding the Catholics' participation. While a vocal group of British settlers objected to the Catholics being allowed to vote at all, the French Catholics protested that because they could vote, they ought to be able to sit in the assembly. The Catholics pushed the matter by electing a couple of their own as representatives in 1767, and, after they were not allowed to take their seats, the Catholics wrote to the Board of Trade regarding the matter. Around the same time, Shelburne, then Secretary of State, suggested that Catholics in Quebec and Grenada might be allowed one fourth of the seats in an assembly, although it would cause "Inconvenience, if not bad Consequences" to allow Protestants and Catholics to sit in equal numbers.[260] In 1768, the Board of Trade decided that two Catholics could be allowed to sit on Grenada's Council and that three could sit in the assembly. A party of New York merchants, "Incouraged [sic] afresh by His Majestys Goodness to his Subjects in the Grenadas," responded by sending a petition with the suggestion that a few Catholics could be permitted to sit in the council and assembly at Quebec.[261] When the Board of Trade next addressed the issue of Quebec's government in 1769, it put forth a qualified endorsement of this suggestion, noting that Catholics had taken office in Grenada.[262]

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73. Shelburne to the Board of Trade, "Relative to the present State of Quebec," 17 May 1767, Shelburne Papers, Vol. 64, WCL.

74. New York Merchants' Petition, 20 September 1768, TNA: PRO CO 42/7/3.

75. Beverley Steele, *Grenada: A History of Its People* (Oxford: Macmillan, 2003), 75-76; also see Raymund Devas, *Conception Island or the Troubled Story of the Catholic Church in Grenada* (London: Sands & co., 1932).

Despite the precedent set in Grenada, however, Quebec remained without an assembly. In part, this can be attributed to the economic differences between the two colonies. The mercantile interest, which provided the most outspoken advocates of traditional representative government in both colonies, was far more powerful in Grenada than it was in Quebec. Whereas Quebec's commercial contribution to the empire was limited to fish and furs, Grenada was "an essential link" in the triangular trade, producing such lucrative exports as sugar, cocoa, and coffee.[263] Furthermore, British Protestants quickly took control of most of the island's real estate. Shortly after taking possession of the island, the British government assumed ownership of all land. The government permitted the French Grenadians to either sell their property to British subjects and leave, or lease it back for forty years at a time, while Britons bought up the rest. In addition to the influence they derived from their land, these Britons also benefited from their connection with the West Indian lobby in London, which guaranteed that their concerns would receive a sympathetic hearing from the government. Despite the political strength of the British Grenadian interest, however, they could not afford to ignore the French Catholic Grenadians altogether. As was the case throughout the West Indies, many British landowners were absentee proprietors, who spent little time in Grenada. The French Grenadians, however, were bound to the island by birth and legal decree. Furthermore, the British settlers were a minority within a minority. While the British settlers were outnumbered by the French settlers among the white population, white

76. George Brizan, *Grenada: Island of Conflict; From Amerindians to People's Revolution, 1498-1979* (London: Zed Books, 1984), 38-41.

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people of both cultural backgrounds were outnumbered by their black slaves.[264] French Grenadians and their supporters could appeal to the need for racial solidarity to strengthen their claims to civic equality with British Protestants. In response to a petition calling for the exclusion of Catholics from the electorate, a party of French Grenadians included the following in their counter-petition:

> [We are in] a Colony, whose Cultivation, depending on the number, labour & Submission of Negroes, calls for such absolute Influence in the hands of every Freeholder, in order to maintain them in proper Discipline & respect; and renders any unnatural or unnecessary Subordination and inequality among Whites, that approaches them to the Level of their Slaves, as dangerous as it is odious[.][265]

This appeal did not resonate with all British Grenadians, who were deeply divided on the issue of allowing French Grenadians civil rights. The idea that the Catholics might provoke slaves to rebellion would not have been foreign to the British, who frequently attributed uprisings among supposedly inferior peoples, such as American Indians, slaves, and poor whites, to the influence of Catholic priests. As would become apparent when many French Grenadians joined Fedon's Rebellion in the 1790s, race alone was not sufficient to ensure that that they would support British efforts to keep the blacks, who were overwhelmingly Catholic, under control. French Grenadians needed to have a stake in maintaining the status quo.[266]

Despite the Board of Trade's inclination to establish uniform systems of government in the ceded colonies, the example of the Grenadian assembly was not one that

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77. One anonymous report from 1763 claimed that the island contained 646 white families and 10531 black slaves between the ages of 14 and 60. "Heads of an enquiry relating to the State of the Island of Grenada," 1763, TNA: PRO CO 101/1/5.

78. Memorial to Gov. Melville from His Majesty's adopted subjects, [1766], TNA: PRO CO 101/11/110.

79. Mark Quintanilla, "The world of Alexander Campbell: an eighteenth-century Grenadian planter," *Albion* 35, no. 2 (Summer, 2003), 20.

encouraged imitation. From the time of its inception, the issue of Catholic participation in the assembly generated tension between Protestants and Catholics, and between the Protestants themselves. A vocal subset of British settlers, led by such people as Ninian Home and Alexander Campbell, persistently insisted that it was a violation of the Constitution to allow Catholics to vote, much less sit in an assembly. In one of their earliest petitions, they denied that the French Grenadians were subjects at all.[267] Although the members of the Board of Trade shared the British Grenadians' suspicion of Catholics' political attachments, they tried to limit the problem by requiring them to swear the oath of supremacy while allowing them to forego the declaration against transubstantiation. The Catholic electors took the oath of supremacy, but their opponents repeatedly attempted to disqualify them altogether by forcing them to swear the test. Home and his associates in the assembly and the council refused to work with Catholic representatives, impeding the administration of the island. Until the island was retaken by the French in 1779, the assembly was frequently suspended or paralyzed by infighting.[268]

By any standard, the Grenadian assembly was a failure. Compounding matters, resistance to the government's new policies in the older North American colonies, particularly in New England, led many politicians and administrators to conclude that their older colonies had begun to abuse their freedom and that they needed to curb the power of the colonial assemblies. Although Shelburne and the Board of Trade had struggled with each other in their attempts to maintain their authority in colonial matters, both of them had aimed to bring Quebec into conformity with the other British Atlantic colonies by implementing British institutions there in some form. While the failure of

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80. Memorial to Robert Melville, 14 February 1766, TNA: PRO CO 101/11/100.

these policies cannot be attributed directly to the difficulties that Britain was experiencing with its existing colonial assemblies, these problems did give additional weight to the views of people like Carleton, who thought that Quebec should be governed without any assembly at all.

The Quebec Act

Over the course of the 1760s, the British developed three basic approaches to the problem of governing the Canadians. The first, embodied in the Proclamation of 1763, was to establish British institutions with all discriminatory features in place. The second, advocated by Shelburne, was to establish British institutions while granting Catholics a limited ability to participate in them. The third, sponsored by Carleton, was to retain most of the Canadians' traditional institutions and allow them access to prestigious, if not actually powerful, positions within the state. By the 1770s, the first two options had been discredited in the eyes of the North ministry. While the establishment of a Protestant ascendancy was impractical, Catholics could not be trusted with representative government. It was the third option that characterized the 1774 Quebec Act. Instead of an assembly, the colony would be run by the governor and an appointed council that could include both British settlers and Canadians, civil cases would be decided according to French law, and the Catholic Church would be given a legal right to collect tithes from all its parishioners.[269] The Act of Supremacy would remain in effect, but, unlike their Grenadian counterparts, the Canadians would not have to swear the oath of supremacy, as

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81. Marshall, *The Making and Unmaking of Empires*, 188.

long as they swore an oath of allegiance instead. Although the private instructions that North's ministry issued to Carleton for his return to Quebec after the passage of the bill sought to ameliorate the bill's more radical aspects, the plans outlined in the bill assumed that, socially and culturally anyway, Canadians as a group were essentially French and should be governed according to a system that contained both English and French features for the foreseeable future. While North's government retained the hope that Canadians would become Protestant and Anglicized in time, the bill established the Canadians as a distinct body of subjects whose rights and privileges were not based in the British tradition.[270]

The Quebec Act did not mark the first instance in which the British government had decided to allow a conquered colony to retain most of its traditional features; a similar administrative structure had been put into power in Minorca decades before. The Quebec Act was particularly significant, however, because of the climate in which it was passed. Since George III had ascended to the throne, several vocal and well-publicized groups in Britain had objected to his attempts to tighten executive control of the government and the empire, which they perceived as an attack on popular liberty. These groups, whose leadership consisted largely of excluded Whig politicians and populist demagogues, tended to evince sympathy with the more powerful populist groups that were developing in the American colonies. Despite having fundamental ideological differences with their American counterparts over the issue of parliamentary supremacy, people such as the Rockingham Whigs saw the Americans as defenders of traditional liberties and

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82. "A Bill Intituled An Act for making more effectual Provision for the Government of the Province of *Quebec*, in *North America*," (1774), 3-6, *Eighteenth Century Collections On-line*.

interpreted the government's interactions with the colonies in light of their suspicions towards the executive.[271] From the time of its inception, the Quebec Act was wrapped up in two interconnected debates: one concerned the relationship between the subject and the state, while the other concerned the degree of differentiation that could be permitted within the empire. Complicating matters further, both supporters and opponents of the Quebec Act were frequently limited by their own notions of French Catholics that colored their perceptions of the Canadians.[272] While these issues would have arisen in the course of designing a government regardless of outside circumstances, the development of a radical anti-government press ensured that these issues were debated in a public forum.

The issue of national and cultural identity played a central role in both the creation of the Quebec Act and the debates surrounding it. However, while eighteenth century Britons tended to share a few assumptions about what characterized a British Protestant or a French Catholic, they were not in total agreement on the matter. Furthermore, despite Colley's well known argument that the British saw the French as "the Other" against whom they defined themselves, Britishness and Frenchness were not impermeable traits. Provided that they adopted the cultural practices and political allegiances of their new culture, French people could become British, and British people could become French. People on all sides of the issue recognized the malleability of these identities, and their

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83. Some historians consider the Quebec Act to play a key part in the development of French Catholic identity. For instance, see George Rawlyk, "2: The 1770s," in Careless, *Colonists and Canadiens*, 40.

84. See John Brewer, *Party ideology and popular politics at the accession of George III* (Cambridge: Cambridge University Press, 1976); also H. T. Dickinson, *Liberty and Property: Political Ideology in Eighteenth Century Britain* (London: Weidenfeld and Nicholson, 1977).

opinion on the Quebec Act varied depending upon how they believed these identities could, and possibly should, be changed. While the North government decided that the Canadians were still culturally French and ought to be governed by French institutions, the other two approaches to governing the Canadians remained alive in the minds of the act's opponents. The following section will explore how advocates of each approach drew upon issues of identity, imperial cohesion, and state power to shape their opinions on the Quebec Act.

Eighteenth century British Protestants tended to see themselves as a particularly free people, whose Constitution guaranteed their equality before the law and allowed them as much liberty as could be permitted in a stable society. Who the relevant members of that society were was a matter of some contention. For the mid-eighteenth century London press, "British" was normally synonymous with "English." As Wilson argues in *The Sense of the People*, popular leaders and journalists encouraged the idea that Englishness was embodied by middle class men who engaged in commerce and took an active role in politics. Although some women endorsed it as well, this concept of Englishness was thoroughly masculine in outlook. It celebrated supposedly manly traits such as independence, rationality, and fortitude, while deprecating the supposedly effeminate traits of dependence, superstition, and passivity. For these people, the empire was both a source and a product of English liberty and prosperity, which strengthened England against its foreign foes. Among the political elite, however, the British might include the Scottish as well as the English, and, while "manly" traits were highly valued, so were subordination and respect for hierarchy. The elite were more likely to be tolerant of

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85. For another example of how perceived cultural differences affected political decisions, see Jonathan Dull, "Great Power Confrontation or Clash of Cultures? France's War against Britain and Its Antecedents,"

Catholicism than Britons of other classes, possibly because many of them went on the Grand Tour to France and Italy. At the same time, however, many of them were wary of Dissenters, whom they suspected of republicanism.[273]

Eighteenth century British Protestants saw French Catholics as embodying a range of traits, many of which could be interpreted positively or negatively. Commonly, the British perceived French society to be strictly divided by class, with the monarch, the aristocrats and the clergymen at the top of the social hierarchy and a vast number of impoverished peasants beneath them. The French aristocrat was a particularly controversial figure. Well-versed in the arts of refinement, the French aristocrat was both an exemplar of the polite behavior that British gentlemen desired to imitate, and a potential source of moral and physical corruption who taught Britain's future leaders how to lie and fornicate.[274] Depending on the portrayal, aristocratic Frenchmen also held the contradictory distinctions of being either brave military men or effeminate wimps who were completely incapable of defending themselves. Popular concerns about the French aristocracy's influence on the upper classes should be considered in conjunction with Wilson's analysis of John Wilkes, the controversial English demagogue. The French fit easily into Wilkes' critique of effeminacy in government, and, like the Earl of Bute and the King's mother, they posed a threat that Wilkes and his followers could supposedly

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in Hofstra, *Cultures in Conflict*, 61-77.

86. Wilson, *The Sense of the People*, 185-205; see also, Gerald Newman, *The Rise of English Nationalism: A Cultural History* (New York: St. Martin's Press, 1987).

87. For more on the ambiguities surrounding French education see Michele Cohen, *Fashioning Masculinity: National Identity and Language in the Eighteenth Century* (London, Routledge, 1996); see Diane Donaldson, *The Age of Caricature: Satirical Prints in the Reign of George III* (New Haven: Yale University Press, 1996), 78-93, for cartoonists' depictions of English men and women who imitated French fashions; for a more positive view of Anglo-French relations, see Robin Eagles, *Francophilia in English Society, 1748-1815* (Baskingstoke: Macmillian, 2000).

counter with their "manly" patriotism and dedication to British liberty.[275] Like French aristocrats, French Catholic clergymen were frequently charged with lasciviousness and duplicity. Depending upon the portrayal, French clergymen were often shown as self-serving unbelievers who exploited popular fears to profit themselves or as violent bigots who desired to persecute Protestants at home and abroad. As for the French peasants, sympathetic commentaries tended to describe them as simple, outgoing, and naturally deferential, while more hostile accounts portrayed them as indolent, superstitious slaves—living examples of the enervating effects of popery and wooden shoes. [276]

To varying extents, Britons projected these views of Frenchmen onto the Canadians as well. For instance, the cartoon "Virtual Representation, 1775" (figure 3), printed to support the repeal of the Quebec Act, refused to recognize any distinction between Frenchmen and Canadians at all. It identified Quebec as "The French Roman Catholic Town of Quebeck," and symbolized the Quebecois by two French stereotypes: the effeminate French officer and the Catholic friar. Significantly, the print also refused to make any distinction between British colonists and Englishmen, identifying Boston as "The English Protestant Town of Boston" and symbolizing the colonists with a sailor and a fat merchant, both commercial men.[277] Most people who addressed the subject, however, accepted that the experience of living in North America had made the

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88. See Wilson, *The Sense of the People*, 212-228.

89. For an example of a relatively positive portrayal of a French general, observe the depiction of Gen. Montcalm in George Cockings, *The Conquest of Canada; or the Siege of Quebec. An historical tragedy. Of five acts* (London, 1766); for an example of the French as effeminate wimps, see the numerous satirical prints that depict Frenchmen getting beaten up by English butchers and fishwives. These are discussed in Ben Rogers, *Beef and Liberty* (London: Chatto & Windus, 2003), 128-135; also see Michael Duffy, *The Englishman and the Foreigner* (Cambridge: Chadwyck- Healey, 1986); for an attempt to reconcile French effeminacy with French militarism, see John Brown, D. D., *An Estimate of the Manners and Principles of the Times*, 2nd ed. (London: 1757), 135-141.
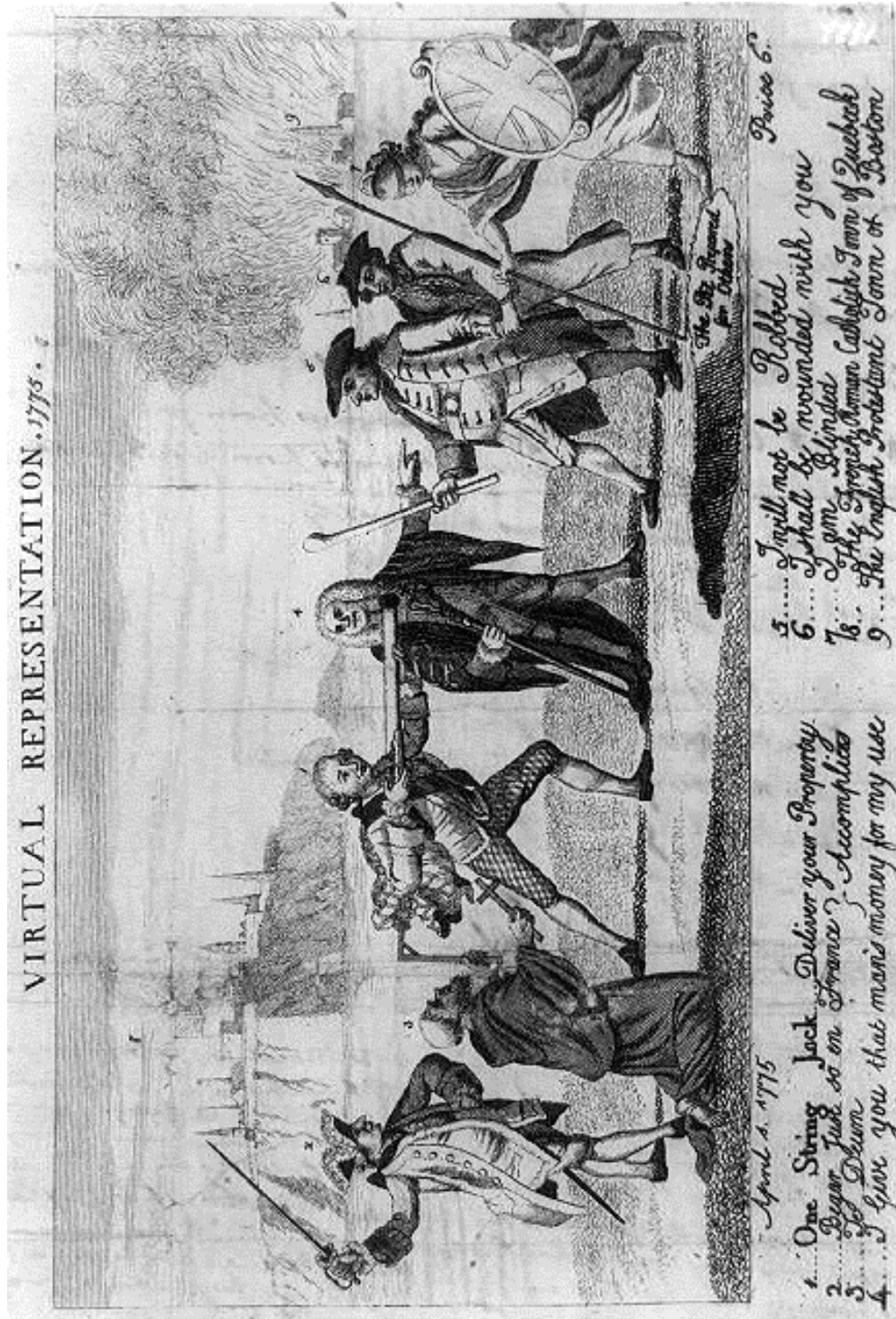
FIGURE 3: "Virtual Representation. 1775." (1775) Library of Congress, LC-USZ62-1522.

90. "Virtual Representation, 1775," 1775, Library of Congress, LC-USZ62-1522.

Canadians somewhat different from the people of France, in the same way that British colonists were a bit different from Britons in Britain. Of any eighteenth century publication, it was probably Frances Brooke's 1769 novel, *The History of Emily Montague*, which addressed the characteristics of the Canadians in the most detail. Brooke, who had spent several years in Quebec with her husband, an Anglican priest, portrayed the Canadians as embodying many of the same characteristics typically associated with the French, but in a modified form. Upper class Canadian women came out slightly better than their French counterparts. They were both vain and coquettish, but the Canadians were prettier. Upper class Canadian men came out a bit worse. Despite sharing the same manners as French aristocrats, many of them were supposedly so ignorant that they could barely write their names. Canadian *habitants* shared French peasants' generosity and superstitious nature, while being particularly lazy. Finally, the supposed French tendency to put more effort into developing their military than increasing their commerce had reached an extreme in Canada, where the inhabitants did just enough work to survive and "every peasant is a soldier, every seigneur an officer, and both serve without pay whenever called upon… the seigneur holds [his commission] of the crown, the peasant of the seigneur, who is at once his lord and commander." In Brooke's description, however, Canadian militancy took on a particularly menacing tone because the Canadians' interactions with the Native Americans had supposedly made them "savage." In a brief passage, she claimed that there was reason to believe that French officers had "led the death dance at the execution of English captives" and possibly helped eat them afterwards, indicating that their time in North America had caused them to degenerate.[278]

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91. Brooke, *Emily Montague*, vol. 1, 10, 23; vol. 2, 55; vol. 3, 106-107; for a contemporary depiction of

Two basic suppositions lay behind the Quebec Act: first, that Quebec had traditionally been, and could still be, a thoroughly hierarchical society where the Church and the seigneurs wielded immense influence over the *habitants*, and second, that most Canadians lacked the desire, reason and self-discipline needed to participate in British institutions. Carleton, whose suggestions formed the basis of the act, was the most prominent defender of the first supposition. Besides the Catholic Church, Carleton assumed that the dominant power in French Canada had been the seigneurs, whom he believed were equivalent to French aristocrats.[279] Believing that ordinary Canadians were naturally deferential to the seigneurs, Carleton focused his attentions on winning over the seigneurs' support in the hopes that they would keep the *habitants* obedient. He based his view of Canadian interests largely on those of the seigneurial class as he understood them. Shortly after he arrived in Canada, Carleton concluded that the only way the British could hope to win the seigneurs' loyalties away from France would be to give them an opportunity to advance themselves under the British government.[280] Accordingly, Carleton recommended that seigneurs be granted military commissions and seats on the governing Council. At the same time, he claimed that Canadians had little desire for those aspects of the British Constitution that might suggest levelling. For instance, trial by jury, the loss of which the MP John Dunning claimed would cause an Englishman "to fall into an agony,"[281] had no great attraction for the Canadians. If the

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American Indians fighting alongside the French against the British, see Cockings, *The Conquest of Canada*, Act IV, Scene II. For more on how the unsettled state of North America led the English to abandon traditional rules of honorable warfare, see Plank, *Rebellion and Savagery: The Jacobite Rising of 1745 and the British Empire* (Philadelphia: University of Pennsylvania Press, 2006).

92. See Fernand Ouellet, *Economic and Social History of Quebec, 1760-1850* (Gage Publishing, 1980).

93. Carleton to Shelburne, 20 January 1768, C-11889/370, L & A Canada.

colony was going to have juries, they were glad to be on them, Carleton told a parliamentary committee, but:

> they think it very strange, that the English, residing in Canada, should wish to prefer to have matters of law decided by tailors, and shoemakers, mixed up with respectable gentlemen in trade, and commerce, that they should prefer their decision to that of the judge.[282]

Likewise, those Canadians to whom Carleton had spoken about the matter had no desire for a representative assembly regardless of how it was composed, because "Assemblies had drawn upon the other colonies so much distress, had occasioned such riots, and confusion, they wished never to have one of any kind what ever."[283] Instead of British political institutions, Carleton claimed, the Canadians desired their former laws and the ability to practice their religion.

Although Carleton knew that the social hierarchy in Canada was less powerful than he had indicated to Parliament, he was hopeful that the Quebec Act would restore it to its imagined former strength once its provisions had time to take effect. Other Britons were willing to accept his claims, however, because it accorded with popular notions of French servility. For instance, the anonymous writer of *Thoughts on the act for making more effectual provision for the government of the province of Quebec* claimed that "[a] principle of subordination is natural in the people" and presented the Canadians as happily ignorant about, and unconcerned with, political matters.[284] Likewise, the Solicitor General, Alexander Wedderburn, appealed to the idea of French effeminacy and

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94. *Parliamentary History*, vol. 17 (1774), col. 1359.

95. Simmons and Thomas, *Proceedings and Debates*, vol. 5 (1774), 4.

96. Simmons and Thomas, *Proceedings and Debates*, vol. 5 (1774), 7.

97. *Thoughts on the act for making more effectual provision for the government of the province of Quebec* (London: Printed for T. Beckett, 1774), 20. *Eighteenth Century Collections On-line*.

indolence when he argued that Canadians were not fit for jury trials because they had not

had time to adopt "a more manly course of thinking" than that to which they were

accustomed.[285] The idea that the Canadians were politically passive dovetailed readily

with the notion that the Canadians were firmly under the control of their priests. During

the eighteenth century, the trope of the Catholic priest who wielded immense influence

over his congregation was well established. Opponents of Catholic relief frequently

invoked this image to illustrate the Catholic Church's dangerous absolutist tendencies.

For the Quebec Act's supporters, however, the Catholics' attachment to their church held

the key to pacifying them. Provided that the Canadians could enjoy the practice of their

religion, they would be satisfied with the British government.

While Carleton overemphasized the Canadians' docility when he appeared before

Parliament, his desire to buttress what he thought to be Quebec's traditional social

hierarchy was based on more than wishful thinking. Carleton was concerned with a

fundamental problem of colonization: how to preserve British authority over the settlers.

As he wrote in 1768:

> the British Form of Government, transplanted into this Continent,
> never will produce the same Fruits as at Home; chiefly, because it is
> impossible for the Dignity of the Throne, or Peerage to be represented in
> the American Forests; Besides, the Governor having little or nothing to
> give away, can have but little Influence.... It therefore follows... That a
> popular Assembly, which preserves its full Vigor, and in a Country where
> all Men appear nearly upon a Level, must give a strong Bias to Republican
> Principles[.][286]

Carleton recognized that his government, and, to some extent, the other colonial

governments in North America, were in a vulnerable position. He hoped to strengthen his

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98. Simmons and Thomas, *Proceedings and Debates*, vol. 4 (1774), 468.

99. Carleton to Shelburne, 20 January 1768, C-11889/374-375, L & A Canada.

administration by retaining as much power as he could with the executive. To this end, he and his lieutenant governor, Hector Theophilus Cramahé, persistently resisted the British settlers' demands for an assembly. They also regularly discouraged petitioning, in order to both ensure that they would get credit for any concessions they decided to grant the people and to prevent them from developing a habit of putting demands to their rulers.[287]

Carleton's assumptions about the need to curb popular influence in colonial politics were echoed by many of the Quebec Act's supporters. For instance, the anonymous pro-Quebec Act pamphlet *An appeal to the public; stating and considering the objections to the Quebec bill* summed up the same position with the statement: "if the constitution of the *dependent* state cannot exactly tally with that of the *imperial* state, it had better be *less* free than *more* free."[288] To a large degree, this focus on the need to control the colonies stemmed from the ongoing difficulties that the British government was having with its other North American colonies, particularly Massachusetts. The unnamed writer of *Thoughts on the act for making more effectual provision for the government of the province of Quebec* even suggested that, having seen the dangerous effects of assemblies in New England, the British should extend the French model of government to all of their colonies.[289] At the same time, however, supporters of the act frequently indicated that popular institutions would be particularly dangerous in Canada. The writer of the aforementioned pamphlet followed up his discussion of the evils of popular assemblies by asking "If these evils, of which we have proofs, arise in a colony which is said to

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100. Carleton to Hillsborough, 7 August 1769, C-11889, Colonial Office Q Series, L & A Canada.

101. *An appeal to the public; stating and considering the objections to the Quebec bill. Inscribed and dedicated to the Patriotic Society of the Bill of Rights,* (London, 1774), 24, *Eighteenth Century Collections On-line.*

102. *Thoughts on the act*, 14-15.

arrive to some degree of civility, what may not be expected from an assembly being admitted in a colony like Canada?"[290] Lord Lyttleton likewise claimed during debate in the House of Lords that "the excess of liberty happily spread over England would degenerate into an excess of licentiousness in Canada." North may have identified the problem most bluntly when he remarked that although "the Roman Catholics may be honest, able, worthy, sensible men, with very [sound] notions of political liberty," there was "something in that religion" that made it imprudent for a Protestant country to allow them an assembly.[291] While many politicians were willing to acknowledge that establishing a purely Protestant assembly with a Protestant electorate was impractical and unjust based upon the ratio of Protestants to Catholics in the colony, the idea of establishing an assembly with a Catholic majority was out of the question.

Despite the objections of people who conceived of the empire as a homogenous unit, the act's supporters could appeal to both specific legal precedents and the nature of common law itself to defend the establishment of differing forms of government for the empire. England's ongoing co-existence with Scotland, which retained its own laws and religious establishment despite the union, demonstrated that Great Britain itself did not adhere to a uniform legal and ecclesiastical system. Notably, several of the act's supporters, like Wedderburn and Mansfield, were Scottish. Furthermore, British commentators venerated the common law both because they regarded it as the product of tradition and experience and because they saw it as the safeguard of their property and liberty. The act's supporters could appeal to this sense by observing that the Canadians regarded their law in the same light. During the debates on the Quebec Bill, Edward

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103. *Thoughts on the act*, 14.

Thurlowe, the Attorney General, argued that it would be "cruel" to force British property law and jury trials on the Canadians, saying "There is not a circumstance dearer to a man, nor one which he ought to be more jealous of, than to be tried in all points by laws to which he has been used, and whose principles are known to him."[292] Lord Clare took a similar view, arguing "it would be tyranny to force them against their opinion to that which we are certain in time must be best for them…. I can't conceive how any man can think it best, that his property is to be tried by a law he don't [sic] understand."[293] Some Canadians drew on this idea in a petition to the king in 1774, suggesting that by restoring their "ancient laws, privileges, and customs," the king would be giving them "in common with your other subjects, the rights and privileges of citizens of England." In effect, they argued for their traditional French rights on the basis of their new English rights.[294] Finally, the court case *Campbell v. Hall*, which Lord Chief Justice Mansfield was presiding over during the Quebec Act debates, produced the legal opinion that "[the] laws of a conquered country continue in force until they are altered by the conqueror," but that once they had been established by the Proclamation of 1763, they could only be overridden by an act of Parliament.[295] As a result, this case both set a legal precedent for diverse forms of imperial administration, while also empowering Parliament to adjust the colonies' laws unilaterally.

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104. Simmons and Thomas, *Proceedings and Debates*, vol. 5 (1774),163.

105. *Parliamentary History*, vol. 17 (1774), col. 1361.

106. Simmons and Thomas, *Proceedings and Debates*, vol. 5 (1774), 118.

107. "Petition of French Subjects," in Shortt and Doughty, *Documents*, 356.

108. "Lord Mansfield's Judgment in Campbell v. Hall, 1774," in Shortt and Doughty, *Documents*, 369-372.

For the Quebec Act's opponents, however, French law and customs were thoroughly incompatible with the Constitution of the British empire. Although the provisions of the Quebec Act were based upon the notion that Canada's particular demographic and cultural conditions made it practical to treat Canada as a distinct entity, the bill's objectors rejected the idea of Canada's colonial distinctiveness. For those who envisioned the empire as a homogenous, British unit, the only correct way to handle Quebec was to Anglicize its people and its government. Conversely, for the British government to give Quebec a government modeled on that of a French colony, even if it had once been the French colony in question, could only indicate that the king and his ministers planned to spread Quebec's modified French government to the rest of the empire.

The refusal of some Britons to accept the idea of a politically and culturally heterogeneous empire went together readily with a popular willingness to believe in conspiracies. Although the British government's policies for its colonies were often shaped by local circumstances and suffered frequent modification by the colonial officials appointed to implement them, a vocal population of Protestants from Britain, Ireland, and North America believed that the government's policies were symptomatic of a broad, possibly international, conspiracy to deprive them of their rights as British subjects. For these Protestants, any concession the government made to Catholics confirmed that the king and his ministers were preparing to turn back the gains of the Glorious Revolution and force tyranny and popery on the empire.[296] According to this

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109. For anti-catholicism in revolutionary America, see Francis Cogliano, *No King, No Popery: anti-Catholicism in Revolutionary New England* (Westport, Conn.: Greenwood Press, 1995); see also Carla Gardina Pestana, *Protestant Empire: Religion and the Making of the British Atlantic World* (Philadelphia: University of Pennsylvania Press, 2009). Pages 222-223 concern the Quebec Act.

mentality, the passage of the Quebec Act was a threatening development.[297] The bill was particularly seen as direct attack upon the lower thirteen American colonies. Although the North ministry had been preparing the Quebec Act since 1773, North did not have the time to present it for debate until June 1774, shortly after the passage of the Boston Port Bill and the Massachusetts Bay Act. Both of these measures were openly designed to punish the people of Boston for their defiance of imperial authority, particularly in regards to the Boston Tea Party of the previous year. The Boston Port Bill shut down Boston harbor, paralyzing trade, while the Massachusetts Bay Act abolished Massachusetts' general assembly, directed that smugglers be tried in British-controlled naval courts, and allowed British soldiers accused of murder in the Americas to be tried in Britain. Those who were sympathetic to the Americans were inclined to see the three bills as related. Furthermore, the Quebec Act also extended Canada into the Ohio Valley, geographically surrounding the older British colonies. The ministry had a couple of reasons for putting the American interior under the control of the Canadian administration. They needed to establish some sort of government for scattered settlements such as Detroit, which were still in a state of quasi-military rule, and they hoped that the Canadians would be more capable of maintaining good relations with the Native American tribes than the Americans had been.[298] For those who saw the Quebec

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110. See David Milobar, "Quebec Reform, the British Constitution and the Atlantic Empire, 1774-1775," *Parliamentary History: Parliament and the Atlantic Empire*, ed. Lawson (Edinburgh: Edinburgh University Press, 1995), 66. Milobar sees the debate over the Quebec Act as part of a struggle between the "constitutional periphery", composed primarily of British colonists, nonconformists, and adherents of Country ideology, and the "constitutional centre," composed of members of the British elite who supported the power of the king in Parliament.

111. Jack Sosin, *Whitehall and the Wilderness: The Middle West in British Colonial Policy, 1760-1775* (Lincoln: University of Nebraska Press, 1961), 241-242.

Act as part of a larger conspiracy, however, the extension of the colony could only be explained as an attempt to sneak despotism into the American colonies from behind.

Although the Quebec Act was not meant as a punitive measure, it did share a feature with the so-called Coercive Acts that went to the core of the imperial relationship: it reaffirmed the British Parliament's legal dominance in the empire. According to Jack Greene, the American colonists believed in a distinct imperial constitution, which recognized the supremacy of the king while also acknowledging the customary powers of individual colonies' representative assemblies.[299] Just as Quebec had received its first British civil government under the Proclamation of 1763, many of Britain's other colonies had derived their original governments from royal charters. With both the Massachusetts Bay Act and the Quebec Act, the British Parliament exercised its self-declared right to revoke the earlier royal government and impose another one in its place. While pamphleteers and MPs such as William Meredith described the shift from royal to parliamentary authority as one from tyranny to liberty, American colonists were disinclined to see things the same way.[300]

When the Quebec Act appeared in Parliament, it met with a relatively small and disunited opposition. Lawson has suggested that many MPs absented themselves from the debates in response to the "philosophical dilemma" presented by the bill. Furthermore, the Rockingham faction, which had considered adopting similar measures in regards to Quebec during their brief time in power between 1765 and 1766, put forth no organized

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112. Jack Greene, *Peripheries and Center: Constitutional Development in the Extended Polities of the British Empire and the United States, 1607-1788* (Athens: University of Georgia Press, 1986), 141.

113. For an example of an Englishman objecting to the idea of Parliamentary supremacy, see John Cartwright, *American Independence the Interest and Glory of Great Britain....* (London: H.S. Woodfall, 1774).

front against the act.[301] Those individuals who did speak against the act objected for a variety of reasons. Some adhered to Shelburne's earlier approach, suggesting that the best way to help the interests of the colony as a whole would be to make its political and legal institutions conform to those of England, while allowing Catholics to participate in them to some extent. Instead of focusing on the seigneurs, they emphasized the concerns of the British merchants and supported measures, such as trial by jury in civil cases, which would facilitate commerce. Proponents of this view tended to reject the stereotype of the submissive Frenchman, claiming that the French were reasonable enough to enjoy liberty and recognize the superiority of British institutions if given the chance. Notably, the one MP to suggest that Catholics should be able to sit in assemblies on the same terms as Protestants was Charles James Fox, who spent a considerable amount of his free time in Europe and had numerous friends there.[302] Like Fox, Edmund Burke advocated a tolerant approach to the Canadian Catholics, even suggesting that toleration ought to extend to Catholics in Britain.[303] When speaking before Parliament, he objected to granting Canadians indulgences at the expense of the "English subjects," but asserted that the Canadians would grow to value English laws once they learned that they were not "a string of religious and civil persecutions."[304] His main problem with the bill may have stemmed from his concern that the ministry was planning to grant Catholics some

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114. Lawson, *The Imperial Challenge*, 129-130.

115. Simmons and Thomas, *Proceedings and Debates*, vol. 5 (1774), 162; John Derry, *Charles James Fox* (London: B.T. Batsford, 1972), 17-18

116. Lawson, *The Imperial Challenge,* 142.

117. *Parliamentary History*, vol. 17 (1774), col. 1398.

religious liberties in order to better use them to oppress the colonists of the lower thirteen colonies; he voiced the same concern in 1777 in regard to Catholic relief in Ireland.[305]

The most vehement opponents of the Quebec Act in Parliament were those attached to the aging Lord Chatham, who, under the name William Pitt the Elder, had reaped much of the credit for Britain's spectacular success during the Seven Years War. While Chatham had lost some of his popular appeal since accepting his title, his views and the memories of imperial glory that he inspired continued to resonate in the radical press.[306] Chatham and his admirers saw the empire as a unit, throughout which British subjects should enjoy the same institutions and laws. Unlike his former ally Shelburne, Chatham made no allowances for Catholics in his conception of the empire. Chatham argued that the laws of supremacy passed since the time of Henry VIII were all fundamental to the British Constitution and that "all establishments by law are to be Protestant." With his lamentation that the bill "might shake the affections and confidence of his Majesty's Protestant subjects in England and Ireland; and finally lose the hearts of all his Majesty's American subjects," he invoked the idea of Protestant unity throughout the empire, while disregarding the concerns of the Catholics altogether. [307]

Although most of them were not as strident as Chatham, opponents of the Quebec Act often fueled the concerns of the more radical sections of the press by engaging in the language of conspiracy. For instance, during Maseres' appearance before the House of Commons, the opposition MP John Dunning inquired if Canadian law would give the

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118. Edmund Burke to Charles James Fox, 8 October 1777, in *The Correspondence of Edmund Burke*, vol. 3, ed. George Guttridge (Chicago: University of Chicago Press, 1961), 131.

119. See Marie Peters, *Pitt and Popularity: The Patriot Minister and London Opinion during the Seven Years' War* (Oxford: Oxford University Press, 1980).

120. *Parliamentary History*, vol. 17 (1774), col. 1403.

governor of Canada the ability to issue *lettres de cachet*.[308] For the British, the king of

France's ability to use *lettres de cachet* to imprison people without explanation was one

of the foremost evils of French absolutism. Questions about the use of such letters played

into the idea that the Quebec Act might allow George III the despotic powers of a French

king, and Dunning continued to bring up the matter of the letters in subsequent debates.

Likewise, the MP William Burke suggested that George III would use Canadian armies to

attack his own people, asking "May not the officers of Canada be ordered here? It is the

power of the Crown to have an army of Roman Catholics here[.]"[309]

Newspapers, pamphlets, and cartoons carried on the debate outside of Parliament as

well. As Philip Lawson observes, at least half of the tracts printed on the Quebec Act

were in favor of the measure, indicating a new sense of toleration towards Catholics.[310]

There were two bursts of journalistic activity on the Quebec Act. In addition to the initial

response to the passage of the act itself, agitators released another wave of pamphlets in

1775 as part of their attempt to get the act repealed. Acting against a backdrop of

increased tension with the colonies, those campaigning for repeal made a greater effort to

appeal to the masses than they had when the act went through Parliament the first time. In

addition to newspaper editorials and pamphlets, they printed numerous cartoons depicting

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121. Maseres replied that he did not think the governor could not issue his own letters, but that the king could prepare blank letters for him to use as he wished. With further prodding from Dunning, Maseres agreed that the Quebec Bill might make it lawful for the king to issue the letters. Although the Solicitor General proceeded to explain that the king could not issue *lettres de cachet* because he did not have legislative power, Maseres insisted that if a subject in Canada was imprisoned with an illegal *lettre de cachet*, he would have no means of appealing his incarceration. Simmons and Thomas, *Proceedings and Debates*, vol. 5 (1774), 33-35.

122. Simmons and Thomas, *Proceedings and Debates*, vol. 5 (1774), 135.

123. Lawson, "'Sapped by Corruption': British Governance of Quebec and the Breakdown of Anglo-American Relations on the Eve of Revolution," *Canadian Review of American Studies* 22, no. 3 (1991): 318-320; Lawson, "'The Irishman's Prize'; Views of Canada from the British Press, 1760-1774,"

the Quebec Act as part of a concentrated attack on the American colonies, and even published a short balled, "Timothy Tell-truth's horn book," which predicted that popery would soon be established in England.[311] These media frequently hit upon several common themes: the threat of popery and French invasion, the destruction of the American colonies, and the return of Jacobitism. Like their counterparts in Parliament, the act's opponents out of doors clung to the idea that the British empire should be joined by commerce and reserved their primary concerns for British merchants. While some of their publications disregarded the Canadians' interests altogether, those that mentioned them tended to assume that they could and should adapt to Protestantism and British institutions.

As was the case with the act's legal provisions, the act's religious provisions reflected the policy that Carleton had already been pursuing. Officially, Anglicanism remained the established religion of the colony and all Protestants were legally required to pay tithes to the Anglican Church. However, the act formalized a practice that Carleton had already been supporting by allowing the Catholic Church to extract its customary tithes and duties from the Catholic laity. The Crown retained its right to use any surplus duties and tithes to promote Protestantism, although no specific provisions were made to do so. Nevertheless, the British government failed to resolve the tension between allowing the Catholics to practice their religion and establishing George III as the supreme authority in the colony. The Quebec Act got around the conflict between royal and papal authority by declaring that while the Act of Supremacy applied to Canada and Canadians were subject

Historical Journal 28, no. 3 (1985), 593; both articles are reprinted in Lawson, *A Taste for Empire and Glory: Studies in British Overseas Expansion, 1660-1800* (Brookfield, VT: Ashgate, 1997).

124. "Timothy Tell-truth's horn book," [1775?], Cambridge University Library.

to it, Canadians could not be forced to take the oath included in it; instead, Canadians could take a non-denominational oath of loyalty.[312]

Although the British disagreed on the how the government should deal with the Catholic Church in Canada, the majority of those who spoke in Parliament or composed pamphlets on the subject claimed a willingness to tolerate Catholicism as far as seemed consistent with the security of the colony. However, while Anglicans prided themselves on their tolerance toward Protestant Dissenters, Catholic toleration posed particular difficulties because many British Protestants believed Catholicism to be an inherently intolerant religion, which allowed its adherents to break promises to non-believers with impunity. On the other hand, for some Protestants, the fact that Catholicism was intolerant was all the more reason that they should not be. During debate on the Quebec Act, Lord Lyttleton argued that Protestants had a religious duty to extend toleration to the Catholics because:

> the doctrinal principles of our holy religion, drawn from that pure and excellent source the Gospel of our Saviour, breathed forth a spirit of moderation, candour, and universal toleration to all religions that were not incompatible with the precepts of morality, and the general welfare and happiness of mankind.[313]

However, supporting toleration did not mean that Protestants wanted Catholicism to survive indefinitely; even among British Protestants who considered themselves tolerant, it was typical to denounce Catholicism as a superstitious, irrational religion.[314] Murray,

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125. Reginald Coupland, *The Quebec Act: A Study in Statesmanship* (Oxford: Clarendon Press, 1925), 211-212.

126. *Parliamentary History*, vol. 17 (1774), col. 1404.

127. See Lawson, "'The Irishman's Prize'"; Colley, *Britons*; for a contemporary example, see *Thoughts on the act for making more effectual provision for the government of the province of Quebec* (London, printed for T. Beckett, 1774), 23-25.

who had developed a regard for the Canadians' well-being, attributed their love of their religion to ignorance and suggested hopefully that they would grow more independent of their priests as they became more "enlightened."[315] He was not alone in the idea; supporters of Catholic relief frequently claimed that tolerance would actually weaken Catholicism by exposing Catholic laymen to the society of Protestants. Protestant ideals aside, toleration was primarily a means to an end; it would be easier to control the Catholics if the British government regulated their church. As Wedderburn said during the Quebec Act debates, "Which is the most politic? That the priests should be bred in the country [legally]; or that Franciscans, or Dominicans should go over, and you of necessity be obliged to connive at them?"[316]

The Quebec Bill's supporters were divided over whether to make the bill less alarming by downplaying the liberty it granted to the Catholic Church. During the debates on the act, North reassured the House several times that the bill did not threaten the King's supremacy. He emphasized that Briand was subject to the King's authority, stating "With regard to the Bishop, it is my opinion [that] in law if a Roman Catholic [he is] professedly subject to the King's supremacy [by the Act of Queen Elizabeth]."[317] In a later debate, he claimed that the bill only fulfilled the requirements of the treaty in allowing Canadians to practice their religion and denied that the Bishop of Canada "will be there under papal authority." This argument failed to satisfy Dunning, who quickly challenged North by asking where the bishop derived his authority from and observing that he had been consecrated in France. Wedderburn agreed with North that Catholic

128. Murray to Shelburne, "State of the Province," 30 August 1766. Shelburne Papers, Vol. 64, WCL.

129. Simmons and Thomas, *Proceedings and Debates*, vol. 4 (1774), 468.

clergy "can derive no authority from the See of Rome, without directly offending against this act" and argued that the bill only allowed the Catholics toleration.[318] However, some pro-Quebec Act pamphleteers argued that the government was establishing the Catholic Church in Canada, and that it was an appropriate policy to do so. Sir William Meredith defended the Canadians' right to enjoy Catholicism as the established religion of the colony, asserting that "[the] best distinction I know between establishment and toleration is, that the greater number has a right to the one, and the less to the other."[319] John Lind took a more strident tone, writing:

> let us speak out, let us boldly acknowledge the truth:-- the act *has established* the religion of Rome at Quebec. Why torture ourselves to explain away a truth that is so clear? or why hesitate to acknowledge a fact, that needs no apology? If there be any force in treaties; if any faith is due to them; if they can convey a right; the Canadians [have] a *right* to this establishment.[320]

As it turned out, North and his ministry planned to handle the Catholic Church of Canada in a much more restrictive manner than the Quebec Act suggested. When Carleton left to return to Canada, the ministry sent a list of instructions along with him that would have severely undermined the Catholic Church in Canada if they had been implemented successfully. The first instruction would have forbid the Catholics from communicating with the pope and the rest of the international Catholic community. It banned appeals and correspondence with "any foreign ecclesiastical jurisdiction... under

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130. Simmons and Thomas, *Proceedings and Debates*, vol. 5 (1774), 131.

131. Simmons and Thomas, *Proceedings and Debates*, vol. 4 (1774), 447, 451, 468.

132. Sir William Meredith, *A Letter to the Earl of Chatham, on the Quebec Bill* (London, 1774), 24. Eighteenth Century Collections On-line; about a month before, Meredith had also presented the House of Commons with a motion to relieve Anglican clergymen from the requirement of swearing their belief in the thirty-nine articles. *Parliamentary History*, vol. 17 (1774), 1325.

very severe penalties." The third instruction, which demanded that only Canadians be allowed to fill Catholic ecclesiastical benefices, would have forced Briand to resign his position, because he was French by birth. Other instructions attacked features of Catholicism that set it apart from Anglicanism by allowing priests to marry and requiring that Catholics and Protestants be buried in the same cemeteries. At the same time, the instructions required Carleton to try to encourage Anglicanism at the expense of other forms of Protestantism by paying stipends to Anglican ministers and school teachers and requiring that all incoming school teachers be approved by the bishop of London. [321] As he and Murray had done in the past, Carleton decided to follow his own judgment rather than his instructions. He allowed the Catholics to continue as they had, explaining to Briand that the oath of supremacy was only included in the act for political reasons and that the Catholics would not have to swear it.[322] With the Americans becoming increasingly belligerent, Carleton tried to avoid doing anything that might give the Canadians unnecessary offence.

Since the British gained control of Canada, the principle behind their governing policies had been to ensure the security of the colony. The British government hoped that the concessions they had allowed the Canadians would make them loyal subjects and, ideally, willing soldiers. Despite the fears of the act's opponents, the government

133. John Lind, *Remarks on the principal acts of the thirteenth Parliament of Great Britain*, vol. 1 (London, 1775), 453. *Eighteenth Century Collections On-line.*

134. "Instructions to Governor Carleton, 1775," Shortt and Doughty, *Documents*, 425-426.

135. According to Briand, Carleton told him: "The King will not make use of his power in this regard; he agrees and even maintains that the Pope is your leader in the faith. But the bill would not have passed if this word had been omitted. No one has any intention of managing your religion, and our King will interfere in religious affairs less than the King of France did. You see from the oath that you are not asked to recognize his supremacy. Listen to him, and believe what you will." Quoted in Gustave Lanctot, *Canada and the American Revolution* (London: Harrap, 1967), 18.

primarily wanted the Canadians to remain in their own colony and defend it in order to free up regular British troops for service elsewhere. The real test of the Quebec Act, and all earlier British policies in Canada, came with the American Revolution. Before the fighting broke out, Carleton reassured his masters in London that the Canadians were not only willing to fight for Britain, but that they positively desired the opportunity to form their own regiment. In his confidence, he promised to raise two battalions, each containing 3,000 men. When the war actually came, however, the Canadians disappointed Carleton's expectations. Carleton had succeeded in winning over the support of the Catholic Church and many of the seigneurs, but they proved unable to convince many of the habitants to support the war effort.[323] By 1775, Carleton was lamenting that they had "lost much of their Influence over the People."[324]

When Benedict Arnold and Richard Montgomery led an invading American force into Quebec in 1775, the vast majority of the population made little attempt to repel them. While the seigneurs and the clergy cooperated with the British by trying to convince the habitants to rise in defense of the province, the *habitants* generally rejected their entreaties. The Canadians' reluctance to join their seigneurs against the Americans can be attributed to several factors. The seigneurs had not traditionally possessed as much influence in Canadian society as Carleton believed they had. Rather than shoring up the social hierarchy, Carleton's policies exacerbated class tensions by artificially empowering the seigneurs at the expense of the *habitants*.[325] Likewise, Canadians were

136. Coates, "French Canadians' Ambivalence," 186.

137. Carleton to Dartmouth, 7 June 1775, Reel H-992, Dartmouth Papers, Vol. 1, L & A Canada; Neatby, *Quebec*, 142, 146-147.

138. William Hey to Dartmouth, 20 July 1775, Dartmouth Papers, L & A Canada; Neatby, *Quebec*, 103.

not as obedient to their clergy as they had been supposed to be, particularly when their clergy urged them to involve themselves in English conflicts. According to a report written after the Americans withdrew, one Canadian had responded to his priest's call for obedience by asking "What business is he meddling in, talking like an Englishman?"[326]

Canadians had always been more independent than their French counterparts, and their exposure to American propaganda may have heightened this tendency.[327] Possibly most importantly, however, the British failed to convince most Canadians that they had enough of a stake in preserving British rule to justify their fighting the Americans and thus risking the security of their property.[328] Regardless of the Canadians' response, however, the British government's experiences governing Canada set a precedent of granting concessions to Catholics and other imperial populations in exchange for obedience or at least security.

Quebec and Ireland

As was discussed in the previous section, those who objected to the Quebec Act primarily did so because they feared that the act's effects would not be limited to Canada alone. Although the North ministry had no intention of abolishing British law and Protestantism throughout the empire, as some radicals claimed, the British tendency to build laws based on past precedents meant that the Quebec Act had the potential to

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139. Michael Gabriel, ed. and S. Pascale Vergereau-Dewey, trans., *Quebec During the American Invasion, 1775-1776: The Journal of Francois Baby, Gabriel Taschereau, & Jenkin Williams* (East Lansing: Michigan State University Press, 2007), 57.

140. See Lanctot, *Canada and the American Revolution*.

influence future policies. In recent years, several historians have raised the question of whether the Quebec Act was related to the Catholic Relief Acts passed for England and Ireland later in the decade. Lawson suggests that Shelburne's idea of Catholicism as a manageable political problem might be seen as influencing both the Quebec Act and later policies towards Catholics in the British Isles. Likewise, Thomas Bartlett points to the Quebec Act as evidence of a changing mentality amongst the governing elite that made Catholic relief possible in Ireland.   The only study to explore the possibility of a connection in any depth is Karen Stanbridge's, *Toleration and state institutions: British policy toward Catholics in eighteenth-century Ireland and Quebec.* Taking a sociological approach, Stanbridge argues that both acts became possible due to institutional changes. The power to make decisions concerning Ireland and Quebec shifted away from the Board of Trade, which was disposed to consult with merchants and colonial agents, and towards the central government, which was more disposed to act without colonial approval. After the Quebec Act set a pattern of granting concessions to Catholics in exchange for their loyalty, members of government had an easier time considering to do it again in the case of Ireland.[329] As all of these views suggest, the Quebec Act only indirectly affected governmental policy towards Catholics in the British Isles. Nevertheless, the repeated references to Ireland that arose during the Quebec Act debates demonstrated that politicians and political commentators thought the state of Ireland had

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141. Charles Hanson, "From the Quebec Act to the French Alliance: The Catholic Question in Revolutionary New England," (PhD. diss., University of California, Berkeley, 1993); Henry Caldwell to Isaac Barre, 19 September 1775, Dartmouth Papers, L & A Canada.

142. Lawson, *The Imperial Challenge,* 47; Thomas Bartlett, *The Fall and Rise of the Irish Nation: The Catholic Question 1690-1830* (Savage, MD: Barnes & Noble Books, 1992), 81; Karen Stanbridge, *Toleration and state institutions: British policy toward Catholics in eighteenth-century Ireland and Quebec* (New York: Lexington Books, 2003), passim.

some bearing on the issues at hand. By raising Ireland as a topic of discussion, they encouraged legislators and the public to consider the state of the Irish Catholics.

In 1774, Quebec and Ireland had two key constitutional differences. First, whereas British Protestants occupied a tenuous position in Quebec, members of the established church dominated Ireland by monopolizing the country's political and legal institutions and controlling of the bulk of the landed property. Second, although the British Parliament had granted itself the legal right to legislate for Ireland as it did for Britain's North American colonies, in practice Irish legislation had to get through the Irish Parliament before becoming law. Although only a small fraction of the Irish population enjoyed the celebrated liberties that British institutions were supposed to guarantee, British institutions had taken hold in Ireland. For this reason, many of the policies in the Quebec Act, and the motivations behind them, were not directly applicable to Ireland. Nevertheless, Quebec provided an occasion to reflect on the nature of Irish government.

Previous to the Quebec Act, it is unclear how much of an impact the example of Ireland had upon policy-making in Canada. Although the government did not set out with the express intention of correcting for the difficulties of Ireland in Quebec, the ease of tensions between the British government and Irish Catholics probably made ministers more willing to be tolerant in their handling of Quebec. As was discussed in the first chapter, since mid-century, members of the British government had shown an increased willingness to consider accepting the Irish Catholic elite's protestations of loyalty. In the same year the Quebec Act was passed, the British government instituted a new oath of allegiance that Irish Catholics could take without denying their religion. Many of the people involved in governing Quebec had ties to Ireland. Carleton and Shelburne were

both born into Ireland's Anglican elite, as was Shelburne's secretary, Maurice Morgann, who shared his employer's notion that Catholics did not need to be barred from representative assemblies.[330]

In the debates surrounding the Quebec Act, both supporters and opponents of the act alluded to Ireland in order to justify their views. The MP Serjeant John Glynn and the anonymous author of *A Letter to Sir William Meredith, Bart.* both pointed to Ireland as a conquered country in which the English had successfully established their laws and legal systems, indicating that they could do so in Canada as well. They focused on the Protestant part of the Irish population. Glynn, a radical politician who had served as John Wilkes' legal council, completely disregarded the penal laws against the Irish Catholics when he claimed that they "are indebted [to their conquerors] for all the happiness they enjoy." The anonymous author showed his preferences more directly, suggesting that Meredith's statement that the majority had a right to the establishment of its religion was "thrown out to prepare us for a similar bill, in order to *quiet* the minds of his majesty's protestant subjects in Ireland."[331] Frances Maseres took a different approach in his unsigned pamphlet *An Account of the Proceedings of the British, And other Protestant Inhabitants, of the Province of Quebeck, In North-America, In order to obtain a House of Assembly, in that Province.* Instead of glossing over the position of Catholics in Ireland, Maseres pointed to the disparity between the legal position of the Canadian Catholics and

143. Maurice Morgann, "An Account of the State of Canada from the conquest to May 1766," Shelburne Papers, Vol. 64; Morgann's plans for the Canadians were part of a wider scheme to unite the peoples of the British empire. According to Christopher Brown, Morgann "pictured an empire defined by neither ethnicity nor religion—in fact, by nothing more than allegiance." Christopher Brown, "Empire without Slaves: British Concepts of Emancipation in the Age of the American Revolution," *William and Mary Quarterly* 56 (April 1999): 181.

their counterparts in the British Isles in order to dismiss Canadian petitioners' complaints about not being allowed to hold positions of trust in the government. He rebutted the petitioners' claim that their exclusion was tantamount to enslavement with the provocative comment that, if that were the case, all of the Catholics and Dissenters who lived in other parts of the empire were "absolute slave[s]."[332] Unsurprisingly, those who mentioned Ireland in support of the bill were less sanguine about the state of the Irish Catholics. For instance, Lord Clare, who was born a Catholic and eventually returned to the faith, argued that the Catholic priests of Canada should be allowed some provision in order to keep them from becoming like the Catholic priesthood in Ireland, which was entirely composed of uneducated men from the lower classes.[333] William Knox addressed the topic of Ireland in his pamphlet *The justice and policy of the late act of Parliament, for making more effectual provision for the government of the province of Quebec, asserted and proved*. Listing off the penal laws then in force in Ireland, which included such things as forbidding Catholics "to cut their victuals with knives exceeding a certain length in the blade," Knox observed that, according to the Irish Protestants themselves, these laws had failed to render the Irish Catholics harmless even after being in force for eighty years. Knox concluded that the government would have more success in governing Canada if it tried leniency.[334] By referring to the Irish Catholics, Knox and Clare drew

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144. Simmons and Thomas, *Proceedings and Debates*, vol. 4 (1774), 462; *A Letter to Sir William Meredith, Bart. in answer to his late letter to the Earl of Chatham* (London: 1774), 25, 49. *Eighteenth Century Collections On-line.*

145. Frances Maseres, *An Account of the Proceedings of the British, And other Protestant Inhabitants, of the Province of Quebeck, In North-America, In order to obtain a House of Assembly, in that Province* (London, 1775), 136-137.

146. Simmons and Thomas, *Proceedings and Debate*, vol. 5 (1774), 119.

attention to some of the ways that British law harmed Catholic subjects. They demonstrated that British law did not necessarily guarantee liberty for British subjects.

As was the case in Britain, a segment of the Irish press which was strongly opposed to the Quebec Act. However, while Ireland and Quebec both had large Catholic populations and had to confront similar questions regarding how to govern them, Irish newspapers seem not to have drawn any particular comparison between the two colonies. Instead, they discussed the Quebec Act in the same terms that writers in Britain did by either defending it as a practical and just solution to the problem of ruling a large foreign population, or by attacking it as part of the government's wider conspiracy to institute tyranny and popery. This may have been because newspapers frequently reprinted letters and articles that they received from London. The Canadians received a sympathetic hearing in the *Belfast News-Letter*, which printed columns presenting both sides of the Quebec issue. One letter they printed argued, "[in] the present case, the Question is not what we think a blessing, but what the Canadians think so, which should be adopted."[335] The stridently Protestant *Public Register*, a radical newspaper from Dublin, took a different view, lamenting:

> [Is] not the parliament now about to pass a bill which establishes popery and arbitrary power in the vastly extended province of Quebec, and by which all Englishmen settled therein will be robbed of their rights and freedom? Of all the bills which this corrupt parliament hath passed, this is the most odious and tyrannical. It is nothing less than *high treason against the constitution of this kingdom.* The parliament hath no more a rightful power to pass such a bill into a law, than it hath to send the soldiery to murder us all.[336]

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147. William Knox, *The justice and policy of the late act of Parliament, for making more effectual provision for the government of the province of Quebec, asserted and proved* (London: 1774), 22-23. *Eighteenth Century Collections On-line.*

148. *Belfast News-Letter*, 1-5 July 1774. This letter came from London.

149. *The Public Register, or the Freeman's Journal*, (Dublin), 18-21 June 1774.

As was the case with its British counterparts, *The Public Register* never addressed the concerns of the Canadians or acknowledged the possibility that Catholics could be allowed any liberty that might theoretically allow them to endanger Protestants' liberty in any way whatsoever. However, the journalist's assertion that the government had as much legal right to pass the act as it did to murder his (presumably) Protestant readership would have had particular significance in Ireland, where the Protestant Ascendancy was ultimately reliant upon the British military to preserve it from a Catholic uprising.

Although they only occasionally made reference to Canada in their written work, Irish Catholics did not miss the precedent set forth in the Quebec Act. Employing the act's opponents' arguments about the need for imperial uniformity, they noted the inconsistency of allowing Catholics civil and religious freedoms in one section of the empire while withholding it from them elsewhere. Two of the founding members of the original Irish Catholic Committee, Charles O'Conor and John Curry, even discussed the possibility that Irish Catholics would move to Canada in order to escape the penal laws.[337] Curry suggested it in the introduction to his book, *An historical and critical review of the civil wars in Ireland*, with the comment that the British empire would reap the benefits from the Catholics' industry in Canada, although Ireland would lose out. More practically, he pointed out that if Catholics' belief in the pope's spiritual supremacy did not prevent them from being treated as "good subjects" in Canada and Hanover, there was no reason why it should do so in England and Ireland.[338] The publisher of the 1774

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150. On at least two occasions, O'Conor suggested to Curry that the Irish Catholics would have to relocate to Canada; he may have been speaking rhetorically. Charles O'Conor to Dr. John Curry, 27 August 1774, and O'Conor to Curry, 26 October 1775, in *Letters of Charles O'Conor of Belanagare: A Catholic Voice in Eighteenth-Century Ireland*, ed. Robert Ward, John Wrynn, & Catherine Coogan Ward (Washington, DC: The Catholic University of America Press, 1988), 313, 330.

edition of James Ussher's pamphlet *A free examination of the common methods employed to prevent the growth of popery* made the same point.[339] O'Conor and Curry's comments were motivated in part by their own experiences with the 1774 oath of allegiance for Irish Catholics. While the oath of allegiance authorized by the Quebec Act merely required the Canadians to swear their faith to George III and, as far as possible, to defend him and his family from all attempts against them and their rule, the Irish oath required them to make additional refutations. They were to declare that they did not believe that their religion allowed them to murder heretics or depose excommunicated princes, that they did not think the pope or any foreign power had, or ought to have, temporal power in the realm, and that they did not recognize any power that could excuse them from the oath after they had taken it.[340] O'Conor in particular found the 1774 oath insulting, claiming, among other things, that directly refuting the idea that Catholics could murder heretics might give Protestants ground to suspect that the idea had some basis in Catholic doctrine. The strictness of the Irish oath as opposed to the Canadian oath demonstrated the continuing suspicion Catholics endured in Ireland despite having provided less reason for it than their Canadian counterparts.

As Stanbridge and others have argued, the Quebec Act was not directly responsible for the creation of later Catholic relief legislation in the British Isles. However, the Quebec Act called attention to the position of Catholics throughout the empire while providing an example of a new way of governing them. By raising the question of

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151. John Curry, *An Historical and Critical Review of the Civil Wars in Ireland, from the Reign of Queen Elizabeth, to the Settlement under King William* (Dublin: Printed by J. Hoey, 1775), iv-v, xvi.

152. James Ussher, *A Free Examination of the Common Methods Employed to Prevent the Growth of Popery* (Dublin, 1774), 164, 169.

whether Ireland was an unfortunate, poverty-stricken place or a well governed part of the British Isles, the Quebec Act probably helped prepare the British public to reconsider the penal laws against the Irish Catholics while reminding the Catholics themselves that the British government might be more sympathetic to them than that of Ireland.

Conclusion

As the *habitants'* lukewarm reaction to the invasion of the Americans in 1775 demonstrated, the British government had failed to gain their active allegiance in the years since the conquest. Instead, Murray and Carleton's efforts, most notably including the Quebec Act, had been aimed at winning over the seigneurs and the Catholic clergy in the hopes that they would control the rest of the population. As far as these groups were concerned, these efforts were relatively successful. Those whose fortunes were dependent on Canadian estates or involvement in the fur trade found it to their advantage to put up with the British government despite their own attachments to France. This attitude was reinforced by Briand's stance that the Canadians had to obey the rulers God put over them. Carleton's attempts to reach out to Canadian military men also met with some success. Some of the British government's most notable Canadian supporters, such as the merchant Francois Baby, had fought to keep the colony French during the Seven Years War. [341] Nevertheless, the British were fortunate that the French never attempted to retake Canada during the American Revolution.

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153. Patrick Fagan, *Divided Loyalties: The Question of an Oath for Irish Catholics in the Eighteenth Century* (Dublin: Four Courts Press, 1997), 143, 56fn.

154. Gabriel, ed., *Quebec During the American Invasion*, xli-xlii.

In order to maintain its control of Quebec, the British government had to grant concessions to Catholics in Canada that it had never granted to Catholics within the British Isles. While North and others intended for the colony to eventually come to resemble a standard British settler colony, they recognized that the only way to keep the colony secure would be to satisfy some of the Canadians' basic concerns, such as their right to their religion and their control of their property, by allowing the colony to remain politically and culturally distinct. Despite the objections of those who saw the Quebec Act and other policies as part of a concentrated attack on the British Constitution, the British government pursued the policies it did for pragmatic reasons. The local governors, Murray and Carleton, ultimately played the key role in determining what policies the British actually followed in Canada by choosing which policies they would implement.

In its efforts to govern Quebec, the British government made numerous compromises on matters that many British Protestants saw as fundamental to the British Constitution. The government facilitated the survival of the Canadian Catholic Church by allowing it to have a bishop and collect tithes from its members. The British government also decided that the penal laws did not apply to the colonies, making it theoretically possible for Catholics to assume near equality with Protestants. At the same time, however, British authorities retained some of their historical suspicions of Catholicism and foreign powers. Ministers like North still could not trust Catholics with a representative assembly. Nevertheless, the Quebec Act established the precedent that subjects who were not historically British had a right to some aspects of their traditional culture, provided that they made up a large enough portion of the population.

Throughout the period between the Seven Years War and the end of the American Revolution, there were numerous points at which traditional concepts of empire where challenged and broken. The development and passage of the Quebec Act was one of these points. The Quebec Act demonstrated that the ideal of the British empire as a culturally homogenous, Protestant unit was untenable, while also reinforcing the metropolitan government's legal authority over its colonial dominions. While the Quebec Act set a precedent for imperial diversity, the loss of Britain's older North American colonies led the inhabitants of the British Isles to adopt a more insular view of national belonging. After the American Revolution, the British empire no longer appeared to be the stronghold of Protestant liberty that its Protestant inhabitants often imagined it was. Instead, the British would have to develop a new sense of union amongst themselves, and, for some people, this union would include Catholics.

CHAPTER III

CATHOLIC RELIEF AND LOYALTY IN THE TIME OF THE FRENCH

REVOLUTION

In June 1791, the Prime Minister, William Pitt the Younger, received a letter from William Fermor of the English Catholic Committee thanking him for aiding in the passage of a new Catholic Relief Act for England. While the English Catholic Relief Act of 1778 had removed some penalties on Catholics' worship and real estate transactions, laws attacking their livelihoods and their clergymen remained on the books. The idea that Britain was a land of liberty had made the remaining laws more galling for those affected by them. Only a year before the second act passed, Fermor, a member of a long-standing Catholic gentry family, had told William Grenville, the Foreign Secretary, that Catholics were "nonentities in this free country."[342] The new act exempted Catholics from attendance at Anglican services, abolished all penalties on hearing and saying mass or performing other Catholic rites, removed restrictions on Catholics' wills and deeds, and enabled Catholics to become lawyers, attorneys, and other low level legal officials.[343] In doing so, it completed the decriminalization of Catholicism that had begun just over a decade before and allowed Catholics to be subjects in good standing. In his letter, Fermor reflected on the measure, remarking:

> I flatter myself that an addition of at least 60 thousands citizens, who
> are now attached from Principle to the Constitution as by Law

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1. William Fermor to William Grenville, 12 March 1790, Add. 59264, Dropmore Papers, BL.

2. *The statutes at large, from the thirtieth year of the reign of King George the Third, to the thirty-fourth year of the reign of King George the Third, inclusive*, vol. 14 (London: 1789-1800), 129-134.

established... must give a proportional degree of Strength & energy to that Constitution; [which] in the present fanatical disposition of Europe, appears to stand in need of the Support of every individual who is sensible of its value, & can look up to it for its protection.[344]

At the time Fermor was writing, British society was in a transitional period. While the centenary of the Glorious Revolution and the early events of the French Revolution had inspired a widespread sense of optimism about the state of Britain and the possibility of reform, this optimism would soon give way to fears of domestic radicalism and the resumption of war. To varying degrees, the Catholics of the British Isles would become a factor in both the emerging political controversy and the war itself. The coexistence of both reforming and conservative desires benefited politically connected Catholics. Fermor's assertion that the Catholic Relief Act attached the English Catholics to the Constitution in order to better support it is indicative of the Pitt ministry's willingness to modify some features of the British Constitution in order to preserve it.

This chapter addresses the position of Catholics in the British Isles between the beginning of the campaign for the Second Catholic Relief Act in England and the fall of Fitzwilliam's ministry in Ireland. As long as the British Isles were ruled by a monarch, Catholics were subjects, but during this period they moved towards becoming citizens as well. The first section explores the passage of the English Catholic Relief Act of 1791 and the Scottish Catholic Relief Act of 1793. The passage of the English act was characterized by controversy within the Catholic community over the nature of the Catholic Church and the duties of Catholics under the British government. Although the Cisalpine Catholics tried to appeal to the government by emphasizing their Englishness and minimizing the authority of the pope, orthodox Catholics won the support of

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3. William Fermor to William Pitt. June 19, 1791, Add. 6958/963, Pitt Papers, CUL.

prominent conservative allies, who saw them as defending hierarchy. The abuses orthodox Catholics faced in revolutionary France helped win them additional sympathy from many British Protestants. The English and Scottish Catholic Relief Acts gave British Catholics a more secure place in society. Nevertheless, the British government also reiterated British Catholics' inferior social role by refusing them direct political power. The experience of the Irish Catholics, discussed in the second section, was notably different. Facing war with France, the British government forced the Irish Parliament to pass two Catholic Relief Acts in the hopes that they would convince the Catholic elite to remain loyal and encourage their inferiors to enlist. These concessions granted Catholics some of the attributes of citizenship, such as allowing them to hold low ranking officers' commissions and to vote if they met the property requirement. In so doing, the acts contributed to the erosion of the legal basis of Anglo-Irish rule and threatened to transform Ireland's colonial status. The third section explores how Catholics responded to the outbreak of war. The Catholic bishops assumed a loyalist position, encouraging their flocks to support the war effort and resist radicals and revolutionaries. Meanwhile, British and Irish Catholics engaged in military service for a variety of reasons, including loyalty, personal reward, and coercion. By fighting in the military or otherwise participating in the national defense, Catholics contributed to the protection of the British state. Furthermore, they established a record of military service, which they referred to when arguing for greater rights.

The early 1790s represented a high point in relations between Catholics and the British government. Historians since Lecky have seen the Catholic relief acts of the early 1790s as evidence of an increased spirit of religious toleration among the educated

public.[345] The existence of widespread toleration played a significant part. The failure of the English Catholic Relief Act of 1791 and the Scottish Catholic Relief Act of 1793 to inspire public controversy in Britain outside of the Catholic community itself indicates a marked change in sentiment from the rioting and propaganda campaigns that similar acts had inspired just over a decade before.[346] Likewise, the 1791 Canada Constitution Bill, which allowed Canadian Catholics to vote and take seats in the assembly, did not provoke much public response. Furthermore, as the decade went on, the British government became increasingly invested in supporting and defending Catholicism in Britain and abroad. In addition to granting financial aid to French émigré priests, the British government endorsed the creation of Catholic seminaries within Britain and Ireland, began paying a stipend to Catholic priests in Scotland, and joined an informal alliance with the pope in order to protect Rome from the French in exchange for supplies.[347] Some of these developments, such as the decision to protect the pope, resulted directly from problems created by the French Revolutionary War. The war and the potential appeal of revolutionary ideas such as democracy and equality gave the British government incentive to grant Catholics concessions in order to reward or inspire loyalty. Furthermore, the need for men to enlist in the military or join in national defense

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4. William Lecky, *A History of England in the Eighteenth Century* (New York: D. Appleton, 1883-1890); see also Bernard Ward, *The Dawn of the Catholic Revival in England, 1781-1803* (London: Longmas, 1909); J. C. H. Aveling, *The Handle and the Axe: the Catholic Recusants in England from Reformation to Emancipation* (London: Blond and Briggs, 1976); Thomas Bartlett, *The Fall and Rise of the Irish Nation: The Catholic Question, 1690-1830* (Savage, MD: Barnes & Noble Books, 1992), 146.

5. In contrast to the widespread repeal campaign that the Protestant Association had launched against the original act, the majority of pamphlets concerning the second act were produced by and, ostensibly aimed at, the Catholics themselves. The 1793 Scottish Catholic Relief Act does not seem to have inspired any pamphlets at all.

6. On the alliance with the pope, see Hippisley to McPherson, 30 April 1794, BL 4/88/1, SCA; Hippisley to Geddes, 17 November 1794, BL 4/88/2, SCA.

efforts forced the British government to call for an unprecedented number of recruits, particularly in Ireland and the Scottish Highlands.[348]

Besides the immediate effects of the war, however, the increased friendliness that the government and British public displayed towards Catholics reflects a wider change in perceptions of the British Constitution. In the 1770s, the Protestant Association's anti-catholic propaganda had found a willing audience because the traditional fears of catholic despotism fit readily into contemporary beliefs that George III and his ministers were conspiring to destroy the British Constitution and establish an absolutist monarchy. In short, the government was rhetorically positioned as the enemy of liberty and the constitution that ensured it. The prevalence of these beliefs began to decline after the end of the American Revolution, when the idea of the king's prerogative made a resurgence under Pitt the Younger. Furthermore, the French Revolution posed a particular challenge to idea that the British Constitution was a unique embodiment of liberty. Pointing to such things as the revolutionaries' Declaration of the Rights of Man, British reformers like Richard Price saw France as having surpassed Britain in freedom and liberty. However, particularly as the Revolution turned increasingly violent, British conservatives argued that the restrictions individual Britons faced on their personal liberty were necessary safeguards to ensure that Britain did not degenerate into French-style anarchy. Facing the outbreak of war with revolutionary France and the spread of supposedly "French" ideas by British and Irish radicals, government-backed loyalist organizations such as John Reeves' Association for the Preservation of Liberty and Property against Republicans and Levellers attempted to seize the idea of the British Constitution for the Pitt ministry,

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7. See Linda Colley, *Britons: Forging the Nation, 1707-1837* (New Haven: Yale University Press, 1992); J. E. Cookson, *The British Armed Nation 1793-1815* (Oxford: Clarendon Press, 1997); Lawrence Stone, ed.

emphasizing the importance of monarchy and hierarchy in general. With loyalists claiming that executive power and social stability were under attack, people such as the Anglican bishop Samuel Horseley interpreted the Catholic Church's hierarchical structure and supposed sympathy for absolutist government as positive characteristics.[349] Furthermore, with the National Assembly's attempts to take control of the French clergy, confiscate church property, and persecute non-juring priests, the Catholic Church and religion itself seemed to be under attack.[350] At the same time, however, some political reformers, like the prominent Whig politician Charles James Fox, supported the repeal of anti-catholic restrictions on the grounds that the government should not attempt to dictate religion at all. Rather than turning to the Catholics as a potential support for the established church, Fox opposed the church as an enemy of toleration and desired a separation between church and state.[351]

At the same time that a growing fear of revolutionary ideology encouraged some Protestants to view Catholics with a sympathetic eye, the ideas embodied in that ideology sparked controversy about the nature of government and the British Constitution. The central question in this controversy was: who ought to have political power? According

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An Imperial State at War: Britain from 1689 to 1815 (London: Routledge, 1994).

8. Robert Hole, *Pulpits, Politics and Public Order in England, 1760-1832* (Cambridge: Cambridge University Press, 1989), 85; for a look at some of the effects of this development, see John Barrell, *The Spirit of Despotism: Invasions of Privacy in the 1790s* (Oxford: Oxford University Press, 2006).

9. For the situation in France, see Timothy Tackett, *Religion, Revolution, and Regional Culture in Eighteenth-Century France: The Ecclesiastical Oath of 1791* (Princeton: Princeton University Press, 1986); also Dale Van Kley, *The Religious Origins of the French Revolution: From Calvin to the Civil Constitution, 1560-1791* (New Haven: Yale University Press, 1996); for the Revolution's impact on Catholicism in Europe, see Dale Van Kley, "Catholic Conciliar Reform in an Age of Anti-Catholic Revolution: France, Italy, and the Netherlands, 1758-1801," in *Religion and Politics in Enlightenment Europe*, ed. James Bradley and Dale Van Kley (Notre Dame: University of Notre Dame Press, 2001).

10. Leslie Mitchell, *Charles James Fox* (Oxford: Oxford University Press, 2002), 241, 243-245.

to conservative elements, the ability to vote or sit in Parliament was properly restricted to a handful of wealthy property holders, who "virtually represented" everybody else.[352] Political power was not a right, but a trust that should be limited to those whose land and education both made them independent and gave them a stake in preserving the existing social order.[353] Under this logic, it was appropriate to exclude Dissenters and Catholics from political power, both because they could not be expected to preserve the dominance of the established church and because their position as subjects gave them no claim to power in the first place.[354] In practice, Dissenters enjoyed the ability to vote and sit in Parliament as long as the Indemnity Act was reissued every year.[355] The 1791 English Catholic Relief Act, the 1792 Irish Catholic Relief Act and the 1793 Scottish Catholic Relief Act were compatible with this viewpoint in a way that attempts to repeal the Test and Corporation Acts were not; these acts did not grant Catholics any direct political power. However, the premise that political power should be limited to a few propertied conformists came under renewed attack at the beginning of the decade. Thomas Paine

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11. Edmund Burke defined "virtual representation" as "that in which there is a communion of interests, and a sympathy in feelings and desires between those who act in the name of any description of people, and the people in whose name they act, though the trustees are not actually chosen by them." Burke, *A Letter from the Right Hon. Edmund Burke. M. P. in the kingdom of Great Britain, to Sir Hercules Langrishe....* (London, 1792), 69-70.

12. Burke, *Reflections on the Revolution in France* (London: 1790), 276-277; H. T. Dickinson, *Liberty and Property: Political Ideology in Eighteenth-Century Britain* (New York: Holmes and Meiers, 1977).

13. J. C. D. Clark, *English Society 1688-1832: Ideology, social structure and political practice during the ancien regime* (Cambridge: Cambridge University Press, 1986); for efforts to repeal the Test and Corporation Acts, see G. M. Ditchfield, "The Parliamentary Struggle over the Repeal of the Test and Corporation Acts, 1787-1790," *The English Historical Review* 89, no. 352 (July 1974): 551-577; see also Ditchfield, "The Scottish Campaign against the Test Act, 1790-1791," *The Historical Journal* 23, no. 1 (March 1980): 37-61 for the situation in Scotland; and I. R. McBride, "'When Ulster Joined Ireland': Anti-Popery, Presbyterian Radicalism and Irish Republicanism in the 1790s," *Past & Present*, no. 157 (November 1997): 63-93 for the situation in Ireland.

14. K. R. M. Short, "The English Indemnity Acts, 1726-1867," *Church History* 42, no. 3 (September 1973): 366-376.

and the London Corresponding Society both advocated universal manhood suffrage, while more moderate reformers, like the aristocratic Friends of the People, argued that the franchise should be expanded to make Parliament more representative of the people it governed.[356] This point was particularly significant in the case of Ireland, where the exclusion of Catholics from elections and offices meant that two-thirds of the island's population was unrepresented. Unlike their counterparts in Great Britain, the Irish Catholics' desire for suffrage could not be ignored without risking the safety of the empire. At the same time, however, the island's wealth was divided along confessional lines. Because most of the property owners were Protestant and most of the poor were Catholic, it proved difficult to separate the idea of granting Catholics political power from social levelling. While Irish Catholics gained greater political rights during the early 1790s, they became more closely associated with anarchy and republicanism.

Catholic Relief Acts in England and Scotland

In the early 1790s, two otherwise contradictory mindsets encouraged some Protestant Britons to look upon Catholics with toleration. The first one, which was prevalent in the late 1780s, was one of optimism based on the apparent success of enlightened ideas in Europe. Louis XVI had issued an edict of toleration giving civil status to Protestants, and Emperor Joseph II was attempting to suppress the monastic system in the Netherlands. Furthermore, the only surviving heir to the Stuart line was an aging cardinal with no intentions of pressing his claims. This optimistic attitude, which could take the form of

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15. Thomas Paine, *Rights of Man* (Indianapolis: Hackett Pub., 1992); E. P. Thompson, *The Making of the English Working Class* (New York: Vintage, 1966); Albert Goodwin, *The Friends of Liberty: The English*

believing that Catholicism was either growing more tolerant or growing weaker, was compatible with an interest in political reform, which the centenary of the Glorious Revolution had inspired. The second mindset, which developed in response to the violence of the French Revolution, was one of fear and conservatism. Britons with the second mindset, such as Edmund Burke, saw equality and other "French principles" as a threat and sought to shore up hierarchical institutions that they believed shared their concerns, such as the Catholic Church. The shift between the two mindsets can be seen in the development of Catholic relief legislation. While the English Catholic Relief Act of 1791 was originally supported by people acting under the optimistic, reforming mindset, the Scottish Catholic Relief Act of 1793 was a product of the second, socially conservative mindset.

The English Catholic Relief Act of 1791 was largely the work of the English Catholic Committee, a political organization dedicated to protecting the interests of English Catholics. First created to help English Catholics campaign for the 1778 Catholic Relief Act, the Committee was reestablished twice in the 1780s. During the first time, in 1782, the Committee had focused on trying to restore the national Catholic hierarchy. By the second time, in 1787, the Committee had given up on restoring their hierarchy, and began focusing on rolling back the penal legislation. The Committee was dominated by the elite of the English Catholic laity. Although three clergymen joined in 1788, the most prominent voices on the Committee included noblemen such as Lord Petre and members of the gentry like William Fermor. Although later Catholic historians would attack the Catholic Committee for attempting to pursue legal relief without the approval of the clergy, the laity's prominent position in the Catholic Committee was not unusual for

Democratic Movement in the Age of the French Revolution (Cambridge: Harvard University Press, 1979).

eighteenth century Catholics. Throughout much of the eighteenth century, the existence of the Catholic Church in Britain had been largely dependent on wealthy Catholic laymen who maintained their own priests and chapels; these laymen saw themselves as the heads of the English Catholic Church.[357]

Like Protestants, Catholics maintained strong regional attachments which were more immediate than their attachment to Britain. However, Catholics also had a super-national attachment to the international body of the Catholic Church. The degree of this attachment varied among Catholics. The main proponents of the 1791 English Catholic Relief Act were Cisalpine Catholics, who advocated that the Catholic Church in Britain become independent from Rome. Concerned to gain the support of their Protestant countrymen, Cisalpine Catholics emphasized their loyalty to England, their belief in religious tolerance, and their independence from papal authority. As Cisalpines, they believed that English Catholics should elect their own bishops and had no objections to allowing the government to veto their choices. In a letter to the English Catholics from 1787, the Committee suggested replacing the vicars apostolic, who were nominated by the pope, with bishops in ordinary, writing "it is the duty of Christians to make the discipline of their Church to conform, as near as may be, to the laws of their country."[358]

Joseph Berington, a Catholic clergymen, first began lecturing on Cisapline ideas in the 1770s. By the 1780s, they had gained acceptance with many prominent Catholic laymen. In addition to aristocrats and members of gentry, such as Lord Petre and Sir John Throckmorton, Cisalpine ideas also made headway with English Catholic lawyers. Aside

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16. Joan Connell, *The Roman Catholic Church in England 1780-1850: A Study in Internal Politics* (Philadelphia: American Philosophical Society, 1984), 56, 58.

17. Catholic Committee to the English Catholics, 10 April 1787, Bp. Talbot Papers, 125, AAW.

from the Scottish priest Alexander Geddes and the English Bishop James Talbot, few clergymen publicly embraced Cisalpinism.[359] As Eamon Duffy has written, "many of the ostensibly religious quarrels among Catholics at the time were in fact the clash of opposite approaches to the great question of Emancipation." The Cisalpines attempted to secure emancipation by emphasizing their distinctively English brand of Catholicism while associating themselves with political and religious reform. Cisalpine Catholics also embraced the idea that lay Catholics should be foremost in the movement to repeal the penal laws. The orthodox party, however, tended to "stress the similarities between Episcopal churches, and to present Catholicism as the natural ally of the Establishment against the growing hordes of Democrats and Levellers." [360]

Shortly after the Committee began its campaign, controversy broke out among the Catholics. The Committee was primarily composed of wealthy members of the Catholic laity. In addition to being acutely conscious of the need to win the acceptance of Protestants and the government, prosperous lay Committee members such as the prominent Catholic noble Lord Petre were used to thinking of themselves as the civil leaders of the English Catholic community and expected to act according to their own judgment in non-religious matters.[361] Those clergymen who did serve on the committee, such as Alexander Geddes and Joseph Berrington, preferred that the Catholic Church of

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18. For more on the Cisalpines, see Joseph Chinnici, *The English Catholic Enlightenment: John Lingard and the Cisalpine Movement, 1780-1850* (Shepherdstown, WV; Patmos Press, 1980); and Gordon Rupp, *Religion in England, 1688-1791* (Oxford: Clarendon Press, 1986), 200-203; unless otherwise specified, any other mention of "Geddes" in this chapter refers to Scottish bishop John Geddes, not Alexander Geddes.

19. Eamon Duffy, "Ecclesiastical Democracy Detected: (1779-1787)," *Recusant History* 10, no. 4 (January 1970): 197.

20. John Bossy, *The English Catholic Community, 1570-1850* (New York: Oxford University Press, 1976).

England be administered in a Gallican or even reforming fashion. They wanted to minimize the power of the pope and to allow English Catholics to choose their bishops.

The Catholic Committee did not do much until 1787 when it went to the ministry to seek for the repeal of the double land tax, which required Catholic landowners to pay the tax on their land twice over. Fermor, a representative of the Catholic Committee, secured an interview with Thomas Steele, who worked under Pitt at the Treasury. When talking to Fermor, Steele claimed that Pitt had expressed his sympathy for the Catholics' plight, but feared that granting the concession would upset the Dissenters in light of the failure of the recent attempt to repeal the Test and Corporation Acts. While Fermor argued that the removal of the double land tax did not affect the Dissenters, Steele remained non-committal. When the Catholics returned several months later to present Pitt with a memorial of their grievances, he again appeared sympathetic, assuring Fermor of his "tolerating dispositions." At his request, the Committee submitted three questions to the principle Catholic universities of France and Spain: did the pope or any other Catholic ecclesiastical body claim any civil jurisdiction in the Britain? could the pope or any Catholic body absolve British subjects of their oaths of allegiance? and was there any tenet of Catholic doctrine that allowed Catholics to break faith with heretics? They all responded in the negative. After receiving their responses, Pitt agreed to support the Catholics' claims, while convincing the Committee to delay its campaign until 1789 in order that government could ready "some of the leading interests in the country" for what was coming.[362]

21. Fermor to a lord, 9 October 1787, Add. 59264, Dropmore Papers. BL; Fermor to Grenville?, 5 May 1788, Add. 59264, Dropmore Papers, BL; Bernard Ward, *The Dawn of the Catholic Revival in England 1781-1803*, vol. 1 (New York: Longmans, Green and co, 1909), 130; Mori, *William Pitt*, 36-44, 83; Catholic Committee to the Catholics of England, 25 November 1789, Bp. Talbot Papers, 152, AAW; for

Since 1788, the Catholic Committee had adopted the goal of securing Catholics the same legal position as Protestant Dissenters.[363] As part of their campaign, they attempted to demonstrate that they should be considered Dissenters as well. They obtained the help of Charles Stanhope, Lord Mahon, as their advocate. Although Stanhope was a member of the established church, he was also chairman of the Revolution Society, which used the centenary of the Glorious Revolution to call for further political reform, and an early supporter of the French Revolution. Stanhope was a proponent of universal religious toleration and sponsored the efforts of Protestant Dissenters to have the Test and Corporation Acts repealed.[364]

In November 1788, Stanhope drew up a Protestation outlining the purported beliefs of the English Catholics. Despite objections to its anti-papal tone, 1500 Catholics, along with 240 priests and three vicars apostolic, signed it in the coming months.[365] Stanhope presented the Protestation to Pitt, who was reported to be "very much pleased with it."[366] Working from the Protestation, Stanhope and the Committee fashioned a new oath that Catholics would be required to take in order to reap the benefits of the bill. They included the oaths of allegiance and abjuration as well, along with "as much of the Oath of Supremacy as Catholics do not consider contrary to faith."[367] The new oath bore some

more on Pitt's views on the Dissenters and the Test and Corporation Acts, see John Ehrman, *The Younger Pitt: Vol. 2, The Reluctant Transition* (London: Constable, 1983), 57-73.

22. Joan Connell, *The Roman Catholic Church in England 1780-1850: A Study in Internal Politics* (Philadelphia: American Philosophical Society, 1984), 60.

23. G. M. Ditchfield, "Stanhope, Charles," in *Oxford Dictionary of National Biography* (accessed Dec. 29, 2009).

24. Duffy, "Ecclesiastical Democracy Detected: II (1787-1796)," *Recusant History* 10, no. 6. (October 1970): 313.

25. Stanhope to Charles Butler. 3 March 1789, Bp. Talbot Papers, 137, AAW.

similarity to that of 1774. In addition to swearing allegiance to George III and his successors and promising to protect them from conspiracies and treason to the best of one's ability, subscribers disavowed any right to murder or depose excommunicated monarchs, and denied that any power could free them from the oath after they had taken it. The new oath, however, was considerably more thorough. Whereas both oaths required the subscribers to renounce any allegiance to the Stuarts, the new one required that they deny that the Stuarts "hath any Right or Title whatsoever to the Crown of this Realm"- a potentially provoking change for some older Catholics who had served Charles Edward in their youths. The new oath's claim that it was "heretical" to believe that excommunicated priests could be deposed offended some Catholic ecclesiastics on the grounds that laymen behind the oath did not have the authority to declare something a heresy. However, the most controversial feature of the new oath was its handling of the pope. While the old oath denied that the pope had or ought to have any temporal or civil authority in the realm, the new oath denied that any ecclesiastical power had any authority whatsoever "that can, directly or indirectly, affect or interfere with, the Independence, Sovereignty, Laws, Constitution, or Government thereof, or the Rights, Liberties, Persons, or Properties of the People of the said Realm." As the orthodox Jesuit Charles Plowden pointed out, this clause could be understood to mean that any Catholic who applied to Rome on ecclesiastical matters would still be subject to the penal laws.[368] The oath ended with a vow that the subscriber did not believe in the pope's infallibility.[369]

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26. Duffy, "Ecclesiastical Democracy Detected: II (1787-1796)," 313.

27. Charles Plowden *An Answer to the Second Blue Book* (London, 1791), 13 fn.

The vicars apostolic quickly declared that the oath was contrary to doctrine and forbid Catholics from subscribing it.[370] A few weeks later, they suggested that the Committee drop its campaign for repeal, or at least switch to the oath from the 1778 act.[371] The Committee members refused on the grounds that they had already submitted the Protestation, which the vicars apostolic had signed, and that withdrawing their claim would lead their Protestant Countrymen to suspect their loyalty. They followed up by asserting their authority to act on their own behalf as "Men and Citizens... [with] rights to claim and duties to perform."[372] Controversy grew as they began advocating for what they called "Protesting Catholic Dissenters," rather than "Roman Catholics." This new terminology positioned the Catholics as having dissented from the Church of England, rather than acknowledging, as Catholic doctrine taught, that all Protestant sects had dissented from the universal Catholic Church.[373] This led some orthodox Catholics to anticipate a schism. This fear was borne out by the Catholic Committee's insistence that the term "Protesting Catholic Dissenter" only applied to those Catholics who believed the principles set out in the new oath.[374] A little more than a month later, Pitt received a letter

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28. For the 1774 oath see Patrick Fagan, *Divided Loyalties: The Question of an Oath for Irish Catholics in the Eighteenth Century* (Dublin: Four Courts Press, 1997), 143, fn56; for the 1791 oath see *Original Papers, relative to the Present Application to the British Parliament for Relief of the Roman Catholics in England* (Dublin: William Jones, 1791), 33-35.

29. Charles Walmesley, James Talbot, Thomas Talbot, and Matthew Gibson, *Encyclical Letter Addressed To all the Faithful....* 21 October 1789, Bp. Talbot Papers, 147, AAW.

30. Walmesley to Talbot, 9 November 1789, Bp. Talbot Papers, 150, AAW.

31. Catholic Committee to vicars apostolic, 25 November 1789, Bp. Talbot Papers, 151, AAW.

32. John Douglas objected to the idea of giving up the term "Catholic" to the Church of England. See John Douglas to John Geddes, 5 October 1789, BL 4/3/8, SCA.

33. For fears of schism, see Douglas to John Geddes, 17 December 1789, BL 4/3/10, SCA; the Committee explained the term "Protesting Catholic Dissenter" in the following manner: "the persons in question are termed *Dissenters,*—because they *dissent* in certain points of faith from the Church of England,—that they are termed *Catholic,*—because they profess to be members of the Catholic Church,—and that, they are

from Thomas Weld on behalf of the orthodox Catholic clergy claiming that the leading laymen and the "most respectable part of our Clergy" rejected the new oath, although they would be willing to take one that "does not trench upon the Spiritual power of the Head of the Catholic Church & of its other pastors."[375]

The question of the oath continued in Parliament. Mitford, who introduced the bill, emphasized that he only wanted to help those Catholics who qualified as "Protesting Catholic Dissenters." Fox objected to the idea of requiring any oath but the oath of allegiance, having previously voiced that opinion that "the state had no right to inquire into the opinions of people either political or religious," and moved to amend the bill to include all Catholics. Burke responded by insisting that the state had the power to pass penal laws if a religious sect posed a danger, but that this was no longer the case with the Catholics. Arguing that ordinary Catholics were "as good subjects as any in the kingdom," he questioned the point of limiting the bill to Protesting Catholic Dissenters and suggested that the oath from the 1778 Catholic Relief Bill be used instead. Pitt acknowledged the merit in not excluding the non-protesting Catholics, but declined to press for the amendment to avoid holding up the bill. In a subsequent debate, he moved to add another clause to the oath obliging the taker to disavow the belief that any human could forgive sins and absolve offences before he could take office.[376]

Ultimately, the oath dispute was settled by the Anglican bishop Samuel Horsley, who convinced the House of Lords to accept the oath from the Irish Relief Act of 1778

termed *Protesting*,—because they have protested, and are willing to protest against, and to declare they do not hold the doctrines attributed to them." Catholic Committee to the Catholics of England, 25 November 1789, Bp. Talbot Papers, 152, AAW.

34. Thomas Weld to Pitt, 18 February 1791, Add. 6958/913, Pitt Papers, CUL.

35. *The Parliamentary History of England*, vol. 28 (1791), cols. 1267, 1364-1365, 1370-1371, 1373-

instead.[377] In Horsley's description the non-protesting Catholics were obedient, loyal people whose religious scruples prevented them from taking the new oath. He portrayed them as more obedient than the Dissenters, remarking that "the Roman Catholics better understand... in what plain characters the injunction of the unreserved submission of the individual to the government under which he is born is written in the divine law of the gospel." At the same time, however, he implicitly insulted the Cisalpine Catholics, describing them as vengeful monsters who would use the penal laws to imprison and murder their orthodox counterparts once they were free of the penal laws themselves.[378] Horsley, a staunch opponent of democratic principles, saw the orthodox Catholic Church as a natural ally. Writing to the Catholic clergymen John Milner after the passage of the 1791 act, he said:

> I have little apprehension that the conduct of genuine Roman Catholics will ever give the legislature reason to repent of what has been done... I think this cannot happen, unless the democratic phrenzy should seize the majority of your people. But the consequence of that must be, that they would cease to be Roman Catholic. They must either leave the Roman Church, or they would be driven out of it. For the admirers of Civil Democracy will never long be quiet under Ecclesiastical Government of another form.[379]

Overall, the bill went through Parliament without inspiring much opposition. MPs seem to have generally agreed that the pope was no longer powerful enough to pose a threat. Lord Rawdon captured the mood when he spoke of "the idea of conscious

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1374; *Parliamentary History*, vol. 29 (1791), col. 118.

36. Duffy, "Ecclesiastical Democracy Detected: II," 320.

37. *The Parliamentary History of England*, vol. 29 (1791), cols. 670-671.

38. Samuel Horsley to Milner, 17 January 1792, Bp. Douglass Papers, 7, AAW; for more on Horsley's thought see Hole, *Pulpits, Politics and Public Order*, chapter 11; also, F. C. Mather, *High Church Prophet: Bishop Samuel Horsley (1733-1806) and the Caroline Tradition in the Later Georgian Church* (Oxford: Clarendon Press, 1992).

superiority" that he felt as a member of the Church of England when he contemplated the position of the Catholic Church. Likewise, William Windham, who seconded the motion, argued that European Catholics' traditional adherence to the pope had given way to "the sight of reason and knowledge." However, individual clauses incited some debate. There was particular controversy over a clause allowing Catholic landowners to present to ecclesiastical livings. Despite being church offices, the ability to present someone to an ecclesiastical living was recognized as a type of property, which Protestant Dissenters were allowed to employ. Windham admitted that it was strange to allow Catholics to appoint people to offices within the established church, but thought the practice ultimately harmless because Anglican officials could override a bad choice. Fox also spoke up for the clause, suggesting that the king himself was in the same position when he appointed ministers to the Scottish Kirk. However, Pitt rejected it, insisting that the point of the bill was to relieve people from "the exclusion of civil trust, and had nothing to do with any ecclesiastical trust." The clause was defeated.[380]

The Catholic Relief Act of 1791 was developed at time when Britain's political climate was changing. When the Committee began campaigning for the act in 1788, the centenary of the Glorious Revolution was inspiring renewed interest in political reform and the repeal of the Test and Corporation Acts. Besides Stanhope, numerous members of the Catholic Committee, such as Sir John Throckmorton and Joseph Berington, had becoming involved in movements for reform. However, by 1791 reformers were beginning to fall under suspicion. Compounding matters, the Cisalpines' decision to associate themselves with Protestant Dissenters did nothing to dispel concerns that the

39. *Parliamentary History*, vol. 28 (1791), cols. 1264-1265; *Parliamentary History,* vol. 29 (1791), cols. 115-116, 666.

dissenters might use the passage of the bill to promote the repeal of the Test and Corporation Acts. Pitt had already expressed his opposition to the repeal of the Test and Corporation Acts the year before. Besides acknowledging his concerns that repeal would be unpopular with some MPs, Pitt insisted that an established church was "essential to the interest and happiness of the state," and he suggested that some Dissenters might think themselves obligated to destroy it. On the same occasion, he had also rejected the idea that anybody had a right to a public office, and insisted that those excluded from office had no more reason to object to their exclusion than those who were disenfranchised altogether.[381] By the time the Catholic Relief Act got to Parliament, Pitt was not interested in increasing non-Anglicans' political power. This was probably part of the reason that the Catholic Relief Act did not include two provisions that the Catholic Committee had originally hoped for: the right to vote and the right to hold commissions in the army and navy.[382]

The Cisalpines' reputation suffered further when the government began suppressing political reformers following the publication of the second part of Thomas Paine's *The Rights of Man* in 1792. While the Cisalpines had pointed to their support of liberty to show that they were truly English during their relief campaign, liberty had become associated with French principles. Like their dissenting counterparts, the Cisalpines came under suspicion by government and loyalist organizations. In part, this was because they

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40. William Pitt, *The Speech of the Right Honourable William Pitt, in the House of Commons, on Tuesday, the Second of March, 1790, Respecting the Repeal of the Corporation and Test Acts* (London: C. Stuart, 1790), 11-13, 19, 21; Also see Ehrman, *The Younger Pitt*, vol. 2, 64, 70-71.

41. Before bringing up the issue of Catholic relief in Parliament, Mitford wrote to Grenville to make certain that he could do so without offending the ministry. While Grenville and Pitt agreed to give him leave to raise the matter, Pitt expressed his regret that the Catholics were applying for relief at all, because it might be "improperly confounded with the question of the Dissenters." Pitt to Grenville, 11 January 1791, in *Historical*

maintained connections with groups such as the Friends of the People, a body of aristocrats who supported moderate parliamentary reform.[383] John Reeves, head of the loyalist Reeves' Association, was rumored to be "angry at [Cisalpine priest] [Charles] Butler & the committee" and "anxious for counteracting the Cisalpines."[384] Lord Grenville's brother, the Marquis of Buckingham, supposedly claimed that another Cisalpine leader, Joseph Berington "would make the [Catholic] youth all Jacobins" if the Catholic bishops did not educate them themselves.[385] Despite their attempts to reassure the British government that their commitment to England superseded their commitment to Rome, the Cisalpines became associated with radicalism rather than loyalty.

The biggest factor discouraging support for reform in the early 1790s was the French Revolution. The French Revolution profoundly influenced how the people of the British Isles defined loyalty to the British state and affected how questions of Catholic allegiance and toleration were posed. For the first couple of years after the French Revolution, many Britons looked upon the events with an approving eye. While some saw it as a copy of the Glorious Revolution, others applauded it for allowing the French even more liberty than the British themselves. Interpreted in this light, some Britons saw the weakening of the Catholic Church in France as another sign of the decline of despotism. Notably, a series of cartoons that came out in response to Burke's *Reflections on the Revolution in France* invoked the longstanding rumor that Burke was a Catholic as part of their attempt to undermine his credibility. In the first of these, "The Knight of the Woful [sic]

Manuscripts Commission, 14th Report: The Manuscripts of J. B. Fortescue, Esq., Preserved at Dropmore, vol. 2, ed. W. Fitzpatrick (London: Eyre and Spottiswoode, 1894), 13.

42. Mori, *Britain in the Age of the French Revolution, 1785-1820* (London: Longman, 2000), 8, 61.

43. Milner to unknown, 9 October 1793, Bp. Douglass Papers. Vol. 45. 217, AAW.

Countenance Going to Extirpate the National Assembly" (figure 4) Burke is shown as a

modern Don Quixote, wearing a Jesuit's cap and riding a donkey with the head of the

pope. Although the scenes of torture on Burke's shield invoke the idea of Catholicism as

a persecutory religion, the absurdity of Burke and his pope donkey show that they pose

no real threat.[386]

While popular concern grew over the course of 1791, it became widespread in 1792.

As news of the September Massacres and other stories of revolutionary violence made

their way back to Britain, many people became more inclined to take Burke seriously.

The influx of French émigrés, many of whom were clergy, provided first-hand

testimonials of the excesses of the Revolution while also encouraging popular sympathy

for Catholicism. About 5,500 French clergy came to Britain after 1791. By 1793 there

were already 1500 French priests in London. [387] Meanwhile, accounts of events in France

seemed to justify the idea that the revolutionaries were atheists and infidels. Learning

about radicals' efforts to dechristianize parts of France, and Robespierre's attempts to

introduce the cult of the Supreme Being, many Britons concluded that the revolutionaries

were attacking Christianity.[388] While a few of them contained traces of anti-catholicism,

loyalist pamphlets and cartoons generally depicted revolutionaries as godless atheists,

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44. Charles Plowden to unknown, 29 August 1793, Bp. Douglass Papers, Vol. 45, 203, AAW.

45. "The Knight of the Woful Countenance Going to Extirpate the National Assembly," Nov. 15, 1790. BM 7678.

46. Dáire Keogh, *The French Disease: The Catholic Church and Irish Radicalism, 1790-1800* (Dublin: Four Courts Press, 1993), 34; Peter Anson, *Underground Catholicism in Scotland, 1622-1878* (Montrose: Standard Press, 1970), 216; Susan O'Brien, "French Nuns in Nineteenth-Century England," *Past & Present*, no. 154 (February 1997): 150; for anecdotal evidence of British sympathy towards émigré priests, see MacPherson to Geddes. Aug. 24, 1793. SCA BL 4/77/12.

47. The fact that neither dechristianization nor the cult of the Supreme Being enjoyed much popular support in France did not deter this assumption. For more on the cult of the Supreme Being and other national

Figure 4: "The Knight of the Woful [sic] Countenance Going to Extirpate the National Assembly." (1790) BM 7678.

ceremonies in revolutionary France, see Mona Ozouf and Alan Sheridan, trans., *Festivals and the French Revolution* (Cambridge: Harvard University Press, 1988).

who opposed any form of Christianity whatsoever.[389] The idea that the Revolution represented an attack on religion in general encouraged Catholics and Protestants to unite against a common enemy as Christians.[390] A government sponsored tract, *A prophecy of the French Revolution and the downfall of Antichrist*, revised centuries of Protestant millenarian interpretation by describing the French Republic, rather than the Catholic Church, as the Beast of Revelations.[391]

At the same time, however, the Revolution did not completely reform attitudes regarding the French and Catholicism. While refugees were often regarded with sympathy, they were also a source of expense and potential danger. The Aliens Act of 1793, inspired by fears that revolutionaries might attempt to enter Britain under the guise of being refugees, required that magistrates maintain records of any foreigners living in London.[392] Furthermore, even when the Catholics were not seen as potential threats, long-standing anti-Catholic prejudices remained evident in some quarters. For instance, James Gillray's 1792 cartoon, "A Representation of the Horrid Barbarities practiced upon the Nuns by the Fish-Women, on breaking into the Nunneries in France," (figure 5) fit into a long tradition, existing among both Catholics and Protestants, of depicting monks and nuns in a sexualized manner. Gillray's image, depicting Parisian fishwives pulling up nun's

48. For instance, "One Penny-Worth of Answer from John Bull to his Brother Thomas," and "John Bull's Second Answer to His Brother Thomas," in *Liberty and Property preserved against Republicans and Levellers. A Collection of Tracts.* no. 2 (London, 1792) 3,5.

49. For instance, see James Chelsum, *The Duty of Relieving the French Refugee Clergy Stated and Recommended* (Winchester: 1793). Notably, Chelsum emphasizes the émigrés' Christianity without directly mentioning their Catholicism.

50. Chris Evans, *Debating the Revolution: Britain in the 1790s* (London: I.B.Tauris, 2006), 78.

Figure 5: James Gillray, "A Representation of the horrid Barbarities practiced upon the Nuns by the Fish-Women, on breaking into the Nunneries in France." (1792).

51. Michael Durey, "William Wickham, the Christ Church Connection and the Rise and Fall of the Secret Service in Britain, 1793-1801," *The English Historical Review* 121, no. 492 (June 2006): 726.

habits in order to beat them on their naked bottoms, was more inspired by more designed to titillate than to inspire outrage or compassion.[393]

For the Catholics themselves, the situation was more serious. Writing about the Irish Catholic clergy, Dáire Keogh argues that "The destruction of the Church in Europe had brought home to them the reality of the French Revolution, not in abstract terms... but in images of a Church laid low[.]"[394] Among the upper levels of the Catholic hierarchy, this was true of clergymen throughout the British Isles. Despite their attachment to their homeland, the Catholic clergy of Britain and Ireland were connected to a wider international community. Because of the legal prohibitions against giving religious instruction in Catholicism within the British Isles, British and Irish Catholics relied upon colleges on the Continent in order to train their priests. As their Continental convents and seminaries came under attack by the National Assembly, British Catholics turned to the British government for help. Ironically, considering that previous British governments had forced them to establish their institutions abroad, British Catholics appealed to the king and the ministry to intervene with the French government to protect their property on the grounds that they were British subjects. Although they had limited success, the ministry did make an attempt, prompting the Catholic Samuel Bordley to praise George

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52. James Gillray, "A Representation of the horrid Barbarities practiced upon the Nuns by the Fish-Women, on breaking into the Nunneries in France." Pub. Jun. 21, 1792, reprinted in Richard Godfrey, *James Gillray: The Art of Caricature* (London: Tate Galleries, 2001), 94; for a contemporary example, see Matthew Lewis, *The Monk* (Oxford: Oxford University Press, 1988).

53. Keogh, *The French Disease*, 45.

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III as "truly a <u>Pater Patriae</u>" and speculate that Britain would declare war on France if the confiscations went forward.[395]

As the French Revolution went on, British born Catholics living on the Continent were forced back to their native land. In September 1793, the National Assembly followed up an earlier order calling for the expulsion of all non-juring clergy with an order that any foreign citizens living in France should be arrested.[396] John Farquharson, writing from the Scots College at Douai, commented "Our situation will prove singularly curious, if expelled from this... land, on account of our affection to our Native Country, which shall deem us disaffected and has not as yet relaxed one iota of its absurd & barbarous laws." Despite the bitterness in this statement, however, Farquharson also voiced his support for "[Britain's] palladium of liberty the habeas corpus act." By the end of the year, the Republican army had forced the instructors and students of Douai out of their college, confiscated their property, and imprisoned them in the Citadel of Dourlens. After escaping from Dourlens, Farquharson's colleague Thompson expressed no similar doubt about England, describing it as "the promised land of liberty and religion." However, the return to England was not necessarily unproblematic. Nuns such as Mary Tancred and Mary Stapleton, who fled to England with their sisters, had to conduct themselves carefully in order to maintain their community. Because convents were illegal in Britain, the nuns dressed in secular clothing and supported themselves by establishing schools for Catholic ladies. In exchange for the opportunity to open these schools, they promised to take the oath of allegiance and register the names of their chief mistresses.

54. Samuel Bordley to Douglass, 12 October 1792, Bp. Douglass Papers, Vol. 44, 80, AAW.

55. Keogh, *The French Disease*, 34.

Nevertheless, they identified themselves as loyal British subjects and requested "the Protection & Countenance of his Majesty's wise and [benevolent?] Government."[397]

By 1793, relations between orthodox Catholics and the British state were relatively positive. Parliament first repealed some of Scotland's penal laws at this time. Whereas the passage of the English Catholic Relief Act of 1791 had threatened to split the Catholics of England into Cisalpine and orthodox groups, the 1793 Scottish Catholic Relief Act was a quieter, less radical affair. Unlike their English counterparts, Catholics in Scotland had not received a relief act in the 1770s, and all of the penal laws were still in force against them. There were only about 11,000 Catholics in Scotland. Most of them lived in the western Highlands and Islands and spoke Gaelic, although they were beginning to migrate to Glasgow and other cities in search of work. From a government perspective, this population was particularly useful as a source of recruits for the Highland regiments.[398] Unlike its English counterpart, the campaign surrounding the Scottish Catholic Relief Act made no attempt to appeal to the public. The driving force behind the Scottish Catholics' political agenda was orthodox Catholic clergymen, such as Bishops John Geddes and George Hay. Rather than trying to win the support of the public, Geddes and Hay relied on their social and political connections to see the Scottish Catholic Relief Act to fruition. Geddes in particular associated with some of the most

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56. John Farquharson to John Geddes. 14 February 1793, BL 4/70/8, SCA; Thompson to Douglass, 11 December 1793, Bp. Douglass Papers, Vol. 45, 245, AAW; "The Memorial of Mary & M. Tancred..." copied in Milner to Douglass, 21 June 1794, Bp. Douglass Papers, Vol. 45, 64, AAW; Milner? to Douglass, 15 July 1794, Bp. Douglass Papers, Vol. 45, 70, AAW.

57. Recruiting had been the primary reason for the original Scottish Catholic Relief Bill. Robert Kent Donovan, "The Military Origins of the Roman Catholic Relief Programme of 1778," *The Historical Journal* 28, no. 1 (March 1985): 79-102.

prominent political and cultural figures in Britain, including influential Scottish minister Henry Dundas and the poet Robert Burns.[399]

As the English Catholic Relief Act went through Parliament, Geddes and his correspondents discussed the possibility of getting a similar act passed in Scotland. Ultimately, however, the decision to pursue an act of their own stemmed from an individual crisis.[400] In 1792, a Catholic gentleman named George Maxwell appealed to Geddes to help him against the machinations of his Protestant nephew, who was threatening to invoke the penal laws against Maxwell if he failed to sign over his estate to him. Geddes and Hay assembled a council of lawyers, including the Lord Advocate, Henry Dundas' nephew, Robert Dundas, who decided that the only way to secure Maxwell's property from his nephew was to petition Parliament to change the laws. Initially, Henry Dundas supposedly wanted the repeal to only affect laws regarding property, but Geddes persuaded him to extend it to protect Catholic worship practices as well.[401] Lord Chancellor Edward Thurlow and his successor Lord Loughborough, previously Alexander Wedderburn, drew up the bill with the Lord Advocate's help.[402] In its completed form, the bill allowed Catholics to purchase, sell, and inherit property like their Protestant counterparts, as well as legalizing the performance of Catholic religious

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58. For more on John Geddes, see Mark Goldie, "The Scottish Catholic Enlightenment," *The Journal of British Studies* 30, no. 1 (January 1991); for Geddes' friendship with Burns, see Peter Anson, *Underground Catholicism in Scotland, 1622-1878* (Montrose: Standard Press, 1970), 192-193. One hopeful officer, Captain Donald MacDonald, even wrote to Geddes in the hopes that he might be able to use his influence to get him a good rank in the army. Cap. Donald MacDonald to Geddes, 26 September 1790, BL 4/33/9, SCA.

59. Anson describes the passage of the act as a response to the French Revolution and the threat of uprisings in Britain, although he neglects to elaborate on this idea in any detail. Anson, *Underground Catholicism*, 210.

60. Abbe Paul MacPherson to Propaganda, March, 1794, SM 5/2, SCA; Christine Johnson, *Developments in the Roman Catholic Church in Scotland, 1789-1829* (Edinburgh: John Donald Publishers, 1983), 30-31.

61. Abbe Paul MacPherson to Propaganda, March 1794, SM 5/2, SCA.

rites. Thurlow, who had voiced his support for the Quebec Act years before, told Robert Dundas that the proposed Scottish Catholic Relief Act did not go far enough, and suggested "a sincere repeal" of all penal laws, which "would place the subjects of a free Country exactly where they ought to stand, notwithstanding religious Differences[.]"[403]

The Scottish Catholic Relief Act was designed to repeal penalties without granting additional rights. When speaking before the House of Commons, Robert Dundas defended the measure principally upon the grounds of justice, emphasizing that Maxwell had not committed any crime, and that he only stood to be deprived of his property because he was following the religion "most agreeable to his judgment and his conscience." At the same time, he appealed to the class sentiments of his audience, observing that Maxwell was "possessed of an estate of £1000 a year, which had been in his family for at least a century and a half."[404] In order to make the act conform to that of Ireland, the Duke of Norfolk, himself the descendant of a Catholic family, suggested to the House of Lords that the Scottish Catholics who could meet the property requirement should be allowed the franchise. The House refused his motion.[405] Geddes later expressed suspicion regarding Norfolk's motives, writing that "it is suspected, that Coll. McLeod & the Duke of Northfolk [sic] by proposing to give us more privately intended to create delays, & even perhaps, to raise discontents in Scotland."[406]

Ultimately, the Scottish Catholic Relief Act did little to affect the majority of Scottish Catholics. In part this was because the penal laws had not been enforced against them

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62. Thurlow to Robert Dundas, 1792, GD1/1009/15/1-2, Dundas Papers, NAS.

63. *Parliamentary History*, vol. 30 (1793), cols. 766-767.

64. *The New Annual Register, or General Repository of History, Politics, and Literature, for the Year 1793* (London: 1794), 117.

much in the first place. As Bishop Chisholm wrote from his residence in the Highlands, "in this Country where the Catholics were very numerous without any mixture of Protestants till of late they seem [to] be less sensible of the indulgence granted... none have as yet taken the oath."[407] More significantly, most Scottish Catholics were too poor to take advantage of the act's benefits. Few Catholics owned land outright in Scotland. While families such as the Lovats and the Clanranalds held sway over Catholic populations in Inverness-shire and South Uist, their heads were no longer Catholics themselves, having converted to Protestantism decades earlier. Like their Protestant counterparts, the majority of Catholics in the Western Highlands and Islands were the tenants of powerful landowning families. As these landowners embraced capitalism and set about "improving" their lands, they eroded many of their tenants' traditional rights, reducing their holdings to increasingly smaller plots or forcing them into the kelping industry.[408] For non-propertied Catholics, the penal laws affecting property ownership were less important than influence of the Kirk on their regular lives.[409] These concerns can be seen in a set of questions regarding the Scottish Catholic Relief Act that an anonymous party of Catholics submitted to Robert Dundas in 1794. They asked about such things as whether they had to be married by a Protestant minister, whether they had to register their children's names in the Kirk sessions book, whether the Kirk could

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65. Geddes to Muroch, 8 June 1793, BL 4/71/14, SCA.

66. Chisholm to Hay, 22 July 1793, BL 4/69/10, SCA.

67. J. M. Bumsted, *The People's Clearance: Highland Emigration to British North America, 1770-1815* (Edinburgh: Edinburgh University Press, 1982); A. J. Youngson, *After the Forty-Five; the Economic Impact on the Scottish Highlands* (Edinburgh: University of Edinburgh Press, 1973); T. M. Devine, *Clanship to Crofter's War: The Social Transformation of the Scottish Highlands* (Manchester: Manchester University Press, 1994); Charles Withers, *Gaelic Scotland: The Transformation of a Culture Region* (London: Routledge, 1988).

punish them for scandalous behavior, whether they had to pay dues at their children's baptisms, and whether the masters of SPCK schools could force their children to learn the Protestant catechism. The Lord Advocate responded by explaining that the new law had not altered any of these matters.[410]

Although both the English Catholic Relief Act of 1791 and the Scottish Catholic Relief Act of 1793 were passed without raising much opposition from the public, Catholics in both countries were aware of the potential for a repeat of the anti-catholic riots of 1779 and 1780. The English Catholic Committee tried to reduce this possibility by reassuring Protestants of their moderation. In a pamphlet defending their controversial oath, the Catholic Committee claimed that by demonstrating that its subscribers were not "papists," the oath would remove any reason "to apprehend any thing of that senseless, but formidable outcry which was raised in 1780."[411] However, the Scottish Catholics took particular caution not to draw attention to their relief campaign, even persuading Scottish newspapers not to publish letters regarding it. Geddes, Hay, and others viewed the apparent tolerance of their neighbors with caution, and the radicals' support of Catholic claims genuinely surprised Geddes, who exclaimed "wonderful to tell! The very seditious associations cry for liberty to the Papists." [412]

While the English Catholic Relief Act of 1791 and the Scottish Catholic Relief Act of 1793 were not conservative measures in the sense that they preserved a traditional

68. See McIntosh to Hay, [after October 28] 1793, BL 4/76/16, SCA.

69. "Copy of Queries relating to the Roman Catholics in Scotland_ &c &c &c", [June 1794] & Robert Dundas & Robert Blair, "Copy Answers to the Memorial and Queries for the Roman Catholics in Scotland," August 1794, OL 2/1/5, SCA.

70. Committee of English Catholics, *To the Catholics of England. My Lords and Gentlemen, I. We have the honor to lay before you, a short account of the principal circumstances....* (London?: 1789), 4. http://galenet.galegroup.com.proxy.library.vanderbilt.edu/servlet/ECCO (accessed 26 March 2010).

understanding of the British Constitution, they were compatible with contemporary attempts to strengthen social hierarchy and maintain the subordination of the lower classes. With "French ideas" threatening the stability of the British Constitution, the defining characteristic of that constitution, British liberty, had changed to the benefit of the orthodox Catholic elite. Notably, the two types of Catholics who benefited directly from this legislation were the clergy and the financially well-off, who were expected to use their influence to keep their social inferiors in line. This attempt to strengthen the social status quo by appealing to the wealthiest members of the Catholic community was consistent with both earlier Catholic relief legislation and with other efforts to reinforce the property rights of the rich through enclosure acts. The Catholic Relief Acts of 1791 and 1793 were designed to protect hierarchy without dispersing political power. Although British Catholics continued campaigning for political concessions, they remained excluded from them until emancipation.

Catholic Relief in Ireland

While it was possible to grant Catholics relief from the penal laws without upsetting the status quo in England and Scotland, the same was not the case for Ireland. Although Catholicism was an important psychological threat for British Protestants during much of the eighteenth century, the actual number of Catholics in Britain was small enough that they did not present a real danger to the social structure. In Ireland, however, the political and social organization of the island was based primarily on the exclusion of Catholics,

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71. Geddes to McPherson, 17 December 1792, BL 4/65/10, SCA.

who made up three-fourths of the population.[413] The Irish land settlement, to which the Protestants owed their worldly prosperity and political power, was based upon the seizure of Catholic estates during the seventeenth century. By stripping Catholics of their property and barring them from positions of influence, the penal laws affirmed the political and social dominance of the Anglo-Irish minority while affirming the view that the Irish Catholics were a disaffected and criminal people who had to be kept in line. The Lord Lieutenant Lord Westmorland captured the traditional view of Ireland when he described it as "[a] Protestant Garrison... in possession of the Land, Magistracy, Power of the Country, holding that Property under the Tenure of British Power & Supremacy, & ready at every instant to crush the rising of the conquered[.]"[414]

The issue of Catholic relief in Ireland was intertwined with matters of class, empire, and nationalism. Conquered by the English over a period of centuries, Ireland was the foremost colony in the British empire. Like Quebec, it was both a settler colony inhabited by Protestant British migrants and a territorial colony with its own native Catholic population. These two groups were not entirely separate. For instance, members of wealthy Catholic families sometimes adopted Protestantism in order to get access to the privileges of the Protestant Ascendancy.[415] Nevertheless, the Anglo-Irish settlers who made up the Protestant Ascendancy relied upon the suppression of the Irish Catholic majority in order to maintain their power. Over the course of the eighteenth century, the Anglo-Irish became complacent about their dominance; forgetting that their superiority

72. Connolly, *Priests and People*, 50.

73. Westmorland to Pitt, 18 January 1793, Add. 6958/1199, Pitt Papers, CUL.

74. Kevin Whelan, *The Tree of Liberty: Radicalism, Catholicism and the Construction of Irish Identity, 1760-1830* (Notre Dame, IN: University of Notre Dame Press, 1996), 6.

was ultimately based upon the threat of British intervention, they developed their own form of Irish nationalism. Irish Protestant nationalism reached its apex with the Constitution of 1782, which gave Ireland an independent Parliament. The new Parliament granted the Catholics some concessions in 1782 with Gardiner's Act, which removed all restrictions on Catholics' property rights and allowed their clergy to perform their religious functions.[416] Ultimately, however, the reformers' disagreements regarding the proper treatment of Catholics in Ireland undercut the impact of the new constitution.[417] Despite winning the repeal of Poyning's law, the Irish Protestants ultimately remained under British control because they could not control the Catholics on their own.[418] When the British government began pressing for additional Catholic relief measures in the 1790s, it stopped supporting the policy of exclusion that had won it the allegiance of the Anglo-Irish. Furthermore, by granting the Irish Catholics some political power, they undermined Ireland's social hierarchy in a way that they refused to do in Britain.

Most of the time, the British government ignored Ireland.[419] However, Ireland took on greater significance as war with France became increasingly likely. It was both a major source of recruits for the military, contributing up to one third of the army's rank and file by the early nineteenth century, and a possible security threat.[420] Revolutionary

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75. Keogh, *The French Disease*, 22.

76. James Kelly argues that anti-Catholic conservatives gained ascendancy over Protestant liberals in response to the Rightboys' attempts to restrain tithes in 1785-87. Kelly, "The Genesis of 'Protestant Ascendancy': The Rightboy Disturbances of the 1780s and their Impact upon Protestant Opinion," in *Parliament, Politics and People: Essays in Eighteenth-Century Irish History*, ed. Gerard O'Brien (Blackrock: Irish Academic Press, 1989), 93-127.

77. Danny Mansergh, *Grattan's Failure: Parliamentary Opposition and the People of Ireland, 1779-1800* (Dublin: Irish Academic Press, 2005); Bartlett, *The Fall and Rise*, 172.
78. Marianne Elliott, *Partners in Revolution: The United Irishmen and France* (New Haven: Yale University Press, 1982), 37.

79. Robert Foster, *Modern Ireland, 1600-1972* (London: Penguin, 1988), 244.

ideas of liberty and equality resonated with the Irish middle class, while rents and tithes rendered many Irish peasants disaffected. Confronted with the possibility of insurrection, British ministers decided to adopt a policy of granting Catholics concessions in the hopes of conciliating them and encouraging recruitment. As Thomas Bartlett writes,

> Previously Catholic numbers had been urged, and accepted, in Ireland and in England as a good reason for keeping them out of the political arena; but in 1792 the fact that they constituted, in Dundas' words, 'the majority of the Irish nation' was adduced as grounds for favouring them.[421]

In 1790, a body of Irish Catholic laymen began campaigning for concessions. Although their initial requests expressed a vague desire for "such relief as the wisdom and justice of Parliament may grant," they later indicated that they wanted to be put on the same footing as Protestant Dissenters.[422] They formed a new Irish Catholic Committee to replace the previous one, which had been inactive since 1784. The leader of the new committee, John Keogh, was a wealthy member of the Catholic middle class, having made himself rich through the sale of textiles, real estate and alcohol.[423] Initially, the committee consisted of both an aristocratic faction and a more popular, middle class one, but many of the aristocrats left in 1791. [424] The Irish Catholic Committee was primarily a lay organization, supportive of the French Revolution, and open to an alliance with the Dissenters.[425] The Irish Catholic Committee even subscribed to a declaration

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80. Bartlett, *The Fall and Rise*, 171.

81. General Committee of the Roman Catholics, "General Committee, 18th February, 1791," in *Transactions of the General Committee of the Roman Catholics of Ireland, During the Year 1791....* (Dublin: P. Byrne, 1792), 2.

82. Connolly, *Divided Kingdom: Ireland, 1630-1800* (Oxford: Oxford University Press, 2008), 443.

83. For the social composition of the Irish Catholic body see Connolly, *Priests and People*, chapter 2.

84. Keogh, *The French Disease*, 48-49.

mirroring that of the English Catholics, in which they acknowledged similar limitations on the pope's power, along with an addendum promising that they would not seek to overturn the land settlement.[426]

In 1790, the Committee chose Edmund Burke's son, Richard, to be their liaison with the government. Despite Burke's emergence as a champion of conservatism in opposition to the French Revolution, he remained committed to improving the legal position of Irish Catholics and strengthening the Irish Catholic landed elite. Like his father, Richard Burke was devoted to repealing anti-catholic legislation, while also seeking to strengthen the connection between Ireland and Britain. The Burkes believed that the Irish Catholics would be satisfied under the British government if they were allowed the same privileges as Protestants, but if they remained excluded, they would become a prey for revolutionaries. The Irish Catholics' main adversary, as far as the Burkes were concerned, was the Irish government itself, which they accused of fomenting opposition between Catholics and Protestants in order to maintain their control over the country.[427]

The British Cabinet had already decided to support the concession of the county franchise to the Catholics before the 1792 Catholic Relief Act was passed.[428] Pitt embraced concessions as a means of gaining Irish assistance in the war effort, unifying the British Isles under a common ideology, and appealing to those members of Parliament who aligned themselves with Burke and the Duke of Portland.[429] Pitt,

85. Declaration of Irish Catholics, [1792?], MS. 5007, NLI.

86. Richard Burke to Henry Dundas, May 1792, MSS. 16, NLS; F. P. Lock, *Edmund Burke,* vol. 2*, 1784-1797* (Oxford: Clarendon Press, 2006), 398-401, 568.

87. Bartlett, *The Fall and Rise*, 138.

88. Pitt to Westmorland, 29 January 1792, Add. 6958/1055, Pitt Papers, CUL; Bartlett, *The Fall and Rise*, 153, 171. Bartlett suggests that Pitt might have decided to oppose allowing Catholics to sit in Parliament at

Grenville and Dundas were particularly concerned about preventing an alliance between the Catholics and the Dissenters.[430] In response to Westmorland's question regarding whether his government could make a definite statement about the franchise, Dundas assured him that

> the sentiments we entertain at the present will at all times decide us, never to wish for any exertions of your Government, beyond what the Protestant Interest may think safe for them. The preservation of the Protestant Establishment in Ireland have been and must continue to be the object of our anxious wishes.

Nevertheless, Dundas told him not to "tie up [the Government's] future conduct" by supporting a declaration.[431] As has frequently been observed, the British ministers neither appreciated the Protestant Ascendancy's concerns regarding the Irish Catholics, nor understood the depth of Irish Catholics' discontent. As of January 1793, Pitt and Dundas thought that the Catholics "might and would be completely gratified" if some changes were made to the corporations and they were permitted to bear arms.[432]

While ministers were willing to consider granting concessions to Catholics, they preferred to interact with Catholic aristocrats or clergymen who approached them with deference. When less prestigious Catholics demanded concessions, it was another matter altogether. In 1792, Theobald McKenna, the former secretary of the Irish Catholic Committee, released a Declaration calling for the complete repeal of the penal laws. While McKenna portrayed the Irish Catholics as loyal well-wishers to their country who

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this point, because he wanted to be able to concede it later to help secure a union between Britain and Ireland.

89. Bartlett, *The Fall and Rise*, 134.

90. Henry Dundas to Westmorland, 29 January 1792, GD51/1/32/4, NAS.

91. Memo of Cooke's conversation with Mr. Dundas, 21 & 22 January 1793, MS. 54A, Melville Papers, NLI.

would not attempt to overturn the land settlement, he described them as being in a state of bondage and asked them to unite with the Protestants to campaign against the remaining penalties.[433] McKenna's *Declaration* so offended the Irish government that Chief Secretary Robert Hobart demanded that the Catholic Committee deny its claims as a precondition to further concessions. They refused on the grounds that McKenna's claims were true, although the Catholic Committee later changed their minds and presented Hobart with the resolution he wanted.[434]

At the beginning of the 1790s, the Irish Parliament was still dominated by members of Church of Ireland. Although Protestant Dissenters had gained the ability to vote and sit in Parliament in the previous decade, they still made up a small minority of MPs. During the debates on the Catholic Relief Act in 1793, Lord Mountjoy claimed that only four representatives in the Irish House of Commons were Protestant Dissenters.[435] Furthermore, Catholics, being unable to vote or sit in Parliament, had no direct representation at all. As was the case in the British Parliament, few members of the Irish Parliament supported granting Catholics political power.

In 1792, the Irish Parliament passed a bill that permitted Catholics to practice law and intermarry with Protestants, as well as removing the restrictions on their education and the number of apprentices they were allowed to take on.[436] Catholics remained unable to

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92. Theobald McKenna, "Declaration &c.," in *Political essays relative to the affairs of Ireland, in 1791, 1792, and 1793; with remarks on the present state of that country* (London: 1794), 73-81.

93. Keogh, *The French Disease*, 51; Hobart to Evan Nepean, 8 October 1792, [with enclosed notes on his meeting with the Catholics from 26 November 1791] Add 35933, Hardwicke Papers, BL. Hobart claimed to have done this in order to "bring back the Protestants to a favorable disposition towards the Roman Catholics."

94. *A Full and Accurate Report of the Debates in the Parliament of Ireland, in the Session 1793 on the Bill for Relief of His Majesty's Catholic Subjects* (Dublin: J. Jones, 1793), 386.

sit on juries or vote in elections.[437] The bill provoked dissatisfaction since before it was purposed. The same day that the bill was announced in the Irish House of Commons, the Catholic Committee submitted a petition to Parliament requesting the abolition of all penal laws.[438] The majority of the Irish Parliament remained wary of granting emancipation to Catholics. Even Mr. O'Hara, the member whom Richard Burke had convinced to read the Committee's petition during the 1792 Irish Catholic Relief Act debates, declared his opposition to its contents and questioned whether the signatures were really in the handwriting of those they claimed to represent. According to Hobart, the House rejected the petition in order to show that they did not support granting Catholics the franchise at the moment, although the prevailing mood was that the Catholics might eventually be allowed the franchise after they became "more enlightened and better acquainted with the constitution" through education and increased intercourse with Protestants. It was rejected by 208 to 25.[439]

Following the passage of the bill, Hobart allowed himself to crow a bit about its likely benefits to government, saying "The Catholics must know that they are indebted to the Government for all they have obtained, and the Protestants are completely satisfied with our conduct[.]"[440] Edmund Burke had a different opinion of the situation and wrote his *Letter to Sir Hercules Langrishe* explaining that the bill did not go far enough. Burke believed that instead of excluding Catholics from the state, the government should

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95. Hobart to Scrope Bernard?, 25 January 1792, Add. 35933, Hardwicke Papers, BL.

96. Bartlett, *The Fall and Rise*, 147.

97. Keogh, *The French Disease*, 54.

98. Hobart to Scrope Bernard (?), 25 January 1792, and Hobart to Bernard, 21 February 1792, Add. 35933, Hardwicke Papers, BL.

endeavor to create a Catholic aristocracy that would preserve the social order.[441] Like the Burkes, the Catholic Committee decided the bill was inadequate. Disappointed by Dublin Castle, the Catholic Committee decided to deliver a petition directly to the British government. They did so in early January 1793.[442]

Although Westmorland was offended by the Committee's tactics, the British ministers threw their support behind another relief bill. Unlike previous bills, which had refused Catholics political power, the 1793 act gave them the 40 shilling franchise and the same property rights as Protestants, while also allowing them to sit on juries, endow schools and universities, carry arms, hold some civil offices, and take commissions in the army and navy.[443] Catholics with £300 in property were allowed to possess arms.[444] During the debate, Alexander Knox moved to insert a clause allowing Catholics to sit in Parliament on the grounds that the Catholics were going to get the ability to do so eventually, and that it would be better for government to get credit for the concession.[445] His motion lost 163 to 69. Bartlett interprets the support he received as a sign of weariness among the MPs. Despite the failure of Knox's motion, the bill was unprecedented in the British Isles. By allowing Catholics to vote, command troops, and administer the law, the 1793 Irish Catholic Relief Act gave them the rights of citizens in a

99. Hobart to Dundas, 25 February 1792, GD51/1/322/5, NAS.

100. Edmund Burke, *A Letter from the Right Hon. Edmund Burke, M. P. in the kingdom of Great Britain, to Sir Hercules Langrishe....* (London, 1792), 6-9.

101. Bartlett, *The Fall and Rise*, 152.

102. Bartlett, *The Fall and Rise*, 165.

103. Hobart to Nepean, 16 March 1793, Add. 35933, Hardwicke Papers, BL.

104. Hobart to Westmorland, 26 February 1793, Add. 35933, Hardwicke Papers, BL.

kingdom that had been built upon their subordination. Despite individual MPs' protests against it, government support helped ensure that the bill passed with little difficulty.[446]

During the debate itself, numerous MPs had objected to some features of the bill. The decision to allow Catholics the 40 shilling franchise was particularly controversial. Mr. Rowley objected that the clause allowing Catholics the franchise would undermine the Protestant Ascendancy and refused to support the bill unless it was taken out. He was supported by George Ogle, who seconded his motion to remove the clause.[447] Lord Mountjoy, who had introduced the 1778 Irish Catholic Relief Act as Luke Gardiner, expressed his concern that expanding the franchise would result in an explosion in the number of contested elections and recommended that the franchise be limited to those with £10 per annum.[448] Some of the weightiest objections came from the Lord Chancellor, the Earl of Clare.[449] Clare objected strenuously to the idea of allowing Catholics political power. Although he was committed to supporting the passage of the bill for political reasons, he feared that further concessions would make it impossible to maintain Ireland's status as a semi-independent, Protestant-dominated country within the British empire. After complaining that Protestants would never be secure under Catholic rule, he predicted that if any further "innovation" was made, there would be "a total separation from England, or an union with her—each to be equally dreaded." Nevertheless, he defended the enfranchisement clause in the House of Lords, arguing that

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105. Bartlett, *The Fall and Rise*, 166-7.

106. *A Full and Accurate Report*, 356-357.

107. *A Full and Accurate Report*, 386.

108. The Lord Chancellor was the son of the Earl of Clare mentioned in chapter 2.

it would defeat the point of the bill to remove it.[450] Despite opposition, the clause allowing Catholics the 40 shilling franchise was accepted by 39 to 6.[451]

Among the bill's more enthusiastic defenders, its main value lay in its supposed ability to unify the Irish people against the coming struggle with France and revolutionary ideas. Despite traditional fears that the Catholics were controlled by papal influence, Sir Hercules Langrishe pointed to the Catholics' loyalty during the American Revolution and described them as potential allies in the fight against "foreign principles."[452] Sir John Doyle, who had helped found the Irish Whig Club, predicted that the abolition of all anti-catholic distinctions would end radicalism within Ireland, arguing that "with this aid you may defy *Paine and all his works*, the French mania and all their Jacobine emissaries; you will have a united people to oppose to all enemies foreign and domestic."[453] The Anglican Bishop of Killala appealed to the idea of a common Christian faith and defended the bill on the grounds that the Catholics were "fellow-subjects, and fellow-christians, believers in the same God, and partners in the same redemption... It was no part of protestantism to persecute catholics, and without justice to the catholic, there could be no security for the protestant establishment[.]"[454]

While the Catholic elite monopolized the campaign for Catholic relief in England and Scotland, in Ireland it had the potential to become a popular movement. Like the British

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109. *A Full and Accurate Report*, 365-366, 372, 384.

110. *A Full and Accurate Report*, 387.

111. *A Full and Accurate Report*, 29, 30.

112. *A Full and Accurate Report*, 42; *Oxford Dictionary of National Biography*, "Doyle, Sir James" (by Alastair Massie), http://www.oxforddnb.com.proxy.library.vanderbilt.edu/view/article/8002?docPos=9 (accessed January 18, 2010).

113.*A Full and Accurate Report*, 359.

acts, the Irish relief acts were aimed principally at the middle and upper class without offering substantial benefit to the poorer Catholics. Middle and upper class Catholics were far more numerous in Ireland than they were in Britain. Particularly in contrast to the Scottish Catholic Relief Act, the Irish Catholic Relief Acts affected a large part of the population. Nevertheless, the majority of Irish Catholics may not have seen much benefit from the new legislation. The Irish peasantry were generally more concerned with tithes, taxes, and the difficulties of survival, which repeatedly drove some them to bouts of agrarian violence. Furthermore, the expansion of the franchise did not produce a large body of independent Catholic voters. Whether out of apathy, deference, or fear of retribution, most tenants voted according to their landlords' wishes until the national Catholic emancipation campaign of the 1820s.[455]

Despite hopes that the Catholic Relief Acts would appease politically active Catholics, the Catholic Committee became more connected to reforming movements as the first years of the decade went on. In 1792, the Irish Catholic Committee dismissed Richard Burke and replaced him with Theobald Wolfe Tone, a leading member of the United Irishmen.[456] Like the Burkes, Tone denounced the Irish government as corrupt while claiming to be loyal to George III. While most of the members of the United Irishmen were either members of the established church or Presbyterians, Wolfe Tone's pamphlet *An Argument on behalf of the Catholics of Ireland* persuaded them to embrace

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114. J. H. Whyte, "Landlord Influence at Elections in Ireland, 1760-1885," *The English Historical Review* 80, no. 317 (October 1965): 743-747; Compounding matters, not all MPs were elected by 40 shilling freeholders. Ireland had 117 boroughs with their own distinct voting requirements based on such things as birth and marital status; Trinity College, which exclusively admitted members of the established church, also elected two representatives. Foster, *Modern Ireland*, 234-235.

115. For more on Wolfe Tone, see Marianne Elliot, *Wolfe Tone, Prophet of Irish Independence* (New Haven: Yale University Press, 1989) and C. Desmond Greaves, *Theobald Wolfe Tone and the Irish Nation* (Dublin: Fulcrum Press, 1991).

Catholic emancipation on the grounds that reform had to embrace all denominations to be successful.[457] Some of the most prominent members of the Catholic Committee, John Keogh, Richard McCormick, and Edward Levins, became United Irishmen themselves.[458] However, the United Irishmen of the early 1790s were not the separatist republicans that they came to be by 1798. While the body agreed on the need for political reform in Ireland, individual members were interested in a variety of goals. Before 1795, their main goal was parliamentary reform, with Catholic emancipation as a necessary prerequisite. Even towards the end of the decade, some United Irishmen remained willing to accept George III as their king. [459] Despite the universality promised in their name, the organization was divided by class and sectarian tensions. Leadership positions were dominated by Protestant middle class professionals, who desired to present themselves as an aristocratic, social elite.[460] Rather than joining the United Irishmen, disillusioned Catholics of the lower class were more likely to join the openly sectarian Defenders.[461]

At the same time that the Catholic committee was campaigning for concessions, domestic unrest flared up in southern Ulster. Threatened by the prospect of the repeal of

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116. Theobald Wolfe Tone, *An Argument on Behalf of the Catholics of Ireland* (Belfast: 1791), 9, 13, 16, 27. He was willing to require that Catholics have £10 a year in order to vote, while Protestants held the franchise at 40 shillings.

117. Elliott, *Partners in Revolution*, 36; for more on the United Irishmen, see also A. T. Q. Stewart, *A Deeper Silence, the Hidden Origins of the United Irishmen* (London: Faber & Faber, 1993).
118. Elliott, *Partners in Revolution*, xvi, 26-30.

119. Michael Durey, "The Dublin Society of United Irishmen and the Politics of the Carey-Drennan Dispute, 1792-1794," *The Historical Journal* 37 (March 1994): 89-111.

120. See Tom Garvin, "Defenders, Ribbonmen, and Others: Underground Political Networks in Pre-Famine Ireland," *Past & Present* 96 (August 1982): 133-155; Bartlett, "Defenders and Defenderism in 1795," *Irish Historical Studies* 24 no. 95 (1985): 373-394; for more on unrest in Ireland, see David Dickson, "Taxation and Disaffection in Late Eighteenth Century Ireland," in *Irish Peasants: Violence and Political Unrest 1780-1914*, eds. Samuel Clarke and James Donnelly (Madison: University of Wisconsin Press, 1983), 37-56; Maurice Bric, "Priests, Parsons, and Politics: The Rightboy Protest in County Cork 1785-1788," *Past & Present* 100 (August 1983): 100-123; Martyn Powell, "Popular Disturbances in Late

the penal laws, rural Protestants took up arms in order to defend the Protestant Ascendancy.[462] Although Pitt and Dundas originally developed several schemes for sending British regiments to Ireland to police the people and protect the island from invasion, the need for troops on the Continent and elsewhere prevented them from carrying them through.[463] Westmorland suggested the creation of an Irish Protestant militia, only to be overruled by Pitt and Dundas, who insisted that Catholics be included as well. They saw militia service as a means of "making of [the Catholics] an effectual Body of support and of detaching them from the Levellers."[464] Despite Pitt and Dundas' hopes that the measure would unite the loyal in defense of the country, attempts to enlist men provoked rioting throughout Ireland, resulting in the deaths of 230 people. Catholics interpreted the militia act as an attack on the victories they had won with the Catholic relief acts. The peasantry believed themselves to be abandoned by their superiors. For Thomas Bartlett, the militia riots mark the beginning of the breakdown of the moral economy in Ireland and "helped to create that atmosphere of fear and repression that made the [insurrection of] '98 possible and some sort of '98 inevitable."[465]

Eighteenth-Century Ireland: The Origins of the Peep of Day Boys," *Irish Historical Studies* 34, no. 135 (2005): 249-265.

121. Bartlett, "Defence, counter-insurgency and rebellion: Ireland, 1793-1803," in *A Military History of Ireland*, ed. Thomas Bartlett and Keith Jeffrey (Cambridge: Cambridge University Press, 1996), 251; see also, David Miller, "The Armagh Troubles, 1784-95," in *Irish Peasants: Violence and Political Unrest 1780-1914*, ed. Samuel Clarke and James Donnelly (Madison: University of Wisconsin Press, 1983), 155-191.

122. For one example of these schemes, see Dundas to Westmorland, 24 March 1793, MS. 1002, Kilmainham Papers, NLI.

123. Memo of Cooke's conversation with Mr. Dundas...., 21 & 22 January 1793, MS. 54A, Melville Papers, NLI; see also Cookson, *The British Armed Nation*, 37.

124. Bartlett, "Defence, counter-insurgency and rebellion," 253-254; Bartlett, "An End to Moral Economy: The Irish Militia Disturbances of 1793," *Past & Present*, no. 99 (May, 1983): 44, 48, 62.

In 1795 Lord Fitzwilliam went to Ireland to replace Westmorland as Lord Lieutenant. A follower of Burke, he concluded, possibly before leaving England, that Catholic emancipation was necessary in order to secure Ireland.[466] Like many of his contemporaries, he feared that the Irish lower classes were universally disaffected. He believed that the upper and middle class Catholics had shown "the greatest degree of moderation & genuine patriotism" by not helping seditious combinations. However, he thought the Catholics still resented being excluded from "the rights & franchises, which belong to every other description of subject to their class" and only being allotted a few of those privileges which they might legally enjoy.[467] Furthermore, realizing the number of Irish soldiers that Britain would need to continue the war, Fitzwilliam believed that it was only just to include the Catholics in the government. He remarked:

> On my idea that a vigorous war wd. be pursued, the assistance of three Millions of your Catholic Subjects appeared to me absolutely necessary... I could not call for their Money & their Lives, in favor of a Govt. from which they were excluded, or in support of those Cabals & Factions, who, in return for their Sweat & blood, were to represent them as Traitors to the Power they fought for; or by which Factions they were at best to be treated as suspected Subjects, or as Citizens of a lower & degraded description. [468]

In February 1795, Grattan brought forth a bill to enable Catholics to serve in any non-religious and non-royal capacity as long as they swore an oath to uphold the land settlement and avoid undermining the Protestant establishment in church and state. The British government ordered Fitzwilliam to oppose the bill. He was refused and was recalled.[469]

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125. Bartlett, *The Fall and Rise*, 196.

126. Fitzwilliam to Pitt, 14 February 1795, Add. 6958/1646, Pitt Papers, CUL.

127. Fitzwilliam to George III, 22 April 1795, Add. 6958/1708, Pitt Papers, CUL.

On previous occasions, George III had not raised much objection to Catholic relief legislation. Following the passage of the English Catholic Relief Act in 1778, he and Queen Charlotte had even spent several days visiting Lord Petre on his estate.[470] However, the possibility that Fitzwilliam might attempt to introduce legislation enabling Catholics to sit in the Irish Parliament triggered a response that was to become a lasting refrain for the king. Writing to Pitt, the king declared his complete opposition to the measure. It was not only contrary to the system established at the Glorious Revolution, which the king's family had been brought in to protect, but "contrary to the conduct of every European Govt & I believe to that of every State on the Globe." He claimed that it favored Ireland's Catholic lower class over its Protestant property owners, that it would be unpopular with the nation at large, and that it would lead to the dissolution of the connection between Britain and Ireland altogether. The king's letter reveals a notable assumption. His belief that the "bulk of the Nation" regarded the favor shown to the established church as a "blessing" for providing "a fixed principle from whence the Source of every tye [sic] to Society & [Government] must trace its origin," suggests that he disregarded the Irish Catholics in his conception of the nation.[471] Nevertheless, in his opposition to Catholic emancipation, the king was not motivated by anti-catholicism so much as a belief in his duty to protect the established church as he had promised in his

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128. Bartlett, *The Fall and Rise*, 197; also see Deirdre Lindsay, "The Fitzwilliam Episode Revisited," in *The United Irishmen: Republicanism, Radicalism and Rebellion*, ed. David Dickson, et al. (Dublin: Lilliput Press, 1993), 197-208.

129. M. D. Petre, *The Ninth Lord Petre or Pioneers of Roman Catholic Emancipation* (London: Society for Promoting Christian Knowledge, 1928), 39-48.

130. George III to Pitt, 6 February 1795, Add 6958/1631, Pitt Papers, CUL.

coronation oath. For similar reasons, he had opposed the repeal of the Test Acts against Protestant Dissenters several years earlier. [472]

After his recall, Fitzwilliam told the king that "My object was that your Majesty [should] fully command the purses, the persons, & the hearts of all your people."[473] However, this was not to be the case. Following Fitzwilliam's recall, relations between the Irish Catholics and the government grew increasingly strained. Fitzwilliam's defeat undermined constitutional attempts at reform by sending the message that neither the Irish nor the British governments would willingly grant emancipation.[474] Catholic perceptions of judicial bias in favor of Orangemen during the disturbances in Armagh strengthened the belief that government was turning against them.[475] Furthermore, the yeomanry assembled a year later was overwhelmingly Protestant and even Orange. Taken together, these developments marked the return of the policy of exclusion that had characterized Ireland earlier in the century. Earlier fears of French invasion were subsumed into fears of insurrection, which the Irish government met with a sectarian response.[476]

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131. Mori, *William Pitt*, 37; for the king's religious opinions see Jeremy Black, *George III: America's Last King* (New Haven: Yale University Press, 2006), chapter 10.

132. Fitzwilliam to George III, 22 April 1795, Add. 6958/1631, Pitt Papers, CUL.

133. Keogh, *The French Disease*, 47.

134. Memoire of Arthur O'Conner, Thomas Emmett, and McNevin, MS. 54A, Melville Papers, NLI. They also claimed "that whenever the Orange System was introduced particularly in Catholic Counties it was uniformly observed that the number of United Irishmen increased [sic] most astonishingly"; Bartlett, "Defence, counter-insurgency and rebellion," 262.

On February 6, 1793, France declared war on Britain, marking the start of a conflict

that would last for the next twenty-two years. Before it was over, over 890,000 British

subjects would serve in the military or national defense forces.[477] Although the

immediate cause of the war was Britain's opposition to the French invasion of the

Scheldt, the war immediately took on a broader ideological significance.[478] Bishop Hay

expressed a common loyalist sentiment when he wrote:

> [this] is not a war like other wars, in which the contest is, not about
> who shall be master of this or that piece of ground, or have the command
> of this or that territory; but it is a war in which our Lives and Fortunes, our
> Religion and Liberties, our Laws and Government, with every other thing
> that is near or dear to us in this world, yea our very existence as a nation,
> are at stake.[479]

Like Hay, defenders of the war frequently framed it as a contest to preserve the

Constitution and protect British society from pillage and anarchy. Ironically, however,

the methods used to fight the war challenged the order that it was ostensibly trying to

preserve.[480] Pitt and his ministry hoped to unite the people of Britain and Ireland against

the revolutionaries by arming them and granting concessions to the Catholics, but in so

doing, they made it easier for Catholics, and lower and middle class people in general, to

challenge the dominance of the aristocracy and the established church. By the end of the

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135. Bartlett, "Defence, counter-insurgency and rebellion," 268.

136. Stone, *An Imperial State at War*, 24.

137. T. C. W. Blanning, *The Origins of the French Revolutionary Wars* (London: Longman, 1986).

138. George, Bishop of Daulia, to all the faithful, both Clergy and Laity, under his charge, 15 February 1794, SM 15/2/10, SCA.

139. Colley, *Britons*, 318.

war, Catholics were citing their military service to prove that they were deserving of emancipation. [481] Throughout the conflict, Catholics contributed to the war effort in three ways: direct military assistance, encouragement to loyalty, and prayer.

Loyalist associations began to proliferate in Britain following the formation of Reeves' Association in 1792. Between circulating addresses, creating public spectacles and intimidating reformers, loyalists exposed much of British society to their activities. The Catholics were no exception and, like many other groups, Catholic elites responded to the coming war with loyalist addresses. For instance, Fermor suggested to Grenville that it would help the war effort if England's various counties submitted addresses and offered to obtain one from Oxford. These gestures were not spontaneous declarations of loyalty, but conscious attempts to flatter the government and improve the senders' image. Fermor himself combined his declaration of loyalty with a grievance when he lamented that the penal laws prevented him from voting to support the government.[482] In a similar move, the Cisalpine Club, which had been founded by members of the English Catholic Committee in 1792, sent the king an address assuring him that they would do whatever government would allow them to do to help the war effort, while lamenting their inability to do more.[483]

As religious authorities, Catholic clergymen exerted their influence through several channels. The most public of these was the bishops' pastoral letters. In addition to being read at Catholic services, these letters were often printed, circulated, and sent to

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140. Bartlett, "Defence, counter-insurgency and rebellion," 247.

141. Fermor to Grenville, 29 January 1794, Add. 59264, Dropmore Papers, BL.

142. Minutes of the Cisalpine Club, Address to the King from the Catholics of England, 12 February 1793, A0183, AAW.

government officials. Catholic sermons had a smaller audience and, unlike those of Protestant ministers, they were rarely published. Finally, there were the prayers to be said at mass itself, which were sometimes published in pastorals. These media served a variety of functions. They not only allowed clergymen, particularly bishops, to interpret contemporary events and instruct Catholics on how to respond to them, but they also gave them a forum from which they could appeal to and critique government. Geddes was aware of these functions. In December 1792, he instructed Bishop Muroch to join with Bishop Chisholm in preparing a pastoral letter against sedition. The template he proposed began by supposing that local priests had already exhorted their congregations to "peace, order, and submission to government" before suggesting:

> Then might follow a short lamenting description of the present ferment abroad, and even at home. It might be added, that whatever pretences may be made by designing men, nothing can be more pernicious than to disturb Government by exciting the people to diffidence and discontent, as well appears from the Calamities of a neighbouring Country. A Paragraph might follow expressing that the Spirit of Christianity is that of peace; and inspires obedience to Civil Govern^t. Here some few of the best texts of Scripture might be applied, Then might follow a warm exhortation. Our particular grievances might be slightly hinted at, but patience, thankfulness for the late indulgence and hope of redress should be strongly recommended. [484]

Following the outbreak of war with France, the Catholic clergy used their pastorals and sermons to encourage support for the war effort.[485] Government-ordered days of fasting and thanksgiving gave the Catholic clergy an obvious time to show their loyalty and encourage communal feelings, while also making a genuine religious appeal. In a pastoral from 1794 on the National Fast Day, Bishop Douglass of London explained that

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143. Geddes to Muroch, 24 December 1792, BL 4/60/10, SCA.

the British were not fighting simply to preserve the Constitution and the other "temporal blessings" they enjoyed under George III's rule. They were also fighting "for the preservation of the general peace and order of the christian world and of christianity itself" against revolutionaries who had demonstrated their particular hate of Catholicism.[486] Likewise, on the occasion of the 1793 National Fast Day, a Scottish priest admonished his hearers to remember that they had as much reason to oppose the French as other subjects, saying,

> Is not your native Country dear to you as to them? is not your property as valuable to you as theirs is to them, is your life, safety, and protection of less consequence to you than theirs to them_ and what is of far more importance [is] not the Christian religion, the honour of God, the Salvation of Souls, the happiness of man objects as awfully interesting to you as to the rest of your Countrymen?[487]

In addition to encouraging their audience to obey the laws and assist the war effort in any manner available to them, the main purpose of pastorals and sermons was to encourage people to placate God through prayer and repentance. Like their Protestant counterparts, Catholic clergy regularly emphasized the idea of divine providence, describing a "God of battles" who stage-managed worldly affairs so as to punish sinners and test the righteous; under this logic, individual Catholics' religious behavior took on a national significance as their degree of sinfulness contributed to God's decision to punish

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144. For Protestants' use of sermons, see Robert Hole, "English sermons and tracts as media of debate on the French Revolution 1789-99," in *The French Revolution and British Popular Politics*, ed. Mark Philp (Cambridge: Cambridge University Press, 1991), 18-37.

145. The propaganda value of the pastoral was not lost on Milner, who suggested that Douglass' pastoral be "calculated at the same time to meet the Eye of protestants & Catholics," because it was likely "to go to court & may perhaps get into the Newspapers." John Milner to Douglass. Feb. 14, 1794. AAW. Bishop Douglass Papers. Vol. LXV. 14.

146. National Fast Day sermon, 18 April 1793, LS 6/16/1 (1), SCA.

or reward the country as a whole.[488] The nature of the prayers themselves was of both religious and political significance. In accordance with government instructions that the king be prayed for by name during religious services, pastorals included prayers for George III and his family that were to be said along with mass. These prayers could be controversial due to the king's Protestantism. For instance, the archdiocese of Dublin responded to the outbreak of war with the inclusion of a prayer for the king both before the mass and after communion. While it appealed to God to protect the king from his enemies, it also expressed the hope that George III and his family might turn Catholic.[489]

Like contemporary loyalist propaganda, British Catholics' pastorals proclaimed hierarchy and inequality to be natural conditions. The pastorals asserted that good Christians should appreciate whatever meager blessings they had and warned them that a French victory would cost them everything. Furthermore, they universally expressed the idea that Catholics were obligated to obey whatever authority God put over them.[490] However, the Catholic clergy were not necessarily sycophantic in their praise of government. The Irish clergy in particular were torn between their obligation to support a wary government and their sympathies towards their coreligionists. Archbishop Troy's 1793 work, *A Pastoral Instruction on the Duties of Christian Citizens*, demonstrated the tensions between his need to encourage loyalty and his desire to promote the interests of

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147. John, Bishop of Centuriae, Vicar Apostolic, to all the Faithful of the London District, Clergy and Laity, 10 February 1794, Bp. Douglass Papers, Vol. 45, 12, AAW; National Fast Day sermon, 10 March 1796, LS 6/16/3 SCA; George, Bishop of Daulia, to all the Faithfull, 15 February 1794, SM 15/2/10, SCA; John, Bp of Centuriae, to the Clergy and Laity of the London District, 12 December 1797, Bp. Douglass Papers, AAW.

148. *Prayers appointed to be said Before Mass, in all the Roman Catholic Chapels, in the Archdiocess of Dublin, For His Holiness PIUS VI and our most gracious sovereign KING GEORGE III* (Dublin: Printed by Fitzpatrick, 1793).

149. Connolly, *Priests and People*, 212.

the Irish Catholics. While repeating the standard assertion that Catholics were naturally loyal to sovereign power, the dissonance between his examples of Catholic loyalty and their treatment under the Irish government betrayed a sense of bitterness. While he mentioned that government had thanked the Catholic clergy for their support against the Whiteboys and other rioters, he also observed that "The subordinate departments of his majesty's army and fleet are filled with Irish Catholics; who do not, however, enjoy that freedom in practising their religious duties and rites, to which they are so justly entitled by their fidelity, and meritorious services." Acknowledging the recent relief acts, he credited the king with their passage, rather than the Irish Parliament. Ultimately, as far as Troy was concerned, the strongest reason for Catholics to be loyal was not a positive love of the Irish government but, instead, opposition to the doctrines of the revolutionaries.[491]

While pastorals and the like allowed Catholic clergymen to denounce disloyalty and encourage repentance, the clergy also punished the refractory by refusing them the sacraments or excommunicating them. This was most commonly the case in Ireland, where Catholic bishops had a long-standing practice of excommunicating Whiteboys.[492] In the case of David Downie, an Edinburgh Catholic who acted as treasurer to the Scottish Friends of the People, Geddes instructed Downie's confessor to convince him that he could not receive absolution unless he denounced his "Jacobinical practices" and revealed all the details of any plot he might have been engaged in. Geddes saw this as

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150. Archbishop John Troy, *A Pastoral Instruction on the Duties of Christian Citizens, addressed to the Roman Catholics of the Archdiocess of Dublin* (London: 1793), 16-17, 109-111.

151. See chapter 1.

both a civil and a religious obligation, asserting "[this] discovery he owes to his Country, which they were endeavouring to bring to ruin."[493]

The French Revolutionary Wars required an unprecedented number of British subjects to enlist in some branch of the national defense. The Catholic clergy aided in recruitment drives. For instance, priests in Scotland were directed to encourage their parishioners to enroll themselves in the militia.[494] As Colley has argued, military service was a potential source of national bonding and played an important part in strengthening a sense of connection between England and Scotland.[495] However, not only does Colley's argument ignore the service of English and Scottish Catholics, it overlooks the participation of the Irish altogether. Faced with the prospect of invasion and wide-scale warfare, the late eighteenth century British state could not afford to write off its Catholic subjects. Sir John Dalrymple, a key player in the development of the 1779 Scottish Catholic Relief Act, appealed to the strength of the entire British Isles, writing, "your Sovereign's Crown depends upon Four things. The Scotch Highlands, the Irish Papists, the English seamen, & the Internal defence."[496]

In the words of Richard Burke, Ireland was "the fund of [Britain's] recruiting service by sea & land."[497] Bartlett has calculated that up to one fifth of Ireland's adult males

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152. Geddes to Cameron, after 1 August 1794, BL 4/83/3, SCA; Downie was found guilty and transported to Botany Bay. F. John Ingram to Macpherson, 21 November 1797, BL 4/117/8, SCA; and Anson, *Underground Catholicism*, 212; for more on the Scottish Friends of the People, see John Stuart Shaw, *The Political History of Eighteenth-Century Scotland* (New York: St. Martin's Press, 1999), 125-127.

153. Alexander MacDonald to Reginald MacDonell, 28 August 1794, OL 1/1/4, SCA.

154. Colley, *Britons*, 4-8.

155. Dalrymple to unknown, 10 March 1795, MS. 1051, Melville Papers, NLS.

156. Richard Burke to Henry Dundas, 21 July 1793, MS. 54A, Melville Papers, NLI.

engaged in some sort of military service between 1793 and 1815.[498] As of 1794, above 32,000 Irish recruits had already been sent on foreign service in addition to others raised for regiments abroad.[499] Irish soldiers were among those sent to the West Indies. Among other things, they fought to put down Fedon's Rebellion on Grenada, which had been inspired in part by the anti-catholic measures of its Protestant government.[500] Irish Catholics were also needed for service on the Continent. For instance, many Catholics belonged to the 12th Light Dragoons sent from Ireland to Civita Vechia to help defend the pope.[501] Despite the number of recruits Ireland produced, the Irish government was wary of allowing Catholic soldiers to remain in Ireland for any longer than necessary. The British military preferred to take Irish soldiers outside of Ireland in order to prevent them from deserting.[502]

The Scottish Highlands also provided a cache of Catholic soldiers. Despite the official ban on Catholics in the military before 1793, they had been enlisting in the British army since at least the Seven Years War. In 1791, Geddes mentioned having "five or six Soldiers in their Regimentals" in his congregation at Glasgow.[503] Following the outbreak of war in 1793, Scottish lairds such as Lord Breadalbain and the Duke of

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157. Bartlett, "Defence, counter-insurgency and rebellion," 247.

158. Memorandum by Westmorland, 16 November 1794, Add. 6958/1538, Pitt Papers, CUL.

159. Michael Duffy, "World-Wide War and British Expansion, 1793-1815," in *The Oxford History of the British Empire: The Eighteenth Century*, ed. P. J. Marshall, (Oxford: Oxford University Press, 1998), 186-188; also see Michael Duffy, "War, revolution and the crisis of the British Empire," in *The French Revolution and British Popular Politics*, ed. Mark Philp (Cambridge: Cambridge University Press, 1991), 118-145; for Irish Catholic's part in suppressing Fedon's Rebellion, see Bartlett, "Defence, counter-insurgency and rebellion," 255.

160. R. Smell to Horrabin, 29 March 1794, Bp Douglass Papers, Vol. 45, 26, AAW.

161. Bartlett, "Defence, counter-insurgency and rebellion," 257; Westmorland to Pitt, 17 April 1794, Add. 6958/1429, Pitt Papers, CUL.

Gordon were eager to recruit their able-bodied tenants regardless of religion. During one of the Duke of Gordon's recruitment drives, the Duke stayed with Hay at the Catholic college at Scalan.[504] In 1794, the Catholic priest Alexander MacDonnell noted that:

> In [illegible] fencibles quartered in this city just now there are 92 Catholics, in the Breadalbain Regit. there is a whole Company, in the Duke of Gordon Fencibles yourself will know better than I as you have occasion of seeing them on the Sunday, that their numbers must be considerable in Major Cameron [illegible] upward of 100 Catholics enlisted & near 200 Catholics have in different Corps & Regts. attested in this town within this twelve month past.[505]

Likewise, Archibald Fraser, Simon Fraser of Lovat's successor, claimed that out of the 656 men in his regiment, 130 of them were Catholics. Fraser vouched for them, mentioning the "good behaviour of those from Morer & the West coast," and claiming that the "the Catholicks [sic] in the north of Scotland are as good subjects as any in the Country."[506]

The Scottish Catholic Church had numerous reasons to facilitate recruitment. As the minority faith, the Catholic Church existed at the sufferance of its Protestant neighbors, particularly the Protestant lairds who owned most of the country. For instance, the college at Scalan sat on land owned by the Duke of Gordon. In order to continue operating the college, which was an illegal institution, the Catholics needed the Gordons' support. Likewise, aiding with recruitment was an important part of keeping up good relations with government. Acting on the instructions of the Lord Lieutenant, the Catholic ministers in the Highlands instructed the men in their congregations to enroll themselves

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162. Geddes to Hay, 10 February 1791, BL 4/43/1, SCA.

163. Hay to Geddes, 23 March 1793, and Hay to Geddes, 1 April 1793, BL 4/73/14, SCA/

164. MacDonnell to Hay, 12 February 1794, BL 4/89/2, SCA.

165. Fraser to Dundas, 6 May 1795, MS. 1048/58, NLS.

for militia service in 1794.[507] Besides pressures from government and landowners, however, Catholic clergymen such as Hay genuinely supported the war against revolutionary France, seeing it as a conflict between the forces of religion and order, and anarchy and atheism.

During the 1790s, only two sorts of Catholics were allowed to become officers in the British military: Irish Catholics who remained in Ireland, and French Catholics who belonged to Emigrant Corps. The 1793 Irish Catholic Relief Act allowed Catholics to take military commissions as long as they swore the 1774 oath of loyalty.[508] When the Irish Parliament passed the legislation, Hobart suggested that the British Parliament would produce a similar bill for England, but the Pitt ministry did not put any such measure forth for British Catholics. However, a year later, government succeeded in passing a bill that allowed French subjects to enlist in regiments and receive commissions, regardless of their religion. While Pitt argued that it was appropriate to send Frenchmen to fight for their own country, the opposition politician Richard Brinsley Sheridan pointed out the inconsistency of allowing French Catholics to become officers while excluding the English Catholics from the same positions. About a month afterwards, Sheridan brought forth a bill for the repeal of all religious tests attached to military commissions. Although he confined his speech primarily to the injustice of excluding English Catholics, his measure would have extended to all Dissenters. Possibly speaking for government, Dundas expressed his support for the Catholics and then

166. Alexander MacDonald to Reginald MacDonell, 28 August 1794, OL 1/1/4, SCA.

167. In 1794, Westmorland suggested raising marines on the Irish establishment with Catholic officers. Westmorland to Pitt, 17 March 1794, Add. 6958/1417, Pitt Papers, CUL.

dismissed the measure on the ground that the House had already decided to leave the tests against Dissenters in place.[509]

The same laws applied to Catholics entering British volunteer corps. However, government did not generally inquire into prospective officers' religious beliefs, and Catholics could serve as officers as long as their religion was not officially known. For this reason, after the Duke of Portland rejected Lord Petre's request to grant his son a commission on the grounds of the family's Catholicism, Portland gave the desired commission to another Catholic named Thomas Havers, who was not as well known. When Portland was told of Havers' religious beliefs, he explained that he always assumed that candidates belonged to the established church unless they made a point of demonstrating otherwise.[510]

Although the British ministers' failure to support any measure granting British Catholics the ability to hold commissions was at odds with their policy towards Irish or French Catholics, it was consistent with the approach they had taken towards English and Scottish Catholic Relief legislation earlier in the decade. Pitt and Dundas did not intend to grant increased political power to religious non-conformists in Britain, and, by allowing concessions to Catholics, they ran the risk of inspiring demands from Protestant Dissenters. This inconsistency reduced the usefulness of Catholic officers. Irish regiments regularly went through Britain before leaving for the Continent or the wider empire, but if an Irish Catholic officer went with his regiment to Britain, he put himself open to prosecution. This is not to say that no British Catholics served as officers. Richard Huddleston, who had been active in the campaign for the repeal of the penal laws, was a

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168. *Parliamentary History*, vol. 31 (1794), cols. 374, 376-378, 609-613.

lieutenant in the Cambridgeshire militia corp.[511] Catholics could also advance in the navy. A Catholic captain and two Catholic senior officers served under Horatio Nelson.[512] Catholics could also achieve prominence in the armed forces by serving as medical personnel. For instance, before he was killed in the explosion of the *HMS Queen Charlotte*, the naval doctor John Fraser had hopes of becoming Surgeon General to the head of the Fleet.[513] On occasion ministers seem to have overlooked or ignored potential officers' religious beliefs, particularly in Scotland. In 1794 the priest Alexander MacDonnell, who was trying to raise a Catholic regiment himself, remarked on "a number of our officers serving in other [regiments], that might well afford to purchase promotion in ours[.]"[514] As was the case with the volunteers, Catholics could be officers if they were discreet.

MacDonnell's regiment, the Glengarry Fencibles, was the first Catholic regiment formed for service under the British Crown since the Reformation. He formed it with the help of the master of Glengarry, a Protestant who was also named Alexander MacDonnell.[515] They arranged for some of the foremost Catholic gentlemen in Scotland to meet at Fort Augustus in March 1794. The assembled group decided to offer the British government a Catholic regiment, under Glengarry's command, as a gesture of

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169. Austin Gee, *The British Volunteer Movement, 1794-1814* (Oxford: Clarendon, 2003), 138-140.

170. Christopher Jackson, "Glowing Embers: Catholic Life in Cambridgeshire in the Century before Emancipation," in *Catholics in Cambridge*, ed. Nicholas Rogers (Leominster: Gracewing, 2003), 60.

171. J. C. H. Aveling, *The Handle and the Axe: The Catholic Recusants in England from Reformation to Emancipation* (London: Blond & Briggs, 1976), 275.

172. Dr. John Fraser to Mrs. McDonell, 29 November 1798, PL 2/18/7, SCA.

173. Alexander MacDonnell to Hay, 12 February 1794, BL 4/89/2, SCA.

174. Alexander MacDonell of Glengarry will henceforth be referred to as "Glengarry," while Alexander MacDonell the priest will be referred to as "MacDonell."

thanks for the Scottish Catholic Relief Act. They expressed a hope that Catholics might be allowed to take commissions and serve as officers, but the government was hesitant. The government initially responded to Glengarry's offer with a politely worded rejection letter. At MacDonell's suggestion, the regiment agreed to serve anywhere in the British Isles or on Jersey and Guernsey, rather than limiting their services to Scotland, as was usually the case. According to MacDonell, the government seized upon the opportunity in order to establish wider service as precedent for all new regiments. Numerous Catholics eventually received commissions, including MacDonnell's cousin Simon Fraser of Culbokie.[516]

Some of the Scottish elite opposed the regiment. When MacDonald and Catanach went to the Earl of Fife to ask for his help in raising Glengarry's Catholic regiment, Fife coldly informed them that he would not get involved, but that anyone willing to go with them was free to do so. Recounting the event to Dundas, Fife accused the Catholic priests of "keeping the poor people in a State of ignorance and disunion" for their own profit before writing, "I humbly think that arming a distinct Roman Catholick [sic] Regt a very dangerous measure, [but] the allowing them to enlist in a Protestant Corps, is a very different Matter." Other lairds opposed the creation of the Glengarry fencibles because it would interfere with their own attempts to recruit Catholics. Sir James Grant opposed the new regiment for this reason, as did the Duchess of Gordon.[517]

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175. Kathleen Toomey, *Alexander MacDonell: The Scottish Years, 1762-1804* (Toronto: Canadian Catholic Historical Association, 1985); J. A. MacDonell, *A Sketch of the Life of the Honourable and Right Reverend Alexander MacDonell....,* (Alexandria, Ontario: The Glengarrian, 1890), 7-8; Anson, *Underground Catholicism*, 213; Robert Dundas to Fletcher and MacDonell, 3 April 1794, BL 4/82/4, SCA; Simon Fraser to Margaret Fraser, 10 May 1796, PL 2/14/9, SCA; Alexander MacDonnell to Margaret Fraser, 8 November 1796, PL 2/15/4, SCA; MacDonnell to William Fraser, 17 February 1794, D111/3/31, HCA.

176. Fife to Dundas. Oct. 7, 1794. NAS GD 51/1/831; Geddes to McPherson. Jun. 19, 1794. SCA BL 4/83/2.

While Catholics made up an important part of the military, it is less clear what motivated individual Catholics to enlist. The primary reason was probably economic. The army provided an additional form of employment for Scottish migrant workers.[518] In some cases, there may have been a religious motivation; Fraser reported having "frequently to combat the erroneous idea that the present War was undertaken chiefly to restore the Catholick [sic] religion in France."[519] Many Highland Catholics may have served out of a sense of connection to their lairds and the hope that service would help them preserve their traditional lifestyles. When Glengarry was forming his Catholic regiment, some soldiers in Grant's Fencibles requested to be transferred with the expectation that Glengarry would provide for their families and that they would be allowed "to enjoy those possessions which our ancestors so long enjoyed under your ancestors though now in the hands of Strangers."[520] Despite the hope expressed in the letter, there was reason to doubt the eagerness of many of Glengarry's recruits. He was not above using the threat of eviction to intimidate his tenants into joining his regiment. In one incident, Glengarry ordered that his tenants in Knoydart be turned off of his property as soon as their leases expired. He remarked that "having refused to serve me, I have fully determined to warn them out."[521]

Although Catholics served in numerous regiments throughout the British military, the Glengarry Fencibles was the only one to possess a Catholic chaplain. For Catholics in other regiments, their ability to practice their religion was dependent upon the willingness

177. Cookson, *The British Armed Nation*, 128-129.

178. Fraser to Dundas, May 6, 1795. NLS MS. 1048/52.

179. Soldiers in Grant's Fencibles to Glengarry. Oct. 27, 1794. NAS GD51/1/844/3.

of their commanding officers and the availability of local clergymen. At times, clergymen were unable to administer the sacraments to soldiers. Berington mentioned such a situation in 1794, when the members of an Irish regiment and their Catholic commander were unable to give confession because Berington had not been empowered to hear it, and because the confessor was not available on Sundays, when the soldiers were free to see him.[522] While the soldiers in Berington's example served under a Catholic leader, most regiments outside of Ireland were led by Protestants. This led to the question of whether officers had to allow their soldiers to attend Catholic worship. While the issue remained unsettled, in practice officers seem to have been often left to their own discretion. In 1795, John Pepper, a Scottish priest, reported that the commander of a regiment in Dundee had divided his men into Anglicans, Presbyterians, and Catholics and ordered each group to march to their respective churches on Sunday morning "in rank & file with a drummer & fifer at the head of each division."[523] On occasion, a soldier or officer could be punished for violating the undeclared policy in opposite ways. While a soldier in Dublin could be court-martialled and lashed for complaining about not being allowed to attend mass, a militia officer in Down was reprimanded and court-martialled for refusing to allow his soldiers to attend mass.[524]

Policies like this left Irish Catholics feeling mistreated. This resentment was apparent in the Irish priest Thomas Hussey's 1796 sermon to the Irish Catholic soldiers, in which

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180. Glengarry to his agent in Inverness, 29 November 1794, quoted in Norman MacDonald, *The Clan Ranald of Knoydart & Glengarry: A History of the MacDonells of Glengarry*, (Edinburgh: Dryden, 1979), 137; Toomey, *Alexander MacDonnell*, 114.

181. Berington to Douglass, 26 December 1794, Bp. Douglass Papers. Vol. 45, 117, AAW.

182. John Pepper to MacPherson, 19 November 1795, BL 4/103/10, SCA.

he stressed the Catholics' loyalty in order to emphasize the injustice of their position. His attitude towards George III was ambiguous. Despite praising him as "the first father, & friend, of the [Catholics] of Ireland... who removed apart [sic] of the galling restrictions upon your religion, & property," Hussey reminded his audience of their Jacobite ancestors as evidence of his claim that Catholics were naturally loyal. In one passage that he later excised, he even suggested that by deposing James II, William III had become "one of the first murderers of Louis the 16th of France." Certainly, his comment that the Irish Catholics were more loyal than the Protestants who suspected them of disloyalty, even though the Protestants received "pay" and "emoluments" from government, indicated a rebuke of the government that failed to support them. He directed his greatest resentment at the Protestant officers who attempted to force Catholics soldiers to abandon their religion. While he told his audience to "Convince the rest of your Countrymen, that military valour, is not inconsistent with religious piety; but that on the contrary, they are natural friends, & allies," he warned them that he had frequently heard about officers making "hypocrites & cowards of their Soldiers" by forcing them to attend Protestant worship against their consciences. Such officers, he claimed, were enemies of the King because "They instill discontent into two thirds of the Irish Military, (who are Catholics) but they may also make them indifferent to all religious denominations, & forms of worship, & thereby defenderise them, & Jacobinize them upon the French scale." In closing, he instructed them to be loyal to the King, while calling upon them to take pride

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183. Tom Johnstone and James Hagerty, *The Cross on the Sword: Catholic Chaplains in the Forces* (London: Chapman, 1996), 2.

in their Irish Catholic identities and resist "little Tyrant officer[s]" who attempt to order them about spiritual matters.[525] Hussey's tone was unique among Irish bishops.[526]

The French Revolutionary War mobilized the people of the British Isles unlike any previous engagement. Along with their Protestant countrymen, British and Irish Catholics prayed for victory, joined regiments, and enlisted in the militia, while their religious leaders produced loyalist writings. While Catholics remained disadvantaged in the military and excluded from direct participation in politics outside of Ireland, the war gave them an opportunity to demonstrate their loyalty and back it up with public service. In the nineteenth century, they used their service to show that they had behaved as citizens and deserved to be treated as such.

Conclusion

The early 1790s were a high point for Protestant-Catholic relations in Britain. The English Catholic Relief Act of 1791 and the Scottish Catholic Relief Act of 1793 decriminalized Catholicism and established English and Scottish Catholics as subjects in good standing. At the same time, however, the position of both the Catholic Church and the people of Britain was a precarious one. Protestant Britons' willingness to sympathize with the Catholics was contingent on the Church's apparent weakness as an international institution. Additionally, while revolutionaries' attacks upon Church property convinced some Protestants that they should band together with Catholics in defense of religion, these attacks extracted a high financial and psychological toll upon the Catholic Church.

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184. Thomas Hussey, 12 October 1796, Add. 33119, Pelham Papers, BL.

Similarly, the threat of the French Revolution had a cooling effect on reformers after 1792 while encouraging the government to shore up the social hierarchy. Loyalists began to perceive orthodox Catholics' supposed attachment to despotism as a good thing, but Cisalpine Catholics were tainted as seditious. The British government allowed upper and middle class English and Scottish Catholics enough power to enjoy their property or pursue an education, while refusing to allow them any direct political power. Although British Catholics tried to persuade the ministry to grant them the same 40 shilling franchise that the Irish Catholics enjoyed, they remained without any franchise until emancipation.[527]

Irish Catholics enjoyed greater legal concessions than their British counterparts. By obtaining the 40 shilling franchise, the ability to receive military commissions, and the ability to sit on grand juries, Irish Catholics had many of the trappings of citizenship by the end of 1793. As the differing treatment of Irish and British Catholics indicates, the British government was not overly concerned about maintaining consistency throughout the British Isles or the wider empire. When supporting relief for English Catholics, Pitt and Grenville do not seem to have thought about the effect their actions would have on Ireland.[528] In developing policies regarding Catholics, their concerns were essentially pragmatic. As the Canada Constitution Bill demonstrated, they did not object to letting Catholics assume governmental positions in all cases. In Ireland, however, Catholicism was not merely a religious issue but a class issue. Putting Irish Catholics on an equal footing with Protestants threatened to transform Ireland's social hierarchy: a prospect that

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185. Connolly, *Priest and People*, 214.

186. Fermor to Grenville, 17 April 1796, Add. 59264, Dropmore Papers, BL.

the Protestant elite found particularly frightening because they drew their fortunes from confiscated Catholic estates. Ultimately, legal concessions were not enough to unite the Irish with each other and with Britain.

So did how far did the Catholics of England, Scotland and Ireland go towards identifying themselves as British? In dealing with the British government about their overseas properties, Catholics regularly identified themselves as British subjects and pleaded for assistance on that ground. At the same time, however, the Catholics of the three kingdoms seem to have felt more immediate allegiance to their native regions. For the Catholic clergy themselves, this was in part a reflection of the Catholic Church's administrative structure, which divided Scotland, England, and Ireland into separate regions with their own bishops and Vicars Apostolic. The Catholic colleges, separated into English, Irish, and Scots colleges, reflected this division. Nevertheless, the Catholic Church of the late eighteenth century was not the same body that had stood by Charles Edward Stuart while he had promised to dissolve the union. By exhorting British Catholics to pray and fight together with their Protestant countrymen against the common revolutionary enemy, the Catholic clergy sought to unite the laity with the wider British populace.

Although Irish nationalism became increasingly synonymous with Catholicism in the nineteenth century, it was not a particularly Catholic phenomenon in the 1790s. Since before the American Revolution, Irish Protestants had begun to think of themselves as belonging to an Irish nation that deserved to govern itself. Furthermore, while Irish Catholics were more likely to describe themselves as "Irish" than as "British subjects," these identities were not usually considered mutually incompatible. If anything, Irish

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187. Bartlett, *The Fall and Rise*, 171.

Catholics were more likely to identify their interests with the British government than with that which currently existed in Ireland. Although this attitude declined somewhat among Catholics after 1798, the Catholic Church still felt enough relative good will towards the British government to support the union with Britain. In large part, Irish Catholic nationalism would develop after the Irish had been legally subsumed into the British nation.

CHAPTER IV

THE PROMISE OF UNION

In 1799, Prime Minister William Pitt the Younger came before the House of Commons to recommend the establishment of a political union with Ireland. Claiming that a united Parliament would be the remedy for Ireland's "wretched" state, he described a legislature that would direct the country without descending into local squabbles or prejudices, neither giving in to established factions nor popular unrest. It would alleviate the possibility that an Irish Parliament would end up deviating from the direction of the English government. Furthermore, it would offer a solution to Ireland's long-standing sectarian problems by making it possible to award greater concessions to the Catholics without endangering the Constitution. Appealing to an expanded idea of national unity, Pitt said, "I know that the interests of the two countries must be taken together, and that a man cannot speak as a true Englishman; unless he speaks as a true Irishman, nor as a true Irishman, unless he speaks as a true Englishman[.]"[529]

Pitt's statement of equivalency between the English and the Irish was largely a rhetorical flourish. Like many Englishmen of his time, he regarded the Irish with suspicion, as was revealed by the hesitancy he had expressed only months earlier at the idea of accepting the Anglo-Irish Lord Castlereagh as Chief Secretary.[530] Nevertheless, the phrase spoke to a central aim of the union—to unite Ireland to Britain as one nation

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1. *Parliamentary History*, vol. 34 (1799), cols. 248, 252, 270-272.

2. Camden to Castlereagh, 31 August 1798, in *Memoirs and Correspondence of Viscount Castlereagh*, vol. 1, ed. Charles Vane (London: Henry Colburn, 1848), 325.

with shared goals and sentiments. The promise of union, as alluded to by Pitt and others, was that the legal connection of the countries would pave the way for greater connections between their inhabitants. Because historians know that the union of 1801 eventually failed to keep most of Ireland from breaking free of British control in the 1920s, it is easy to regard it as doomed from the start.[531] In the most obvious example, Linda Colley ignored Ireland when discussing the formation of British identity in her book *Britons*.[532] Likewise, Kevin Whelan argues that after the union the British came to regard the Irish as a racialized "other within," whose supposed Celtic predisposition to violence and poverty served as a contrast to the civility and prosperity that Britons believed characterized themselves.[533] Admittedly, the moment of potential that had allowed a warming of Protestant-Catholic relations in Britain in the early 1790s showed signs of slipping away in the early nineteenth century. Such developments as George III's stubborn refusal to countenance further concessions for Catholics after 1801, Napoleon Bonaparte's concordat with the pope that same year, and Protestant ultras' scapegoating of the Irish Catholics for the Insurrection of 1798 combined to strengthen sectarian animosities and encourage mutual suspicion throughout the British Isles. Even some men who had once supported Catholic relief efforts demonstrated a firm opposition to Catholic emancipation. John Mitford, who presented the English Catholic Relief Bill of 1791,

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3. The difficulty of discussing the idea of a common identity that could be shared among members of the United Kingdom is further highlighted by the lack of a convenient term for such a thing. Glenn Burgess, "Introduction— The New British History," in *The New British History: Founding a Modern State, 1603-1715*, ed. Burgess (London: I.B.Tauris, 1999), 2-3.

4. Linda Colley, *Britons: Forging the Nation, 1707-1837* (New Haven: Yale University Press, 1992), 8.

5. Kevin Whelan, "The other within: Ireland, Britain and the Act of Union," in *Acts of Union: The Causes, Contexts and Consequences of the Act of Union*, ed. Dáire Keogh and Whelan (Dublin: Four Courts Press, 2001), 24-25.

regarded Irish Catholics with open hostility when he served as Lord Lieutenant of Ireland under the name Lord Redesdale. Likewise, despite having supported the Quebec Act decades earlier as Alexander Wedderburn, Lord Loughborough deliberately sabotaged Pitt's plans to emancipate the Catholics by raising the king's concern for his coronation oath. Nevertheless, the fact that Parliament was seriously willing to debate Catholic emancipation at all should discourage the notion that Irish Catholics could not be considered as potentially part of a "Greater British" nation.[534] The position of Catholics in the British Isles had already undergone a revolutionary change since the beginning of George III's reign, when it had been a crime to practice Catholicism at all. The degree of the change was such that advocates of Catholic emancipation recycled the rhetoric about liberty and the British Constitution that had been used to defend anti-catholic British colonists before the American Revolution. Throughout the mid-eighteenth century, Protestant political commentators often decried offensive policies as attempts to enslave them. By using the term "Catholic emancipation," Catholics appropriated this language for themselves, positioning themselves as an unjustly enslaved people who deserved their freedom. Even Pitt the Elder, who had publicly declared his belief that the British Constitution was exclusively Protestant, was cited in defense of Catholic emancipation.[535]

The ultimate success of the union depended on the kingdoms' abilities to settle religious differences within the British governing structure. The foremost obstacle to this goal was the established church. Jonathan Clark has famously argued that, prior to

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6. According to Thomas Bartlett, "[there] was no fundamental reason why the Irish could not belong to Britishness." Bartlett, "Britishness, Irishness and the Act of Union," in Keogh and Whelan, *Acts of Union*, 255. The use of the term "Greater Britain" goes back at least to Charles Dilke. See Dilke, *Greater Britain: A Record of Travel in English-Speaking Countries During 1866 and 1867* (New York: Cosimo, 2005).

7. Lord Holland cited the Elder Pitt while arguing that the Irish Catholics' discontentedness proved that they were deserving of emancipation. *Parliamentary Debates*, 1st ser., vol. 23 (1812), col. 852.

Catholic emancipation and the repeal of the Test and Corporation Acts, England was an ancien regime society, dominated by an aristocratic ruling class and a monarch whose authority was intimately tied to the established church. Rather than being a strictly ancien regime society, however, early nineteenth century Britain was characterized by both ancien regime features, such as established churches, and more modern ones, like an active public sphere. While Protestant supporters of Catholic emancipation routinely insisted that emancipation would not detract from the supremacy of the Anglican Church, their opponents argued, probably correctly, that the Irish Catholics would not acquiesce in maintaining the minority Church of Ireland if they had the power to remove it. The compatibility of Catholic concessions and the ascendancy of the Church of Ireland depended on the widespread acceptability of a hierarchical government in which social status outweighed population. At the same time, however, as it became more accepted that the views of the majority mattered, Catholic relief began to appear more necessary in Ireland. As Clark argues, emancipation helped marked the death of an ancien regime government, but, before that time, it was the friction between ancien regime notions of hierarchy and modern ideas of popular rights that made Catholic relief possible.[536]

The British Parliament passed the 1801 Act of Union when it did largely as a result of wartime necessity. At the time of its passage, Britain was entering its ninth year of war with France. They had lost most of their European allies, and popular disaffection in Ireland made the threat of a French invasion particularly serious.[537] However, the union was also an imperial measure, the importance of which went beyond the immediate

8. J. C. D. Clark, *English Society, 1688-1832* (Cambridge: Cambridge University Press, 1985), 393-408.

9. Michael Turner, *Pitt the Younger: A Life* (London: Hambledon and London, 2003), 210.

circumstances of the war.[538] In a sense, Ireland was Britain's foremost colony. Although its composition had changed somewhat in the meantime, the Protestant Ascendancy that controlled Ireland could trace its origins back to the English settlements established in Ireland during the reign of Elizabeth I. At least originally, it was a settler colony imposed on top of a conquered population. However, in the years following the American Revolution, Ireland's position in the empire appeared increasingly unusual.[539] On the one hand, the empire was expanding geographically. During the Napoleonic Wars, the British gained control of new territories from around the globe, including parts of South America, South Africa, India, the Ionian Islands off of Greece, and numerous Caribbean islands.[540] On the other hand, the political nature of the empire had changed. While the empire of the mid-eighteenth century had been characterized by colonies governed through strong local assemblies, the loss of the thirteen American colonies had greatly reduced the number of these bodies in the empire. Furthermore, as it had done with Quebec in 1774, the British government decided against establishing representative assemblies in the territories it acquired during the French Revolutionary and Napoleonic Wars. As a result, the Irish Parliament began to look like more of an anomoly as the eighteenth century drew to a close.[541]

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10. In his account of the Pitt ministry's handling of Ireland, John Ehrman explains that the word "empire" was "sometimes applied informally, after the loss of the American colonies, to the British and Irish isles." Ehrman, *The Younger Pitt: Vol. 3, The Consuming Struggle* (London: Constable, 1996), 159. However, considering that many of the people involved in developing the union and governing Ireland were also responsible for administering other parts of the empire, this usage seems too limited.

11. For more on the empire during this period see Christopher Bayly, *Imperial Meridian: The British Empire and the World 1780-1830* (London: Longman, 1989), Andrew Porter, ed., *The Oxford History of the British Empire, Vol. III: The Nineteenth Century* (Oxford: Oxford University Press, 1998), and Jeremy Black, *The British Seaborn Empire* (New Haven: Yale University Press, 2004), chapters 3, 4, and 5.

12. Black, *The British Seaborn Empire*, 173.

Nevertheless, the Irish Parliament's unusual status was not the only factor in its dissolution; Upper and Lower Canada had obtained their own assemblies as recently as 1791. Ireland's physical proximity to Britain made it too close to ignore with safety. Particularly following the insurrection of 1798, it became apparent that Ireland represented a backdoor into Britain. The union, as planned by Pitt, aimed to shut this door by strengthening the British government's control over Ireland while also giving the Irish a reason to support their connection to Britain. Historians Patrick Geoghehan and Whelan both make valid points in their discussions of the union. Geoghegan argues that "The intention [of the union] was not to perpetuate the inequality between Britain and Ireland but to create a united kingdom that would be at the heart of the empire. Ireland was to be elevated... to become a component of the dominant centre." However, Whelan sees the union as the start of "a process of imperial rationalisation after the demise of the first British empire. It thus cleared the deck for a new phase of expansion (in India, Canada and elsewhere), while eliminating what had become (from a British perspective) a vexing constitutional anomaly." As Geoghegan and Whelan's views suggest, the union, in both its effects and the intentions behind it, simultaneously embodied Ireland's incorporation and its suppression. This tension was present from the start.[542]

The failure to reconcile this tension helped create the circumstances for the development of nationalism among Irish Catholics.[543] During the eighteenth century, the

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13. Thomas Bartlett, "Ireland, Empire, and Union, 1690-1801," in *Ireland and the British Empire*, ed. Kevin Kenny (Oxford: Oxford University Press, 2004), 79.

14. Patrick Geoghegan, *The Irish Act of Union: A Study in High Politics, 1798-1801* (Dublin: Gill & Macmillan, 2001), 7; Whelan, "The other within," 15; David George Boyce and Alan O'Day strike a balance between these two, arguing that union was not an "amalgamation of equals" while also being "something more than neocolonialism." Boyce and Day, eds., *Defenders of the Union: A Survey of British and Irish Unionism since 1801* (London: Routledge, 2001), 2.

most vocal Irish nationalists had been Protestant. However, the promoters of an exclusively Protestant Irish nationalism could not survive the rise of Irish Catholics as a political force. When confronted by the possibility of being governed by Catholics, these Irish Protestants preferred to submit to a British Parliament.[544] While Irish Catholics had asserted their Irish identity in the eighteenth century, they only became the face of Irish nationalism in the years following the passage of the union. As the century opened, Irish Catholics were developing stronger ties to each other through socialization and militarization while also becoming increasingly familiar with political activities such as petitioning and elections. Although it is questionable what the impact on Irish Catholics might have been if emancipation had been passed in 1801, the denial of emancipation played into a widespread sense, shared by many Irish Catholics, that the British government and its Irish counterparts were working against them.[545]

This chapter explores the creation of the Act of Union and the position of Catholics in the first fifteen years after its passage. The first section addresses the development of the union and the negotiations surrounding Catholic emancipation. By linking Catholic emancipation with the passage of union, the Pitt ministry and their counterparts in Ireland offered Irish Catholic elites the opportunity to enjoy a higher degree of citizenship and state recognition in exchange for their support. Under this plan, the British government

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15. There is a large body of works on Irish nationalism. See for instance, Brian Jenkins, *Irish Nationalism and the British State: From Repeal to Revolutionary Nationalism* (Montreal: McGill-Queen's University Press, 2006); David George Boyce, *Nationalism in Ireland* (New York: Routledge, 2003); and Hugh Kearney, *Ireland: Contested Ideas of Nationalism and History* (New York: New York University Press, 2007).

16. Jim Smyth, *The Making of the United Kingdom, 1660-1800: State, Religion and Identity in Britain and Ireland* (Singapore: Pearson Education Ltd, 2001), 210.

17. Bartlett, *The Fall and Rise of the Irish Nation: The Catholic Question 1690-1830* (Savage, MD: Barnes & Noble, 1992), 269; see also Boyce, *Nationalism in Ireland* (London: Routledge, 1995).

would adopt a Gallican approach to the Irish Catholic Church, paying salaries to clergymen while also having a say in the appointment of priests and bishops. At the same time, when English advocates of union discussed the union's potential to unite the British and the Irish, they frequently spoke in terms of spreading their own culture to the Irish people. However, until the king's refusal to accept Catholic emancipation derailed these plans, prominent Irish Catholics were willing to support them. The second section explores the position of Irish Catholics in the first few years after the union. In many ways, this was a time of anti-catholic backlash. Despite the loyalty that many Catholics had shown during the insurrection of 1798, Protestant ultras succeeded in associating Catholics, and especially members of the clergy, with disloyalty and treason. Furthermore, Napoleon's Concordat with the pope seemed to re-establish the connection between French tyranny and Catholicism, which had been disturbed by the French Revolution. Even warfare did not offer Catholics the political opportunity it once had. George III expelled the Ministry of the Talents for their attempts to open all military ranks to Catholics. The third section explores early nineteenth century Catholic emancipation efforts and the development of a sense of nationalism among Irish Catholics. Following the passage of the union, Irish and English Catholics began cooperating on their campaigns for Catholic emancipation. The sheer number of Irish Catholics magnified the importance of the Catholic Question throughout the United Kingdom. However, Irish Catholics increasingly felt betrayed by the government's failure to deliver on emancipation. Whereas the Irish Catholic bishops had agreed to allow the government to veto their bishops at the time of the Act of Union, by the 1810s, the veto had become a point of national pride for Irish Catholics. While Irish Catholic

reformers, such as Daniel O'Connell, continued to agitate for the right to sit in Parliament, they refused to do so at the expense of their sense of religious independence.

Making the Union

The Act of Union was born out of a moment of crisis. In the last years of the 1790s, domestic and foreign events threatened to undermine the British government and unleash civil strife. Despite attempts to negotiate a peace settlement in 1796, the war with France continued to drag on. Compounding matters, the French were known to be planning an invasion of the British Isles. Thirty five of their ships had made it past the British fleets and into Bantry Bay in Ireland in 1796. A storm had prevented their landing. In 1797 mutinies broke out on British ships anchored at Nore and Spithead. Although the government succeeded in suppressing them, the mutinies raised the possibility that Britain's navy could not be counted on to oppose the French when needed. Finally, the Irish insurrection of 1798 realized the fears and threats of the preceding decade.[546]

Late eighteenth century Ireland was primarily an agricultural country. Although the development of a capitalist economy caused social and economic tensions throughout the British empire, the religious and cultural distinctions between most of the Irish landed class and their tenants exacerbated these tensions in Ireland. Only about one eighth of the Irish population belonged to the established Church of Ireland, Presbyterians made up another eighth of the population, and Catholics made up about three-fourths of the

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18. See Roger Wells, *Insurrection: The British Experience, 1798-1803* (Glouchester: Alan Sutton, 1983).

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population.[547] As improving landlords enclosed their property, tenant farmers were forced down the social ladder to become laborers and cottagers. At the same time, landlords granted their Irish tenants inferior holdings to those their English equivalents enjoyed, and they failed to develop close ties with their more prominent tenants. As historian Roger Wells puts it, "only a minute percentage of Irish tenants could perceive a mutual economic interest through their relationship with their landlords."[548]

The repeal of the penal laws helped some Catholics to improve their own socio-economic positions, but Protestants continued to hold a disproportionate share of the country's wealth and an effective monopoly on direct political power. Although the 1793 Catholic Relief Act and the 1795 Election Act expanded the franchise to include Catholics with freeholds worth 40 shillings or more, they had little effect outside of the county constituencies and large, relatively open boroughs. Most MPs came from corporation boroughs, whose charters continued to exclude Catholics from the franchise through explicit or implicit means.[549] Landlords responded to the enfranchisement of the 40 shilling freeholders by further subdividing their lands. Protestant domination of local grand juries and offices provided Catholics with additional cause for grievance. Assessing the country rate and helping to determine local justice, the grand juries possessed considerable power on a local level and yet, it has been calculated that only 80 jurors out of 900 were Catholic in any given year.[550] Opponents of Catholic emancipation

19. S. J. Connolly, *Priests and People in Pre-Famine Ireland, 1780-1845* (Dublin: Four Courts Press, 2001), 50.

20. Wells, *Insurrection*, 4.

21. Iain McLean and Alistair McMillan, *State of the Union* (Oxford: Oxford University Press, 2005), 81.

22. Brian Jenkins, *Era of Emancipation: British Government of Ireland, 1812-1830* (Montreal: McGill-Queen's University Press, 1988), 28-29; see also R. Blake Brown, "'A Delusion, a Mockery, and a Snare':

commonly argued that the repeal of most of the penal laws had left the Catholics without any serious religious disabilities. In a strictly legal sense, there was some truth to the matter. Within the last twenty five years of the eighteenth century, Catholics had gained more control over their property, a seminary within Ireland, the ability to serve as low-ranking officers, and the ability to vote. Catholic freeholders, those with at least £10 of landed property, had been legally permitted to sit on petit juries since before 1793.[551] Furthermore, very few individual Catholics found themselves excluded from Parliament or high military rank simply on account of their religion; the vast majority of them lacked the wealth and personal status needed to obtain these positions even if their religion had not been a barrier. However, even for those Catholics wealthy enough to benefit from the new laws, their existence did not mark the end of discriminatory practices. While Catholics could legally be appointed as magistrates, the legal ability alone did not appease them as long as they remained excluded from magisterial positions in practice.

This sense of grievance was strengthened by recent disappointment. During his brief time as Lord Lieutenant in 1795, Lord Fitzwilliam had attempted to pass Catholic emancipation, giving Catholics the right to sit in the Irish Parliament. However, he was instead recalled to London and replaced by Lord Camden, who resisted granting further concessions to Catholics at that time. With constitutional avenues of reform apparently cut-off, some advocates of Catholic emancipation and parliamentary reform turned to radical politics, such as those espoused by the increasingly militant United Irishmen.

Array Challenges and Jury Selection in England and Ireland, 1800-1850," *Canadian Journal of History* 39, no. 1 (April 2004): 1-26.

23. Before the Catholic Relief Act of 1793, Catholic freeholders were not allowed to act as jurors in cases regarding the employment of British subjects in foreign service or violations of the penal laws. They were also excluded from any civil case between a Catholic and a Protestant. See Kathleen Murphy, "Judge, Jury,

Meanwhile, many poorer Catholics joined the Defenders, an agrarian secret society formed to protect against, and gain retribution for, Protestant impositions against Catholics and their property. At the same time, the Orangemen, a paramilitary organization devoted to opposing any further challenges to the Protestant Ascendancy, began to spread through northern Ireland. Between the government's expressed opposition to further concessions and its apparent willingness to countenance Protestant aggressions against Catholics, Catholics became less likely to recognize the government as an ally which could help relieve their concerns.[552]

Within a few years, the mounting tensions gave way to insurrection. Lasting from May to September, the insurrection of 1798 resulted in the deaths of around 30,000 people. The United Irishmen triggered the rebellion by launching an attack on Dublin while attempting to signal their sister branches throughout the country to rise up against the government. Although the United Irishmen failed to provoke the nationwide response they had hoped for, rebellions broke out in parts of Ulster as well as Wicklow and Wexford in southern Ireland, where the United Irishmen had been circulating tales that Orangemen planned to massacre the Catholics.[553] Locals who may have otherwise remained uninvolved found themselves caught up in events as rebel and government forces came through their areas, often with violent results. Despite the attempts of the Lord Lieutenant, Charles Cornwallis, to encourage the officers under him to act leniently

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Magistrate and Soldier: Rethinking Law and Authority in Late Eighteenth-Century Ireland," *The American Journal of Legal History* 44, no. 3 (July 2000): 235-236.

24. Bartlett, *The Fall and Rise*, 226-227.

25. Wells, *Insurrection*, 118; the secularism of the United Irishmen has been questioned. I. R. McBride argues that the emphasis Presbyterian members placed on rationalism was an expression of their anti-catholic religious background. McBride, "'When Ulster Joined Ireland': Anti-Popery, Presbyterian Radicalism and Irish Republicanism in the 1790s," *Past & Present*, no. 157 (November 1997): 63-93.

and avoid inciting sectarian animosities, his instructions were frequently disregarded in practice.[554] Several weeks after the insurrection had been put down elsewhere, the French temporarily injected new life into it by landing a single ship in Connaught. Despite some success in battle, the French were outnumbered, and, finding that sympathetic locals were not the trained military force that the United Irishmen had led them to expect, they surrendered.[555]

The insurrection exposed Ireland as a massive source of weakness for the British state. The Irish government proved incapable of suppressing the insurrection on its own. Not only did it lack the money to cover the cost of its defense, but the Irish army had demonstrated itself to be untrained and undisciplined. General Ralph Abercrombie, sent to take control of Ireland's troops, found them "formidable to everyone but the enemy."[556] Furthermore, the insurrection had helped to revive old sectarian animosities, and the violence attending its suppression only increased the popular disaffection that had made the Insurrection possible in the first place. Reprisals against Catholics became widespread in the following months. In addition to the unknown number of Catholics who army personnel, yeomen, and militiamen flogged or murdered, about thirty Catholic

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26. For more on Cornwallis' life see *Oxford Dictionary of National Biography*, "Cornwallis, Charles" (by C. A. Bayly and Katherine Prior), http://www.oxforddnb.com/view/article/6338?docPos=5 (accessed December 10, 2008); Franklin and Mary Wickwire, *Cornwallis: The Imperial Years* (Chapel Hill: The University of North Carolina Press, 1980) provides a popular account of Cornwallis' career after the American Revolution.

27. This account is primarily based on that given in Thomas Pakenham, *The Year of Liberty: The History of the Great Irish Rebellion of 1798* (New York: Random House, 1993); more localized accounts include: Daniel Gahan, *The People's Rising: Wexford 1798* (Dublin: Gill & Macmillan, 1995); Charles Dickson, *The Wexford Rising in 1798: Its Causes and Its Course* (London: Constable, 1997); and Ruán O'Donnell, *Aftermath: Post-Rebellion Insurgency in Wicklow, 1799-1803* (Dublin: Irish Academic Press, 2000), 3-19.

28. Quoted in Pakenham, *The Year of Liberty*, 51.

chapels were burnt in Wexford between 1798 and 1801. The Protestant-dominated yeomanry corps were probably behind most of these acts of arson.[557]

The insurrection gave Pitt the opportunity he needed to push an Act of Union through Parliament. Until 1782, the Irish Parliament had been directly subordinate to that of Britain. In that year, however, the Irish Volunteer movement had succeeded in intimidating the British government into granting Ireland legislative independence, meaning that the British Parliament could no longer legislate for Ireland directly. In practice, the ministry's control over Ireland's executive branch nullified some of the impact, but a theoretically independent Irish Parliament created the possibility that the Irish government might not act in tandem with its British counterpart. To the consternation of many in the ministry, this possibility was briefly realized during the Regency Crisis in 1789, when an Irish delegation arrived in London to tell the Prince of Wales that he had been elected regent, only to find that George III was already back on the throne.[558] Although he had generally neglected Irish issues since the failure of his attempt to overhaul the regulations on Anglo-Irish commerce in 1784, Pitt had considered implementing a political union between the two countries since shortly after taking office.[559] The ministry had even adopted the idea as part of its plan for Ireland in 1793,

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29. Bartlett, *The Fall and Rise*, 240; O'Donnell, "The union and internal security," in Keogh and Whelan, *Acts of Union*, 237.

30. See James Kelly, *Prelude to Union: Anglo-Irish Politics in the 1780s* (Cork: Cork University Press, 1992); also P. D. H. Smyth, "The Volunteers and Parliament, 1779-84," in *Penal Era and Golden Age: Essays in Irish History, 1690-1800*, ed. Bartlett and D. W. Hayton (Antrim: W & G Baird, 1979); Charles Chenevix Trench, *The Great Dan: A Biography of Daniel O'Connell* (London: Jonathan Cape, 1984), 32.

31. Pitt demonstrated his lack of interest in Ireland by frequently neglecting to reply to the letters Camden sent him as lord lieutenant. At one point, Pitt admitted to him that Ireland occupied little of his thoughts. Camden to Pitt, 7 May 1796, Add. 6958/1955, Pitt Papers, CUL; Ehrman, *The Younger Pitt*, vol. 3 (London: Constable, 1996), 162-163; this was not the first time that somebody had suggested a Union between Britain and Ireland. See James Kelly, "The Act of Union: its origins and background," in Keogh and Whelan, *Acts of Union*, 46-66.

before deciding not to pursue it on the grounds that the Irish Parliament would oppose it.[560] Before the insurrection broke out, the Earl of Camden, then Lord Lieutenant of Ireland, suggested that a union was "that measure which can alone render this country & England so united, as that it should be an advantage to it instead of its being a point dreadfully vulnerable in all future Wars[.]"[561] Pitt's plan was designed to overcome these problems by melding the Irish Parliament into the British Parliament, and forming an overarching imperial Parliament that could allow Catholics greater political rights in a controlled setting.

Many of the ministers who worked with Pitt to pass the Act of Union also played prominent roles in later debates on Catholic emancipation. Although William Grenville, the Foreign Secretary, initially hesitated to endorse emancipation, he came around to the idea by 1801 and leant his support to it for the next two decades. Likewise, George Canning, Pitt's protégé, and Lord Castlereagh, then Chief Secretary for Ireland, went on to advocate a qualified form of Catholic emancipation for the rest of their lives. The Home Secretary, Henry Dundas, proved the staunchest supporter of the Catholic claims, desiring that the union be established "on the broadest principle." Unfortunately for the Catholics, the scandal of his impeachment in 1805 drove him from office before the nineteenth century debates on Catholic emancipation got going. [562] Lord Hawkesbury, later to become Lord Liverpool, was an exception to the trend, later taking office as Prime Minister on an anti-catholic platform.

32. Bartlett, *The Rise and Fall*, 244-245.

33. Camden to Pitt, 1June 1797, Add. 6958/2166, Pitt Papers, CUL; see also Gillian O'Brien, "Camden and the move towards union, 1795-1798," in Keogh and Whelan, *The Act of Union*, 106-125.

34. Elliot to Castlereagh, Nov. 9, 1798, in Charles Vane, *Memoirs and Correspondence*, vol. 1, 431.

Like the outbreak of the French Revolution, the 1801 Act of Union marked another moment of potential for Catholic-Protestant relations in the British empire. As the Pitt ministry envisioned it, the union was designed to overcome the sectarian divide between Protestants and Catholics by allowing Catholics to sit in Parliament, reforming the collection of tithes, and formalizing relations between the British government and the Catholic Church, all within a political setting in which Protestants would make up the majority and hold most of the power. It would not be a situation of true equality—the established church would remain, as would the prohibitions on a Catholic monarchy—but Catholics would be allowed a role in government and upward mobility within the armed forces and professions such as the law. Their advocates expected these concessions to produce numerous benefits. They would encourage good will between Catholics and Protestants, inspire talented Catholics to join the service of the state, and motivate wealthy Catholics and clergymen to use their influence over their social inferiors to guarantee their loyalty, while also enabling the British government to take a direct role in supervising the Catholic Church in the United Kingdom. Although Pitt decided to pursue union and Catholic emancipation as two separate measures, his plan to stabilize the empire depended on the implementation of both.[563]

However, many Protestants, most notably George III, endorsed the union in the belief that it would put an end to the granting of further concessions to Catholics forever. By declaring Britain and Ireland to be one country, the government would re-inscribe the Catholics as a minority population within the United Kingdom, rather than a majority population within Ireland. Instead of making it safe to allow some Catholics to sit in Parliament, this demographical re-jiggering would supposedly make it easier to deny the

35. Geoghegan, *The Irish Act of Union*, 95, 223.

Catholics' claims to representation. At the same time, by establishing the United Church of England and Ireland, the Act of Union reaffirmed the ecclesiastical supremacy of the minority Anglican Church in Ireland, while giving its advocates an excuse to claim that any measure that might potentially undermine that superiority was contrary to the Union itself. This interpretation of the union led to opinions like those of one Protestant who asserted that its passage would "radically [blast]" the Irish Catholic clergy's plans to use "French principles" to establish the Catholic Church in Ireland.[564]

The Pelham papers at the British Library contain an early plan for the union, which was drawn up by either Edward Cooke, the Civil Under Secretary, or Thomas Pelham, Camden's Chief Secretary. Pitt's pre-eminent biographer, John Ehrman, has suggested that the plan was probably drawn up during the summer of 1798, which would mean it was written while the government was still suppressing the insurrection. The plan stipulated that the government would remain Protestant and the principles of 1688 would be preserved. Nevertheless, Catholics would be eligible for all civil and military offices upon taking the oath of 1793. In order to sit in Parliament, however, they would have to take the oath of supremacy, although they would be excused from taking the oath of abjuration.[565] Commenting on the plan, Pitt asked if they could find a means of reapportioning Ireland's parliamentary seats without "[stirring] too much the Principles of Parliamentary Reform." He agreed to the idea of allowing Catholics to take the 1793 oath in order to hold civil and military offices, "supposing... [it] to be satisfactory to the better part of the Catholics," but he questioned the point in requiring them to take the

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36. Kenny to Inchiquin, 13 March 1799, Add. 6958/2458, Pitt Papers, CUL.

oath of supremacy to sit in Parliament or in continuing to exclude them from corporations.[566] Camden had similar ideas, commenting that "it does not appear that the admission of Catholics into our Parliament can be mischievous & nothing can so much weaken the Catholic cause in Ireland where alone it is to be dreaded."[567] On the subject of tithes, Pitt suggested that, while tithe reform could be left out of the Act of Union, it was "essential for the Peace of Ireland & the Improvement of both Countries," adding that "[this] must be accompanied by some competent provision (at the pleasure of the Executive [Government] or of Persons specially appointed) for a reasonable number of Catholic Clergy_ Their Influence cannot be at once destroyed & should be enlisted on the Side of Government."[568]

While the comments on this early plan reveal some of the ways that ministers were considering dealing with the Catholics, the ministry never got around to advocating a complete plan on the subject. Despite the plan in the Pelham papers, the ministers decided not to include Catholic emancipation in the Act of Union itself. John Fitzgibbon, Lord Chancellor and Earl of Clare, took the credit for this decision. Clare supported the union, but he wanted it to be on an exclusively Protestant basis. Like many others, he believed that those in Ireland who expressed support for Catholic emancipation really wanted to overthrow the government and destroy the connection between Ireland and

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37. Pelham and/or Cooke, attributed, Plan of Union [Paper A]. The copy in Add. 33119, Pelham Papers, BL has additional comments, possibly by Camden or Auckland; there is another copy without comments in Add. 34455, Auckland Papers, BL. Ehrman, *The Younger Pitt*, vol. 3, 175-176, fn. 4.

38. Pitt's comments on Paper A, Add. 33119, Pelham Papers, BL.

39. Camden, Remarks, July/Aug. 1798, Add. 6958/2379, Pitt Papers, CUL.

40. Pitt's comments on Paper A, Add. 33119, Pelham Papers, BL.

Britain.[569] Meeting with Pitt in 1798, he found him and the Duke of Portland "as full of their popish projects as ever," but succeeded in persuading them to leave Catholic emancipation out of the Act of Union itself.[570] The decision was one of expediency. Pitt decided that it would be easier to pass the union if it was not directly connected to emancipation, and that emancipation could be passed in another act as soon as the union was secured.

Nevertheless, the British government could not pass the Act of Union without Catholic support. In December 1798, John Thomas Troy, Catholic Archbishop of Dublin, wrote to Castlereagh to warn him of the widespread unpopularity of the union in the city, cautioning him that "the general sense of the meeting [of respectable Roman Catholics] was that no arrangement to tranquilize this country can have effect if the Catholic body be excluded from the benefits of the constitution, and remain subject to their present disqualifications."[571] While the ministry ordered Cornwallis and Castlereagh not to promise emancipation to the Catholics if the union passed, they seem to have established an implicit understanding with the Catholics that emancipation would be forthcoming.[572] Cornwallis personally favored granting some concessions to Catholics in the union bill in

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41. Clare to Auckland, 23 May 1797, in *'A Volley of Execrations': The Letters and Papers of John Fitzgibbon, Earl of Clare, 1772-1802*, ed. D. A Fleming and A. P. W. Malcomson (Dublin: Irish Manuscripts Commission, 2005), 271-273.

42. Clare to Castlereagh, 16 October 1798, Fleming and Malcomson, *'A Volley of Execrations,'* 356; Ehrman, *The Younger Pitt*, vol. 3, 177.

43. John Thomas Troy to Lord Castlereagh, 15 December 1798, in *Public Record Office of Northern Ireland Education Facsimiles 241-260: Catholic Emancipation, 1793-1829*, ed. Anthony Malcomson (Belfast: Her Majesty's Stationery Office, 1976), No. 244.

44. Geoghegan, *The Irish Act of Union*, 119; Clare believed they had promised emancipation to the Catholics. Clare to the Earl of Shannon, 13 February 1801, in Malcomson, *Public Record Office*, No. 245; John Derry suggests that Castlereagh managed to avoid promising anything. Derry, *Castlereagh* (London: Penguin Books, 1976), 66.

order to "take away so plausible an incitement to disaffection as their exclusion affords," with the notable exception of hoping to maintain the oath of supremacy.[573] Concerned at the possibility of being charged with duplicity later, Cornwallis hesitated to push for support among the Catholics before receiving assurances from the ministry. Acting on his behalf, Castlereagh attended a Cabinet meeting in 1799, where he was told that "the opinion of the Cabinet was favourable to the Principle of the Measure" and that despite having doubts about allowing Catholics into all government offices and foreseeing "considerable repugnance to the measure in many Quarters and particularly in the <u>highest</u> [the king]... as far as the Sentiments of the Cabinet were concerned His Excellency need not hesitate in calling forth the Catholick [sic] support in whatever degree he found it practicable to obtain it." The Cabinet even discussed whether they should give the Catholics a distinct assurance of the benefits they would receive upon passage of the union, before deciding against it on the grounds that the measure might suffer more by a loss of Protestant support than it would gain from that of the Catholics. Reassured by the outcome of the meeting, the Irish government "omitted no exertion to call forth the Catholicks [sic] in favor of the Union."[574]

Even before meeting with the Cabinet, Castlereagh had been in contact with Troy. In December 1798, Castlereagh met him with an offer. In the words of the archbishop, Castlereagh claimed that because "the guilty conduct of some of our priests, secular and regular, in the recently suppressed rebellion, brought suspicion on our clergy," the king wanted to guarantee the loyalty of the Catholic clergy by paying them an annual salary that would alleviate them of their "present abject dependence on the people." He also

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45. Castlereagh to Clare, 21 October 1798, in Fleming and Malcomson, *'A Volley Execrations,'* 357.

suggested that "It would be eminently suitable that his Majesty should have the privilege, as in Canada, of presenting to the Pope the subjects whom he deems suitable to be Bishops." First, Troy denied that the Catholic priests were disloyal, claiming that "the rebel or suspect priests were relatively very few in comparison with the large number of loyal priests." He declined to accept the offer himself, explaining that the clergy would lose their authority with the people if they accepted a government salary, which the government could not afford to pay anyway, and that only the pope could change the nomination process. Troy then insisted that he could not give any further opinion without consulting the other bishops, which Castlereagh "warmly recommended" he do.[575] The next month, the Irish Catholic bishops met at Maynooth to discuss Castlereagh's offer. They agreed to accept a stipend from the state, and they resolved that "in the appointment of the Prelates of the Roman Catholic religion to vacant sees within the kingdom, such interference of Government as may enable it to be satisfied of the loyalty of the person appointed is just, and ought to be agreed to." Getting specific, they resolved to allow the government to veto candidates for bishoprics if it had a "proper objection" to them.[576]

In the years immediately after the insurrection, there was no quasi-popular body representing the interests of the Irish Catholics. [577] Instead, bishops like Troy and

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46. Castlereagh to Pitt, 1 January 1801, TNA: PRO 30/9/3/8.

47. Troy to Cardinal Borgia, Prefect of Propaganda, 17 August 1799, reprinted and translated in Bernard Ward, *The Eve of Catholic Emancipation*, vol. 1 (London: Longmans, Green and Co, 1911), 51-52.

48. Resolutions reprinted in Ward, *The Eve of Catholic Emancipation*, 53-54; see also Bartlett, *The Fall and Rise*, 251; and Geoghegan, *The Irish Act of Union*, 66; two years later, the Irish clergy received instructions from Propaganda directing them to decline the stipend. Propaganda to Father Master Concanen, 7 August 1801, 29/8/13, DDA; the Marquis of Buckingham mentioned receiving a different set of resolutions from Castlereagh. Buckingham to Grenville, 24 January 1799, in *The Manuscripts of J. B. Fortescue, Esq., Preserved at Dropmore*, vol. 4, ed. W. Fitzpatrick (London: Eyre and Spottiswoode, 1905), 452.

49. Ehrman, *The Younger Pitt*, vol. 3, 189; Bartlett, *The Fall and Rise*, 250.

aristocrats like Lord Fingal and Lord Gormanstone assumed the public face of Irish Catholicism, while radicals and Catholics of a less conservative stripe generally chose to lay low. [578] For the most part, the aristocrats and the bishops supported the Act of Union with the expectation that emancipation would be forthcoming. As importantly, many Catholics who did not actively support the union chose not to oppose it either. The main thing that Ireland stood to lose by the union was its Parliament, but that Parliament, being dominated entirely by Protestants, was not responsive to the Catholics' interests anyway. To many, it was not obvious what benefit Catholics derived from a distinct Irish government. As one Catholic put it, although he had not made up his mind about the union, "As a separate kingdom I cannot recollect at what period of our existence we were a contented, happy people unless perhaps we should except the two or three centuries that succeeded the establishment of [Christianity] among us."[579] Furthermore, many of the most vocal opponents of the union were also deeply unpopular with the Catholics. The leader of the anti-unionist faction within Parliament was the Speaker of the Irish House of Commons, John Foster, whose defense of the Protestant Ascendancy made him widely hated by Catholics, as well as former United Irishmen.[580] Many Orangemen were also opposed to union, possibly because it was contrary to the Constitution as established by William III.[581] Observing the situation, Cooke remarked, "as Orange violence has increased against it, the Catholics seem more anxious for it."[582]

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50. Bartlett, *The Fall and Rise*, 250.

51. Blunket to Caulfield, 13 December 1798, DDA.

52. Daniel Mansergh, "The union and the importance of public opinion," in Keogh and Whelan, *Acts of Union*, 126-139.

53. Moylan to James Coghlan, 7 January 1800, in *The Correspondence of James Peter Coghlan (1731-1800)*, ed. Frans Blom, et al (Suffolk: Boydell Press, 2007), 404; George Mitchell to Dundas, 15 January

While nobody released a petition on behalf of the Catholic body, the clergy promoted their own pro-union resolutions. Nine bishops, including Troy, signed pro-union resolutions, and, in numerous dioceses, priests went around gathering signatures for resolutions to be published in the newspapers. Troy and another Catholic bishop, Matthew Lennan, also used their influence to help the leading proponent of union in the House of Commons, Isaac Corry, get re-elected. In return for their support, some Catholics received a share of the bribes that the government spread around to facilitate the union's passage. The government officially recognized Lord Fingall and Lord Gormanston's Jacobite titles, made Lord Kenmare an earl, and compensated Troy for the churches destroyed in the wake of the insurrection.[583]

For those Catholics who did not receive any direct compensation from the government pro-union propaganda may have played some part in their attitudes towards the union. In the wake of the Irish administration's initial defeat in the Irish Parliament, Cooke decided to try a propaganda campaign. In his pamphlet *Arguments for and against an union, between Great Britain and Ireland, considered*, Cooke presented the union as a panacea for Ireland's current problems. He described it as a necessary step in consolidating and strengthening the British empire to withstand the assault of the French, who were building an empire of their own. However, he claimed union would also end sectarian differences, increase Irish commerce, and straighten out some inconsistencies in the Constitution. By dissolving the Irish Parliament into a united Parliament, the union

1799, MS 54A, Melville Papers, NLI. Mitchell, who supported Union himself, said that this was a pointless objection because the Orange oath did not actually mention the Constitution of William III.

54. Cooke to Grenville, 15 January 1799, in Fitzpatrick, *The Manuscripts of J. B. Fortescue*, vol. 4, 441; a day later, Buckingham claimed that "The Catholics are coming forward very roundly." Buckingham to Grenville, 16 January 1799, in Fitzpatrick, *The Manuscripts of J. B. Fortescue*, vol. 4, 443.

would reposition Irish Catholics as a minority population whose concerns could be kept in check, rather than a disgruntled majority under a weak government. In Cooke's words, "The Catholics would lose the advantage of the argument of numbers, which they at present enjoy, and the Constitution of the Empire would agree with the theory." The new Protestant majority, adhering to a United Church of England and Ireland, would ensure the continuance of the established church and the liberties it supposedly guaranteed. At the same time, the Catholics would maintain their current liberties while benefiting from tithe reform, provisions for their clergy, and "some system of regulation for their Church, not inconsistent with their Ecclesiastical Principles, and calculated to do away misconceptions of their religious tenets, and to discontinue practices which have been attended with inconvenience." They would also enjoy a less prejudiced Parliament that might be willing to grant them further concessions in the future.[584]

Theobald McKenna, a Catholic who had run afoul of the Irish government in 1793 for publishing a popular appeal calling for Catholics to demand their rights, also produced some pro-union pamphlets. Expressing his interest in "the glory of the British Empire," he argued that a union would not only keep the Irish from being enslaved by France, but would also enrich the country by encouraging investment and economic growth. In his opinion, the current Irish Parliament was too entangled in sectarianism to lead the country fairly. In his words:

> You must root out these feuds if you would banish wretchedness from the land; you must exclude them; not by elevating the pride of these, or reducing those to fullen [sic] acquiescence, but by compleatly [sic] removing the cause, by placing our concerns under the care of a superior

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55. Keogh, "Catholic responses to the Act of Union," in Keogh and Whelan, *Acts of Union*, 165.

56. Cooke, *Arguments for and against an Union, between Great Britain and Ireland, considered* (Dublin: 1799) 9, 26, 29-32.

power, impartial by situation, and by the absence of the local passions and prejudices that distract us.

However, McKenna's support for the union was not unqualified. He insisted that it would only be a success if it was accompanied by "a settlement under the head of religious difference, completely coextensive with the grievance," otherwise "an incorporation of the Legislatures [will] be found a measure bad for Ireland, but, if possible, worse for Britain."[585]

Cooke succeeded in distributing enough pro-union pamphlets across the Irish countryside to overwhelm anti-union literature in circulation. However, historian Daniel Mansergh argues that instead of persuading the majority of the Irish, these pamphlets merely instilled their readers with enough doubt to create an "ideological stalemate."[586] As far as Irish public opinion was concerned, lack of opposition was more important than support.

At the same time that Cooke and other English supporters of union were trying to placate the Irish people, however, they had a tendency to denigrate the Irish and Irish institutions. The Anglo-Irish did not necessarily receive more respect than the Irish Catholics. For instance, although the new Irish MPs in the House of Commons were going to be mostly Anglo-Irish, the Earl of Sheffield expressed apprehensions about their numbers, writing that "I do not think any of our Country Gentlemen would venture into Parliament if they were to meet 100 Paddies."[587] Sheffield was a somewhat extreme example. More commonly, administrators expressed the hope that the Irish would

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57. Theobald McKenna, *A Memoire on Some Questions respecting the Projected Union of Great Britain and Ireland* (Dublin, 1799), 7, 10, 14, 23.

58. Daniel Mansergh, "The Union and the Importance of Public Opinion," in Keogh and Whelan, *Acts of Union*, 126-139.

become more like the English. Camden envisioned participation in the united Parliament as a source of personal improvement for the Irish, writing, "When they are so called [to Parliament] it is imagined the Society & Manners of the English will mix with their own & they will return to Ireland with a desire to introduce English Manners & customs there."[588]

Likewise, English supporters of union often assumed that the Irish would prefer to be more like the English. One of Pitt's agents in Ireland suggested this as a theme for a series of bilingual, pro-union publications, writing that:

> they [should] set forth the superior happiness of the common people in England, the regular execution & attachment to the Laws, & the equal distribution of Justice, which prevail so universally in that Country, & from which result that happiness, the harmony & good will which prevail between the superior & inferior Ranks, the prosperity proceeding from that encouragement which industry meets with, the attention to the distresses of the Poor, &c, &c_ & it [should] be strongly impressed on their minds that the like advantages cannot fail to be the consequence of that Union which will inseparably blend us as one People.[589]

Canning expressed a similar thought during the Act of Union debates, arguing:

> The most strenuous friends of reform in Ireland have frequently said, that they wanted only to be brought nearer to the perfection of England; and desired that they might enjoy the substantial blessings of the constitution; that they might be blest... [with] the real, inspiring, and enlivening sunshine of English liberty.[590]

The idea that unification would make the Irish more like the English was also a key part of Cooke's pamphlet. For Cooke, England and the English were superior to Ireland

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59. Lord Sheffield to Auckland, 13 November 1798, Add. 34455, Auckland Papers, BL.

60. Camden, Remarks, July/August 1798, Add 6958/2379, Pitt Papers, CUL.

61. William Pitt to Pitt, 16 September 1799, Add. 6958/2524, Pitt Papers, CUL. [In a previous letter, the agent explained to the minister that he respected the Pitt family so much that he took Pitt's name.]

62. *Parliamentary History*, vol. 34 (1799), 234.

in pretty much every way; while Ireland had popular discontent and religious jealousies combined with a sub-par economy and agricultural sector,

> [England] enjoys the best practical Constitution and Government, which any nation has ever experienced; the people are in general the most civilized; the most obedient to Law, the most honest in dealing, the most decent in morals, the most regular in Religion of any people in Europe. They have the best agriculture, the most extensive commerce, and have carried manufactures, arts, and sciences beyond any other nation. Their soldiery is brave and orderly; their naval greatness is unrivalled.

Later he asked, "What can any sanguine Irish Patriot wish for his country but that its inhabitants should attain the same habits, manners, and improvement which make England the envy of Europe?"[591] It is indicative of his myopia that he failed to notice that the majority of Irishmen, being Catholic, would actually have had fewer legal rights if they lived in England.

Passed on June 7, 1800, the Act of Union was scheduled to take effect on January 1 of the coming year.[592] With the union complete, the ministry could get down to dealing with the Catholic emancipation. Pitt intended to follow up the union by establishing governmental influence over Catholic clergymen and Protestant Dissenting ministers, whom seven-eighths of Ireland's population looked to for guidance. One anonymous plan in the Home Office papers suggested requiring Catholic priests to obtain licenses from the government, and excluding all priests who belonged to religious orders or who had not been educated at Maynooth. In this way, prospective priests would hopefully be kept away from foreign influence and foreign leadership. As Pitt and Castlereagh had

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63. Cooke, *Arguments for and against an Union,* 6-8.

64. Geoghegan, *The Irish Act of Union*, 116; by April 1800, Castlereagh was asserting that most of the property owners in Ireland were supportive of Union; according to his calculations £1,058,200 worth of property supported it, while only £358,500 were against it. Castlereagh to John King, 20 April 1800, Add. 6958/2610, Pitt Papers, CUL.

both suggested earlier, paying Catholic clergy out of state funds offered another means for the government to keep an eye on them. In the words of the plan's writer:

> It seems important so to frame the Scale of Provision as to bring the Individual in the natural progress of his professional Advancement as frequently as may be within the Authority of the State: He will then always more or less act under an Impression that a good Character for Loyalty may be important in the pursuit of his own Interests[.][593]

Sir John Hippisley, a long-time advocate of Catholic causes, assembled additional suggestions from the correspondence between Castlereagh and Robert Hobart, former Chief Secretary of Ireland. Despite their differing views on Catholic emancipation in the years leading up to union, Castlereagh and Hobart agreed that regulations established according to "a wise and liberal policy in favour of the Roman Catholic clergy" were most likely to lead to the "civilization" of the Irish masses. Believing the clergy to have immense influence over their parishioners, Castlereagh and Hobart thought the government would need their support in order to succeed in any attempts to reshape the Irish people. Castlereagh and Hobart also suggested that the act forbidding the importation of bulls, rosary beads, and crosses be repealed with the stipulation that all bulls would go to the Secretary of State for approval before being permitted to circulate in the country. Catholic priests and schoolmasters would take an oath, and be required to produce a certificate from one or two "respectable" people, attesting to their loyalty. Castlereagh and Hobart even suggested that it might be necessary to appoint Catholic bishops in ordinary in the United Kingdom, making certain that their titles did not include cities that already appeared in the titles of Anglican bishops; furthermore:

> It certainly would materially contribute to the gratification of the British Roman Catholics & would remove at a still greater distance, the

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65. 1 September 1800 TNA: PRO HO 123/19.

interference of Foreign Authority by getting rid of all Vicarial & delegated power from Rome which might be extended to an excess of interference in many respects hostile to the Constitution the objects of delegation being wholly at pleasure of the Pope...[594]

As these suggestions show, the Pitt ministry planned to deal with the Catholics through a series of compromises in which they would offer them a more secure, and potentially more personally remunerative, position in the United Kingdom in exchange for greater government control over their ecclesiastical hierarchy. Although this can be interpreted as a cynical attempt to keep the Catholics in subordination to the government, it is an expression of the idea that the benefits of the British Constitution should not, and need not, be limited exclusively to Protestants. In the words of Cooke, "The principle of the constitution is not *exclusion* as an *end*; but exclusion has been used by the constitution as a *means* to preserve it... If it can exist without the principle, it should be parted with altogether."[595] To Dundas' mind, the exclusion of Catholics from Parliament had made the government of Ireland incompatible with the Constitution, calling it "the plainest of all political truths, that a Country where a [Parliament], & a free Constitution is allowed to exist never can submit to the Practice of three fourths of the Country being sacrificed to the Whims Prejudices or Opinions of the other fourth." [596] The main obstacle to the integration of the Irish Catholics into the United Kingdom was the established church. In order for the government to maintain the newly formed United Church of England and Ireland as Ireland's established church, they needed to keep the Catholic Church in a subordinate position. It may have been significant to the development of

66. Hippisley, Summary of a Correspondence with The Right Honble Lord Hobart & Lord Viscount Castlereagh on the Subject of the Roman Catholic Clergy, 1800?, Add. 6958/2557, Pitt Papers, CUL.

67. Cooke to Clare, 10 February 1801, in Fleming and Malcomson, *'A Volley of Execrations,'* 423-424.

Dundas' favorable attitude towards Catholic emancipation that his Scottish background made him particularly aware that the British state did not need to be governed with a single church.

At the beginning of October, 1800, the Cabinet met to discuss Catholic emancipation. Although Pitt agreed to talk to the king about it, he put off doing so for months. Possibly unbeknownst to Pitt, the Lord Chancellor, Lord Loughborough, had informed the king of the meeting before it even took place. In January 1801, Pitt called another meeting to ask the Cabinet's opinions regarding the Catholics. Loughborough did not attend and neglected to meet up with Pitt later. At dinner the next day, Pitt told Castlereagh to let Clare know that they had determined to pursue Catholic emancipation. After Castlereagh told Clare about the plan to follow union with emancipation, Clare accused him of betraying the Irish gentlemen he had relied on to carry the union and assured him that "it could have no effect but to perpetuate civil and religious discord" throughout the three kingdoms. Clare told Pitt much the same when he met him the next day. Despite separating "in perfect good humour, Mr. Pitt observ[ed] that we should each of us retain his own opinion on the question."[597] Before the Cabinet had decided how to break the news to the king, somebody, possibly Clare or Loughborough, told him what they had been up to. The king was furious, and, confronting Dundas at his morning levee, he told

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68. Dundas to Pitt, 1799-1800?, Add. 6959, Pitt Papers, CUL. Dundas probably did not expect anyone besides Pitt to read this letter, suggesting that this was an honestly held opinion.

69. Lord Chancellor Clare to the Earl of Shannon, 13 February 1801, in Malcomson, *Public Record Office*, No. 245.

him that he would "look on every Man as my personal Enemy, who proposes that Question to me[.]"[598]

Having heard of the king's displeasure, Pitt wrote him several days later, attempting to explain his support for Catholic emancipation. Assuring him that that he would not have proposed the measure if he did not think it was "to the real Interest of [Your Majesty and Your] dominions," he asserted that it was "the prevailing Sentiment of the Majority of the Cabinet, that the admission of the Catholics & Dissenters to offices, & of the Catholics to [Parliament] (from [which] latter the Dissenters are not now excluded) [would] under certain Conditions to be specified, be highly adviseable [sic], with a view to the Tranquillity [sic] & Improvement of Ireland; & to the general Interest of the United Kingdom." Assuring the king that emancipation would not interfere with the established church or the Protestant interest, Pitt argued that the real enemy was not Catholicism, but Jacobinism. In the end he left the king with an ultimatum: Pitt would resign, unless the king changed his mind on emancipation.[599] Citing his coronation oath, in which he had promised to defend the established church, the king refused to change his stance on emancipation. Furthermore, he explained that "my inclination to an Union with Ireland was principally grounded on a trust that the Uniting the Established Churches of the two

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70. Quoted in Ehrman, *The Younger Pitt*, vol. 3, 503; for a more detailed account of these events, see Ehrman, *The Younger Pitt*, vol. 3, 495-509.

71. Pitt to George III, 31 January 1801, Add. 6958/2836, Pitt Papers, CUL; writing to his brother after the event, Pitt displayed annoyance about "the imprudent degree to which the King's name was committed on a question not yet even regularly submitted to him." Pitt to Chatham, 15 February 1801, Add. 6959, Pitt Papers, CUL; despite his complaint, Pitt himself had failed to keep the King informed of the Cabinet's activities. Richard Willis, "Cabinet Politics and Executive Policy-Making Procedures, 1794-1801," *Albion* 7, no.1 (Spring 1975): 21-22.

Kingdoms, would, for ever shut the door to any farther measures with respect to the Roman Catholics."[600]

Shortly thereafter, Pitt and most of his ministry left office to be replaced by a new administration under Henry Addington, whose principal qualifications included his opposition to Catholic emancipation.[601] Although it is important not to over-idealize their motivations, the ministerial supporters of Catholic emancipation saw the formation of the United Kingdom as an opportunity to better incorporate the Irish Catholics within the state without endangering the governing institutions of the country. The end result would hopefully be a stronger British empire and a military available to defend it. As far as the opponents of emancipation were concerned, however, Irish Catholics had already received all of the political power that they could be safely allowed and then some. Faced with an uncertain situation abroad and a recent history of popular unrest at home, they preferred to reinforce a more narrow understanding of the British Constitution, in which Protestant ascendancy was the key to perpetuating national independence and maintaining that ideal degree of liberty that supposedly enabled Britain to escape both anarchy and despotism. With George III's refusal to allow Pitt to pursue emancipation in 1801, the king squelched an opportunity that the British government never recovered. Instead of conciliating the Irish Catholics, the union with Britain left them feeling betrayed.

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72. George III to Pitt, 1 February 1801, Add. 6958/2837, Pitt Papers, CUL.

73. Historians continue to debate about the role Catholic emancipation played in Pitt's decision to resign. Geoghehan considers it the central determining factor. However, Charles Fedorak argues that Pitt's resignation was more likely motivated by poor health, compounded by disagreements within the ministry over the handling of the war and an on-coming grain crisis in Britain. Charles John Fedorak, "Catholic Emancipation and the Resignation of William Pitt in 1801," *Albion* 24, no. 1 (Spring 1992): 49-64; likewise, while Piers Mackesy denies that there was any one "single explanation," he emphasizes the

After the rejection of Catholic emancipation, the members of the Pitt ministry rushed to minimize the disaffection of the Catholics. Castlereagh cautioned Cornwallis that "we must endeavor to make them feel, that <u>their</u> particular interests, as well as their duty, will be best consulted rather by a temperate & loyal conduct, than by giving way to the feelings connected with disappointment & despair" adding that "Such are the principles we must preach; I wish it were reasonable to expect that they wd be implicitly acted upon."[602] To this end, Cornwallis sent two papers to Fingal and Troy with the request that they circulate them to the leaders of the Catholic community in Ireland.[603] The first was a letter from Pitt, explaining that he would try to "establish their cause in the public favour," but that they could not expect him to "concur in a hopeless attempt to force it now" or to show any sympathy to "any unconstitutional conduct in the Catholic body." Pitt ended by assuring the Catholics that conspicuous loyalty to the British government remained their best means of obtaining their desires. Cornwallis expressed similar ideas in the second paper, recommending peaceable conduct and warning the Catholics that they risked losing their political allies if they engaged in violence. [604]

Although the authors of these letters were sympathetic to the Irish Catholics, their pre-occupation with the possibility of the Catholics turning violent is indicative of one of the main obstacles to achieving lasting cooperation between Catholics and Protestants in

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increasing difficulty Pitt had in deciding on a war policy in the time leading up to his resignation. Mackesy, *War Without Victory: The Downfall of Pitt, 1799-1802* (Oxford: Clarendon Press, 1984).

74. Castlereagh to Cornwallis, 9 February 1801, Add. 6958/2847, Pitt Papers, CUL.

75. Cornwallis to Castlereagh, 3 March 1801, Add. 6958/2857, Pitt Papers, CUL.

Ireland. Since Camden's time, government authorities, sometimes in Dublin Castle but particularly on a local level, were frequently harsh against Catholic violence while ignoring it on the part of Protestant Orangemen, who at least claimed to be defending church and king. The insurrection of 1798 increased this trend. Outside of Ulster, most of the rebels, like most of the population in general, were lower class Catholics. Following an insurgent victory, almost all the Catholics in the area, including Catholic Volunteers, tended to side with them. Under the circumstances, many of these Catholics were probably motivated by the need to protect their lives, families, and property rather than a desire to rebel.[605] After the insurrection was suppressed, Protestant ultras, such as Sir Richard Musgrave, ignored or downplayed Protestant violence during the rebellion. Instead, they claimed that the insurrection was evidence of a Catholic plot to massacre the Protestants like their ancestors had supposedly done in 1641. Insisting that the Catholic clergy had extensive influence over the laity, they took the clergy's failure to stop the violence as proof that they encouraged it.[606] Musgrave argued that the Catholic Relief Acts had made the insurrection possible, and the only way to make Ireland secure for Protestants would be to crush the Catholics without mercy. Although genuine anti-catholic fears factored into these accounts, they also had a strategic element. By presenting the conflict in starkly sectarian terms, writers such as Musgrave undermined

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76. Pitt to Cornwallis & Cornwallis to the Irish Catholics, 1801, TNA: PRO 30/9/12B.

77. Wells, *Insurrection*, 139-140.

78. Richard Musgrave, *A Concise Account of the Material Events and Atrocities which Occurred in the Late Rebellion....* (Dublin: 1799), 2, 20; Musgrave devoted only twelve pages to the rebellions in Antrim and Down, which were dominated by Protestants, while spending hundreds on events elsewhere. Bartlett, *The Fall and Rise*, 239; see also, Ian Haywood, *Bloody Romanticism: Spectacular Violence and the Politics of Representation, 1776-1832* (New York: Palgrave Macmillan, 2006), 108; Stuart Andrews, *Irish Rebellion: Protestant Polemic, 1798-1900* (New York: Palgrave Macmillan, 2006) examines the impact of Musgrave's account on nineteenth century accounts of the insurrection.

the United Irishmen's universalist message and sought to prevent the Presbyterians from aligning with the Catholics.[607] On the other hand, Catholic leaders and their sympathizers frequently claimed that the insurrection had been provoked by ostensibly Protestant United Irishmen, who tricked lower class Catholics into rising against their government, or Orangemen, who had been allowed to assault, rob, and drive out their Catholic neighbors without receiving serious legal challenge.[608]

Much of the evidence for the ultras' view came from accounts of events in County Wexford, where the rebel leaders included a handful of Catholic priests, and Catholic insurgents had forced Protestants to convert on pain of death. In one of the most notorious incidents, the insurgents murdered numerous prisoners at Wexford Bridge and threw their bodies over the side.[609] The number of those killed varied widely in the accounts, sometimes reaching into the hundreds. However, the rebels' victims included Catholics as well as Protestants, and numerous Catholic clergymen had endeavored to protect the Protestants from the rebels. For instance, Father John Currin looked out for refugees caught in rebel-controlled territory by issuing them with passes as well as intervening to prevent the massacre of imprisoned Protestants. Most notably, he stopped the massacre at Wexford Bridge by getting on his knees and pleading for the rebels to

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79. During the rebellion, the Earl of Clare endorsed this view, writing, "In the north nothing will keep the rebels quiet but a conviction that where treason has broken out the rebellion is merely popish[.]" Clare to Auckland, 5 June 1798 in Fleming and Malcomson, *'A Volley of Execrations,'* 340-341.

80. See Whalen, "'98 after '98: The Politics of Memory," in *The Tree of Liberty: Radicalism, Catholicism and the Construction of Irish Identity 1760-1830* (Notre Dame: Notre Dame University Press, 1996), 133-175; Haywood, *Bloody Romanticism*, 116-117; see also Guy Beiner, *Remembering the Year of the French: Irish Folk History and Social Memory* (Madison: University of Wisconsin Press, 2007) for nineteenth and twentieth century recollections of the insurrection.

81. For Musgrave's account of the bridge, see Musgrave, *A Concise Account*, 29-33.

spare their remaining captives.[610] According to his own account, the Catholic Bishop of Ferns, James Caulfield, had also rushed to the bridge to stop the massacres as soon as he found out about them, although they had already been going on for a while before that time.[611]

Out of about a thousand Catholic priests in Ireland, only about sixty were involved in the rebellion. As it had done with previous agrarian disturbances, the Catholic hierarchy denounced the rebellion and excommunicated those Catholics who participated. Troy was particularly attentive to the need to call the laity back to obedience. Shortly after the beginning of the Insurrection, Troy commanded the prelates of Dublin to "zealously enforce loyalty to his Majesty, obedience to the laws, and a peaceable Conduct." Furthermore, they were to exhort those who had taken oaths or otherwise bound themselves to illegal associations to acknowledge their error, give up their weapons and renew their declarations of loyalty and allegiance before the magistrates. "By immediately adopting this line of Conduct," he concluded "they will rescue the Catholic body from Obloquy, & preserve their own persons and property."[612] In another instance, he issued a pastoral, which was reprinted in pamphlet form, explaining Irish Catholics' duty to repel the French in case they invaded. After asking if his readers could trust the people who had captured the pope to protect their religion, he attempted to appeal to their

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82. Whelan, "The Wexford Priests in 1798," in *Protestant, Catholic, Dissenter: The Clergy and 1798*, ed. Liam Swords (Blackrock: Columba Press, 1997) 168. Whelan gives brief accounts of the activities of each Wexford priest during the insurrection.

83. James Caulfield reported hearing two different sources set the number of people killed at Wexford Bridge at 45 and 80 respectively. Caulfield to Troy, 24 May 1799, DDA; Caulfield to Troy, 31 July 1798, DDA; other accounts do not include Caulfield's intervention at the bridge. See Gahan, *The People's* Rising, 202-203; also, Pakenham, *The Year of Liberty*, 190-192, 255.

84. Troy to rural vicars of the Archdiocese of Dublin, 22 May 1798, DDA.

sense of civic pride, writing that "Your lives and properties, the reputation and honor of Irish Catholics are at stake."[613] According to Catholic doctrine, rulers were appointed by God, and the people under their authority had a duty to obey them. The Bishop of Cork, Dr. Moylan, referenced this idea when he claimed that "a "Conscientious Romanist Ecclesiastick [sic] not only can be, but must necessarily be a loyal subject."[614] Troy was a firm advocate of this concept, and he combined an attachment to Ireland with the need to be loyal to the state. By addressing his subjects as "Irishmen" and discussing their responsibilities to Ireland, Troy reinforced the idea of a distinct Irish identity. However, he presented this Irish identity as falling under the broader umbrella of the British state. Because the British government was currently in charge of Ireland, the Catholics had a responsibility to defend it.

Like the bishops, Catholic elites demonstrated their opposition to the insurrection. For instance, Lord Fingall led a predominantly Catholic band of yeomanry against some rebels at Tara Hill.[615] In an address to the Catholic rebels of Ireland, a body of clergy and lay Catholics of comfortable means urged the rebels to give themselves up and ask for mercy or risk the destruction of their lives and property. Presenting themselves as the natural leaders of the Catholics of Ireland, whose loyalty had made them rich, they suggested that their influence ought to surpass that of the rebel leaders, whom they

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85. Troy, *Pastoral Instructions to the Roman Catholics of Dublin* (Dublin: 1798).

86. Dr. Moylan to Portland, 28 May 1800, 29/8/25, DDA.

87. John Biggs-Davison and George Chowdharay-Best, *The Cross of St. Patrick: The Catholic Unionist Tradition in Ireland* (Bourne End, Buckinghamshire: Kensal Press, 1984), 84-85.

presented as uneducated men who were out to dupe the masses.[616] Despite their efforts, however, Catholics were under a cloud of suspicion as the union began.

Like most of the Pitt ministry, Cornwallis resigned as Lord Lieutenant upon learning that Catholic emancipation would not be forthcoming. His successor, Lord Redesdale, was suspicious of the Irish Catholics and Irish people in general. He particularly distrusted Irish Catholic priests, whom he accused of encouraging rebellion and disloyalty on the grounds that they taught that the Roman Catholic Church was the only true Christian Church.[617] Although he admitted that propertied, educated Catholics might manage to remain loyal to a Protestant government, he thought it required "a [mental] refinement of which [the lower orders] are utterly incapable."[618] Coupled with his belief that "[an Irishman] knows no bounds to his desires, and scarcely believes that there is any thing unattainable by influence, by art, or by threat," Redesdale's prejudices made him unsympathetic to the population he had been sent to govern. [619]

In 1803, Redesdale was replaced by Lord Hardwicke, who was more open to the Catholics' claims. That same year, however, sectarian fears were reignited by the failed uprising known as Emmet's Rebellion. Although Robert Emmet was a Protestant, and his rebellion had been limited to the murder of one liberal-minded Chief Justice, many Irish

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88. "To such of the Deluded People now in Rebellion against his Majesty's Government in this Kingdom as profess the Roman Catholic Religion." 1798, DDA.

89. As a long time supporter of government, Troy found this sort of thinking aggravating. Writing in response to another of Redesdale's attacks on the Catholic clergy, Troy remarked, "We have experienced rather uncomfortably, that, in all riots, misdemeanours and crimes in Ireland, a Catholic Clergyman, like the occult quality of the ancient Schools, must come in to solve the mystery, and to save the labour of thinking, of inquiring and of confessing error." Troy, May-June? 1805, DDA.

90. *Correspondence Between the Right Hon. Lord Redesdale, Lord High Chancellor of Ireland, and the Right Hon. The Earl of Fingall....* (London: J. Brettell, 1804), 21.

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Protestants assumed that the uprising had been part of a larger Catholic plot. In the wake of the rebellion, the yeomanry stopped admitting Catholics or allowing them to raise corps. Even Hardwicke suspected Troy on the grounds that he believed the latter's pastoral condemnation of the rebellion to have been written ahead of time.[620] Meanwhile, Catholics had their own reasons for concern. Reports were circulating that their property would be confiscated. An attempt by the Irish administration to conduct a survey of Ireland's estates appeared to justify these concerns.[621] Prominent Catholics were divided in their responses. Troy joined with Fingal, Lord Gormanstown and other prominent Dublin Catholics in submitting an address to Hardwicke pledging their loyalty and their determination to pursue their claims solely through constitutional means. However, McKenna joined with Denys Scully, a Catholic lawyer and activist, to release a pamphlet publicly rejecting the address with contempt.[622] McKenna declared that "It certainly cannot be necessary to inform the Lord Lieutenant and Government of Ireland, that the gentry and merchants of our persuasion, do not wish to be subjected to the dominion of the Pike-men, and that the latter are in no way desirous to give up their ware-houses to be plundered." Instead he suggested that the clergy and laity of the Catholic elite should attempt to raise a new corps in order to discourage disaffection among their co-

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91. Redesdale to Rose, 15 August 1804, Add. 6958/3155, Pitt Papers, CUL. At another point, Redesdale insisted that the terms "Catholics & Protestants, or of Irish & English... are convertible." Redesdale to Charles Long, 7 November 1804, Add. 6958/3202, Pitt Papers, CUL.

92. Bartlett, *The Fall and Rise*, 276.

93. R. Marshall to Cooke, 15 November 1804, Add. 6958/3224, Pitt Papers, CUL.

94. *Oxford Dictionary of National Biography*, "Scully, Denys" (by B. C. MacDermot), http://www.oxforddnb.com.proxy.library.vanderbilt.edu/view/article/24978 (accessed January 23, 2010).

religionists and help counteract the alienation they felt by being excluded from the yeomanry. [623]

Despite the growing sectarianism of the late eighteenth and early nineteenth centuries, supporters of government made loyalist appeals to Catholics in times of apparent national crisis. Their productions sometimes invoked the image of the loyal and suffering Catholic priest to discourage rebellion and collusion with foreign invaders. A 1798 broadside entitled *The Priest; A Story Founded on Fact* described a priest who warned his parishioners of the dangers of a French invasion, only to be murdered by them while he prayed.[624] Likewise, one of the prints in the "Consequences of a French Invasion" series, which Sir John Dalrymple commissioned from James Gillray, depicted grotesque French soldiers assaulting an elderly priest (figure 6).[625] Dalrymple, who wanted the prints to encourage people throughout the British Isles to unite against the French, believed that the image would "have a very solid effect on Popish minds at the critical time in Ireland."[626] A priest also features prominently in the 1803 publication, *Notes on the Address of the Provisional Government, being a Letter from Paddy Fogarty, of Balivalaun in the county Cork, to his friend in Dublin*, which was written in the wake of Emmet's Rebellion. In this publication, Paddy, a simple-minded Irish yokel, discusses the merits of insurrection with numerous people, who unanimously denounce it. In the penultimate scene, Paddy meets the parish priest, Father Nicholas, who regularly

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95. Theobald McKenna and Denys Scully, *The Address of the Roman Catholics of Ireland, to his Excellency the Lord Lieutenant....* (Dublin: Printed for M. Mahon, 1803), 10-11, 15-16.

96. *The Priest; A Story Founded on Fact. Which Lately Took Place in the County of Kildare.* n. d., Add. 34455, Auckland Papers, BL.

97. For more on this print, see Diana Donald, *The Age of Caricature: Satirical Prints in the Reign of George III* (New Haven: Yale University Press, 1996), 174-175.

Figure 6: James Gillray, "Consequences of a Successful French Invasion." (1798).

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98. Sir John Dalrymple to the Public, 1798, Add. 27337, Gillray Papers, BL.

preaches against unlawful oaths and refuses communion to those who take them. The priest starts out by reminding Paddy that he only narrowly escaped transportation after 1798 before assuring him that insurrection had always made things worse in the parish:

> You turn'd out against tythes, and that brought in proctors, and they got more power than they ever had before; and then you had policemen and overseers, and the devil knows what to pay, and now you are taxed for soldiers, and all this you brought upon yourselves[.]

When Paddy asks if the priest thinks a successful insurrection would make him a "great man," Father Nicholas immediately rejects the idea:

> No, in troth Paddy... for these democrats can't bear that any man but themselves should be followed, or loved, or have any influence with the people... they'd grow jealous of me, because my people love me, and they'd set their engines to work, and make stories, and turn you all against me, and be the death of me; and this is the way they'd serve all my cloth, for this is what they did in France, where the people lov'd [sic] their priests as well as the Irish do.[627]

As Father Nicholas' remark about the people of France reveals, the loyalist image of the suffering priest was connected to stories of French atheism. However, whereas many Britons interpret the war with revolutionary France as a struggle between atheism and Christianity in general, the rise of Napoleon undermined this view. In 1801, following the Treaty of Amiens, Napoleon passed a Concordat with Rome ending the division between juring and non-juring clergy. Many émigré priests, who had fled France in the early 1790s, went back. After the Napoleonic wars resumed, however, some Britons believed that the papacy had become subservient to Napoleon. Napoleon indicated his superiority to the pope during his coronation ceremony in 1804, when Napoleon crowned himself

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99. *Notes on the Address of the Provisional Government, being a Letter from Paddy Fogarty, of Balivalaun in the county Cork, to his friend in Dublin* (Dublin: Printed by H. Fitzpatrick, 1803), 13-15.

emperor.[628] Likewise, Napoleon's decision to imprison Pope Pius VII in 1809 led ultras to suggest that Napoleon would influence the pope to do his bidding.

People within the British Isles responded to Napoleon's relationship with the Catholic Church in different ways. Following Napoleon's coronation, the Catholic John Milner, Vicar Apostolic of the Midlands, remarked noticing "that other Protestants & even some Catholics attatch [sic] very great importance to this Coronation Ceremony. They are so ignorant as to suppose it equal or even Superior to a Sacrament, & that Bonaparte derives his Imperial title from it."[629] Although Milner himself was firmly adverse to Napoleon, even a sympathetic Protestant like Grenville's brother, the Marquis of Buckingham, was concerned about Napoleon's ability to influence the Catholics. When Bonaparte declared that the Catholics of the United Kingdom would be allowed to resume sending youths to study in their colleges at Paris, Milner greeted the news skeptically, suggesting that it was a ploy to establish a connection between the Catholics and France. Buckingham seemed more apprehensive, reminding Milner that besides inspiring "every British subject" with "the most anxious jealousy" any attempt to act on this offer would be illegal and "consequently a direct breach of your allegiance."[630] However, accounts of the Spanish and Portuguese fighting against Napoleonic rule helped to dispel some fears that Napoleon could control the Catholics. Canning, among others, was dismissive of the idea of Napoleon influencing the Catholics of the United Kingdom, arguing that, instead of

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100. Stuart Semmel, *Napoleon and the British* (New Haven: Yale University Press, 2004), 78-79. As Semmel argues, Britons perceived Napoleon as adhering to a wide-range of religious beliefs, as well as non-belief, and had divergent opinions about what the Concordat would eventually mean for France.

101. Milner to Troy, 6 April 1805, 29/10/55, DDA; C. D. A. Leighton argues that Milner was motivated by opposition to the Enlightenment. See Leighton, "John Milner and the Orthodox Cause," *Journal of Religious History* 32, no. 3 (September 2008): 345-360.

102. Buckingham to Milner, 22 September 1805, 29/10/64, DDA.

being divided into Catholic and Protestant, all civilized nations were now "French or not French."[631]

The resumption of war in 1803 coincided with Pitt's return to power. Addington's ministry had neglected to do anything about Ireland, and many politically attentive Catholics were optimistic that Pitt would resume pressing for emancipation.[632] Unbeknownst to them, however, George III had refused to take Pitt back as prime minister unless he promised never to raise the Catholic Question again.[633] Insisting that "[my] opinion of the Propriety & Rectitude of the Measure at the time it was proposed remains unaltered," Pitt agreed to keep quiet about it out of regard for the king and "other Considerations."[634] He held to this promise, and when an Irish Catholic delegation met with him to ask him to present their petition for emancipation the following year, he refused and suggested that they find another sponsor. Grenville and opposition leader Charles James Fox, who had formed a political alliance through their mutual support of Catholic emancipation and Irish reform, later presented the petition to no success.[635]

While Pitt adhered to his promise not to raise the question of Catholic relief again during the king's lifetime, Pitt's death in January 1806 necessitated the appointment of a

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103. *Parliamentary Debates*, 1st ser., vol. 21 (1812), col. 536.

104. Oliver MacDonagh, *States of Mind: Two Centuries of Anglo-Irish Conflict, 1780-1980* (London: Pimlico, 1992), 135. MacDonagh argues that this "inattention to Ireland's problems in the very years in which the practical meaning of the Union was being determined" set the stage for later repeal movements.

105. George III to Pitt, 5 May 1804, Add. 6958/3029, Pitt Papers, CUL.

106. Pitt to George III, 6 May 1804, Add. 6958/3032, Pitt Papers, CUL.

107. Biggs-Davison and Chowdharay-Best, *The Cross of St. Patrick*, 112; James Sack, *The Grenvillites 1801-29: Party Politics and Factionalism in the Age of Pitt and Liverpool* (Chicago: University of Illinois Press, 1979), 71; Lord Sligo, a supporter of Catholic emancipation, lamented that "the opinion of this nation is at this time *unequivocally* against the measure." Lord Sligo to Baggot St., Dublin. 15 May 1805, in *The Catholic Question in Ireland & England 1798*1822: The Papers of Denys Scully*, ed. Brian Charles MacDermot (Blackrock: Irish Academic Press, 1988), 111-112.

new Cabinet. The new ministry, the dubiously nick-named "Ministry of All the Talents," consisted of a mixture of Pitt's former allies and opponents, including Grenville, Fox, Fitzwilliam, Sidmouth, Moira, Ellenborough, Windham, Petty, Spencer and Howick, later known as Lord Grey. Grenville, Fox, Moira, Fitzwilliam, and Windham were sympathetic to Catholic relief, while Sidmouth and Spencer opposed it.

Under the new ministry, the issue of Catholics' military service came to the forefront. Over the first fifteen years of the nineteenth century, thousands of Irish Catholics served in some branch of the national defense either domestically or abroad.[636] Despite their numbers, Catholic soldiers and sailors faced two notable restrictions. First, they could not hold officer's commissions outside of Ireland, and even there they were excluded from the higher ranks. Second, it was often up to their commanders to decide whether or not to allow Catholic soldiers to practice their religion without also being forced to attend Anglican services. Catholic clergy were particularly concerned about the second problem. Francis Moylan, Catholic Bishop of Cork, had raised the issue with the Duke of Portland on the eve of the Act of Union, writing:

> [Can] it be expected that the mass of this Country will ever coalesce in interests and cordial affections with England, while she avows and practices religious persecution against the Soldiers and Sailors of this Nation, when she has them in her power?[...] I think I am as heartily disposed as any other of His Majesty's subjects to promote, as far as in my power the service and every other measure that could add to the strength of the Empire_ yet how can I... encourage or countenance the recruiting service, whilst things continue as they are at the other side of the water?[637]

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108. For more on Irish soldiers, see Peter Stearns, "Irish Soldiers in the British Army, 1792-1922: Suborned or Subordinate?" *Journal of Social History* 17, no. 1 (Autumn, 1983): 31-64; J. E. Cookson, *The British Armed Nation, 1793-1815* (Oxford: Clarendon Press, 1997); Bartlett and Keith Jeffrey, eds., *A Military History of Ireland* (Cambridge: Cambridge University Press, 1996); and Allan Blackstock, "The Union and the Military, 1801-c. 1830," *Transactions of the Royal Historical Society* 10 (2000): 329-351; for the militia, see Sir Henry McAnally, *The Irish Militia, 1793-1816: A Social and Military Study* (Dublin: Clonmore and Reynolds, 1949).

So far as many Catholic clergymen were concerned, Catholics who attended Protestant services sinned by doing so. In 1804, the English Bishop Gibson suggested to his counterparts that Catholic soldiers and sailors be forbidden from attending Protestant worship. The other clergymen, agreeing that Catholic military personnel would not be guilty of sinning as long as they did not actually participate in the service, rejected the plan to avoid offending the government.[638] That same year, the Irish bishops sent an address to Lord Hardwicke, then Lord Lieutenant, explaining that rather than receiving a stipend from government, they wanted to see the legislature grant Catholics the ability to "to serve their King & Country in any civil military or naval Capacity without incurring thereby Pains Penalties or disabilities or being in any situation compellable to attend any other divine Service than according to the Rites of their own Church" in every part of the British empire.[639] When they sent another address the following year, they suggested that occasional conformity to the Protestant religion would eventually result in an indifference to all religion, which might "eventually terminate in a subversion of all government, spoliation of prosperity, anarchy and blood" like it had on the Continent.[640] In 1805, orders were issued allowing Catholic soldiers to attend mass with the requirement that they go to Protestant services first. This failed to please the clergy. In the words of Milner, "I find that directions have been given in some parts to allow the poor Soldiers to

109. Moylan to Portland, 28 May 1800, 29/8/25, DDA; for more on Grenville's decision to join Fox in opposing the ministry, see Richard Willis, "Fox, Grenville, and the Recovery of Opposition, 1801-1804," *Albion* 11, no. 2 (May, 1972): 24-43.

110. Milner to Troy, 6 August 1804, 29/10/6, DDA.

111. Address of Irish Catholic Bishops to Hardwicke, 1804, 29/10/10, DDA.

112. Memorial of Prelates of Roman Catholic Church of Ireland to Hardwicke, 28 June 1805, 29/10/48, DDA.

practice the [Catholic] religion, but by a strange inconsistency they are required also to practice the Protestant."[641]

In practice, this compromise was not satisfactory. Later the same year, a government informant reported that "on every Sunday morning" the commander of the southern division of the Mayo militia "kept the catholic men on duty untill [sic] mass was over purposely to prevent then from attending their spiritual duties." When the men told their clergymen, Bishop Ryan "wrote to the major and received an impolite answer." The bishop wrote to Major Littlehales and Secretary Long, and "an order was sent that the men should be permitted to attend mass on Sundays_ But notwithstanding this order Ornisby insists that they shall afterwards attend church." The informant went on to say that a priest had told him that the incident had inspired the clergy to tell all the Catholic soldiers in the country "to demand liberty to attend mass." The informant suggested: "Now might not any bad effect that could possibly result from this ecclesiastical influence, be obviated by a military order that the Roman Catholic Soldiers should on Sundays, attend their chapples [sic] [?]"[642]

In February 1807 the ministry adopted a plan to extend the 1793 Catholic Militia Bill to Catholics and Dissenters throughout the British Isles. Initially, the king agreed to the idea. However, the ministers decided instead to pursue an act allowing Catholics and Dissenters serving in the military to hold all but the highest military ranks and to attend the worship of their own churches without being made to attend that of the established church as well.[643] Within days of the bill's introduction to Parliament, the king made his

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113. Milner to Troy, 13 June 1805, 29/10/61, DDA; Milner to Troy, 24 June 1805, 29/10/62, DDA.

114. J. W. to unknown, 17 December 1805, 620/14/188/52, Rebellion Papers, NAI.

displeasure known.[644] He wrote to the Cabinet to remind them of his opposition to emancipation and demanded that they, like Pitt, promise never to raise the issue again. However, the Cabinet refused to make this promise on the grounds that "the situation of Ireland Appears to [Your Majesty's] Servants to constitute the most formidable part of the present difficulties of the Empire" and that it would impair their ability to advise the king for the good of the country.[645] Shortly thereafter, George III dismissed them from their posts and replaced them with a new ministry under Spencer Perceval, a firm advocate of the Protestant Ascendancy.

Much of the British public seems to have sided with George III. The election that accompanied Perceval's appointment was rife with anti-popery. Milner reported that some London booksellers had advertised and published a reworking of *Foxes' Book of Martyrs* under his name with the claim that "the author is a great enemy to Emancipation."[646] The Society for the Propagation of Christian Knowledge decried the Ministry of the Talents' attempts to pass Catholic relief as a danger to the Church and state. Grenville, a member of the society, responded in a letter, stating:

> Those who have directed the present proceeding can best explain in what manner Christian knowledge, or Christian practice, will be increased by promoting religious animosities and civil discord, by stirring up the blind prejudices and ungovernable passions of the ignorant; and by circulating amongst our fellow-subjects, instead of the word of truth and charity, the libellous and inflammatory calumnies of electioneering contests and party violence.[647]

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115. Mutiny bill, enclosed in Howick to Lord Lieutenant, 3 March 1807, MS. 12920, Minto Papers, NLS.

116. Michael Roberts, *The Whig Party 1807-1812* (London: Macmillan, 1939), 11-16.

117. George III to the Cabinet, 17 March 1807, and Cabinet Minutes, 17 March 1807, GD51/1/346, NAS.

118. Milner to Troy, 31 March 1807, DDA.
119. Grenville, *More Talents Still! Being Lord Grenville's Letter to Dr. Gaskin, with the Letters in Answer Thereto* (London: Stockdale, 1807), 6. TNA: PRO 30/9/3/8.

The British Library's copy of a pamphlet entitled, *A Letter, stating the connection which Presbyterians, Dissenters, and Catholics, had with the Recent Event...* provides another illustration of the debate between Catholic supporters and their opponents. In response to the anonymous author's claim that

> Roman Catholics have been treated with such levity, as if there was no moral obligation for keeping faith with such a people; their religious scruples have been scoffed at with contempt; the cup of expectation has been dashed from their lips; and a stern interdict put in the way of all their future hopes. Despair, the last resort of the wretched, is all that is left them.

a reader added the comment:

> What can the author mean to impose on the Reader? Have not Roman Catholics received Indulgences from the Legislature? Have not the penal Statutes been repealed? Has not Toleration been extended to them, as far as is consistent with a Constitution that has an Establishment? Have they not the free exercise of their Religion, have not been indulged in schools for the Education of their Children? Look at the Seminary of Maynooth in Ireland, look at the many large buildings erected & erecting in this kingdom. It is really curious to find a Member of the Presbyterian Church an Advocate for Roman Catholics.[648]

The rise of evangelical Anglicanism could have played a role in the sectarianism of 1807. During the latter half of the eighteenth century, ministers and MPs often denied that their opinions on the penal laws were influenced by their attitudes towards Catholic rites and beliefs. While MPs often denounced things like transubstantiation, the veneration of the Virgin Mary, or the use of rosaries as "popish superstitions," the MPs usually went on to claim that these things could be tolerated, and that the real problem with Catholics was that they were beholden to a foreign power. Likewise, it was not unusual for government officials to lack religious fervor. Pitt and Dundas never displayed

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120. *A Letter, stating the connection which Presbyterians, Dissenters, and Catholics, Had with The Recent Event, which has agitated, and still agitates, the British Empire* (Glasgow: W. Lang, 1807), 17. BL copy.

much interest in religion, despite Wilberforce's occasional attempts to broach the subject with the former. Going into the nineteenth century, however, factions such as Wilberforce's "saints" and the Clapham Sect succeeded in introducing a greater degree of Protestant zeal into English society, and politics more specifically. Spencer Perceval was also an evangelical. Signs of this change can be seen in the Parliamentary debate on Fitzwilliam's motion to inquire into the condition of the Irish Catholics in 1812. In marked contrast to his predecessors' insistence that the Catholics had to be kept in a subordinate position for purely political reasons, Sidmouth (formerly Addington) asked "was not this a religious question? Was not the House called upon to protect the true religion, established by law in this country?"[649]

Despite the evidence of anti-catholic and anti-Irish sentiment, however, a desire for reconciliation remained in some quarters. This desire can be found in some of the fictional literature of the period. Like Sir Walter Scott did with the Scottish Highlands, writers such as Maria Edgeworth and Lady Morgan tried to romanticize Ireland for British consumption. Unlike late nineteenth century Irish nationalists who encouraged the study of Gaelic and published traditional folklore with the goal of creating a distinctly Irish culture to help separate the Irish from Britain, these writers attempted to reconcile the Irish and the British to each other even while exoticizing the former.[650] Morgan's novel, *The Wild Irish Girl: A National Tale*, relates the story of Horatio M—, a

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121. *Parliamentary Debates*, 1st ser., vol. 21 (1812), col. 428.

122. See Mary Helen Thuente, "The Folklore of Irish Nationalism," in *Perspectives on Irish Nationalism*, ed. Thomas Hachey and Lawrence J. McCaffrey (Lexington: The University Press of Kentucky, 1989), 42-60; James Murphy, *Ireland: A Social, Cultural and Literary History, 1791-1891* (Dublin: Four Courts Press, 2003), 41-64; for beliefs regarding Irish ethnicity before the Union see Colin Kidd, *British Identities Before Nationalism: Ethnicity and Nationhood in the Atlantic World, 1600-1800* (Cambridge: Cambridge University Press, 1999), and Clare O'Halloran, "Irish Re-creations of the Gaelic Past: The Challenge of Macpherson's Ossian," *Past & Present* 124 (August 1989): 69-95.

chauvinistic Englishman, who falls in love with a dispossessed Irish princess, Glorvina, who, along with the rest of her family, teaches him to value the culture of the native Irish. The end of the novel, in which Horatio marries Glorvina, is a symbolic re-enactment of the Act of Union. Horatio's father's injunction to let the couple's family names "be inseparably blended, and the distinctions of English and Irish, protestant and catholic, for ever buried" suggests the future possibility of national and religious unity between the two countries.[651] In the first couple years of its publication, seven editions of *The Wild Irish Girl* were released. Glorvina even inspired a type of broach that became fashionable among women of the Lord Lieutenant's court.[652] Although the book inspired controversy when it came out, it essentially supported social hierarchy. The lead characters were all of the upper class, and the one of the central messages of the book was that landlords needed to assume paternalistic duties towards their tenants. In real life this easy paternalism did not emerge in Ireland.

The Beginning of Irish Catholic Nationalism

Although many Irish Catholics had been willing to give the British government the benefit of the doubt at the time of the Act of Union, this was far less the case as the first decade of union drew to a close. Having already been disappointed by Addington and Pitt, the Irish Catholics did not fail to notice the circumstances surrounding the king's

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123. Sydney Owenson, Lady Morgan, *The Wild Irish Girl: A National Tale* (Oxford: Oxford University Press, 1999), 250.

124. Boyce, *Nineteenth Century Ireland: The Search for Stability* (Dublin: Gill & Macmillan, 2005), 26-27; Ina Ferris, *The Achievement of Literary Authority: Gender, History, and the Waverley Novels* (Ithaca: Cornell University Press, 1991), 46.

dismissal of the Ministry of All the Talents. According to Denis Scully, "His health is now omitted at table, his name never mentioned, or only so with expressions very different from those of respect or affection." [653] With George III's evident hostility towards their interests, the Irish Catholics had little reason to trust their government, or expect anything further from it, during his lifetime. The disappointments of this period, combined with the further disappointments that attended most of the reign of George IV, joined with such factors as the strengthening of social networks between Catholics and their growing socio-economic power to encourage the development of Irish nationalism among the Irish Catholics.[654] Irish Catholic nationalism emerged over the course of the nineteenth century and its development included numerous features and events that are beyond the scope of this dissertation. Instead of giving a full description of this nationalism, the following section will concentrate on the emergence of some of its roots.

Since the 1790s, two bodies had contested for control over the movement for Catholic relief. The aristocratic faction, headed by people such as Lord Fingall and Lord Kenmare, aimed to improve conditions for Catholics through respectful displays of loyalty to government, which frequently came in the form of obsequious addresses. A more popular faction, headed by John Keogh and John Byrne, sought to use the weight of the Irish Catholic population to press their case. Engaging in mass petitioning and generating popular propaganda, this faction had taken control of the Irish Catholic Committee in the early 1790s by overwhelming the aristocratic faction. Although the aristocratic faction among the Catholics returned to prominence following the insurrection, it did not retain a

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125. Denis Scully to Charles Butler, 25 August 1808, in Macdermot, *The Catholic Question*, 172.

126. Bartlett, *The Rise and Fall*, chapter 13 & 14.

dominant position over the relief campaign for very long.[655] Scully publicly decried their

principle tactic in 1803, writing:

> With respect to Catholic Addresses in general, the Government have long, I believe, been sick of them, the public at large either cavil or jeer at them, the slanders of disloyal factions, whether Orange or Rebel, are invited and renewed by them, the lower classes of our persuasion are only confirmed by them in their growing distrust and alienation from their gentry[.][656]

Of the two factions, the British government and its Irish counterpart preferred to deal

with the aristocrats. In addition to their pronounced loyalty and history of peaceable

conduct, aristocratic leaders like Fingall allowed for the reassuring idea that the Irish

Catholics would respect the social hierarchy. Throughout the empire, when the British

government attempted to reconcile Catholics, or other local populations, to their rule,

they tried to make alliances with the local gentry based on the supposition that the gentry

could influence their social inferiors in the government's favor.[657] Even to politicians

such as Grenville and Canning, who remained favorable to Catholic emancipation for

most of their careers, the emergence of a popular movement among Irish Catholics

appeared threatening. As the Marquis of Buckingham supposedly told Milner shortly

after the Ministry of All the Talents came into office, "there is a democratical spirit in

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127. Bartlett, *The Rise and Fall*, 129-131, 281, 295.

128. McKenna and Scully, *The Address of the Roman Catholics of Ireland, to his Excellency the Lord Lieutenant....* (Dublin: Printed for M. Mahon, 1803), 25.

129. Chapter 2 discusses the use of this policy with French Canadians in Quebec. In the case of India, British attempts to implement this policy necessitated that, when convenient, Indian zamindars were re-cast as members of an English-style gentry despite coming from cultures that did not conceive of property in the same manner. See Nicholas Dirks, *The Scandal of Empire: India and the Creation of Imperial Britain* (Cambridge, MA: Belknap Press of Harvard University Press, 2006), 103.

one part of the Irish [Catholics,] from which part... the said Ministers are affraid [sic] too hastily to take off the chains by which they are at present bound."[658]

The size of the Irish Catholic population was the most compelling reason for the British government to take their grievances seriously. Although ministers were generally open in praising the loyalty and good conduct of British Catholics, the British Catholics had fewer legal liberties than their Irish counterparts. Most notably, they could not legally vote for their MPs or take commissions in the army.[659] Despite Buckingham's concerns, the Irish Catholics owed the political rights they enjoyed to their numbers, and it was their more "democratical" style that eventually enabled them to obtain Catholic emancipation and to create an Irish national identity.

During the Ministry of All the Talents, both the English Catholics and the Irish Catholics established organizations with the intention of promoting Catholic emancipation. The Irish Catholics were circumspect in their organizing, because the Convention Act forbade the creation of representative bodies in Ireland. In 1806, they formed a group known as the Catholic Association, ostensibly for the purpose of keeping an eye on Catholic affairs. The next year, prominent English Catholics formed the Catholic Board, which soon received subscriptions from the Catholic peers and wealthy Catholic laymen, as well as the four vicars apostolic and other clergymen. The English Catholics' attempted to coordinate their relief campaigns with those of the Irish Catholics. The same re-jiggering that reduced the Irish Catholics to a minority within the United Kingdom also gave English Catholics the opportunity to reposition themselves as

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130. Milner to Troy, 17 February 1806, 29/11/14, DDA.

part of a much larger minority than they had belonged to before the union.[660] Charles Butler, a notable leader among the English Catholics, encouraged Scully to make a direct appeal to the people of Ireland. Butler recommended that Scully should "*Poll all Ireland as well Protestant as Catholic and Men and Women*" and present the results in petition form with separate sections for Catholics who signed it, Protestants who signed it, and a third, detachable, section listing Protestants who declined to sign it. In Butler's words "it scarcely admits of doubt, that if such a petition is presented it must and will be followed by immediate and complete Emancipation."[661] Butler repeated the idea a year later, recommending that every male over fourteen years old and every female over twelve should be asked to sign, including the Lord Lieutenant, and suggesting that "those who can't write may set down their marks; and their names may be written on each side of their mark."[662] Despite the friendly relations that existed between Catholics like Butler and Scully, however, English and Irish Catholics had limited success in cooperating to achieve their political goals because they had differing attitudes towards the British state and its potential role in their Church.

The central issue dividing English Catholics and Irish Catholics was the question of the veto. Since the death of James Edward Stuart in 1766, the pope had enjoyed the right of nominating bishops for the British Isles. In practice, parties within Ireland, usually groups of bishops and the clergy of the diocese concerned, recommended candidates to

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131. In practice, the laws were not always enforced, and English Catholics seem to have been allowed to vote on occasion. See Peter Dixon, *George Canning: Politician and Statesman* (New York: Mason/Charter, 1976), 164.

132. Ward, *The Eve of Catholic Emancipation*, vol. 1, 99-103; Bartlett, *The Fall and Rise*, 285.

133. Charles Butler to Scully, 16 June 1808, in MacDermot, *The Catholic Question*, 157-158.

134. Butler to Scully, 19 May 1809, in MacDermot, *The Catholic Question*, 196.

the pope, who made the final decision. It was not unusual for Catholic aristocrats to make their opinions known as well.[663] Among many Protestants, however, the idea of the pope nominating bishops within the British Isles was problematic on the grounds that it allowed a foreign prelate to exercise power within the kingdom. In Catholic countries, such as ancien regime France or Spain, the King frequently influenced the nomination process by directly nominating bishops himself or by exercising a veto over candidates of whom he did not approve. Since the early eighteenth century, members of the British government had attempted to institute similar measures with regard to bishops operating in British territory, only to meet with mixed responses from the Catholics themselves.

Although Castlereagh and the Irish bishops had discussed the veto before the union, their discussions had not been public knowledge. The issue of the veto first emerged publicly in 1808, when the MPs Henry Grattan and George Ponsonby told the House of Commons that the Irish Catholic clergy would allow the King to reject candidates for bishoprics if he did not approve of them. The source of this information was the English bishop John Milner, who, despite serving as a spokesman for the Irish Catholic clergy, did not actually have their permission to say such a thing. While Troy and Edward Dillon, Catholic Archbishop of Tuam, initially reacted positively to Grattan's statement, the Irish Catholic bishops met in September that same year and declared their opposition to the measure.[664]

After years of disappointment from the British government, many Irish Catholics were not willing to trust it with the power of vetoing their bishops. Rather than merely offending some members of the Catholic clergy, the veto became a national issue in

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135. Desmond Keenan, *The Catholic Church in Nineteenth-Century Ireland: A Sociological Study* (Totowa, NJ: Gill and Macmillan, 1983), 167-168.

Ireland, spurring controversy every time it came up. [665] Writing to the secretary of the Catholic Board in 1810, Troy commented,

> You will have observed from the Dublin prints how generally the Veto measure is reprobated. The opposition to it is so great that were I or any of our Prelates to advocate it, we would be considered as apostates to our faith, and forfeit whatever influence we have over our respective flocks, or submit to be deprecated by society at large and by the Protestant Church establishment itself.[666]

That same year, the Irish Catholic Committee, which succeeded the Catholic Association, resolved that "as Irishmen and as Catholics we never can consent to give any dominion or controul [sic] whatsoever over the appointment of our Prelates on the part of the Crown or of the servants of the Crown."[667] Daniel O'Connell, then a rising figure in the Catholic Committee, summed up the bond that was increasing between the Committee and the clergy, writing "It would with such an Administration_ and with the Irish People heated and agitated as they are_ [be] better much better [to] be <u>wrong</u> with the bishops than to be singly right_ or to create even the shadow of division between ourselves[.]"[668]

When the Irish Catholic Committee formed in 1810, it initially had forty-two members. They were a combination of Catholic peers and political activists who had worked on previous relief campaigns, including that of 1793. Although they attempted to evade the provisions of the Convention Act, which had outlawed popular representative

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136. Bartlett, *The Fall and Rise*, 291; Ward, *The Eve of Catholic Emancipation*, 59-79.

137. Bartlett, *The Fall and Rise*, 291-294. Bartlett considers the veto question to be "the first major expression of Catholic nationalism in the nineteenth century."

138. Quoted in Ward, *The Eve of Catholic Emancipation*, 109.

139. O'Connell to May, March 1810, Add. 62712, O'Connell Papers, BL.

140. O'Connell to May, 25 February 1810, Add. 62712, O'Connell Papers, BL.

assemblies, the Committee soon began to take on some features of an assembly, such as discussing issues according to parliamentary procedures. In 1811, the Committee began calling for the election of delegates from throughout Ireland. The Lord Lieutenant, the Duke of Richmond, and his Chief Secretary, William Wellesley Pole, were suspicious of Catholics anyway. However, by requesting delegates on a country-wide basis, the Catholic Committee threatened to establish something like a Catholic Parliament, which could provide an alternative focus for Catholics' allegiance. Richmond and Wellesley Pole moved to suppress the Committee. When Richmond and Wellesley Pole attempted to stop the Committee's proceedings by raiding one of their meetings, the Committee responded by petitioning the Prince Regent to replace them. To the Richmond's alarm, the Committee called for more delegates, including the entire Catholic hierarchy. Although the elections went forward, the Castle successfully persecuted those who organized them, foiling the Committee's plans.[669]

According to Wellesley Pole, he, the Lord Lieutenant, and the Lord Chancellor had met with Fingall and told him personally that the law officers and cabinet ministers of the United Kingdom thought that the Committee's proceedings were illegal. Pole and his associates told Fingall that he could call a meeting to consider presenting a petition to government, "but that the committee must not sit from day to day, debating and promulgating doctrines which could not but be dangerous to the state, and must create agitation in every part of Ireland." The Lord Lieutenant offered to give the Catholics a room in Dublin Castle to meet in with the warning to "not lend yourself to people who are forcing on measures that will probably affect yourselves, and endanger the peace of the country." Lord Fingall then asked Wellesley Pole to write a letter for him, which was

141. Bartlett, *The Fall and Rise*, 299-301; Jenkins, *Era of Emancipation*, 63-65.

subsequently published in the newspaper, and offended many Catholics who thought it was insulting to Fingall. The next day, Fingall met with the Committee and passed a resolution that the Committee members did not think they were acting outside the law and that they would continue working to petition government. Throughout the country, Catholics then proceeded to meet and elect representatives, while the government was attacked in the press.[670]

The Catholics' hopes revived for a time in 1812, when George III was officially declared to be beyond recovery, and the Prince of Wales was made prince regent. In his younger days, Prince George had been open to Catholic emancipation. In 1786, he had even married a Catholic, Maria Fitzherbert, in an illegal ceremony. Shortly before the Insurrection in Ireland, he had sent a letter to his father's ministers explaining his concerns that emancipation should be granted right away to prevent the loyal Catholics from being led astray by the French and the Presbyterian United Irishmen. At the time, he had volunteered to take up the government of Ireland himself.[671] However, the prince's sympathy for Catholics seems to have depended largely on his personal attachments. While he maintained a long-lasting friendship with Fox and supported Fox's political leanings during the 1780s and 1790s, he separated himself from Fox's Whig allies after Fox's death in 1806.[672] Despite public expectations, the prince retained the anti-catholic

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142. Wellesley Pole demonstrated some confusion at this point, arguing first that the local meetings were against the law, and then claiming that they remained within "the letter of the law," while their organizers attempted to convince the people that they were going on illegally. *Parliamentary Debates*, 1st ser., vol. 21 (1812), cols. 579-582.

143. George, Prince of Wales, to ministers, February 1797, Add 6958/2056, Pitt Papers, CUL; Dundas believed that the letter was actually written by Mr. Ogilvie. Dundas to Pitt, 14 February 1797, Add 6958/2071, Pitt Papers, CUL.

Spencer Perceval and Lord Liverpool in his government upon becoming regent. His relationship with Maria had already dissolved in 1809. Her temporary replacement, Lady Hertford, was an opponent of Catholic emancipation.[673] By the time he came to power, the prince had adopted his father's opposition to Catholic emancipation and was determined to prevent it if possible.

Following the prince's assumption of power, the Catholics' allies in Parliament resumed advocating for concessions. As had been the case with the Act of Union, supporters of emancipation tended to believe that emancipation would relieve tensions in Ireland and help strengthen Britain against the French threat. However, the recent activities of the Catholic Committee in Ireland, and the vehemence with which some of the Irish Catholics pressed their claims, gave many politicians cause for alarm. When Lord Fitzwilliam introduced a motion to investigate the state of Ireland in 1812, he made a point to reassure the other lords that the Catholics he was concerned about were respectable people. Having claimed that "[the] government of Ireland and the people of Ireland were at this moment actually at variance," Fitzwilliam amended himself by explaining that "[by] the people, he did not mean the populace, but persons of rank, consideration, and property."[674] Lord Wellesley, Wellesley Pole's brother, argued that the remaining disabilities against Catholics ought to be removed eventually on the grounds that the Irish Catholics enjoyed "almost a predominent share of political power in Ireland". Furthermore, he argued "[they] are jealous, not of our establishment, but of their

144. George, Prince of Wales to Moira, 30 March 1807, MS. 12920, Minto Papers, NLS; Saul David, *Prince of Pleasure: The Prince of Wales and the Making of the Regency* (London: Abacus, 1999), 227-228, 261.

145. E. A. Smith, *George IV* (New Haven: Yale University Press, 1999), 119.

146. *Parliamentary Debates*, 1ˢᵗ ser., vol. 21 (1812), cols. 411-412.

exclusion from its benefits." Nevertheless, Wellesley argued that the Catholic Convention would endanger the country and cause mischief towards the Catholics themselves.[675] Lord Erskine denied that the Convention Act applied to the Committee because the petition was not seditious in nature, while Earl Grey questioned the idea that magistrates should be allowed to restrict assemblies on the unproven suspicion that they might be up to something.[676] Wellesley Pole defended the suppression of the Catholic Committee in the House of Commons, claiming that they had debated and publicized issues promoting public unrest while mimicking the forms of Parliament.[677] Castlereagh asserted that he did not believe that the Catholics had planned their convention with "any mischievious intentions," but that allowing them to carry on would set a precedent for "any body of men, whose intentions really were mischievous, to form conventions, and endeavour by this means to wield the physical force of the country."[678] In another debate from later that year, Lord Moira expressed the hope that allowing the Catholic elites into Parliament would help break their connection with their lower class counterparts, saying "Is it not clear that the Catholic of birth, or of property, if he be commixed with the active pursuits of high life, must have less leisure and less excitement than at present to address himself to the passions of his sect[?]"[679]

While the Catholic Committee reduced itself to a non-representational Catholic Board in order to remain within the law, the popularity of Catholic emancipation continued to be a subject of concern. In 1812, Scully offended the Irish administration by publishing a

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147. *Parliamentary Debates*, 1st ser., vol. 21 (1812), cols. 435-448.

148. *Parliamentary Debates*, 1st ser., vol. 21 (1812), cols. 462-471.

149. *Parliamentary Debates*, 1st ser., vol. 21 (1812), col. 571.

150. *Parliamentary Debates*, 1st ser., vol. 21 (1812), cols. 639-640.

two-pamphlet work entitled, *A Statement of the Penal Laws which Aggrieve the Catholics of Ireland*. Declaring that "the Catholics are emphatically the PEOPLE OF IRELAND," Scully claimed that the Catholics had preserved the traditions of Ireland for "nearly fourteen Centuries" and were "well entitled... to claim a share, and a *large share*, of the public revenue of Ireland, for the maintenance of their schools, houses of worship, pastors, and other charitable objects[.]" Instead of receiving what was due to them as the Irish people, Scully explained, the Irish Catholics were prevented from establishing charities and barred from positions of local authority by a combination of legal and unofficial means. Indeed, he claimed "[the] entire force of the Irish Government is mustered against the Catholics." Although Scully did not call for separation from Britain, instead asserting that the penal laws were causing problems between the two countries, his criticism of the state of Ireland was designed to reveal the injustices of the Protestant Ascendancy.[680]

In December of the same year, Castlereagh met with Charles Butler to discuss Catholic concerns. Castlereagh "mentioned, (but without much harshness), the intemperance, of some of the speeches at the Irish meetings" and suggested that Lord Fingall must not mind the tone, because he presided over the meetings. He then suggested that it would be possible to place the English Catholics on the same footing as the Irish Catholics, but to his surprise, Butler told him that they did not want to be. According to Butler, "I observed to him, that the Catholics complained that Government never explained to them what was the extent of relief, to which Government would go. His

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151. *Parliamentary Debates*, 1st ser., vol. 22 (1812), cols. 658-659.

152. Scully, *A Statement of the Penal Laws which Aggrieve the Catholics of Ireland*, vol. 1 (Dublin: 1812), i-iii, 57, 93, 138, 141.

Lordship said this seemed unnecessary, as the Irish insisted upon having every thing, without any qualification whatsoever." Butler insisted that this was not the case, and that no Catholic would petition for anything against the Act of Settlement, establishing the Protestant Succession. Despite Butler's persistence, Castlereagh refused to propose anything himself, saying that the government had waited to see what plan Butler came back with after talking to Catholic leaders in Ireland. Butler agreed to send Castlereagh the plan he had been devising. [681] Butler left the conversation with the idea that "for some reason or other" Castlereagh was "a real well wisher to Catholic emancipation, to a great extent."[682]

The Catholic Bill of 1813 came closer to passing than any previous Catholic relief bill of the last nineteen years. In addition to enjoying the support of prominent statesmen like Canning and Castlereagh, the prospect of a bill drew favorable petitions from both Catholics and Protestants. Anticipating concessions, the Board of British Catholics met and resolved to let Parliament know their gratitude and to "sincerely congratulate our fellow Subjects of every religious persuasion on the additional strength that we confidently trust will be added to the Empire from the harmony which is likely to subsist hereafter among Men of all denominations and religions in the Country."[683]

Like Pitt, Canning had decided against advocating for Catholic emancipation during George III's lifetime. However, with the king's final descent into madness, Canning considered himself at liberty to take up the Catholic cause.[684] Nevertheless, he was

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153. Butler to Grattan, December 1812, in MacDermot, *The Catholic Question*, 413-414.

154. Butler to Hippisley, 28 December 1812, in MacDermot, *The Catholic Question*, 415.

155. Board at the Earl of Shrewsbury's, 20 March 1813, A66, AAW.

156. Stephen Lee, *George Canning and Liberal Toryism, 1801-1827* (New York: Boydell Press, 2008), 87.

concerned to guarantee the Catholics' loyalty and curb foreign influence.[685] Canning proposed to create two commissions, one for Britain and one for Ireland, in order to screen papal communications and oversee the creation of bishops.[686] After initially proposing that each commission consist of Catholic and Protestant laymen, Canning suggested including the Lord Chancellor, Chief Secretary, and two archbishops as well. The Irish prelates met in May to determine their stance on securities that might be proposed. They released an address explaining that, although they were grateful for the efforts of those trying to obtain concessions for Catholics, the recent bill contained clauses that they could not agree to without producing a schism in the Church. However, the prelates swore not to accept any bishops who did not adhere to "unimpeachable Loyalty and peaceable conduct," and promised that they would not communicate with the pope or his agents with the goal of overthrowing the Protestant government, the Church of England and Ireland, or the Kirk.[687] Unfortunately for the Irish Catholics, Canning was unwilling to push the bill without these securities. Milner, speaking for the Irish prelates, informed Canning that the Irish Catholics, particularly the clergy, were adverse to any commission at all, which they could not agree to anyway because they could not get the pope's approval. If there was no other alternative they would prefer a commission consisting primarily of Catholic prelates. Canning replied that he had only showed the clauses to the Catholics "as a matter of courtesy, and not for the purpose of consultation;

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157. *Parliamentary Debates*, 1st ser., vol. 26 (1813), cols. 79-80.

158. The year before, Canning had suggested to the House of Commons that he saw no reason why the king could not nominate bishops himself, like the emperor of Russia did. *Parliamentary Debates*, 1st ser., vol. 21 (1812), cols. 542; According to Butler, the Irish Commissioners would include Lord Fingal, Lord Kenmare, Lord Trimblestone, Lord Gormanston and Lord Southwell, while the English Commissioners would include Lord Shrewsbury, Lord Stourton, Lord Petre, Lord Arundell and Lord Clifford. Charles Butler to Troy, 3 May 1813, 30/1/153, DDA.

that it was always his principle that Parliament should decide, not that Roman Catholics should dictate the terms of any act to be passed for their benefit." He then refused to present Milner's protest against the clauses—"the language of Protest not being, in his opinion, the language to be addressed to Parliament."[688] Canning failed to come to an agreement with the Irish prelates concerning the veto, but it became a moot point when the House of Commons passed a motion to remove the clause allowing Catholics to sit in Parliament from the bill. The bill's supporters abandoned it.[689]

By 1813, the issue of Catholic emancipation was becoming intertwined with ideas of Irish nationalism. A sense of Irish nationalism can be seen in the Catholic Board's 1813 address to the Catholics of Ireland, which was written before the bill's defeat. Greeting the Irish Catholics as "Fellow-Countrymen and Fellow-Sufferers," the address immediately identified the Board's work on behalf of Catholics as "our solemn duty towards Ireland." While its tone was not completely unsympathetic to Protestants, the address argued that the Catholics were the would-be victims of a conspiracy by unnamed enemies who sought to provoke them to acts of violence in order to "defeat Catholic Freedom" and involve "our beloved Country in desolation and ruin." Without using the word, it positioned Irish Catholics as politically active citizens, suggesting that every person in every town and parish should petition Parliament: "no name is so humble, as not be useful. This is the interest of all: this should be the business of all." Furthermore, the address recommended indoctrinating the next generation by "instill[ing] into their

159. Pastoral Address by Roman Catholic Prelates assembled in Dublin, May 1813, 30/1/105, DDA.

160. Milner to unknown, 4 June 1813, A66, AAW.

161. Dixon, *George Canning*, 172-173.

hearts a love of Virtue, of Freedom, of their Country, and of the Faith of their ancestors."[690]

For many Irish Catholics, the securities that Canning added to the bill offended their sense of both religion and nationality. Some Irish Catholics were actually pleased with the failure of the bill. Without Canning's restrictions, the Irish Catholic Church remained independent of the British government. The Catholics of Cork thanked reformer Eneas MacDonnell for his opposition to the veto by giving him a service of plate. In return, he admonished them to "Suffer not any man, or body of men, any Potentate, and Parliament, or any Power, ever to dissolve or weaken by threats, promises, or prospects, the sacred alliance which exists between our Clergy and their Flocks—Preserve your Hierarchy inviolate—never consent to survive its Independence[.]"[691]

Although another attempt was made to pass Catholic emancipation in 1814, that bill fared no better than its predecessor. In addition to the impediments generated by the veto question, the bill suffered for a new reason: the war with France seemed to be over. With Napoleon exiled to Elba, advocates of Catholic emancipation had a harder time depicting emancipation as an essential part of national-security. In the words of Lord Holland, "the discontent of any portion of our people [is] less formidable to Government than it was & I am sorry to say that the language held on your side of the water makes very many well meaning people here more fearful of Catholick pretensions than they have been for many years."[692]

163. "Address of the General Board of the Catholics of Ireland, to the Catholic Population at large," adopted 26 June 1813, 30/1/160, DDA.

162. "At a Meeting of a Number of Roman Catholics, of the County & City of Cork," September 1813, MS. 3902, NLI.

164. Holland to Scully, 21 April 1814, in MacDermot, *The Catholic Question*, 503.

A few months too late for the 1814 bill, the vice-prefect of Propaganda, John Baptist Quarantotti, released a rescript explaining that the Holy See agreed to grant the king a veto on Catholic bishops. Troy's immediate response was to obey it, remarking that "Whatever be our Sentiments on the Subject, it is our duty to acquiesce in the decision of such Authority, & set the example of Submission to it."[693] However, most of the Irish Catholic clergy persisted in their opposition to a veto. For instance, the parish priests of the Diocese of Cloyne and Ross denounced the proscription as "an unwarrantable assumption of authority [by Quarantotti], and incompetent to bind us." The failed relief bill that had prompted Quarantotti's response also met with their rejection "Because however anxiously the temporal aggrandizement of a comparatively small number of Roman Catholics, may solicit its revival and enactment, we know that it is abhorred by the great bulk of the community, with so universal a ferment of detestation, and with such convulsive alarm, as we never before witnessed."[694] The clergy of Cork made similar resolutions, citing among other concerns that if they allowed Protestant interference in the appointment of their bishops, it "might draw us from the confidence of the people."[695] The Catholic Board went further, indicating that Rome lacked the authority to decide the veto issue at all, and requesting that the prelates investigate "the propriety of for ever precluding any public danger either of Ministerial or Foreign Influence in the appointment of our Prelates."[696] Despite the apparent Gallicanism of this statement, the

165. Troy to Bray, 5 May 1814, 30/2/24, Thurles Archives, DDA.

166. "At a Meeting of the Parish Priests of the United Diocese of Cloyne and Ross, held in the Chapel of Cove on Friday the 20th May, 1814" copied from *The Religious Repertory* (Cork: Charles Dillon, 1814), DDA.

167. Meeting of the Roman Catholic Clergy of the Diocese of Cork, 20 May 1814, *The Religious Repertory*, DDA.

Irish Catholic Church was not motivated by a desire for an independent Church so much as a fear that the British government would succeed in influencing the papal court.[697]

As Irish Catholics' opposition to the veto indicated, many of them had lost faith in the British government and were unwilling to accept any plan for emancipation that did not come on their own terms. This set them apart from many of the English Catholics, who were willing to consider a veto or other similar provisions. In part, the difference in their opinions was related to the relative strengths of the laity and clergy in England and Ireland. While the clergy of both countries were becoming increasingly powerful within the Church, the wealthy English laity had traditionally exercised more influence over the clergy than their Irish counterparts. For prominent English Catholic laymen like Sir John Throckmorton, the veto was a price they were willing to pay in exchange for greater civil liberties. At the same time, however, English and Irish Catholics' differing responses to the veto may also be indicative of their attitudes towards the British government. English Catholics did not experience sectarian violence at the same levels as their Irish counterparts and, although English Catholics opposed some of the policies of Spencer Perceval or Lord Liverpool, they would not have seen the British government as a potentially foreign institution. Many English Catholics did not appreciate the Irish Catholics' views. For instance, Milner reported hearing Lady Buckingham, the Marquis' Catholic wife, remark that "the Irish Bishops had got the potatoe [sic] in their heads[.]"[698] Likewise, some Irish Catholics regarded the English Catholics as schismatics, who

168. Resolutions adopted at the Catholic Aggregate Meeting held in Dublin, 19 May 1814, *The Religious Repertory*, DDA.

169. Donal Kerr, "Under the Union Flag: the Catholic Church in Ireland, 1800-1870," in *Ireland after the Union*, ed. Robert Blake (Oxford: Oxford University Press, 1989), 27-28.

wanted to undermine Ireland. Mistakenly thinking that Milner had gone back to endorsing the veto, O'Connell declared that he "[had] performed another truly English revolution" and cited an Irish proverb that "You may trust an English Bishop as far only as you could throw him[.]"[699]

Conclusion

As conceived by Pitt, the 1801 Act of Union was designed to strengthen the empire by tightening British control over Ireland and encouraging a sense of unity between the people of Britain and Ireland. Although it is easy to assume that Britain's union with Ireland was bound to fail in any case, Pitt and others had reason to hope otherwise. For instance, the 1707 Act of Union between England and Scotland had also bound together two peoples with a long history of animosity, and, like Ireland was in 1800, Scotland had been a source of rebellion for the first half of the eighteenth century. By 1800, however, the English and Scottish were well into the process of developing a common British identity and pursuing a mutually rewarding British empire. The chief, and possibly fatal, difference between Ireland and Scotland was that Ireland's dominant class did not have a common religious or historical background with the majority of the Irish people.[700] By not including Catholic emancipation with the Act of Union, the British government essentially joined itself, and the Church of England, to the Anglican minority in Ireland,

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170. Milner to Troy, 5 January 1812, 30/7/31, DDA; for more on Lady Buckingham, see Sack, *The Grenvillites*, 108-109.

171. Ward, *The Eve of Catholic Emancipation*, vol. 2, 147-148.

172. Carla Gardina Pestana, *Protestant Empire: Religion and the Making of the British Atlantic World* (Philadelphia: University of Pennsylvania Press, 2009), 52.

while excluding Catholics from the benefits they had been led to expect in the newly-formed United Kingdom.

The Irish Catholics of the early nineteenth century were beginning to develop a sense of Irish nationalism. Politically active Irish Catholics put their allegiance to Ireland ahead of their allegiance to the United Kingdom as a whole, even resisting the instructions of the Holy See in their handling of the veto. At the same time, however, it would be going too far to claim that Irish Catholics wanted Ireland to be separate from Britain altogether. Irish political activists often used British political language when putting forth their claims. As one of the Catholic Committee's letters indicated, they were campaigning for "our restoration to the rights and privileges of the British Constitution."[701] In a legal sense, Catholic emancipation was largely about enabling Catholics to take part in running and maintaining the United Kingdom by sitting in Parliament and serving in civil and military offices without having to compromise their religious faith. Furthermore, despite British monarchs' anti-catholic proclivities, many Catholics, including Daniel O'Connell, remained opposed to the idea of doing away with them altogether.[702] Some Irish Catholics also had personal connections to Britain. Scully lamented seeing other Irishmen grow hostile to the British, writing "I am attached to your country by education, by many years of residence, by many very precious ties of friendship, and by marriage—My family, to a man, supported the union, we never have been separatists, or looking for a repeal of the union[.]"[703]

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173. Minute book of the Catholic Committee, Edward Hay to Roman Catholic noblemen and gentlemen, 19 June 1809, MS. 4321, NLI.

174. Trench, *The Great Dan*, 114-115.

175. Scully to Lord Holland, 24 December 1811, in Macdermot, *The Catholic Question*, 313.

As far as the Irish Catholics were concerned, the first few decades after the union were notably different from that which preceded it. Although they had more legal rights in 1820 than they had enjoyed in 1790, Irish Catholics were more disenchanted with the British government, and, arguably, lived in a more sectarian society. After granting the Catholics numerous concessions in the early 1790s, the British government and its Irish counterpart held out on conceding emancipation for almost thirty-five years. By the time emancipation passed under the Wellington ministry, it could no longer be considered a concession by a gracious and well-meaning government. Instead, it was something the Irish Catholics wrested from them by force.

CHAPTER V

WAR AND THE REINVENTION OF THE HIGHLANDS

At the climax of his 1817 novel, *The Antiquary*, Sir Walter Scott depicted Scotsmen from across the religious spectrum turning out to repel a rumored invasion by French revolutionaries. Both the Presbyterian Jonathan Oldbuck, the antiquary of the title, and his Episcopalian friend Sir Arthur Wardour appear in this climactic scene, only to be outshone by the Catholic Lord Glenallan who surpasses them both as a military presence and as a representative of Scottishness. Unifying people from across Scotland under his command, Glenallan appears in uniform before "a very handsome and well-mounted squadron" of his Lowland tenants along with "a regiment of five hundred men, completely equipped in the Highland dress, whom he had brought down from the upland glens, with their pipes playing in the van." Unlike the Germanic Oldbuck, Glenallan is descended from an old Scottish gentry family, and it shows in his leadership; becoming inflamed with "the ancient military spirit of his house," Glenallan "claimed... the post most likely to be that of danger, displayed great alacrity in making the necessary dispositions, and showed equal acuteness is discussing their propriety." Although the reports of invasion are soon revealed to be erroneous, Glenallan is rewarded for his efforts by being reunited with his long-lost son, the Protestant Lovel.[704]

This scene can be read on multiple levels. On the most obvious level, it was written as a fictionalized version of recent history, in which both Catholics and Protestants had enlisted to fight against French revolutionaries. However, the scene was also suggestive

of a shift in ideas of national identity and belonging. Glenallan, the descendant of Gaelic Jacobites, turns out to help defend Scotland, and, by extension, help the British war effort. Through this action, Glenallan not only unites Lowlanders and Highlanders under Highland symbols but also reconciles Scotland's Catholic Jacobite past to its British, Protestant present. The fact that the scene never actually happened would not have undermined its message. During the French Revolutionary and Napoleonic Wars, the Scottish Catholic Church cooperated with the British government to discourage radicalism and encourage enlistment. Like their Protestant counterparts, Scottish Catholics served in the militia and in the military throughout this period. Glenallan himself had a real-life parallel in Alexander MacDonnell of Glengarry, who, if not actively Catholic himself, was descended from a family of Catholic Jacobites and organized a body of Catholic tenants to fight in his regiment. By fighting in Highland Regiments and other national defense forces, Scottish Catholics, like other Highlanders, provided a useful source of mythology that people from across Scotland could appropriate as their own. However, even as Scottish Catholics engaged in warfare on Britain's behalf, their presence within Scotland, both in terms of demographics and political influence, was on the wane. As Scottish Catholics converted or moved away from the Highlands, they were increasingly relegated to the past. Like Glenallan with his Protestant successor, by the early nineteenth century Scottish Catholics could be appreciated as part of Scotland's history, but, as far as the popular image of Scotland was concerned, they had no place in Scotland's future.

Scottish people's interest in Highland culture and Jacobitism was directly linked to their presence within the British state. Unlike the Irish, for whom the acceptance of a

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1. Sir Walter Scott, *The Antiquary* (London: Dent, 1969), 403-408.

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British identity meant being subsumed into the larger island, the Scottish saw the idea of a British identity as a way to claim a partnership with the English without necessarily allowing themselves to be overwhelmed by English culture. For this to work, however, the Scottish needed to develop a distinct Scottish identity to distinguish Scotland from England without threatening the idea of a unified Britain.[705] Scottish Catholics, or rather the memory of them, played an important part in forming this alternative Scottish identity. By honoring Gaelic traditions and a history of Jacobite resistance to southern encroachment, nineteenth century Scotsmen and women could have their cake and eat it too: they could celebrate the memory of Scottish national heroics against the English while still embracing partnership with them as part of the British nation. For Scottish Catholics themselves, the French Revolutionary and Napoleonic Wars fostered the development of multiple layers of identity. Evidence indicates that they remained deeply cognizant of their own regional backgrounds, even while fighting the French, defending the British Isles, and expanding the empire.

Unlike Ireland or Quebec, Scotland had relatively few native-born Catholics by the last decade of the eighteenth century. Most of those Catholics were Highlanders, and when they received public political attention, it was generally as Highlanders rather than as Catholics. The Scottish Catholic presence had been eroding for the latter half of the eighteenth century. While members of the Catholic elite were dying off or converting, Catholics of middling means had been emigrating to places like Canada since the

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2. See also Hugh Trevor-Roper, "The Invention of Tradition: The Highland Tradition of Scotland," in *The Invention of Tradition*, ed. Eric Hobsbawm and Terence Ranger (Cambridge: Cambridge University Press, 1983).

1770s.[706] Although Scottish Catholics received a few concessions in the 1790s, their political influence was based on two transitory things: the friendship that Bishop Geddes enjoyed with people like the Dundases, and ministers' willingness to regard the Highlands as a useful source of manpower. Neither of these things still existed by 1810. Despite the prominence of the Catholic Question after 1801, Scottish Catholics were largely ignored in debates on the issue. Instead, Irish Catholics overshadowed their Scottish counterparts both in parliamentary discussions and in Scottish society itself.

This chapter is primarily concerned with three main issues: how the period of war between 1793 and 1815 affected Scottish Catholics' position within the British nation and empire, how Catholics were affected by the emergence of Highlandism and the glorification of Jacobitism, and how Scottish Catholics figured in the creation of a new Scottish identity that was compatible with the British state. The first section explores the experiences of Scottish Catholics during the French Revolutionary and Napoleonic Wars. Like their counterparts in England and Ireland, Scottish Catholics served in regiments abroad while also enlisting in militias and volunteer units. Those who served in Highland regiments helped to create a separate Scottish identity that could also be used to symbolize Scotland's commitment to work with England and Ireland to make a stronger Britain. Unlike their Irish counterparts, however, Scottish Catholics did not use their military service as a basis from which to demand emancipation. They made up a small minority of the Scottish population and their numbers were decreasing. Although there is some evidence that they developed attachments to the idea of Britain and the empire, local identities remained strong. The second section examines how Sir Walter Scott

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3. For instance, by 1811, the islands of Benbecula and South Uist were almost exclusively governed by Protestants, even though the majority of their inhabitants remained Catholic. James Stewart, "The Clan

romanticized the Highlands and re-branded Jacobitism as a particularly Scottish sort of loyalism. During the King's visit to Scotland, Scott obscured the sectarian origins of Jacobitism in order to create a new sort of Jacobite expression that was at peace with the Protestant Succession. In his novels, however, Scott took a different approach, creating complex Catholic Jacobite characters, such as Rob Roy or Fergus Mac Ivor, who outshone his ostensible protagonists by appealing to romantic sentiment and Scottish national pride. Nevertheless, the celebration of Jacobitism and Highlandism did not improve popular perceptions of actual Scottish Catholics so much as encourage the idea that Scottish Catholics belonged to the past with Bonnie Prince Charlie. As historical figures, Scottish Catholics served a useful function in the creation of Scottish identity. Nineteenth century Scotsmen and women could fantasize about Catholic Jacobite characters fighting against the British state without actually doing so in their own lives.

The third section examines the themes of the previous two sections through a case study of the experiences of the Glengarry Fencibles and the two men who brought them together, Alexander MacDonell of Glengarry and the Rev. Alexander MacDonell. Despite their service together in the French Revolutionary War, the members of the regiment and their commander approached their post-war lives in notably different ways, with much of the regiment leaving Scotland to pursue better lives in Canada, while their commander embraced the trappings of Highland romance from the comfort of his increasingly under-populated estates.

Ranald: The History of a Highland Kindred" (PhD diss., University of Edinburgh, 1982), 548.

Wartime for Scotland

Throughout the latter half of the eighteenth century, Scotland's role within the British empire had included a notable militaristic element. While members of the Scottish gentry sought out officers' commissions and took up posts as imperial administrators, the distinctly Scottish Highland regiments fought to expand and maintain the British empire. Since the Seven Years War, wartime had given the Scottish the opportunity to both demonstrate their importance to Britain and to build pride in their own accomplishments on behalf of the British state.[707] The French Revolutionary and Napoleonic Wars were no exception to this pattern. Faced with a war on a scale previously unknown, and repeatedly threatened by the possibility of a French invasion, Scotsmen turned out to serve in disproportionately high numbers. Despite only having one-sixth of the population of England and Wales, they were responsible for fifty-one out of the one hundred and six regiments raised in Great Britain during the 1790s.[708] Like their Protestant counterparts, Scottish Catholics enlisted in militia units and regiments of the line, but they were probably most concentrated in the Highland regiments. Although the Highland regiments' distinctive outfits had marked them as a particularly Scottish institution since their inception, during this period Highland regiments obtained their iconic status as the

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4. Linda Colley, *Britons: Forging the Nation, 1707-1837* (New Haven: Yale University Press, 1992) 119-121, 126-132; C. A. Bayly, *Imperial Meridian: The British Empire and the World, 1780-1830* (London: Longman, 1989); Michael Fry, *The Scottish Empire* (East Lothian: Tuckwell Press, 2001); T. M. Devine, *Scotland's Empire and the Shaping of the Americas, 1600-1815* (Washington: Smithsonian Books, 2004).

5. Eric Richards has estimated that 37,000 Highlanders, forty battalions and seven militia regiments, were recruited during the wartime period. Richards, *A History of the Highland Clearances*, vol. 1 (London, 1982), 148; an additional 50,000 Scots served in other national defense capacities, such as the militia. Scots also enjoyed command positions, consistently making up 25% of British officers between 1793 and 1815. Mackillop, *'More Fruitful than the Soil'*, 65; J. E. Cookson, *The British Armed Nation, 1793-1815* (Oxford: Clarendon Press, 1997), 127-128; Devine, *Scotland's Empire*, 297.

embodiment of Scotland's contribution to the British military.[709] Highland regiments embodied the sort of layered identity that allowed the people of nineteenth century Scotland to both celebrate Britishness and Scottishness at the same time.[710] For the Highlanders themselves, however, Highland regiments had a more ambiguous function. While they ostensibly preserved the trappings of Highland culture, Highland regiments actually had the effect of co-opting Highland culture and redefining it in terms favorable to the British government. At the same time, the regiments helped to preserve the idea of Highland distinctiveness even as traditional social structures were giving way before capitalism and agricultural improvement. Local and familial ties continued to exert a strong influence on Highlanders while they situated themselves within the British nation and empire.

Although reports of Highlanders' victories at Waterloo and Quatre-Bras inspired the widespread romanticization of the Highland regiments following the Napoleonic Wars, the status of the Highland regiments changed notably between 1793 and 1815. For most of the eighteenth century, members of the British government bought into the idea that the Highlands provided a unique source of recruits for the military. Highland society, with its supposed emphasis on warfare and clan loyalties, allegedly produced men who combined a ferocious martial spirit with an unswerving sense of obedience to their superiors.[711] The whole idea of having separate Highland regiments and allowing

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6. Devine, *Scotland's Empire*, 358; for a more cynical contemporary view on the glorification of the Highland regiments, see Lieutenant Col. J. Leach, CB, *Rough Sketches of the Life of an Old Soldier* (London: Longman, 1831; Cambridge: Ken Trotman, 1986), 397- 399.

7. Steve Murdoch and Andrew Mackillop, introduction to *Fighting for Identity: Scottish Military Experience c. 1550-1900*, ed. Murdoch and Mackillop (Leiden: Brill, 2002).

8. Peter Womack, *Improvement and Romance: Constructing the Myth of the Highlands* (Houndsmills, Basingstoke, Hampshire: Macmillan, 1989), 51; although there is not much academic scholarship on the

Highland gentry to recruit for rank was dependent on the notion that Highlanders remained distinct from other sorts of Britons and that their abilities would be maximized if that distinction were preserved.[712] Some Highland proprietors found it in their interest not to disabuse ministers of this belief. In addition to obtaining commissions of their own, proprietors who raised regiments had the opportunity to increase their regional standing by distributing commissions to others, as well as positioning themselves to receive additional benefits from government.[713] By the beginning of the nineteenth century, however, the myth that clanship held the key to unlocking a vast number of new recruits had been thoroughly dispelled. In 1797, Henry Dundas endorsed a plan that suggested that clan chiefs raise their men in the service of the British government.[714] Although the author of the plan, Captain Macpherson, claimed that the "Highlanders have ever been, and still are warmly attached to their Chiefs, who [maintain] Ancient Customs, particularly in regard to the Ranking and Marshalling of Clans," the Highland proprietors rejected the plan when Dundas put it to them.[715] When war resumed in 1803, the government dropped the idea of recruiting for rank in exchange for a more centralized approach that put the Highlands on the same footing as the rest of the United Kingdom. Although the government continued to maintain some Highland regiments throughout the

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subject, there are several popular histories that address Highland radicalism. For instance, see Peter Berresford Ellis, *The Scottish Insurrection of 1820* (London: Gollancz, 1970); and Iain Fraser Grigor, *Highland Resistance: The Radical Tradition in the Scottish North* (Edinburgh: Mainstream, 2000).

9. Mackillop, *'More Fruitful than the Soil'*, 236-238.

10. Mackillop, *'More Fruitful than the Soil'*, 64; Devine, *Scotland's Empire*, 317.

11. Michael Fry, *The Dundas Despotism* (Edinburgh: Edinburgh University Press, 1992), 138; Mackillop, *'More Fruitful than the Soil'*, 59.

12. Remarks on a plan for regimenting the Highland Clans, February 1797, MS. 14835: Acc. 4285, NLS; Mackillop, *'More Fruitful than the Soil'*, 60; Cookson, *The British Armed Nation*, 138.

Napoleonic Wars, the Highlands had lost so many people by 1803 that they were no longer a particularly valuable source of new recruits.

Like Highlanders in general, Scottish Catholics were more likely to be recruited into Highland regiments before 1800 than after. It is unclear how many Catholics enlisted in Highland regiments, but it is possible to identify some of the regiments in which they served. According to its commander, Fraser's Fencibles contained over a hundred Catholic soldiers in 1795.[716] The Glengarry Fencibles, of whom more will be said later, were predominantly Catholic. The 92d, or Gordon's Highlanders, probably included Catholic recruits. When he was recruiting in 1793, the Duke of Gordon went through Glenlivet and even stayed at the Catholic college of Scalan.[717] Both MacDonald of Clanranald's Regiment of the Isles and the 78th Regiment, or Ross-shire Highlanders, probably also contained Catholics, who had been recruited from the western islands. Most of these regiments shared the experience of going to Ireland to put down the 1798 Insurrection, although the 78th was fighting in India at the time. Gordon's Highlanders, being a regiment of the line, went on to fight in Minorca and Egypt between 1800 and 1801. With the exception of the 78th, which remained in India until after the final defeat of Napoleon, these regiments were disbanded during the brief moment of peace with France between 1801 and 1803. When war was declared again in 1803, Gordon raised another battalion by recruiting in places such as Banff and Moray, which had notable Catholic communities.[718] Gordon's Highlanders remained embodied for the rest of the

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13. Fraser to Dundas, 6 May 1795, MS. 1048/58, NLS.

14. Hay to Geddes, 23 March 1793, and Hay to Geddes, 1 April 1793, BL 4/73/14, SCA.

15. Major General David Stewart, *Sketches of the Character, Manners, and Present State of the Highlanders of Scotland*, vol. 2 (Edinburgh: 1825).

war, fighting in the Peninsular campaign, and eventually serving at the battle of Waterloo. Although the fencible units were not revived with the resumption of war, proprietors continued to raise men for militia units, who sometimes went into regiments of the line later. For instance, Archibald Fraser claimed to have created four companies of militiamen by having "Every Tenant on my Estates able to carry Arms... Enrolled and Attested."[719]

Scottish Catholics had numerous motivations for participating in the military or national defense. Being a soldier had economic advantages. In addition to the pay soldiers received during their service, many of them became pensioners after they were discharged. According to Mackillop, their military income made them "something of an elite" among the small tenantry. With their pensions, they could afford to offer greater rents and pay them reliably. Even for those recruits without pensions, their service pay could cover up to a third of their family's rent. In some cases, landlords granted recruits new land or promised to extend their leases on the land they already held. By taking advantage of these offers, tenants could improve their social standing.[720] Besides the economic benefits, however, Highlanders also enlisted in the military in response to local expectations. Tenants may have been more accepting of military service if there was a tradition of it in their communities. As Mackillop argues, "This was doubtless an essential part of a Gael's local prestige, even in peacetime, and would have formed an immensely effective way of generating a latent acceptance of military service."[721] This

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16. Archibald Fraser? to a lord, 27 August 1803, Lovat Papers, NLS; Charles Hope, the Lord Advocate, thanked Fraser with the statement "The exertions you are making are worthy of the Head of a Great Clan, and cannot fail to be useful at this period." Charles Hope to Fraser, 15 September 1803, Lovat Papers, NLS.

17. Mackillop, *'More Fruitful than the Soil'*, 151-152, 162.

sense of prestige was evident in 1804, when tenants on the Lovat estates objected to their landlord's order that they raise their children as farmers in the future. They pointed out that General Simon Fraser had ordered their children to go into the army after having rewarded his soldiers by allowing them to hold two nineteen year leases on their farms.[722] Likewise, individual recruits may have been concerned about maintaining a good reputation in their communities. For instance, when Archibald Fraser asked a Catholic priest to allow him to hire his boats for public service, he appealed to the priest's clan ties, suggesting that he "would wish to be thought... a true loyal Fraser, and an honest man."[723]

Some Catholic Highlanders may have also been motivated by a sense of loyalty and national belonging. Bishops such as Hay regularly released pastoral letters instructing Catholics in their religious duty to defend their king and country. Even those who could not read for themselves were supposed to hear their priests pray for the king by name.[724] Archibald Fraser tried a similar tactic when writing to the priest. Appealing to the priest's loyalty and religion, he stated that "I have a duty to my Country" to determine "Who is willing to give those things to God belonging to God, and to Caesar those things appertaining to the Legal Government of my Country."[725] Themes of loyalty also turned up in Gaelic music. The South Uist version of the early nineteenth century song, "O! Gum B'aotrom Linn an T-astar [O light we thought the journey]," mixes local and

18. Mackillop, "For King, Country and Regiment?: Motive & Identity Within Highland Soldiering, 1746-1815," in Murdoch and Mackillop, *Fighting for Identity*, 197.

19. Mackillop, "For King, Country and Regiment," 196.

20. Archibald Fraser? to Fraser, 31 August 1803, Lovat Papers, NLS.

21. See chapter 3.

national motivations by connecting Gaelic pride with the defense of the monarch and membership in the United Kingdom. While the first verse praises the Gaels for their ability to "put the fear of death into every enemy alive," the fourth advocates unity across the British Isles with the phrase "Scotland, Ireland and England, at present joined together: they are of one mind, like the sound between flint and hammer." The refrain explains that they are "going to meet Bonaparte, because he threatens King George," while the final verse promises the French that they will be driven back "should [they] try to come to Britain with violence."[726]

As the reference to invasion in the last verse suggests, Highlanders' expressions of loyalty were probably influenced by what Cookson has called "national defense patriotism": the desire to defend their country, or at least their homes, from an invading enemy, regardless of their political leanings.[727] For many Britons, invasion was both a recurring fear and a motivation for national unity. In response to attempts to strengthen local militias against a potential French invasion in 1797, one Scottish priest remarked that "The flow of our nation are training to arms... men... from 17 to 40 years of age, of every parish in [Scotland] assemble at the time and place most convenient, for 12 hours evry [sic] week, and are taught the use of arms by some of the regular troops."[728] Likewise, in 1804, John Grant of Banff reported that "we are all in a Bustle over the three kingdoms, looking for the Enemy on our Coast every hour_ Great Britain was never

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22. Archibald Fraser? to Fraser, 31 August 1803, Lovat Papers, NLS.

23. Margaret Fay Shaw, trans., "O! Gum B'aotrom Linn An T-astar," in *Folksongs and Folklore of South Uist* (Oxford: Oxford University Press, 1977), 92-93.

24. Cookson, *The British Armed Nation*, 7-8.

25. Rattray to unknown, May 1797, BL 4/119/4, SCA.

threatened so much I believe... as at present by His Consular Majesty Bonaparte." His only consolation was that "we are unanimous thank God [.]"[729]

Regardless of patriotic feelings and economic incentives, however, men did not always enlist of their own free will. In a possibly fanciful example, an anonymous traveler to the Highlands claimed to have heard a story from a Highland woman about an officer who "had been in the practise of trepanning poor highlanders into the army... He used sometimes to take a highlander with him over the hills in pretence of showing him the road & then compell him to enlist."[730] More typically, recruiting landlords could coerce their tenants, or their sons, into enlisting by threatening to evict them, as one Sutherland factor did in 1799.[731] Furthermore, whether because of unscrupulous recruiters, government intervention, or honest miscommunication, Highlanders frequently enlisted with a faulty understanding of the treatment they could expect within the regiments. Numerous Highland regiments mutinied over the course of the eighteenth century, frequently upon hearing, accurately or not, that they were being sent to India or the Caribbean. [732] That a person enlisted in a regiment cannot necessarily be taken as evidence that they approved of the services they were made to perform.

Despite the aversion many soldiers felt towards serving in the East, India provided Scotsmen with opportunities that they did not have domestically.[733] For much of the

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26. John Grant to Major Alex Strachan of the Cavalry Fort Saint George Madras, 9 January 1804, PL 2/30/11, SCA.

27. The officer and his servants supposedly froze to death after getting caught in a blizzard while hunting. "A Journey on Foot through part of the North & West of Scotland," 1810, MS. 29493, NLS.

28. Mackillop, *'More Fruitful than the Soil'*, 158-159; Devine, *Scotland's Empire,* 318.

29. Devine, *Scotland's Empire*, 254; see John Prebble, *Mutiny: Highland Regiments in Revolt, 1743-1804* (London: Pimlico, 2001) for numerous instances of this scenario.

eighteenth century, the East India Company had provided attractive career opportunities for the younger sons of Scottish gentry and those born to merchant families. In some ways, running the British empire was a largely Scottish project, and Scotsmen's contributions to that project played a key part in building their sense of Britishness. By the early nineteenth century, about 2/3 of the British subjects living on the Indian sub-continent were Scottish.[734] Comparatively tolerant of Catholics, the East India Company attracted exiled Jacobites after the '45. It is possible to get a glimpse of the way Indian service affected the lives of some Scottish Catholics through the correspondence of the Grant and Kyle families, who lived in Banff in Aberdeenshire. In some cases, Scots stationed in India sent money home. James Kyle, who was himself "employed by Government"[735] reported that "Mm. Hume has received a Drawt. [sic] from her Brother in India for £30 [Sterling] which has given her great relief poor body as she was much needing it."[736] A relative of the Kyles, Thomas Strachan, went to India in the mid-1790s in the hopes of finding his fortune as an officer. Although he did not discuss religion in his letters, his Catholic connections do not seem to have impeded his advancement. In 1796, he wrote back to his family describing his hopes of becoming a captain in the cavalry, and "having it soon in his Power to revisit his friends and Native Country in Easy and independent Circumstances."[737] Within a few years, he had exceeded his earlier goal. In 1803, James Grant was reporting that

30. Bayly, *Imperial Meridian*, 89, 127.

31. Fry, *The Scottish Empire*, 84; Devine, *Scotland's Empire*, 252, 262-263.

32. Margaret Kyle to Col. Strachan, 8 May 1798, PL 2/20/4, SCA.

33. Jas Kyle to Mrs. Kyle. 26 June 1798, PL 2/20/3, SCA.

34. Mary Grant to Mrs. Kyle, 8 February 1798, PL 2/19/2, SCA.

[Strachan had been] appointed Major To the 6th Regt. of Cavalry...,
Barrack Master to the Troops Serving on the Northwest Frontiers, and
Military Secretary to Major Genl. Campble [sic], all which he Expects to
hold, until he Succeeds in Rotation to the Command of a Regiment then he
says he will be able to think Seriously of home, in about two years
more[.][738]

Strachan felt comfortable enough in his success that he wrote his other sister to

recommend that she remove her son, James, from the seminary and put him in "[a]

College in Edinburgh, or under present Masters" in order to pave the way for his being

"appointed a Cadet on The Madras Establishment" where Strachan could "[take] him

under my own Guidance, and [Introduce] him to the World."[739] As Strachan's experience

demonstrated, enlisting in imperial service offered Scotsmen an opportunity to advance in

life regardless of religious affiliation. While Strachan did not expressly state his opinion

regarding the British empire or Britishness, his correspondence with his relatives

demonstrates how the people of Banff remained aware of and concerned in activities

occurring in Britain's Indian possessions.

Despite Scottish Catholics' contributions to the British military effort, their political

influence seems to have been on the wane in the early nineteenth century. There were

numerous reasons for this. The Highlands had already lost much of their practical

military use. As Devine puts it, "[by] the later 1790s the manpower resources of the

[Highlands] were virtually exhausted, not only because of over-recruitment but also death

in battle, disease, discharges and natural attrition."[740] Granting concessions to the

Catholic Church no longer appeared to be a viable strategy for generating recruits.

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35. James Grant to Mrs. Kyle, 28 May 1803, PL 2/28/13, SCA.

36. Col. Alex. Strachan to Mrs. Kyle, 1 August 1802, PL 2/27/13, SCA; James Grant, the boy's other uncle,
opposed Strachan's plan on the grounds that the boy was already too old and "everyone had not a turn for a
military life." James Grant to Mrs. Kyle, 28 May 1803, PL 2/28/13, SCA.

Furthermore, the nature of Catholic relief had changed as a result of the 1801 Act of Union. Before the union, Catholic relief campaigns had been regional in focus. After the union, advocates of Catholic relief generally turned their attention to obtaining emancipation for the Catholics of the United Kingdom as a whole. Rather than pursuing their own legislation, Scottish Catholics who wished to advocate for emancipation joined with English Catholics, who themselves risked being overshadowed by the Irish.[741] Scottish Catholics had little visibility as a political force, and the death of prominent Catholic leaders, such as the socially active Bishop John Geddes, probably exacerbated the problem. Befriending both political elites and literary figures, Geddes had acted as a personable and well-connected spokesman for Scottish Catholics until his death in 1799. However, Geddes' successor, Bishop Alexander Cameron, lacked his predecessor's social and political connections. During his ecclesiastical career, he did not do much to promote the passage of Catholic relief legislation, focusing instead on such things as the management of a new seminary.[742]

Another key factor in the decline of Scottish Catholics' political influence was the resignation of Henry Dundas. Catholics played an important role in Dundas' plan for the British empire, and most of the political concessions they gained before emancipation occurred under his watch. Among ministers of the war-time period, Dundas demonstrated particular sympathy towards both Scottish and Irish Catholics, at least in part because he

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37. Devine, *Scotland's Empire*, 308.

38. Even when the English Catholics requested Scottish Catholics' support, there were occasions when the Scots had to remind them that they did not feel included under the word "Englishmen." J. Menzies to Cameron, 15 July 1814, BL 4/438/3, SCA; Menzies to Cameron, 3 August 1814, BL 4/438/4, SCA.

39. Christine Johnson, *Developments in the Roman Catholic Church in Scotland, 1789-1829* (Edinburgh: John Donald Publishers, 1983), chapters 17-24 passim.

saw them as potential recruits for regiments and militias.[743] He had originally endorsed the failed Scottish Catholic Relief Act of 1779, and he was responsive to the interests of the Scottish Catholic Church throughout the 1790s, as was his nephew, Robert Dundas, the Lord Advocate. Both men were active in the creation of the Scottish Catholic Relief Act of 1793, which repealed prohibitions on the performance of the mass as well as lifting disabilities imposed on Catholics' property transactions. Likewise, Henry Dundas was one of the main proponents behind the decision to award an annual grant of £1600 to the Scottish Catholic Church in 1799. However, his usefulness to the Catholics lessened after Pitt's resignation in 1801. A few weeks after Henry Addington took office as Prime Minister, Dundas began planning to reinstitute Pitt and most of their colleagues. Aware of the need to satisfy George III, he decided the new government should continue to exclude Catholics from Parliament for the remainder of the king's life, although it could offer Catholics concessions on more minor issues.[744] Despite this resolution, Dundas never regained the influence that he had enjoyed in the first Pitt administration and left politics after being impeached in 1805. With the end of his political career, the government stopped issuing the grant to the Scottish Catholics.[745]

In addition to losing some of their political visibility, Scottish Catholics were declining numerically at the beginning of the nineteenth century. Much of this decline was the result of emigration. Since the 1770s, when MacDonald of Boisdale had attempted to force his tenants to convert to Presbyterianism, Catholic Highlanders had

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40. Michael Fry, *The Dundas Despotism* (Edinburgh: Edinburgh University Press, 1992) 70-71; Dundas liked to use regiments to encourage cooperation among influential people in Britain. For instance, he tried to use them to build coalitions with gentry families in Scotland. Cookson, *The British Armed Nation*, 133.

41. Fry, *The Dundas Despotism*, 243.

42. Johnson, *Developments*, 124, 126.

been particularly drawn to emigration. Although subsequent emigrations do not seem to have been motivated by religious persecution, individual Catholic clergymen were often active in organizing mass emigrations.[746] Throughout the 1780s and 1790s, Catholics left in disproportionately high numbers.[747] While emigration fell off during the French Revolutionary war, it resumed during the brief period of peace between 1801 and 1803.[748] Most emigrants left for economic reasons. In some cases, they had been forced off their land to make room for sheep. Cameron noted the problem in 1803, when he reported that he needed more Gaelic-speaking priests around Edinburgh "upon account of the many Highlanders whom the sheep-farms drive from their own country."[749] In places without sheep, such as South Uist, emigrants may have hoped to escape work in the kelping industry, where they would have been forced to split their labor between gathering kelp and working their undersized farms in order to survive.

For most Highlanders, however, the opportunity to emigrate evaporated with the renewal of the war in 1803. Working through organizations such as the Highland Society of Scotland, proprietors who wished to maintain their tenant populations convinced Parliament to implement the Passenger Act to curtail travel.[750] Ostensibly a humanitarian measure, the Passenger Act effectively priced emigration beyond the means of most

43. J. M. Bumsted, *The People's Clearance: Highland Emigration to British North America, 1770-1815* (Edinburgh: Edinburgh University Press, 1982), 95. Although he is skeptical of it, Bumsted quotes a contemporary opinion that the Catholic clergy were helping with the emigration in order to "found a Colony abroad of their own persuasion or reduce the landlords to the necessity of calling for their aid in retaining the people at home."; See also, Devine, *Scotland's Empire*, 192-193.

44. Bumsted, *The People's Clearance*, 74.

45. Devine estimates that approximately 5,000 Highlanders emigrated to America during this time. Devine, "Landlordism and Highland Emigration," in *Scottish Emigration and Scottish Society: Proceedings of the Scottish Historical Studies Seminar University of Strathclyde 1990-91*, ed. Devine (Edinburgh: John Donald, 1991), 88-89,

46. Cameron to Hay, 17 September 1803, BL 4/199/17, SCA.

Highlanders. The price of passage to the cheapest destination, Nova Scotia, rose from £4 to £10. Emigration fell off for the remainder of the war, only to increase again afterwards, when the Earl of Bathurst, Secretary of State for the Colonies, began endorsing plans for government assisted emigration to Upper Canada in the hopes that it would buttress British authority in the region.[751] Despite these measures, many Catholic Highlanders had already left Scotland before the new fares took effect.

The period between 1793 and 1815 was one of transition for Scottish Catholics and, arguably, Highlanders in general. While the so-called "traditional" Highland clan structures had been eroding since before the '45, they had retained a degree of believability for most of the eighteenth century. By the beginning of the nineteenth century, however, it had become clear to British ministers that traditional Highland society as they knew it no longer existed. Although the Highland regiments continued to fight on the Continent and in the wider empire, their Highland status became increasingly symbolic, better at inspiring romantic feelings than reflecting the culture of actual Highlanders. Following the French Revolutionary War, many Catholic Highlanders took the opportunity to emigrate to North America, rather than remain in Scotland and work in the fishing or kelping industry. The Scottish Catholic Church itself lost some of its influence with government as its most politically active personnel and their sympathetic Protestant allies died. Furthermore, when faced with declining membership among the Scottish gentry, members of the Scottish Catholic Church received the growing presence

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47. Bumsted, *The People's Clearance*, 86-87.

48. Marianne McLean, *The People of Glengarry: Highlanders in Transition, 1745-1860* (Montreal: McGill-Queen's University Press, 1991), 145; Mackillop, *'More Fruitful than the Soil'*, 197; Devine, "Landlordism and Highland Emigration", 88; Michael Vance, "The Politics of Emigration: Scotland and Assisted Emigration to Upper Canada, 1815-26," in Devine, *Scottish Emigration and Scottish Society*, 38.

of Irish Catholic emigrants with some trepidation. As unfortunate as this decline might have been for Scottish Catholics, however, it can be considered an important precondition for the sort of Highland-style nationalism that became popular in Scotland in the early nineteenth century. The declining Highland population made it easier for Lowland Scots to appropriate elements of Highland culture and reinvent them as signifiers of a generalized Scottish culture.

Highlandism and the Romanticization of Scottishness

The first quarter of the nineteenth century saw the rapid popularization of Highlandism among the upper and middle classes in Britain. At the same time that Britons were hearing news of victories won using Highland regiments, many of them were purchasing books of Scottish ballads and Jacobite poetry. Sir Walter Scott's Scotland-themed poems and novels made him a best selling author. Moreover, by the mid-1820s, Highlandism was *well* on its way to being conflated with Scottishness in general. These years also saw a revived interest in Catholic figures from Scotland's past. Mary Queen of Scots was one notable example, as were Robert the Bruce and other Scottish heroes of the Middle Ages.[752] The most prominent of these figures was probably Bonnie Prince Charlie, along with Jacobite allies like Flora MacDonald.[753] Transformed

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49. For instance, Jane Porter's 1810 novel, *The Scottish Chiefs*, about Robert the Bruce and William Wallace; also see Sophie Gilmartin, *Ancestry and Narrative in Nineteenth-Century British Literature: Blood Relations from Edgeworth to Hardy* (Cambridge: Cambridge University Press, 1998), 54-101; Ian Dennis, *Nationalism and Desire in Early Historical Fiction* (New York: St. Martin's Press, 1997), chapter 1; see Colin Kidd, "Sentiment, Race, and Revival: Scottish Identities in the Aftermath of Enlightenment," in *A Union of Multiple Identities: The British Isles, c.1750-c.1850*, ed. L. W. B. Brockliss and David Eastwood (Manchester: Manchester University Press, 1997), 118-121 for interest in William Wallace in nineteenth century Scotland.

into literary characters, these historical Catholics appeared as heroes and heroines of the Scottish nation. At the same time, however, it is not clear how much the celebration of these historical Catholics did to improve nineteenth century Britons' opinions of their Catholic contemporaries. While many Protestants resented Irish Catholics on both ethnic and religious grounds, living Scottish Catholics tended to disappear from the public eye.[754] Instead, Scottish Catholics were largely relegated to history, where their experiences could be used as fodder for the creation of a new sense of Scottish national identity.

The growth of popular interest in Jacobitism and Highlandism can also be seen as evidence of a decades-long shift in attitudes towards the British government and the monarch. During most of the eighteenth century, many Anglicans and Presbyterians had seen Jacobitism and Catholicism as allied agents of oppression that sought to rob them of their liberty and religion by forcing an absolutist Catholic monarch on the British Isles. By the early nineteenth century, however, many Britons did not perceive Jacobitism, Catholicism, and absolutism to be connected to the same extent that they had been before. While some people had attempted to conflate Jacobitism with a general loyalty to monarchy since the 1760s, it was the period of the French Revolution that allowed this association to become popular. Throughout the 1790s, revolutionary anarchy, rather than monarchical absolutism, had been the bugbear threatening the British Constitution. Faced

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50. In the words of Devine, Jacobitism could be seen as "representing the heroic Scottish past, the more seductive because it was so recent, and was seen as synonymous with the Highlands." Devine, *Clanship to Crofter's War: The social transformation of the Scottish Highlands* (Manchester: Manchester University Press, 1994), 89.

51. Gaelic culture had largely Irish origins, and, at least before the mid-eighteenth century, there had been strong ties between Highlanders and the Irish. Starting with works such as Macpherson's *Ossian*, however, proponents of Highlandism had worked to obscure these connections. Trevor-Roper, "The Invention of Tradition," 15-18.

with the idea of the tyranny of the masses, well-to-do Britons could take comfort in Jacobite notions of unquestioning loyalty to a divinely appointed monarch.[755] Meanwhile, the primary Catholic threat facing the status quo in British society was no longer Catholic absolutism, but Catholic democracy. Despite frequent repetitions of the idea that Catholics were slavishly obedient to their priests, Irish Catholics' demands for political reform and emancipation did not square with the old stereotype of Catholics as the servile adherents of tyrannical kings. A long with the appearance of sentimental Jacobitism, the emergence of Highlandism also indicates a shift away from earlier concerns that the Gaels' way of life threatened British society and British liberty. As a movement, Highlandism was focused on a past that Lowlanders and the English had spent much of the eighteenth century repudiating. It glorified an imaginary Scottish society based upon martial prowess, paternalism, and reflexive loyalty to superiors, rather than commerce, personal liberty, or the rule of law. However, this very focus on the past made Highlandism compatible with an acceptance of the modern British state. Because the Stuart dynasty no longer posed a political threat, Jacobite ideas of hierarchy and monarchical legitimacy could be reused to validate the existing British state and discourage ideas of political liberty.[756]

The idea that the French Revolution made Jacobitism more palatable to the British elite is borne out by the government's handling of the last Jacobite King, the self proclaimed Henry IX. The younger brother of Charles Edward, Henry Stuart had joined the Catholic Church in the mid-eighteenth century. By the time his brother died, Henry was already the aged Cardinal of York. The Cardinal acted as a kind of tourist attraction

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52. Even at mid-century, some people already sought to conflate Jacobitism with a general loyalty to monarchy. See Womack, *Improvement and Romance*, 49-53.

for English visitors to Rome. In the words of Cardinal Erskine, who occasionally served as the pope's unofficial British ambassador, "he <u>asks them to dinner</u> yet he cannot well afford it; but <u>he thinks he is, in a certain manner, obliged to shew them all the kindness he can.</u>"[757] For Sir John Hippisley, self-designated British envoy to Rome, the Cardinal was not only a venerable old man, but a symbol of ancien regime Europe. As the last Stuart king, he was a target of revolutionaries who aimed to destroy "<u>every</u> <u>thing</u> <u>that</u> <u>is</u> <u>most</u> <u>worthy</u> <u>and</u> <u>best</u> <u>entitled</u> <u>to</u> <u>Our</u> <u>Veneration</u> <u>and</u> <u>respect</u>."[758] In 1799, the British government awarded the Cardinal a pension of £4000 a year, along with an immediate gift of £2000.[759] Shortly thereafter, George III offered him sanctuary from the French. According to Hippisley, the king's offer was met with general applause from the British people as a whole.[760]

One of the most obvious examples of increased public interest in Jacobitism was the appearance of a growing market for Jacobite songs and poems. As early as the 1790s, Robert Burns had composed several poems on Jacobite themes. Among popular Scottish songs, only love songs outnumbered those concerning Jacobites by the 1820s. The popularity of Jacobite works grew further in the early nineteenth century. Allan Cunningham's nostalgic *Remains of Nithsdale and Galloway Song* was well received by the public, as were the works of Lady Nairn, Carolina Oliphant, who composed sentimental Jacobite ballads such as "Will ye no come back again?" after Prince Charles

53. Womack, *Improvement and Romance*, 52-53.

54. Hippisley to the Cardinal of York [Henry IX], 31 March 1800, MS. 3112, NLS; Cardinal Erskine to Hippisley, 26 January 1803, MS.3112, NLS.

55. Hippisley to the Cardinal of York [Henry IX], 31 March 1800, MS. 3112, NLS.

56. Johnson, *Developments*, 10.

himself was dead. Additional collections, such as *Songs of Scotland, The Scottish Minstrel* and *The Scottish Songs* were also published in the 1820s.[761] Readers enjoyed these works for their sentimentalism, rather than any overt political messages. When James Hogg republished actual Jacobite songs with their political ideology in tact, the songs were perceived as controversial and possibly offensive to government.[762]

Even members of the royal family were susceptible to sentimental Jacobitism. In the introduction to his *Jacobite Relics*, Hogg assured his readers that "Now, when all party feelings on that score are at an end... such reminisces are honourable, and are so estimated by every one of our princes of the blood royal."[763] The prince regent was particularly fond of Highlandism and the pseudo-Jacobitism that accompanied it. However, the prince's tastes ran less to Hogg than to Sir Walter Scott, arguably the most influential proponent of Highlandism.[764] Prince George was a long-time supporter of Scott, whom he met for the first time in 1812. Scott was the first person George IV ennobled upon becoming king.[765] Scott made Jacobitism flattering for Prince George by muddling loyalty to the Stuarts with loyalty to the Hanoverians under the broader idea of

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57. Hippisley to the Cardinal of York [Henry IX], 31 March 1800, MS. 3112, NLS.

58. Leah Leneman, "A New Role for a Lost Cause: Lowland Romanticisation of the Jacobite Highlander" in *Perspectives in Scottish Social History: Essays in honour of Rosalind Mitchison*, ed. Leneman (Aberdeen: Aberdeen University Press, 1988), 113, 118-119; Devine, *Scotland's Empire*, 360.

59. In his introduction, Hogg suggested his songs had Catholic origins, although the descriptions he attached to individual songs did not bear this out. James Hogg, *The Jacobite Relics of Scotland: Being the Songs, Airs, and Legends of the Adherents of the House of Stuart*, ed. Pittock (Edinburgh: Edinburgh University Press, 2002-2003).

60. Hogg, *The Jacobite Relics*, ix.

61. Sir Walter Scott has been the subject of numerous studies. See for instance, Harriet Harvey Wood, *Sir Walter Scott* (Tavistock, Northcote House, 2006).

62. Scott to Lord Byron, 16 July 1812, in *The Letters of Sir Walter Scott*, vol. 3, ed. H. J. C. Grierson, (New York: AMS Press, 1971), 140; Caroline McCracken-Flesher, *Possible Scotlands: Walter Scott and the Story of Tomorrow* (Oxford: Oxford University Press, 2005) 64.

loyalty to the monarch in general. Witnessing Scott discuss Charles Edward with the Prince Regent, the Lord Chief Commissioner supposedly remarked that "he could not discern which of [them] was the staunchest Jacobite" except to observe that the Prince referred to Charles Edward as "the Pretender," while Scott called him "the Prince."[766]

In many regards, Scott was a supporter of the early nineteenth century status quo.[767] A Tory in politics, he opposed parliamentary reform, while supporting Catholic emancipation as a necessary measure.[768] Although Scott may have been personally conflicted about the effects of improvement on Highlanders, he flattered Elizabeth Sutherland, who would later become notorious for violently expelling her tenants, for her attempts to have them "trained to those sentiments and habits which the present state of society requires" and predicted future generations' "gratitude to their mistress who pursued their welfare in spite of themselves."[769] At the same time, however, Scott seems to have been of two minds concerning Scotland's position within the British state, desiring both a strong British state and a strong Scotland that would not be overshadowed by its southern partner. Highlandism and sentimental Jacobitism offered Scott a means to try to reconcile these desires by giving Scotland a heroic past and a distinctive culture that it could identify with even as it contributed to the success of the British state.

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63. Scott to W. Ford, 1820s, MS. 851, Scott Papers, NLS.

64. For instance, see Nicola Watson's discussion of Scott's attempts to obscure the possibility of revolution in his novels. Watson, *Revolution and the Form of the British Novel 1790-1825: Intercepted Letters, Interrupted Seductions* (Oxford: Clarendon Press, 1994), 109-111, 127-154.

65. David Hewitt, "Scott's Art and Politics," in *Sir Walter Scott: The Long-Forgotten Melody*, ed. Alan Bold (London: Vision, 1983), 44; for his support of Catholic emancipation, see Thomas Moore's Journal, 1825, MS. 1057, NLS, and Scott to Charles, 5 March 1829, Scott Papers, MS. 852, NLS.

66. Scott to Elizabeth, Marchioness of Stafford, Nov. 19, 1811, in Grierson, *The Letters of Walter Scott*, vol. 3, 23; Christopher Harvie asserts that "The Highland predicament was a particularly painful one for Scott." Harvie, "Scott and the Image of Scotland," in Bold, *Sir Walter Scott*, 37.

In several of his novels, Scott explored the conflict between Jacobitism and the modern British state through the adventures of young men on the cusp of independence and adulthood.[770] For Scott, the meaningful distinctions between those who could adjust to the British state and those who could not were more than political. To some extent, the distinctions were based on religion and geographical origin. Throughout his Jacobite-themed novels, Scott consistently depicted his protagonists as Protestants who came from either England or the Lowlands and who accepted Hanoverian rule on an intellectual level. He made his most uncompromising Jacobite characters Catholics and frequently assigned them Highland origins. [771] At the same time, he also depicted the distinction between Jacobites and Hanoverians as one of maturity. In addition to being tales of adventure, his Jacobite novels, *Waverley*, *Rob Roy*, and *Redgauntlet* are all tales of growing up. As far as Scott was concerned, in order to mature and survive, both individuals and their societies must accept Hanoverian rule over a modern British state. Furthermore, Scott suggested that those whose religion and political affiliation prevented them from accepting Hanoverian Britain were incapable of functioning in modern society and were doomed to die off.

However, Scott's novels owed their success to more than their ability to make the status quo seem inevitable. The same Catholic Jacobite characters who failed to adjust to

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67. Scott's works have been discussed by numerous historians and literary scholars. See Bruce Beiderwell, *Power and Punishment in Scott's Novels* (Athens: University of Georgia Press, 1992); Dennis, *Nationalism and Desire*, 61-115, 153-171; Susan Oliver, *Scott, Byron, and the Poetics of Cultural Encounter* (New York: Palgrave Macmillan, 2005); Kenneth McNeil, *Scotland Britain Empire: Writing the Highlands, 1760-1860* (Columbus: Ohio State University Press, 2007); and Julian Meldon D'Arcy, *Subversive Scott: The Waverley Novels and Scottish Nationalism* (Reykjaviþk: University of Iceland Press, 2005) takes the unusual view that Scott saw the British state as suppressing Scotland but feared to say so directly.

68. There has not been much academic discussion of Catholics in Scott's fiction. The main exception appears in Edward Wagenknecht, *Sir Walter Scott* (New York: Continuum, 1991), 197-200. Wagenknecht

modern Britain also provided much of the action and romance that drove Scott's plots. Scott's actual protagonists, characters such as Edward Waverley, Francis Osbaldistone, and Darsie Latimir, tended to be passive and ineffectual, succeeding despite their own actions, or lack thereof.[772] Particularly in the context of Scott's opposition to contemporary radical movements in Britain, his heroes' passivity was a key part of signifying their acceptance of the status quo. Scott's typical protagonist was, as literary scholar Alexander Welsh put it, "every gentleman... He is a passive hero because, in the words of Edmund Burke, a member of civil society surrenders his right 'to judge for himself, and to assert his own cause[.]'"[773] In contrast, Scott's Catholic Jacobites provided a potentially alluring sense of adventure and rebelliousness. This sense was only compounded for his Highland characters, whose exotic dress and customs set them apart from the mundane world of the English and Lowland Scots. Notably, it was the Catholic Highlander Rob Roy whose name graced the book he appeared in, even though the Protestant Englishman Francis Osbaldistone was the ostensible protagonist. Likewise, *Redgauntlet* was named for the protagonist's scheming Catholic Jacobite uncle, rather than its milquetoast hero. Scott's Catholic Jacobite characters provided an imaginative space for Scott's readers to enjoy fantasies about Scottish nationalism, rebelliousness, and a supposedly more primitive Highland culture, secure in the knowledge that the established British state with its Protestant churches would inevitably triumph. In Scott's

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describes Scott as prejudiced against Catholicism in general, yet still capable of presenting some sympathetic Catholic characters.

69. This tendency was not lost on Scott's early readers. Richard Humphrey, *Landmarks of World Literature: Scott Waverley* (Cambridge: Cambridge University Press, 1993), 49.

70. Alexander Welsh, *The Hero of the Waverley Novels: With New Essays on Scott* (Princeton: Princeton University Press, 1992), 38-39.

writings, Scottish Catholics appear as romanticized figures who appealed to a heroic Scottish past, but who had no place in modern Britain.[774]

The most significant of Scott's Jacobite works was his first novel, *Waverley*. Completed in 1814, *Waverley* quickly became a popular success throughout Britain and can be credited with inspiring the spread of Highlandism and sentimental Jacobitism beyond Scotland. In *Waverley,* Scott told the story of Edward Waverley, a romantically-minded young Englishman, who journeys into the Scottish Highlands on a lark and becomes caught up in the Jacobite uprising of 1745. Unlike his literary successors, Francis Osbaldistone and Darsie Latimir, Waverley finds himself tempted by Jacobitism and briefly identifies with Prince Charles' cause. Despite having a commission in the British army, Waverley quickly develops friendships with the heads of two Jacobite families, the Bardwardines and the Mac Ivors. Upon discovering that his father has fallen out of public favor and that he himself is suspected of being a traitor, Waverly swears allegiance to Bonnie Prince Charlie. Although Waverley marches with the Jacobites at Prestonpans, he never actually kills any British soldiers and even saves the life of a British officer. In the end, Waverley eventually escapes punishment to return to the Hanoverian fold and live out his life as a member of the landed gentry.

In contrast to Waverley, whom Scott later described as "a sneaking piece of imbecility," his Catholic allies are larger than life figures. [775] Fergus Mac-Ivor, the leader of the Mac-Ivor clan, is both an attractive and an imposing character. As a Highland

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71. Saree Makdisi makes a similar argument in regard to the Highlands as a whole, remarking that *"Waverley*'s Highlands do not and cannot enter the present[.]" Makdisi, *Romantic Imperialism: Universal Empire and the Culture of Modernity* (Cambridge: Cambridge University Press, 1998), 95.

72. Scott to J. B. S. Morrit, Jul. 24, 1814, quoted in John Gibson Lockhart, *Memoirs of the Life of Sir Walter Scott*, vol. 2 (Boston: Houghton, Mifflin, and Co., 1902), 396.

chieftain with a French education, he embodies physical prowess and fierce independence, while also being handsome, graceful, and cultured. However, Fergus is also a self-important schemer with a "hasty, haughty, and vindictive temper, not less to be dreaded because it seemed much under its owner's command."[776] Fergus displays his generosity towards his supporters on multiple occasions, most obviously in the scene where he hosts a banquet for his entire clan. The experience of Fergus' tenants stands in marked contrast to that of their nineteenth century counterparts, who had been, and were being, forced off their land to make room for sheep and other agricultural improvements. While Scott treats these expulsions as necessary, commenting that "[Fergus] crowded his estate with a tenantry, hardy indeed, and fit for the purposes of war, but greatly outnumbering what the soil was calculated to maintain," Fergus' benevolent paternalism earns him the unswerving loyalty of his tenants. After the British capture Fergus, his supporter and fellow Catholic Jacobite Evan Dhu even offers to gather a party of men, including himself, to die in Fergus' stead.[777] As a character, Fergus is at his most sympathetic at the end of the book. Having been captured by British troops, he faces his execution with "manly" resolve and courage, saving his concern for the future of his sister and his clan. Despite making an earlier attempt on Waverley's life, Fergus and Waverley reconcile on the way to the gallows, and Waverley gives the attending priest a ring and some money for the Church to perform services in Fergus's memory. Despite initially remarking on the services' pointlessness, Waverley immediately adopts a more

73. Scott, *Waverley* (London: Penguin Group, 1985), 154, 368.

74. Scott, *Waverley*, 157, 465-466.

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tolerant attitude, asking "Yet why not class these acts of remembrance with other honours, with which affection, in all sects, pursues the memory of the dead?"[778]

Fergus' sister, Flora, is also a romantic figure, an unattainable Catholic beauty with a love of Gaelic culture and an unswerving adherence to the Jacobite cause. Unlike her Episcopalian friend Rose, whom Waverley eventually marries, Flora is habitually serious and focused on "great national events." While her brother is motivated by self-interest, "[in] Flora's bosom... the zeal of loyalty burnt pure and unmixed with any selfish feeling." Even her desire to extend her brother's power is motivated by "the generous desire of vindicating from poverty, or at least from want and foreign oppression" those whom he would govern.[779] At the same time, however, Flora is ultimately focused on the past. Rather than taking an actual paramour, she reserves her love for the heroic Captain Wogan, who died fighting for King Charles II before Flora was even born.[780] As a beautiful women and a dramatic performer, Flora gives Jacobitism an emotional and potentially erotic charge. This is most apparent in the scene which she tries to encourage Jacobite feelings in Waverley by singing him a battle song while standing on top of the rocks of her own private waterfall. At the same time, she is ambivalent about her effect on Waverley, alternatively encouraging him to become a new Captain Wogan and suggesting that he should marry Rose, who actually loves him.[781] Ultimately, she realizes that the failure of the '45 means there is no place for her or her beliefs in modern Britain. As she laments shortly before her brother's execution, the rebellion was not regrettable

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75. Scott, *Waverley*, 477.

76. Scott, *Waverley*, 169-171.

77. Scott, *Waverley*, 212.

78. Scott, *Waverley*, 176-180, 230-232, 369-371.

because it was "wrong" but because "it was impossible it could end otherwise than thus."[782] Flora's story ends with her determination to go to France and enter a convent, a symbolic death that indicates the end of her family line.

The most notable Catholic character in *Waverley* is Bonnie Prince Charlie himself. Although there were other accounts of the prince, including Scott's portrayal of him as an aging debauchee in *Redgauntlet*, the portrayal in *Waverley* was significant in propagating the romantic image of the prince. While King George II is distant and faceless for most of the story, Prince Charles is a charismatic figure, combining physical beauty and personal dignity with warmth and approachability. Recognizing Waverley before they have even met, the prince singles him out for attention, commenting that "no master of ceremonies is necessary to present a Waverley to a Stuart." Within their first encounter, the prince goes on to treat Waverley as a friend and advisor, asking him his opinion on military strategy, offering to make him an aide-de-camp, and giving him the broadsword from around his own waist. At their next encounter, the prince takes it upon himself to advise Waverley on romance. The prince even agrees to release Colonel Talbot, a captured British officer, in order to allow him to return to England and comfort his sick wife.[783] The prince's friendship for Waverley is not disinterested. He seems to believe Waverley to be more influential with (or representative of) the English gentry than he actually is, and he hopes Waverley will enable him to gain the active support of the English Jacobites and form a proper British army. Nevertheless, the prince provides a more attractive picture of royalty than the remote George II.

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79. Scott, *Waverley*, 469.

80. Scott, *Waverley*, 294, 297-298, 314, 385.

At the end of the book, the Jacobites' fates vary according to their religion and geographical location. Scott's main Catholic characters either end up dead or exiled in Europe, while the Highlanders as a whole suffer from the assaults of Cumberland's armies. Meanwhile Waverley's Episcopalian, Lowland allies are permitted to remain in Britain with their estates. At the close of the book, Colonel Talbot gives the Baron of Bardwardine his estates back, despite the Baron's consistent eagerness to join the rebellion and do homage to Prince Charles. Rose Bardwardine, who stands to inherit her father's restored estate, marries Waverley. Waverley himself suffers no punishment for his role in the rebellion, and even his Jacobite aunt and uncle continue to enjoy their property unmolested. Furthermore, while Waverley and Rose are positioned to reproduce and continue their unified family line, Fergus and Flora are both ultimately infertile. Even Prince Charles fails to sire a legitimate heir. Scott portrayed his Episcopalian Jacobites to continue their fictional lives and possibly produce descendants, while allowing his Catholic Jacobites no future in modern Britain.[784]

Saree Makdisi has argued that *Waverley* "contributed not only to the invention of a new Highland reality, but also to the construction and colonization of a Highland past to go with it." There is some justice to his point. Published at a time when the Highlands were growing increasingly barren of inhabitants, *Waverley* reduces the history of actual Highlanders to a story of adventure for the amusement and edification of Lowlanders and the English. Furthermore, the book describes Highland society as outdated and ultimately doomed. Its destruction may be lamentable, but it is also unavoidable. Once the actual

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81. Catholics frequently fail to sire heirs in Scott's novels. Both Diana Vernon in *Rob Roy* and Hugh Redgauntlet in *Redgauntlet* die without issue. Rob Roy and Helen Macgregor are notable exceptions to this rule, probably because their real-life counterparts had offspring. Scott, *Rob Roy* (Oxford: Oxford University Press, 1998); Scott, *Redgauntlet* (London: Dent, 1970).

Highland society has been destroyed, it can be replaced by an imaginary depiction. As Makdisi points out, after Fergus' death, Waverley memorializes his time with him by having an artist from London create a picture of them together.[785]

While Scott's books suggested that it was impossible for a politically motivated Jacobite to make peace with the British state, Scott took a different approach to the issue when he coordinated George IV's visit to Scotland. Throughout the visit, Scott constantly conflated Jacobitism and loyalism. The visit was rife with Highland pageantry, which blurred the distinction between the Highlanders and Scottish people in general. [786] When George IV landed in Edinburgh, a party of Scotsmen dressed as Highland chieftains, accompanied by members of their supposed clans, came to meet him. George himself took on the role of the returned Stuart king. Shortly before his arrival, the *Examiner* published a pseudo-Jacobite poem by Scott, entitled "Carle now the King's come," entreating the Scottish lairds to come welcome him.[787] This role was further underlined through ceremonies. Scott served as a page for Howison Craufurd of Braehead when he presented the king with a napkin and washbasin in supposed imitation of a service his ancestor had once rendered James II or III, while an unnamed woman gave the king some silverware that had once been owned by Bonnie Prince Charlie.[788] On one occasion, George IV himself appeared in modified Highland costume, wearing a pair of flesh-

82. Makdisi, *Romantic Imperialism*, 71, 96-97.

83. McCracken-Flesher, *Possible Scotlands*, 64.

84. McCracken-Flesher, *Possible Scotlands*, 105-106; Scott, "Carle, Now the King's Come!" in *The Complete Works of Walter Scott* (New York: Conner & Cooke, 1833), 632-634. http//books.google.com (accessed May 25, 2009).

85. McCracken-Flesher, *Possible Scotlands*, 87, 96; Lockhart, *Memoirs*, vol. 4, 46.

colored tights beneath his kilt.[789] Although the Stuarts' Catholicism had originally been at the center of the Jacobite problem, it had no place in the pseudo-Jacobite sentiment that permeated the king's visit. Honoring Scotland's established church, the king attended the Presbyterian service at St. Giles.[790] This rejection of Jacobitism's Catholic roots is all the more notable because the king's trip to Scotland followed up a trip to Ireland that he had taken only the year before.[791]

However, while Scott's works relegated Scottish Catholics to the past, his literary style contributed to a revival of interest in Catholicism's aesthetic features during the Victorian period. For Scott, Presbyterianism and Episcopalianism were both superior to Catholicism by virtue of being truer versions of Christianity. In comparison, he believed Catholicism's main strength lay in its ability to appeal to the senses, although he tended to deny that it appealed to him or his Protestant characters personally.[792] Scott did admit his appreciation for the emotive qualities of Catholic service music, comparing the "Stabat Mater" to the "gloomy dignity of a Gothic church" and the Dies Irae to a "Pagan temple, recalling to memory the classical and fabulous deities."[793] Although Scott rejected the sort of sensual appeal he associated with Catholicism, his own works, particularly those set in the Middle Ages, helped to inspire a renewed interest in the

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86. This costume earned him the mockery of numerous British satirists. See "A Thousand Warm Receptions in the North" Aug. 1822, BMC 14384; "The First Laird in Aw Scotia or a View of Edinburgh in August, 1822" BMC 14386; and "The English Irish Highlander" Aug. 1822. BMC 14387.

87. Prebble, *The King's Jaunt: George IV in Scotland, August, 1822; "one and twenty daft days"* (London: Collins, 1988) 321-325.

88. See James Loughlin, *The British Monarchy and Ireland, 1800 to the Present* (Cambridge: Cambridge University Press, 2007) 18-31.

89. For instance, see Scott, *Rob Roy*, 241.

physical trappings of medieval Catholicism.[794] For instance, the song Ellen Douglas sings to the Virgin Mary in Scott's poem *The Lady of the Lake* was used as the basis for Franz Schubert's *Ave Maria*.[795] Both the Anglo-Catholic movement and the neo-Gothic style of the Victorian period can be seen as results of an interest in the medieval past that Scott did much to facilitate. In some cases, Anglo-Catholics inspired by Scott's works even went on to become proper Roman Catholics, like Cardinal John Henry Newman, who described Scott as "a great poet...who, whatever were his defects, has contributed by his works, in prose and verse, to prepare men for some closer and more practical approximation to Catholic truth[.]"[796]

Highlandism and sentimental Jacobitism helped facilitate Scotland's rise to prominence within Britain by giving the Scottish a distinct cultural background that they could use to differentiate themselves from English without attacking the idea of a unified Britain itself. Scottish Catholic figures, whether Jacobites or medieval heroes, were celebrated as part of Scotland's national history with the important caveat that their religion, like their politics, was reduced to a matter of historical coloring. Lowlanders like Scott could embrace Highlandism and glorify Jacobites because Highlanders and Jacobites no longer posed much political threat to the status quo. By the early nineteenth

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90. Scott to Rev. George Crabbe, Jan., 1813, in Grierson, *The Letters of Sir Walter Scott*, vol. 3, 211. Possibly as a hold-over from the secrecy of the penal era, Bishop Hay disapproved of the use of music in church. Music did not become common in Catholic churches in Scotland until after his death.

91. Alexander Ross, *The Imprint of the Picturesque on Nineteenth Century British Fiction* (Waterloo, Ontario: Wilfrid Laurier University Press, 1986), chapter 3, esp. 47.

92. Sir Walter Scott, *The Lady of the Lake*, A Penn State Electronic Classics Series Publication, (2002), 58. http://www2.hn.psu.edu/faculty/jmanis/w-scott/lady-lake.pdf (accessed May 22, 2009).

93. John Henry Newman, *Apologia*, [1864] quoted in Ian Ker, *John Henry Newman: A Biography* (Oxford: Clarendon Press, 1988), 173; See also Ker, *John Henry Newman*, 11, 252; and Brian Martin, *John Henry Newman: His Life and Work* (New York: Oxford University Press, 1982), 15.

century, the population of the Highlands was in decline, and, despite landlords' efforts to keep their tenants from migrating away for the duration of the Napoleonic Wars, even more Highlanders would leave in the Highland clearances of the coming decades. As Makdisi has argued, Highlandism, such as that displayed in the book *Waverley*, represented an act of colonial appropriation in which Lowlanders and English people co-opted Highland culture for their own uses.[797] In order to render Highlanders and Scottish Catholics safe subjects for Scottish national history, they first had to disappear from the present.

Alexander MacDonell and the Glengarry Fencibles: A Case Study

This final section of the chapter explores how military service and Highlandism affected the experiences of a particular Highland regiment, the Glengarry Fencibles.[798] Unlike other Highland regiments, the Glengarry Fencibles were predominantly Catholic. Originally proposed in response to the Scottish Catholic Relief Act of 1793, the regiment was the brain-child of the Catholic priest Alexander MacDonell, who was looking for a way to employ the recently unemployed Highlanders who made up his Glasgow congregation. In order to create the regiment, MacDonell aligned himself with the laird of

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94. Makdisi, *Romantic Imperialism*, chapter 4; see also Michael Hechter, *Internal Colonialism: The Celtic Fringe in British National Development* (New Brunswick, NJ: Transaction, 1999). The idea of internal colonialism owes much to the work of Hechter. Unlike Makdisi, however, Hechter treats Scotland as a whole as a colonized zone.

95. The Glengarry Fencibles and their chaplain, Rev. Alexander MacDonell have been the subject of numerous works. The most notable are Kathleen Toomey, *Alexander MacDonell: The Scottish Years, 1762-1804* (Toronto: Canadian Catholic Historical Association, 1985); James Rea, *Bishop Alexander MacDonell and the Politics of Upper Canada* (Toronto: 1974); McLean, *The People of Glengarry*, chapter 8; Ronald Sunter, "The Scottish Background to the Immigration of Bishop Alexander Macdonnell and the Glengarry Highlanders," *Study Sessions—Canadian Catholic Historical Association* 40 (1973): 11-20; and

Glengarry, whose own lands were largely peopled by Catholics.[799] Upon completion, the regiment included men from all the Catholic regions of the Highlands.[800] The British government recognized the Glengarrians' Catholicism by commissioning MacDonell to serve as their chaplain. It was the first such appointment since the time of James II.[801]

The experiences of the Glengarry Fencibles and the fates of those connected to them were of a piece with broader trends affecting both Scottish Catholics and Highlanders in general. On one hand, if the events surrounding the Glengarry Fencibles are examined from the point of view of Glengarry himself, then the regiment appears as part of a trend in which Highland proprietors used their tenants in order to increase their wealth and justify their conceptions of themselves as traditional Highland chieftains while ultimately disregarding the responsibilities that theoretically came with the position. On the other hand, if the regiment is considered apart from Glengarry, it was part of a trend in which Highlanders emigrated to the colonies in the hopes of owning their own land and recreating a lifestyle that was increasingly hard to maintain in Scotland. Both can be seen as participating in a form of Highlandism, although with distinct ends in mind.

The Glengarry Fencibles were initially stationed on the isle of Guernsey, off the French coast. In order to gain the government's approval for the creation of the regiment, Glengarry and MacDonell had suggested that the regiment would be willing to serve

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J. A. Macdonell, *Sketches Illustrating the Early Settlement and History of Glengarry in Canada*, [1893] (Belleville, Ontario: Mika Publishing, 1984).

96. See chapter three for more. As mentioned before, Glengarry was also named "Alexander MacDonell." For the sake of clarity, the text consistently refers to him as "Glengarry." Glengarry was not Catholic himself, although he expressed interest in converting to MacDonell and Bishop Hay at the time the regiment was first being raised.

97. Sunter, "The Scottish Background," 16.

anywhere in the British Isles, rather than remaining in Scotland like a normal fencible regiment. Problems quickly arose between Glengarry and his officers, and in 1797, they had some kind of falling out. In order to save him from a court martial, MacDonell and the Adjutant of the Regiment convinced the officers to settle the matter privately in court, where the officers were awarded over £1000. Glengarry refused to pay the money, even though MacDonell and the Adjutant had legally bound themselves to ensure that the amount was paid. As a result, MacDonell and the Adjutant were arrested several times. MacDonell was imprisoned for three months while Glengarry ignored his pleas for assistance. Instead, the Adjutant and a friend of MacDonell's had to pay off the officers to get MacDonell out of prison. Eventually, Glengarry's friends convinced him to make a settlement with MacDonell, but only after the priest had taken him to court.[802]

Like other Highland regiments, the Glengarry Fencibles were sent to Ireland to help suppress the insurrection in 1798. Although some historians have emphasized the ruthlessness of Scottish regiments towards suspected rebels, the Glengarry regiment developed good relations with the local Catholic population.[803] Their shared religious beliefs made it possible for the Glengarry Fencibles to develop a sense of trust with the Irish Catholics. This connection harkened back to traditional ties that existed between the Irish and the people of the Western Highlands and Islands. According to one account, upon discovering that the imprisoned rebels of New Ross had not received any food or medical treatment, Glengarry had his surgeon tend to their wounds and did what he could

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98. Tom Johnstone and James Hagerty, *The Cross on the Sword: Catholic Chaplains in the Forces* (London: Chapman, 1996), 1.

99. Alex. MacDonell to Margaret Fraser, 26 August 1803, PL 2/29/6, SCA.

to help them.[804] MacDonell was particularly concerned about the well-being of the Irish. He claimed to have followed the regimental divisions as they surrounded the rebels in the mountains of Wicklow and interceded to prevent captured rebels from being executed on the spot. Likewise, he directed the restoration of Catholic chapels that the yeomanry had converted into stables and encouraged the Catholics to resume using them. According to an account he wrote years later, he convinced the Irish Catholics that the government was not adverse to their religion by pointing out that "the Government [had] entrusted arms to the hands of the Glengarry Highlanders, who were Roman Catholics[.]"[805] Writing to his sister from Wicklow a few months after the Insurrection, MacDonell lamented that

> a set of bloody orange men would still exercise their wanton cruelties upon the defenseless inhabitants if allowed, & would force those unfortunate creatures to the mountains to save their lives from their [missing] but for the protection of the British troops, & for the earnest [missing]-trances of the Catholic Clergy, who have certainly contributed in a great measure to tranquilize the country notwithstanding how much their conduct has been misrepresented by the Orange party.[806]

In another letter the following year, he compared "the Barbarous conduct of the Soldiery" towards the Irish with that of the Glengarrians, who, motivated by "principles & Religion," had given "the peaceable inhabitants... that support & protection which they sought in vain from other [Regiments]."[807]

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100. For one example of the idea of Scottish ruthlessness, see Devine, *Scotland's Empire*, 304; in Wexford, Bishop Caulfield had good things to say about the Midlothians. James Caulfield to Troy, 23 June 1799, DDA, and Caulfield to Troy, 23 August 1799, DDA.

101. Sunter claims that Glengarry didn't follow his regiment to Ireland, because he had to stay on Guernsey to face trial for killing another officer in a duel. Sunter, "The Scottish Background,"16.

102. J. A. MacDonell, *Sketches*, 9-10.

103. Alex. MacDonell to Margaret Fraser, 28 October 1798, PL 2/20/9, SCA.

104. Alex. MacDonell to Margaret Fraser, 16 February 1799, PL 2/22/4, SCA.

In 1799, MacDonell went to London and met with members of the Pitt Ministry, who were considering granting stipends to the Scottish Catholic clergy. Writing to his sister, MacDonell indicated that the Glengarrians were partially responsible for the ministers' actions. He claimed that the ministers had summoned him to compliment him on the regiment, which was a "favourite [sic] [Regiment] with Government," adding that they had "communicated to me their Intention of providing for the scots missionaries of the Catholic persuasion."[808] The Church began receiving a government grant that same year. However, by October, conflicts were breaking out among the regiment again. Although MacDonell hoped to augment the regiment, he found the effort undermined by the fallout from the court martial of two officers, one of whom had challenged the other "for some false charges against Government." There was also some unspecified trouble with some soldiers from Strathglass. MacDonell wanted to spare them from "strong measures" until he heard from Glengarry.[809]

Like other regiments, the Glengarry Fencibles were disbanded after the Treaty of Amiens and returned home to a dismal economic situation. During the previous decade, Glengarry had displaced his incumbent tenants to make way for recruits and their families. Sometimes a single possession was made to hold five to seven crofts.[810] At the same time, he also allowed Lowland shepherds to occupy some of the real estate that he had agreed to grant to the soldiers of his regiment.[811] Visiting the Highlands in 1803, the poet James Hogg remarked approvingly of the productiveness of the sheep walks on the

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105. Alex. MacDonell to Margaret Fraser, 16 February 1799, PL 2/22/4, SCA.

106. Alex. MacDonell to Margaret Fraser, 29 October 1799, PL 2/22/5, SCA.

107. Mackillop, *'More Fruitful than the Soil'*, 164.

Glengarry estates, writing "all the stocks of sheep on Glengarry are good... The ground lets very high."[812] Nevertheless, Glengarry was £80,000 in debt. He owed sixteen times more than he received from his tenants in a year. Glengarry raised his rents, but attempted to retain his tenants by only charging them 90% of the market value of the land. He offered life rent tenures and indemnities for mutually agreeable improvements. Bumsted suggests that this helped convince Glengarry's established tenants to remain, but probably was not much help to the soldiers of his regiment.[813] His joint-tenant farmers left. Five hundred of them emigrated in 1802.[814] Most of those who wished to leave left before the Passenger Act took effect.[815]

By January 1803, MacDonell was corresponding with Charles Yorke, Secretary for the Home Office, in the hope that the ministry would do something to help the regiment. Initially, Addington and York suggested that the Highlanders should settle in the recently conquered colony of Trinidad.[816] Similar offers had been made to Highland soldiers since the Seven Years War. According to a plan in the Colonial Office papers at Kew, the government would pay the soldiers' passage, provide temporary shelter, and grant at least 100 acres of heritable, tithe-free land to each man (officers received more), along with the farming tools and plants needed to start their own plantations. Furthermore, the plan acknowledged their religious and linguistic needs by providing for a Catholic chaplain

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108. Clyde, *From Rebel to Hero*, 169. Between 1786 and 1825, the price of rent on the Glengarry estate grew almost ten times over, going from £700 to £6000-7000.

109. Hogg, *A Tour of the Highlands in 1803* (Edinburgh: Mercat, 1986), 52.

110. Bumsted, *The People's Clearance*, 97-98; McLean, *The People of Glengarry*, 135.

111. McLean, *The People of Glengarry*, 135-136.

112. Sunter, "The Scottish Background," 19.

and an assistant who could speak Gaelic and Spanish, along with ordering the construction of two chapels and two schools, which would be under the direction of the Catholic clergy.[817] MacDonell later claimed that Addington had instead offered to give each household 80 acres and money to purchase four slaves, in addition to enough wine and vinegar to last the colony for three years by which time the Highlanders would become acclimated to the island.

However, Trinidad did not ultimately meet with MacDonell's approval. At a meeting with Addington in early January, MacDonell "seized the opportunity of setting forth the Loyalty of the Catholics of Scotland in General, & particularly of the Glengarry [Regiment]." Addington "assured [MacDonell] that he was perfectly convinced of their principles of Loyalty to their Sovereign, & attachment to the Constitution of their Country & expressed sincere, regret at the necessity to which so many of them were reduced of quitting their Country for ever." Despite Addington's initial hopes that the Highlanders would go to Trinidad, MacDonell was firmly opposed the idea on account of the island's "unhealthy climate."[818] MacDonell suggested Upper Canada instead, arguing that the Highlanders would emigrate regardless and it would be better to keep the Highlanders within the British empire than lose them to the United States. Although Addington hesitated, citing concerns that British control over Upper Canada was weak, MacDonell persisted. Addington then gave MacDonell an order for the Lieutenant

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113. For more on the Scottish in the Caribbean, see Devine, *Scotland's Empire*, chapter 10.

114. "Proposals for Establishing a Colony of Highlanders in the Island of Trinidad..." TNA: PRO CO 295/6/38-39.

115. MacDonell's cousin, Simon Fraser, had died in the Caribbean several years before. At the time he lamented the "precarious prospect of fortune life & health in the West Indies, fatal to many & most fatal to my happiness all the days of my life[.]"Alex. MacDonell to Margaret Fraser, 20 December 1799, PL 2/22/6, SCA.

Governor of Upper Canada to award every incoming Highlander 200 acres, and they agreed to a plan whereby MacDonell would "Convey to the Province of Upper Canada such of the Roman Catholics as may determine to Emigrate this year from Scotland."[819]

Like other inhabitants of Glengarry, MacDonell had relatives living in Canada.[820] A previous generation of settlers had already established a settlement known as Glengarry County near Lake Ontario. After the American Revolution, Highland soldiers had moved from New York to Glengarry County, where they had been assigned land for their services to the British government. About 1,200 other Highlanders, from places such as Glengarry, Knoydart, Morar and Glenelg, went over in migrations between 1785 and 1793.[821] MacDonell alluded to the existing connections between Scottish Catholics in Scotland and Canada when he wrote to Cameron for help, suggesting that Cameron should support the emigration if he "approve[d] of uniting, & consolidating the interest of Religion in Scotland & in those parts of his Majesty's dominions in North America where the people are the same."[822]

Despite Addington's promises, Highland proprietors began attempting to impede the Glengarrians' emigration. MacDonell then changed tactics and proposed to take his people to Canada as a corps of Canadian fencibles.[823] By June 1803, however, the war had resumed and government support for the emigration effort was on the wane. Yorke attempted to persuade MacDonell to encourage the regiment to re-enlist, suggesting that:

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116. J. A. MacDonell, *Sketches*, 14-15; Alex. MacDonell to Cameron, 7 March 1803, BL 4/209/18, SCA; Rea, 10-11.

117. Alex. MacDonell to Margaret Fraser, 26 August 1803, PL 2/29/6, SCA.

118. J. A. Macdonell, *Sketches*, 125; Devine, *Scotland's Empire*, 210-211, 219-220.

119. Alex. MacDonell to Cameron, 7 March 1803, BL 4/209/18, SCA.

if they cannot be induced to enter into the established national Regts, measures ought to be adopted for forming them into second Battalions of the 42nd, 78th, 92nd and other Highland Corps; & I am inclined to think that if they would do so, they might be allowed to engage to serve in *Europe & N. America only*, during the war; & that after it was over, every possible encouragement would be held out to them as settlers in the British possessions, if they preferred quitting their Native Country...[824]

Unhappy with Yorke's suggestions, MacDonell expressed his uncertainty towards Cameron and asked if he should even continue corresponding with Yorke. At the same time, he reported resentment towards the national defense efforts being made in Scotland, remarking that "The idea of levying in Mass, & training to arms all Males in the Kingdom from 15 to 45 years of age is not very pleasing to us since our properties are hardly worth fighting for them but, we entertain great hopes that the hardest blows will be delt [sic] out before we come to mix in action."[825] By this point, MacDonell found delay exasperating. Apparently, he was not the only one. Those who could afford to left for Canada on their own.[826]

Despite MacDonell's efforts, he could not put his group emigration scheme into action. In August 1803, the Secretary of War revived the idea of a Canadian Fencible Regiment. All Scotsmen who joined the regiment would receive land in Canada in addition to paid passage for themselves and their families. The Canadian Fencibles drew over six hundred recruits, including at least one former member of the Glengarry Fencibles, but the regiment never actually embarked for Canada. As the recruits began arriving in Glasgow, it became apparent that many of them had been led to believe that

120. Sunter, "The Scottish Background," 17.

121. Charles Yorke to MacDonell, 10 July 1803, quoted in Sunter, "The Scottish Background," 18; Rea, *Bishop Alexander MacDonnell*, 13. Italics in original.

122. Alex. MacDonell to Cameron, 16 July 1803, BL 4/209/19, SCA.

passage would be paid for their extended families, instead of merely their wives and children, as the War Office had intended. After several months of delays, the recruits mutinied. The final straw came when they interpreted an order to go to the Isle of Wight as an indication that they were being sent to India. The regiment was disbanded.[827] Twenty-five members of the Glengarry regiment eventually made it to the Glengarry settlement in Canada. While most of them arrived in 1803, others continued to come over the course of the next two decades.[828]

In 1804, the people of Glengarry County persuaded the Bishop of Quebec to pay for MacDonell's passage. He arrived in Canada that November.[829] After getting to Canada, MacDonell continued to assist with recruitment and national defense efforts. In 1807, he joined with the Lord Lieutenant of Glengarry County, Col. John MacDonell, in a failed effort to petition for the creation of a regiment in Canada.[830] When the War of 1812 began, MacDonell used his influence to raise a Glengarry County regiment, in which he acted as chaplain. The regiment went on to fight in fourteen engagements. By 1814, MacDonell was reporting that "The good conduct of the catholics of the County of Glengarry and other parts in Upper Canada during this war has procured them the approbation of [Government]."[831]

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123. Sunter, "The Scottish Background," 18-19.

124. McLean, *The People of Glengarry*, 149; Bumsted, *The People's Clearance*, chapter 7.

125. McLean, *The People of Glengarry*, 147.

126. McLean, *The People of Glengarry*, 148; J. A. Macdonell, *Sketches*, 19.

127. J. A. Macdonell, *Sketches*, 24.

128. Alex. MacDonell to Bp. Cameron, 10 June 1814, BL 4/436/1, SCA; Rea, *Bishop Alexander MacDonnell*, 33.

As a result of the Canada Constitution Bill of 1791, Catholics in Canada already enjoyed many of the civil liberties that would come with Catholic emancipation in Britain. Catholics could vote and hold almost all the same offices as their Protestant counterparts, although the established Anglican Church received preferential treatment in terms of funding and in ecclesiastical matters. For MacDonell, there was no reason a Catholic could not be a loyal British subject. While Catholics in Ireland worried that government salaries for their priests might undermine the Church, MacDonell requested stipends for clergymen in Canada. He himself received a salary of £50 a year, which was eventually increased.[832] He saw the Catholic Church as a stabilizing influence on the region, suggesting in 1814 that the creation of a seminary in Glengarry County would be "the best calculated to instill on the susceptible minds of youth the genuine principles of the British constitution" and protect them from American influences. As his recruitment efforts during the War of 1812 indicated, he was a life-long opponent of republicanism, repeatedly expressing concern at the possibility that his people might be exposed to American democratic ideas.[833]

MacDonell also sought to preserve Highland culture and the use of Gaelic. In 1818, he became a founding member of the Highland Society of Canada, having obtaining a charter from the original body in London. By 1820 it had almost a hundred members. MacDonell became the society's president three years later. According to his own description, they conducted their meetings in Gaelic, hosted competitive recitals of Gaelic poetry, and "even [have] our bards who recite to us their own compositions... [who] prove at least to our satisfaction that some sparks of poetic fire still remain

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129. Rea, *Bishop Alexander MacDonnell*, 20.

unextinguished among the descendants of the once inspired sons of Caledonia."[834] In the case of MacDonell and the Glengarrians, Highlandism offered a means of preserving and developing their Gaelic culture, despite living beyond the Highlands themselves.

MacDonell himself became an example of the sort of militant Highlander the Highland Societies celebrated. Speaking before the prince regent at a meeting of the Highland Society of London, an officer named Sir John MacDonald related a story about MacDonell's behavior during the War of 1812. Before the battle of Ogdensburg in 1813, MacDonell and a Presbyterian minister had supposedly accompanied a body of Highland soldiers on a march across the frozen St. Lawrence River. One of the Catholics began to fall back when the firing began. MacDonell, cross in hand, ordered him to remain in place and, when he refused, the priest promptly excommunicated him. Whether the story was true or not, it contributed to the glorification of the Highlanders while portraying a scene of ecumenical unity in the service of the British empire. [835]

MacDonell, who was consecrated Bishop of Upper Canada in 1826, became a major religious and political figure in Canadian society. Glengarry, however, spent the rest of his life trying to live the life of an old fashioned Highland chief. Both the descendant of a genuine Highland line and an obsessive advocate of Highlandism, Glengarry rendered himself a parody of the romanticized Highland chief. In his portrait by Sir Henry Raeburn, he emphasized his identity as a traditional Highland laird by appearing in tartan

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130. Rea, *Bishop Alexander MacDonnell*, 12, 35.

131. Alex. MacDonell to Dr. McKenna, Secretary of the Highland Society of London. Glengarry Upper Canada. Sept. 16, 1820. SCA Microfilm McDonnell Papers. Reel 1/69; Rea, 56, 68.

132. J. A. MacDonell, *A Sketch of the Life of the Honourable and Right Reverend Alexander MacDonell...*, (Alexandria, Ontario: *The Glengarrian*, 1890), 28, 85.

with a targe and powder horn on the wall behind him.[836] Dissatisfied with groups like the Celtic Society, which allowed non-Highlanders to become members and wear Gaelic dress, Glengarry founded the Society of True Highlanders in 1815. Glengarry restricted his group to Highlanders of "property and birth."[837] Shortly thereafter, he picked a fight with a fellow "True Highlander," the proprietor of South Uist, Ranald MacDonald, over MacDonald's right to call himself "Chief of the Clanranalds." Although the title was pretty much meaningless in a nineteenth century context, Glengarry wanted it to justify his pretensions to be the head of the MacDonald Clan and the legitimate descendant of ancient Scottish royalty. When MacDonald refused to give up his customary title, Glengarry turned to the press to argue his case.[838] He continued to assert his supposedly special status at the time of the king's visit to Scotland in 1822. As one of the lairds sent to meet George IV on his arrival in Edinburgh, Glengarry had insisted on cutting ahead of the others in an attempt to welcome the king before them. On another occasion, he put himself in front of a royal procession and attempted to lead it, until he was told to move out of the way. Around the same time, he fell into contention with the Celtic Society after complaining in the *Edinburgh Observer* that non-Highlanders had "*no right to burlesque the national character or dress of Highlanders*" by wearing tartan.[839]

Glengarry and Scott were friends. Although Scott later referred to Glengarry's attempts to declare himself Chief of Clanranald as "ridiculous enough in the present day,"

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133. Sir Henry Raeburn, *Colonel Alastair MacDonell of Glengarry*, reproduced in Murdo Macdonald, *Scottish Art* (London: Thames & Hudson, 2000). Macdonald argues that Raeburn's use of shadows in the picture indicate ambiguity and cultural loss—a shift "from tartan as something to wear to tartan as something to dress up in." Macdonald, *Scottish Art*, 75.

134. Prebble, *The King's Jaunt*, 39, 114-115.

135. For a summary of Glengarry's claims, see John Riddel, *Vindication of the Clanronald of Glengarry....* (Edinburgh: W. & C. Tait, 1821).

he helped him find some of the material he used to build his case, referring him to a letter by Charles II discussing one of Glengarry's ancestors.[840] In turn, Glengarry gave Scott "a large bloodhound allowed to be the finest dog of the kind in Scotland," whom he named Maida.[841] For Scott, Glengarry was the embodiment of the pre-'45 Highland chief. In Scott's words, Glengarry "seems to have lived a century too late, and to exist, in a state of complete law and order, like a Glengarry of old, whose will was law to his sept." Besides his extensive knowledge of clan history and Gaelic culture, Scott admired Glengarry for his physical prowess, remarking that "Strong, active, and muscular, [Glengarry] follows the chase of the deer for days and nights together, sleeping in his plaid when darkness overtakes him."[842] While Scott noted Glengarry's temper and other personal flaws, he admired Glengarry's lifestyle and supposedly used him as the inspiration for *Waverley*'s Fergus Mac Ivor.[843] As Fergus, Glengarry arguably helped set the pattern for the fictional Highland laird.

The late eighteenth and early nineteenth centuries were a time of transition for the people of the Highlands. Despite attempts to appeal to traditional clan ties, the connection between proprietors and tenant had become primarily economic. Unable to maintain an acceptable lifestyle at home, Highlanders dispersed throughout Scotland and North

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136. McCracken-Flesher, *Possible Scotlands*, 101-102; Prebble, *The King's Jaunt*, 247.

137. Sir Walter Scott to Glengarry, March-April 1816, in Grierson, *The Letters of Sir Walter Scott*, vol. 4, 198-199; Scott's journal, February 14, quoted in Lockhart, *Memoirs*, vol. 4, 484.

138. Scott to Joanna Baillie, early April 1816, and Scott to Buccleuch, 21 December 1816, in Grierson, *The Letters of Sir Walter Scott*, vol. 4, 206, 322.

139. Lockhart, *Memoirs*, vol. 4, 483-484.

140. Alexander MacKenzie, *History of the MacDonalds and Lords of the Isles; with Genealogies of the Principal Families of the Name* (Inverness: A. & W. MacKenzie, 1881), 356.

America. At the same time, Britons began to celebrate and imitate the Highlander identity; being a Highlander became a role to be acted out.

Glengarry, MacDonell, and the Glengarry Fencibles demonstrated some of the ways Scottish Highlanders experienced and acted upon different allegiances and identities during their lives. Glengarry was particularly self-conscious in his attempts at identity formation. Descended from a long-line of Highland proprietors, including a grandfather who had been out in the '45, Glengarry had a legitimate Highland pedigree, but his attempts to prove that he was a "True Highlander" of an early eighteenth century type rendered him a parody. Nevertheless, his ability to get what he wanted from the British government was based in part on his acting like a Highland laird. Most notably, he obtained the Glengarry Fencibles by appealing to the idea that clan loyalties made him particularly fit to command his tenants. Likewise, when he arrived in Edinburgh to meet the King with a lengthy tail of tartan-clad retainers, he was in keeping with the general Highland aesthetic of the occasion. Even his attempts to rush ahead and meet the King early reinforced the loyalist pseudo-Jacobitism of the visit by showing a supposedly traditional Highland laird with real Jacobite ancestors eagerly doing homage to a Hanoverian king. Unlike his tartan-clan counterparts, however, Glengarry refused to change out of the costume when the visit was over.[844]

MacDonell and the regiment probably were not as intentional in their identities. For the people of the two Glengarry regions, local allegiances to family and friends translated into imperial, or at least, trans-Atlantic allegiances that allowed them to feel connected

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141. Glengarry's later life could be summed up by Womack's remark that "The Highlander became at once more vivid and less substantial; that's to say he became theatrical[.]" Womack, *Improvement and Romance*, 46.

despite the physical distance between them. At the same time, by enlisting in regiments such as the Glengarry Fencibles, they positioned themselves in subordination both to local authorities, like Glengarry, and the British state. Their Catholicism theoretically added another type of allegiance by putting many of them under the spiritual authority of the pope. At least as far as MacDonell was concerned, however, Catholicism actually strengthened allegiance to the British state and the government of Upper Canada. While MacDonell and the people of Glengarry may have been more motivated by a sense of themselves as Highlanders, or even Glengarrians, than as British, they were very aware of their position as subjects of the British empire.

Conclusion

During the first quarter of the nineteenth century, Scotland came into its own within Britain and the empire. While individual Scotsmen gained power by occupying influential positions in imperial administration and the military, the growth of Highlandism helped the Scottish to establish a distinct national identity within a British framework. Although Scottish Catholics made up a small minority of the Scottish population, they played a role in both of these developments. Because most Scottish Catholics were Highlanders, they were subject to the same developments as other Highlanders. They served in military capacities throughout the empire and fought in the Highland regiments that would later be regarded as embodying Scotland's particular contribution to Britain. Likewise, it was their traditional culture that Lowlanders such as Scott appropriated and refashioned as a marker of Scottish identity.

The beginning of the nineteenth century marked a shift for Scottish Catholics. The limited political influence that they had enjoyed in the early 1790s had disappeared by 1806. The loss of spokesmen and allies, such as Bishop Geddes and Henry Dundas, combined with a general decline in the number of Catholic Highlanders and the realization that the Highlands could no longer serve as a unique source of recruits cost the Scottish Catholic Church what little political capital it had. At the same time, Scottish Catholics' overall visibility was declining. Despite the on-going debates on Catholic emancipation that characterized the first three decades of the century, Scottish Catholics were hardly ever mentioned. Unlike their Irish counterparts, Scottish Catholics' military service went largely unnoticed.[845] Popular literature, such as the writings of Sir Walter Scott, portrayed Scottish Catholics as historical figures who, despite appealing to romance or Scottish patriotism, were out of place in modern Britain. Catholic Highlanders' wide-spread emigration to places such as Canada helped to justify this view. With the spread of capitalist land-use practices, the Highlands became no place for Highlanders.

At the same time that British Protestants were losing sight of their Scottish Catholic contemporaries, however, Catholicism in Scotland was becoming increasingly Irish. Like London and Liverpool, cities such as Glasgow and Edinburgh were experiencing an influx of lower class Irish Catholics, who came to Britain to find work. Irish, Catholic, and poor, these emigrants threatened Scottish Presbyterians on all three counts, and many Scots perceived them as shiftless foreign idolaters who had come to take their jobs and

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142. For instance, Stewart of Garth, *Sketches of the Character, Manners, and Present State of the Highlanders of Scotland,* hardly mentions the existence of Catholic Highlanders at all, despite being the early nineteenth century's most thorough account of the Highland regiments. Even the section on the Glengarry Fencibles neglects to say anything about their Catholicism.

drive down wages.[846] Even Scottish Catholics sometimes expressed concern at the Irish in their midst. In 1805, the priest in residence at Glasgow, Mr. Scott, opposed the installation of Irish priests both out of the fear that they would become too familiar with their congregations (as opposed to their bishops) and because their presence would stir up anti-catholic sentiment by offending "the local authorities of the Country and... every respectable protestant in Glasgow." Likewise, Cameron preferred not to employ Irish priests in Scotland if possible.[847]

However, the story of Scottish Catholics in the early nineteenth century is not simply one of decline and dispossession. Like others from across the British Isles, Scottish Catholics living during the French Revolutionary and Napoleonic Wars worked to oppose the French threat and expand the British empire. It may be going too far to say that they had a strong sense of themselves as British, but the British empire was a significant presence in their lives. The wider empire offered Scottish Catholics a way to preserve or improve on the lifestyles they could no longer enjoy in Scotland. Settling in places such as Ontario, many Scottish Catholics found a way to improve their status while continuing to develop Gaelic cultural practices within the framework of the British empire.

Despite their wartime experiences, however, Catholic Highlanders continued to recognize ties of history and kinship that could be independent of, and even counter to, their allegiance to the British state. Only a decade after the final defeat of Napoleon, the people of South Uist welcomed one of his marshals as their own. Born in France, Etienne

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143. For an example of anti-catholic sentiment directed against Irish immigrants, see Hector McHeretic, *Popery in Greenock* (Glasgow: Printed by W. Lang, 1819); for a more academic approach to the issue of Irish immigration, see Devine, ed., *Irish Immigrants and Scottish Society in the Nineteenth and Twentieth Centuries: Proceedings of the Scottish Historical Studies Seminar University of Strathclyde, 1989-90* (Edinburgh: John Donald Publishers Ltd., 1990).

144. Quoted in Johnson, *Developments*, 138-139.

Jacques Joseph Alexandre MacDonald, Duke of Tarentum, was the son of a Catholic Jacobite who had helped Bonnie Prince Charlie escape to the Continent after Culloden. Upon landing on South Uist, his father's birthplace, MacDonald found himself surrounded by numerous other MacDonalds who claimed him as their relation and offered him their hospitality. Ignoring the more recent wars with France, MacDonald's relatives told him about the English troops who destroyed his father's house after the '45, causing him to remark that "I am told about this expedition, and about my father, who always accompanied the Prince. These events are so present in the inhabitants' memory that it seems that they just happened yesterday."[848]

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145. Etienne Jacques Joseph Alexandre, duc de Tarente, *The French MacDonald: Journey of a Marshal of Napoleon in the Highlands and Islands of Scotland*, trans. Jean-Didier Hache and Domhnall Uilleam Sti`ubhart (Island's Book Trust, 2007) 160; for more on the people of South Uist, see Stewart, "The Clan Ranald," chapters 9 and 10.

CONCLUSION

"How mistaken men are who suppose that the history of the world will be over as soon as we are emancipated..." —Daniel O'Connell to Edward Dwyer, Mar. 11, 1829. [849]

In 1829, the British Parliament passed Catholic emancipation. Almost thirty years after the union with Ireland, Catholics across the British Isles gained the ability to vote, sit in Parliament, take part in corporations, and hold almost all civil and military offices. Despite the talk of allowing the state a veto over Catholic bishops that had characterized the debates on Catholic emancipation during the first two decades of the nineteenth century, the only "security" that the final bill imposed on Catholics was an oath requiring them to deny that the pope had any temporal power in the United Kingdom and to disavow any intentions to undermine the established church. The bill did not grant Catholics total legal equality with their Anglican counterparts. In addition to maintaining their exclusion from the throne, they were forbidden to hold the office of Lord Chancellor, Keeper of the Great Seal, or Lord Lieutenant of Ireland. Catholics were not allowed to exercise ecclesiastical patronage within corporations or, if they held public office, wear the insignia of that office to mass. Furthermore, Catholic priests were not to wear their ecclesiastical robes in public and male religious orders were to be suppressed.[850] As these restrictions indicate, the Catholic Church continued to exist in a limited position within the British state. Nevertheless, emancipation legally elevated British and Irish Catholics to a level nearly proximate that of their Protestant

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1. Daniel O'Connell to Edward Dwyer, 11 March 1829, Add 62712, O'Connell Papers, BL.

2. Edward Norman, *The English Catholic Church in the Nineteenth Century* (Oxford: Clarendon Press, 1984), 63-64.

counterparts. At least for those Catholics wealthy enough to vote and qualify for office, emancipation marked their transition from being merely subjects to subjects *and* citizens. While the decline of Britain's ancien regime occurred over a longer period than Jonathan Clark acknowledges, he is correct that the passage of Catholic emancipation, along with the repeal of the Test and Corporation Acts the year before, marked the end of an era.[851] Although the established churches maintained their official supremacy, the relationship between church and state never regained its earlier closeness. By removing ecclesiastical tests for all but the highest governing officials, these acts opened the way for a more secular, or at least more ecumenical, British state.

The passage of Catholic emancipation should not be read simply as the triumph of toleration and secularism over older notions of the confessional state. While Catholic emancipation was dependent in part upon the spread of religious toleration among much of the governing elite, the British government passed it when it did in order to head off civil war in Ireland. Following the Napoleonic Wars, economic crisis broke out across the United Kingdom, bringing with it renewed calls for political reform. Ireland, which also suffered a famine and a typhus epidemic in 1817, was no exception.[852] Despite the creation of an Irish police force in 1814, the Irish government had difficulty suppressing the country's numerous agrarian secret societies. These societies, often referred to as "Ribbonmen," gave Irish Catholic peasants a violent outlet for their economic, and often openly sectarian, grievances.[853] The situation was compounded by a religious revival

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3. J. C. D. Clark, *English Society 1660-1832* (Cambridge: Cambridge University Press, 2000), 7.

4. Gale Christianson, "Secret Societies and Agrarian Violence in Ireland, 1790-1840," *Agricultural History* 46, no. 3 (July 1972): 373; Irene Whelan, *The Bible War in Ireland: The 'Second Reformation' and the Polarization of Protestant-Catholic Relations, 1800-1840* (Madison: University of Wisconsin Press, 2005), 144.

among both Protestants and Catholics in the 1820s. The prophecies of the fictional prophet Pastorini, which predicted that all Protestants would be expelled from Ireland in 1825, developed a wide following among lower class Irish Catholics in the early years of the decade. Meanwhile, Rev. Dr. William Magee, Archbishop of Dublin for the established church, started the so-called "Second Reformation" movement by declaring the Church of Ireland the country's only legitimate church and calling for its members to proselytize Catholics and Dissenters.[854]   Amid increasing sectarian tension, Daniel O'Connell and others established the Catholic Association in 1823 in order to resume campaigning for Catholic emancipation. However, whereas previous campaigns had been limited largely to wealthy or middling Catholics, the Catholic Association decided to open its membership to anyone who could afford a penny a month. The Catholic Association also developed firm links with the Catholic clergy, many of whom became active in encouraging their congregations to pay the membership fee, or "Catholic rent," and shaming people who failed to support the common cause. By the latter part of the decade, the campaign for Catholic emancipation had developed into a national movement. Furthermore, rather than voting according to their landlord's preferences, Irish Catholic voters began opposing candidates who refused to support emancipation. In 1828, O'Connell ran for Parliament himself, even though his Catholicism rendered him ineligible to sit. He defeated the government candidate, Vesey Fitzgerald, forcing the Prime Minister, the Duke of Wellington, and his administration to pass Catholic emancipation or face popular revolt in Ireland. Parliament passed emancipation, but it did

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5. Galen Broeker, "Robert Peel and the Peace Preservation Force," *The Journal of Modern History* 33, no. 4 (December 1961), 363-373; M. R. Beames, "The Ribbon Societies: Lower-Class Nationalism in Pre-Famine Ireland," *Past & Present*, no. 97 (November 1982), 128-143.

so at a cost to many of those who had made it possible. Intentionally trying to dismantle the mass movement emancipation had inspired, Parliament outlawed the Catholic Association, and increased the property requirement for voting from 40 shillings to £10.[855]

Catholic emancipation, like previous Catholic relief efforts, was primarily aimed at satisfying those who were relatively financially well off. According to the Earl of Stanhope, the Duke of Wellington admitted as much afterwards, remarking that "What I looked to as the great advantage of the measure [Catholic emancipation] was that it would unite all men of property and character together in one interest against the agitators."[856] This strategy was not limited to the Catholics alone. The 1832 Reform Bill can be seen as part of the same trend. Parliament extended the franchise to those men with property worth £10, or 40 shillings in the counties of England and Wales, while withholding it from their poorer counterparts.[857] As Mary Poovey has argued, after emancipation "[the] diacritical mark of Britishness (not Englishness) became a certain

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6. Irene Whelan, *The Bible War*, 143-146, 156-191.

7. Whelan, *The Bible War*, 215-216; Thomas Bartlett, *The Fall and Rise*, 329-342; O'Connell claimed to oppose the franchise restriction on the grounds that the 40 shilling electorate was responsible for emancipation. O'Connell to Dwyer, March 1829, Add 62712, O'Connell Papers, BL; for more on the passage of Catholic emancipation, see Fergus O'Ferrall, *Catholic Emancipation: Daniel O'Connell and the Birth of Irish Democracy 1820-30* (Dublin: Gill and Macmillan, 1985), Wendy Hinde, *Catholic Emancipation: A Shake to Men's Minds* (Oxford: Blackwell, 1992), G. I. T. Machin, *The Catholic Question in English Politics, 1820 to 1830* (Oxford: Clarendon Press, 1964), and James Reynolds, *The Catholic Emancipation Crisis in Ireland, 1823-1829* (New Haven: Yale University Press, 1954); for a contemporary account by an English Catholic, see Charles Butler, *A Memoir of the Catholic Relief Bill, Passed in 1829: with a Preliminary Minute on the Divisions in Each House of Parliament, on the Catholic Claims....* (London: John Murray, 1829).

8. Philip Henry, 5th Earl Stanhope, *Notes of Conversations with the Duke of Wellington, 1831-1851*, 3rd ed. (London: John Murray, 1889), 45.

9. A. D. Kriegel, "The Irish Policy of Lord Grey's Government," *The English Historical Review* 86, no. 338 (January 1971): 23; see also Richard Davis, "Deference and Aristocracy in the Time of the Great Reform Act," *American Historical Review* 81, no. 3 (1976): 532-539. Richard Brown, *Church and State in Modern Britain, 1700-1850* (London: Routledge, 1991), 220-222.

level of property ownership. If a man met the £10 qualification, even if he was a Catholic, he belonged to the kingdom of Great Britain in a way that he did not if he failed to meet it."[858]

While the experience of Catholics in the Victorian period is beyond the focus of this dissertation, a few remarks should be made.[859] Anti-catholic sentiments continued to surface throughout the nineteenth century and beyond. Catholic emancipation helped to alleviate legal distinctions between Catholics and Protestants, but cultural, regional and socio-economic distinctions persisted. As it was before emancipation, Ireland remained the primary source of Catholics for the British Isles and the empire as a whole. While Ireland did have a growing Catholic middle class, most Irish Catholics were too poor to enjoy the privileges allowed their coreligionists in the emancipation bill. Their continuing dissatisfaction remained a problem throughout the century. In these years, thousands of Irish Catholics migrated to Britain or elsewhere in the empire in search of work. Edward Norman has estimated that about 80% of the Catholics in England were working class Irish people by 1850.[860] Scottish cities such as Glasgow were also major destinations for Irish immigrants.[861] These Catholics came to represent the face of Catholicism in the

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10. Mary Poovey, *Making a Social Body: British Cultural Formation, 1830-1864* (Chicago: University of Chicago Press, 1995) 68.

11. For more on Victorian era Catholics, see Michael Wheeler, *The Old Enemies: Catholic and Protestant in Nineteenth Century English Culture* (Cambridge: Cambridge University Press, 2006); Nicholas Atkin and Frank Tallett, *Priests, Prelates & People: A History of European Catholicism since 1750* (Oxford: Oxford University Press, 2003), chapters 3 & 4; Carol Engelhardt Herringer, *Victorians and the Virgin Mary: Religion and Gender in England, 1830-1885* (Manchester: Manchester University Press, 2008); J. Derek Holmes, *More Roman than Rome: English Catholicism in the Nineteenth Century* (London: Burns and Oates, 1978); Bernard Ward, *The Sequel to Catholic Emancipation: The Story of the English Catholics Continued Down to the Re-establishment of their Hierarchy in 1850* (London: Longman, 1915).

12. Norman, *The English Catholic Church*, 7.

British empire. Distrusted by middle class Britons who associated poverty with criminality and hated by working class Britons for their willingness to accept low wages, these Irish migrants were regarded by many Britons as a threat to their society.[862]

While British Protestants associated Irish Catholics with property and unrest, British Protestants generally found British Catholics more acceptable. The most prominent members of British Catholic society belonged to the clergy or gentry and generally avoided political radicalism. Furthermore, the emergence of Romanticism encouraged an aesthetic appreciation of the Catholic Church and its rites. Whereas Catholics had worshipped in a subdued manner in the eighteenth century, the nineteenth century Catholic Church became more showy, building ornate churches and playing religious music. This revived appreciation of the rites of the Catholic Church helped inspire the Oxford Movement, in which members of the Anglican Church tried to establish themselves as Anglo-Catholics. Some even went so far as to convert to Roman Catholicism outright. This was also a time in which the international body of the Catholic Church was assuming an increasingly ultramontane position. As was indicated by the popular outcry that accompanied the announcement of plans to restore the Catholic hierarchy to Britain, many British Protestants remained deeply suspicious of a strong Catholic Church.[863]

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13. See Thomas Devine, ed. *Irish Immigrants and Scottish Society in the Nineteenth and Twentieth Centuries: Proceedings of the Scottish Historical Studies Seminar University of Strathclyde, 1989-90* (Edinburgh: John Donald Publishers Ltd., 1990).

14. Poovey, *Making a Social Body*, 63-72.

15. Norman, *The English Catholic Church*, chapter 5; see also Brad Faught, *The Oxford Movement: A Thematic History of the Tractarians and Their Times* (London: Society for Promoting Christian Knowledge, 2003); Peter Benedict Nockles, *The Oxford Movement in Context: Anglican High Churchmanship, 1760-1857* (Cambridge: Cambridge University Press, 1994).

Catholics' position in the empire and in imperial thought also evolved during the Victorian period in a number of ways. First, in the mid-nineteenth century, a combination of evangelical fervor and assumed racial superiority inspired many British Protestants to think of themselves as agents of civilization and Christianization for the rest of the world. In this view, Celtic peoples, such as Irish Catholics and Scottish Highlanders, appeared as members of an inferior race, who, like the peoples of Africa, had supposedly failed to achieve complete civilization and could not be trusted to govern themselves. [864] Second, while the existence of the empire played an important role in creating British nationalism, the development of other nationalist ideas within the empire threatened its stability. The most obvious example of this is the Fenian movement, which tried to promote Irish Home Rule through violent attacks within England.[865] Nationalist sentiments also emerged in Canada, where they played a part in the 1837 Rebellions.[866]

At the same time, Catholics' role in creating empire should not be underestimated. Besides peopling colonies such as Canada, Australia, and New Zealand, Catholics took

16. Michael de Nie, *The Eternal Paddy: Irish Identity and the British Press, 1798-1882* (Madison: University of Wisconsin Press, 2004), 5-13; Perry Curtis, *Apes and Angels: The Irishman in Victorian Caricature* (Washington, D.C.: Smithsonian Institution Press, 1996); Colin Kidd, "Race, Empire, and the Limits of Nineteenth-Century Scottish Nationhood," *The Historical Journal* 46, no. 4 (2003): 873-893 explores how some Lowland Scots came to conceive of themselves as belonging to a Teutonic race that included the English but excluded Celtic peoples, such as Highlanders and the Irish.

17. See Oliver Rafferty, *The Church, the State, and the Fenian Threat, 1861-75* (New York: St. Martin's Press, 1999); and R. V. Comerford, *The Fenians in Context: Irish Politics and Society, 1848-82* (Dublin: Wolfhound Press, 1985); for earlier attempts at the repeal of the union, see John Broderick, *The Holy See and the Irish Movement for the Repeal of the Union with England, 1829-1847* (Rome: Apud Aedes Universitatis Gregorianae, 1951).

18. For more on the rebellion, see Elinor Senior, *Redcoats and Patriotes: The Rebellions in Lower Canada, 1837-38* (Ottawa, Canada's Wings, 1985) and Allan Greer, *The Patriots and the People: The Rebellion of 1837 in Rural Lower Canada* (Toronto: University of Toronto Press, 2003); see also Colin Coates, "French Canadians' Ambivalence to the British Empire," in *Canada and the British Empire*, edited Philip Buckner (Oxford: Oxford University Press, 2008), 189-190; Bryan Palmer, "Popular Radicalism and the Theatrics of Rebellion: The Hybrid Discourse of Dissent in Upper Canada in the 1830s," in *Transatlantic Subjects: Ideas, Institutions, and Social Experience in Post-Revolutionary British North America*, edited Nancy

on a large role in the military. Christopher Bayly has estimated that Irishmen accounted for 43% of the British military by 1830.[867] Furthermore, Kevin Kenny asserts that the East India Company recruited up to half its personnel from Ireland between 1813 and 1857.[868] Despite debates regarding the treatment of Catholic soldiers at the beginning of the century, the Victorian-era British government made efforts to accommodate them. For instance, during the Crimean War, the British government facilitated the appointment of Catholic chaplains. Two years afterwards, the government established a permanent body of them. The clergyman responsible for the appointment of these chaplains, Thomas Grant, Catholic Bishop of Southwark, was himself the son of a soldier in the 71st Highland Regiment, who had fought in the Napoleonic Wars.[869]

This dissertation has examined the seventy years following the Seven Years War as a moment of potential for Protestant-Catholic relations in Britain and the empire. During this time, the legal position of Catholics as Catholics underwent a dramatic change. In the mid-eighteenth century, Catholicism was in itself criminal, and Catholics were legally excluded from full participation in British society. As the century wore on, Catholicism was decriminalized and Catholics came to assume a more secure position in society. Pitt's attempt to pass Catholic emancipation with the Act of Union marked a high point for Catholics and the British government. Pitt's failure delayed emancipation by almost

Christie (Montreal: McGill-Queen's University Press, 2008), 403-438; J. M. Bumsted, "The Consolidation of British North America, 1783-1860" in Buckner, *Canada and the British Empire*, 52-56.

19. Christopher Bayly, *Imperial Meridian*, 127.

20. Kevin Kenny, "The Irish in the Empire," in *Ireland and the British Empire*, edited by Kevin Kenny (Oxford: Oxford University Press, 2004), 104; Irish Catholic soldiers in Fort St. George to Father Don Pedro de Alcantara, Bp. of Antiphilia and VA of the Dominion of the Great Mogul, September 1819, 30/4/80, DDA.

21. Norman, *The English Catholic Church*, 183-185.

thirty years, in which time resentment and sectarianism re-emerged among both Catholics and Protestants. The passage of Catholic emancipation put Catholics as Catholics on a legal footing much like that of their Protestant counterparts. Catholics could vote, sit in Parliament, engage in property transactions, attend mass, and educate their children without straying from the bounds of the law. While sectarian sentiments did not fade away in the nineteenth century, the developments of the long eighteenth century made it possible for Catholics to be seen as subjects and citizens, rather than disloyal traitors.

The nature of Catholics' relationships with Protestants and the British government varied according to a number of factors. During the long eighteenth century, British society was strongly hierarchical. British ministers were more comfortable dealing with Catholic aristocrats and members of the landed elite than with Catholics of other classes. In the same way that members of government had created the penal laws in order to undermine Catholic elites, members of government repealed the laws in order to help Catholic elites and encourage them to be loyal. While government agents and pamphleteers made some attempts to appeal to middling and lower class Catholics during the Napoleonic Wars, those ministers who favored concessions generally hoped that Catholic elites would be able to keep their co-religionists in line. Catholic populations also received different treatment depending on their ethnic background and geographical location. The Catholics of England and Scotland were both minority populations in countries where the majority belonged to the established church. Following the demise of Jacobitism as an active political movement, English and Scottish Catholics ceased to pose a significant threat to the British government. While Catholic Highlanders retained deep attachments to their local identities, neither Scottish nor English Catholics were in a

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position to start their own nationalist movement against the British state. In Ireland and Quebec, the situation was very different. Because Irish Catholics and French Canadiens made up the majority of the population in these countries, the British government could not afford to ignore their wishes indefinitely. For this reason, Irish Catholics were allowed to exercise a degree of political power, while their British counterparts were not.

As this dissertation has shown, the years between 1755 and 1829 were characterized by three questions: how should imperial expansion be carried out, what is the nature of a British subject, and what role should religion play in answering the previous questions? By examining Catholic populations, one can see how these questions were addressed in a variety of ways, which sometimes contradicted each other. Despite the loss of the thirteen American colonies, the long eighteenth century was a time of imperial expansion. Within the British Isles, the British state both expanded its control into the Highlands and strengthened its power over Ireland. In the same period, the empire grew overseas, taking in a range of colonies from around the globe. During the colonization process, however, the British government did more than simply try to coerce colonized populations into submission. In the Highlands, the British government re-appropriated both Highland culture and Highland personnel, allowing former Jacobites and their descendants to raise regiments for the British army. With writers like Sir Walter Scott transforming elements of Highland culture into elements of Scottish culture, Highlanders, or at least the idea of them, came to be seen as an important element in Britishness. In the case of Ireland, Pitt planned for the Act of Union to both incorporate Ireland into Britain and to allow the Irish a degree of citizenship within the United Kingdom. As it was, the Irish Catholics remained in an ambiguous position in which they were treated as both British subjects

and foreigners, available for military recruitment and yet regarded with suspicion. In the case of Quebec, the British government sought to appeal to the seigneurs and the Canadian Catholic Church in order to maintain control of the colony. By passing the Quebec Act, Parliament reinforced the idea that British colonies, and the subjects within them, did not have to be governed according to uniform standards. Instead, the rules governing British subjects and the privileges they enjoyed were ultimately dependent on their geographical location. The connection between being a subject, a citizen, and a Briton was not straightforward in the long eighteenth century. It has been the goal of this dissertation to explore how these ideas played out in Britain and the empire and to reveal the range of ways that subjecthood was experienced by Catholic populations.

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