

THE BRITISH–IRISH UNION OF 1801

THE UNION IN A EUROPEAN CONTEXT

By William Doyle

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FOR anyone so improbable as a historian of France to presume to address a conference about a landmark in British and Irish history requires some explanation. It lies in a bizarre twist of professional history which left me, for the best part of twenty years, teaching late eighteenth-century Ireland as a special subject. My research interest, however, has always lain in the *ancien régime* in France.

One of the most striking, fundamental, and – to my mind – exhilarating characteristics of that old order is its sheer institutional variety, that baffling chaos which later revolutionaries tried to replace with something simpler, more rational, and more uniform. My initial subject of research was the parlement of Bordeaux, one of those ‘sovereign’ courts of law which exercised final appellate jurisdiction over part of the king’s realms, and enjoyed certain legislative powers there too, including the right to criticise proposed new laws. The jurisdictional area of this parlement was extensive: scarcely smaller, perhaps, than Ireland. But there were others as big, or bigger, and a number a good deal smaller too. Roughly, it corresponded to the old duchy of Aquitaine, that Plantagenet fief finally reconquered from English rule in the mid-fifteenth century. Those of other provincial parlements corresponded similarly to other formerly independent or semi-independent counties, duchies and even kingdoms (in the case of Navarre) accruing over the centuries to the king of France. And in a number of these there was a further complication not present at Bordeaux. Parlements like those of Languedoc, Brittany or Burgundy shared, or vied for, authority with estates. In these provinces there were representative bodies with powers to grant taxes and loans to the monarch, and to administer various public works.¹ Posterity conventionally thinks of pre-revolutionary France as an absolute monarchy, where rulers did not share their power. Kings habitually claimed as much, and those who later overthrew them found self-justification in

¹The most convenient general survey of these complexities is M. Bordes, *L'Administration provinciale et municipale en France au xviii^e siècle* (Paris, 1972).

accepting their claims, if only for the purpose of triumphant repudiation. But in practice, for both sides, this was more a matter of assertion than objective description. The reality of the *ancien régime* was intense confusion of powers and perpetual overlaps of unequal jurisdiction, in which the king, so far from imposing an unchallengeable authority, was constantly bargaining with his subjects at a number of different levels. And one way of bargaining with subjects, especially new ones, was to grant or confirm on an ad hoc basis the very powers which were later seen to impede royal authority. The parlements of most provinces, or their estates, owed their new or continued existence to ‘capitulations’ or confirmations at the moment when the king of France became their ruler. Nor were these concessions invariably shrouded in the mists of the middle ages. When Lorraine finally fell to Louis XV in 1766, a parlement was almost automatically established at Nancy. Later still, newly annexed Corsica was endowed with a sovereign court (1768) and with estates (1770).

The results were chaotic, inconsistent, and self-contradictory, but this was the institutional *ancien régime*; and for several centuries it worked. Nor (although the term *ancien régime* was invented by the French revolutionaries who destroyed it) was this pattern exclusively French. Early modern Europe was largely made up of what John Elliott has called composite monarchies, built up, and sometimes in turn split up, by a complex process of dynasticism or conquest.² When territories changed rulers, they seldom changed institutions. Only denial of a new ruler’s legitimacy through physical resistance was likely to result on his part in denial of his new subjects’ claims to distinctive treatment and particular privileges, as when Philip V of Spain cancelled the *fueros* of the crown of Aragon in 1707.³ But this was rare. In a Europe where dynastic right was generally acknowledged to be the best entitlement to authority, few subjects felt justified in rejecting the ruler whom God had given them, however apparently random His methods. When they did so, as in the case of the Dutch rebels against Philip II, or indeed the inhabitants of these islands twice in the seventeenth century, it was because religious differences made it less than clear what God had actually intended. But that vast majority who never did contest a change of ruler usually found themselves rewarded by respect for their institutions, including representative ones. At the level of provinces, or sub-kingdoms in composite monarchies, representative bodies were more widespread than is often recognised among observers dazzled by the apparent progress of ‘absolutism’. What they overlook is a complex and infinitely diverse set of public practices, a continent-wide

²J.H. Elliott, ‘A Europe of Composite Monarchies’ *Past and Present*, 137 (1992), 48–71.

³H. Kamen, *The War of Succession in Spain, 1700–17* (London, 1969), 299–307.

institutional *ancien régime*, or what a late seventeenth-century writer described as Europe's 'noble gothic constitution'.⁴

Two hundred years ago, a century after the writer's death, the phrase would have struck instant chords in Belfast. For he was of course William Molyneux, whose *Case of Ireland* of 1698 was one of the sacred texts of Irish legislative independence.⁵ Every educated Irishman would have heard of an author invoked by Henry Grattan in his famous speech celebrating the achievement of legislative independence in 1782. Molyneux's argument (at this point in his text at least) was that Ireland's separate legislature, with its independent powers under the Crown, was an example of a 'universal' pattern in Europe of parliamentary government, a pattern which he thought should be preserved '*Sacred and Inviolable*' wherever it was found. Ireland, then – although Molyneux could not have conceived of a term invented only 90 years after his death – was a typical enough specimen of a Europe-wide *ancien régime*.

Over the past fifteen years or so there has been extensive discussion of the idea launched by Jonathan Clark that there was an English *ancien régime* which came to an end between 1828 and 1832.⁶ But it was largely about England alone that Clark advanced the idea, and the key to his conception of an *ancien régime* state was that it was 'confessional', the central characteristic being a politico-religious exclusivism. This was certainly typical enough of eighteenth-century European states; but it should be remembered that by then England was no longer a state in itself. It was part of a wider composite monarchy under the British crown; and this made it not less but even more typically an *ancien régime* entity. In statutory legal terms from 1707 England did not exist at all, although Englishmen, as they always have, tended to use the word to include everybody else on the island of Great Britain. Technically, after the Act of Union, the former England was merely South Britain.⁷ And North Britain, if it gave up its separate parliament for a share of the representation at Westminster, retained its own legal system, a distinct religious establishment, and a whole host of other peculiar institutions which had remained unaltered, just as England's had, when dynastic fate brought the two crowns onto a single head in 1603. It is true that Scotland's distinct institutions survived as the result of a treaty between jurisdictionally equal partners, whereas under a continental monarch they would have figured as a confirmation of privileges. They remained

⁴J.G. Simms, *William Molyneux of Dublin, 1656–1698* (Dublin, 1982), 108.

⁵W. Molyneux, *The Case of Ireland's being bound by acts of parliament in England, stated* (Dublin, 1698).

⁶J.C.D. Clark, *English Society 1688–1832* (Cambridge, 1985).

⁷Although not enshrined in the Act of Union, the terms North and South Britain were regularly employed in eighteenth-century Acts of Parliament.

privileges all the same, in the sense of an entitlement to special, separate treatment that conferred advantages.

The material value of those advantages for Scotland become obvious soon enough, and it was foreseen from the start by Irish observers. Molyneux was dead by the time the crisis broke which precipitated the Act of Union of 1707; but in a passage dropped from the 1782 edition of the *Case of Ireland*, he spoke wistfully of a legislative union with England as the best of all solutions for Ireland, but one which was ‘an happiness we can hardly hope for’.⁸ As it became clear under Queen Anne that a union between England and Scotland was likely to happen, the Irish parliament itself began to petition for inclusion in it, and went on doing so for some time after the Scottish union became a reality.⁹ But Scotland had blackmailed England in a way that Protestant Ireland as represented in the Dublin parliament never could, by threatening to restore the Stuarts. It was only when, almost a century later, an even more alarming threat of independence came from across the water that the rulers of Great Britain were prepared to contemplate a widening of the union to include Ireland.

And meanwhile the Irish parliament carried on, a legislative body representing a substantial part of the king’s dominions, the separate realm of Ireland. Was it so different, in the British composite monarchy, from, say, the Hungarian Diet under the Habsburgs, or the parliament of Sicily under the Neapolitan Bourbons, or the estates of Cleves and Mark under the Hohenzollerns, or the estates of French *pays d’états* like Languedoc or Brittany? It was often enough compared, in the 1760s and 1770s, and many a time since by historians right down to Roy Foster, to the colonial legislatures of North America.¹⁰ But unlike them it was practically coeval in age with the English parliament, and by Molyneux’s day there was an extensive mythology, upon which he liberally drew, about its origins and early powers and development.¹¹ Similar cherished myths shrouded the origins of other European legislatures. In Poland and Hungary, they traced the freedom which they claimed to symbolise to conquerors, Sarmatians or Magyars, who by virtue of their conquests enjoyed a monopoly of representation and alone had the right to speak for all the inhabitants of their territories.¹² Molyneux explicitly invoked the Polish comparison, perhaps more appositely than he consciously intended, for throughout most of its

⁸ Simms, *Molyneux*, 106.

⁹ W.E.H. Lecky, *A History of Ireland in the Eighteenth Century*, 5 vols., London 1902) 1, 443–4.

¹⁰ R.E.F. Foster, *Modern Ireland 1600–1922* (London, 1988) ch. 8.

¹¹ Simms, *Molyneux*, 104–6.

¹² R. Butterwick, *Poland’s Last King and English Culture* (Oxford, 1998), 26–7. H. Marczali, *Hungary in the Eighteenth Century* (Cambridge, 1910) 102–6.

history down to 1793 the Irish parliament, too, was happy to represent only a minority which owed its power to conquest, English-speaking exclusively from the start, and Protestant exclusively for all but the briefest periods throughout the seventeenth and eighteenth centuries. In real, though not strictly jurisdictional terms, the Polish comparison could be pushed even further, since for most of the eighteenth century the Polish–Lithuanian Commonwealth was in effect a Russian substate, and the real ruler not the elected monarch, but the Russian ambassador. In Polish historiography the period from 1773 to 1788 is known as the proconsulate – a term not far removed from viceroyalty¹³...

There are other contemporary parallels. It has often been pointed out, for example, that there was little that modern eyes would regard as representative in the way members of so-called representative bodies were chosen under the *ancien régime*.¹⁴ Where elections took place, as in Poland or Sweden, they were seldom open contests, and were dominated by magnate influence. Would it be fair to say anything else of Ireland? Notoriously, no general election at all took place between 1727 and 1761. Many Irish seats were in effect the private property of noble patrons, and all members of the upper house sat, like many members of continental estates, by right of office. None of this was identical to any other legislature, even Westminster. If Dublin undeniably mirrored Westminster, the mirror was a distorting one. But the whole essence of the institutional *ancien régime* was that nothing *was* quite like anything else. Everything was, in a legal sense, particular and peculiar, and the Irish parliament did not differ more from, say, the estates of Brittany than they in turn differed from the assembly of communities of Provence. Some French provincial estates sat annually, others biennially just like the Irish parliament. They had intermediary commissions to see that their business got done when they were not sitting, which it is surely not altogether fanciful to compare to the Lords Justices who administered Ireland between parliaments before the viceroyalty of Townshend. In France, as in Ireland, the sitting of a provincial legislature required the presence of the king's representative, the governor, who would open the proceedings in the sovereign's name. One of his duties was to see that business was smoothly managed, and he needed reliable managers for that – what in Ireland were called undertakers. These systems seldom malfunctioned in France. And in Ireland, until Townshend's attack on the undertakers after 1768, there

¹³King Stanislas Poniatowski himself described Stackelberg, the Russian ambassador, as 'the proconsul': S. Goryainov *et al.* (eds.), *Mémoires du roi Stanislas – Auguste Poniatowski* (St Petersburg/Leningrad, 1914–1924), II, 298. I am grateful to Richard Butterwick for this reference.

¹⁴R.R. Palmer, *The Age of the Democratic Revolution 1769–1800* (2 vols., Princeton, 1959–64), I, chs. 2–4.

were only two serious parliamentary crises in the eighteenth century – Wood’s Halfpence in the 1720s and the Money Bill furore in the 1750s. It was a record a good deal less turbulent than that of the estates of Brittany, for instance, or the Hungarian Diet.

In point of powers, continental parallels were even closer. The prime function of all those representative institutions was to authorise taxation by giving a semblance of consent from those who had to pay it. By the eighteenth century (appearances in the Money Bill crisis to the contrary) the days of refusing supply were long gone. The king’s ministers decided what they needed, and secured it by a process of backroom bargaining with the local power-brokers before any formal proposal reached the floor. And who were those power-brokers? Office-holders and prelates, who were rewarded for their co-operation with patronage. These words, apart from the irresistible reference to the Money Bill, have been carefully chosen; they could apply equally well to the parliament of Ireland, or to the estates of Languedoc. Both raised their revenue from a specific pattern of fiscality, quite distinct from that falling on most of the king’s other subjects: in Ireland there was no land tax; in Languedoc the *taille*, the basic direct tax, fell on land rather than on persons. Both legislatures made themselves responsible for an extensive range of public works, such as roads and canals. Both took a special interest in excluding religious dissidents from any power or influence within their jurisdiction, for, in both, religious civil war was something within living memory.¹⁵ What neither did, and no comparable body elsewhere tried to do either, was to challenge the king’s right to make general policy for all his dominions. In Ireland Poyning’s Law made sure of that, reinforced from 1720 by the Sixth of George I – even if most of the English statutes applicable to Ireland between then and 1782 were quite uncontentious.¹⁶ The occasion for that notorious Act had actually been jurisdictional rather than legislative, to establish the overriding appellate authority of the British House of Lords over all the king’s dominions. The French comparison here is more aptly with the parlements, whose ‘sovereign’ authority was theoretically final in their areas but who found themselves struggling constantly against the ‘evocation’ of sensitive cases to the Privy Council.¹⁷

In yet another area of the Irish parliaments’ competence, there is an obvious comparison with the estates of the Habsburg hereditary

¹⁵Languedoc was the centre of French Protestantism, and the *guerre des Camisards*, in which some of the Protestant rebels invoked William III as their potential saviour, lasted from 1702 to 1705. See E. Le Roy Ladurie, *Les Paysans de Languedoc* (2 vols., Paris, 1966), II, 619.

¹⁶G. O’Brien, *Anglo-Irish Politics in the Age of Grattan and Pitt* (Dublin, 1987), 31–2.

¹⁷See M. Antoine, *Le Conseil du Roi sous le règne de Louis XV* (Paris–Geneva, 1970), 292–6, 515–18.

dominions. This was in raising troops, and paying for their upkeep. The crisis of the European *ancien régime*, out of which the age of revolution was born, began when states of military ambition sought to expand their capacities and find new ways of paying for it. The first power to confront this problem was the House of Habsburg, which in the aftermath of the loss of Silesia in the Austrian Succession War sought to upgrade and expand its armed forces by removing their financing and recruitment from the control of the various provincial estates. It dressed this up as a boon to them, demanding in return a ten-year 'recess' in which the estates surrendered their freedom to grant taxes. Those contesting this dubious bargain had it forced upon them by an assumed 'royal right'.¹⁸ The British state in its turn felt the need for enhanced military readiness, this time to defend its gains from the Seven Years War. This was the purpose of George Grenville's ill-fated Stamp Tax of 1763, which inaugurated the movement towards American independence. It was also the brief given to Townshend when he became Lord-Lieutenant of Ireland in 1767. He was instructed to carry an increase of troops on the Irish establishment from 12,000 to 15,000; and he forced it through, if not by some royal right, at least by a ruthless resumption of royal patronage that rewrote the ground rules of Irish parliamentary politics and paved the way for the struggles of 1778–82.¹⁹

With those struggles we enter the age of revolution proper, which culminated for Ireland in the loss of the representative institutions which so far this paper has been attempting to set in a structural context. What now about the developments which brought the Irish parliament to such a momentous end in 1800–1? Were they *sui generis*, or can they be seen as part of wider processes affecting *ancien régime* states in general? The most immediately striking aspect of the history of the Irish parliament between 1767 and 1801 is surely the way that its extinction followed a quarter of a century in which its power and independence had seemingly grown. There are certain parallels for this. Poland again offers one of the most obvious. In 1788, with the Russian power distracted by a Turkish war, the Polish legislature, the *sejm*, began a four-year session in which Russian tutelage was thrown off, and a new constitution adopted on 3 May 1791 designed to secure Polish autonomy.²⁰ All this built on a generation of vigorous national consciousness-raising since the partition of 1772.²¹ In Ireland the so-

¹⁸ P.G.M. Dickson, *Finance and Government under Maria Theresia 1740–1780* (2 vols., Oxford, 1987), I, chs. 10–11; II, 1–35.

¹⁹ T.W. Bartlett, 'The augmentation of the army in Ireland, 1767–1769', *English Historical Review*, xcvi (1981), 540–59.

²⁰ D. Stone, *Polish Politics and National Reform 1775–1788* (Boulder, Col., 1976).

²¹ Butterwick, *Poland's Last King*, ch. 7.

called constitution of 6 April 1782 was equally the culmination of a generation of patriotic rhetoric at a time when the dominant power was weakened and distracted by foreign war.

What happened in Poland was all too dangerous in a Europe threatened by the French Revolution. Attempts to curb it by the surrounding powers, indeed, led to a national rebellion in 1794 which acknowledged the inspiration of the French Revolution, and vainly appealed to Paris for help.²² It was put down, largely by the Russians, with appalling slaughter, and in the aftermath the *sejm* was compelled to vote itself out of existence and Poland disappeared as a distinct entity from the map of Europe. The Commonwealth's separate existence, and its peculiar institutions, had simply become more trouble than they were worth. An independent Poland, controlled in fact from St. Petersburg but handling its own internal affairs through the representative institution of its social elite, had seemed since the days of Peter the Great the best way to ensure the stability of Eastern Europe. By the 1790s, however, it was repeatedly endangering that stability, and flirting too with a movement – the French Revolution – which challenged the legitimacy of all established authorities. A lot of this ought to sound familiar. As in the comparison made earlier with Languedoc, only a word or two needs to be changed to make this a description of what happened in Ireland. Authority devolved to a local aristocracy, and its representative assembly, eventually provoked more trouble than it had first been tolerated in order to dispel. In both cases the struggle against the French Revolution exacerbated matters. Eventually the threatened power only felt safe in absorbing these troubled dependencies into a system of more direct control.

In both cases, too, there was an outcry; because this absorption ran against what those who witnessed or experienced it had been educated to expect. The effect of the age of revolution, for all its rhetoric, was to destroy representative institutions wholesale, not consolidate them – but the expectations out of which it developed were quite the opposite. The roots of late-eighteenth-century revolutions can be found in mid-century 'patriotism' – the sentiment that a country was being ill-served by its existing, established, form of government (or at least those who were running it) and that the solution lay in making institutions more representative of those with the true interests of the country at heart. There was nothing unique about the Irish self-styled patriots who opposed undertaker or castle influence in parliament, demanded an Irish habeas corpus and Militia Bill, sought regular general elections, and denounced Poyning's Law or the Sixth of George I. When the Americans rebelled, Irish patriots saw instant parallels between colonists

²² B. Lesnodorski, *Les Jacobins polonais* (Paris, 1965).

protesting at being taxed without representation under the British crown, and their own subordinate situation. But there were plenty of continental parallels, too. In addition to the Poles, there were Dutch patriots who denounced oligarchy and the ambitions of the Prince of Orange,²³ Belgian patriots who resisted the rationalising despotism of Joseph II,²⁴ Hungarian patriots outraged by the same monarch's refusal to acknowledge their peculiar institutions and privileges,²⁵ or French opponents of Louis XV's attempts to remodel and silence the parliaments, who called themselves patriots eighteen years before the term became synonymous in France with revolutionary.²⁶ Nor were Irish patriots unique in their readiness to take up arms in furtherance of their convictions. The Volunteers had counterparts in the Dutch Free Corps, the Belgian *Pro Aris et Focis* militias (this motto was adopted by some Volunteer companies),²⁷ and most spectacularly in the French National Guard of 1789.

The Irish patriots believed, perhaps justifiably, that their activity, once they became an armed mass movement among Protestants, had brought about British agreement first to 'free trade', then to the repeal of Poyning's Law and the Sixth of George I, which made Ireland a notionally equal partner to Great Britain under the crown of George III. But was what made Pitt (whose ministry was almost co-terminous with Grattan's Parliament) prepared to tolerate Irish legislative independence perhaps a genuine receptivity to the potential of devolved representation?²⁸ If he was indeed open to such possibilities, he was certainly not alone in Europe. Necker, the ministerial miracle-worker who had paid for French involvement in the American War of Independence without new direct taxes, was a professed believer in the representation of taxpayers in the processes of government. In 1778 he had introduced two provincial assemblies in areas hitherto without estates and was projecting a third when he fell from power in 1781. He was proud of their achievements, and did not cease to trumpet them through his well-oiled publicity machine in subsequent years.²⁹ In 1787 Calonne, whose reform plan precipitated the pre-revolutionary crisis,

²³The classic survey is in chs. 3 and 4 of S. Schama, *Patriots and Liberators. Revolution in the Netherlands, 1780-1813* (London, 1977).

²⁴J. Polasky, *Revolution in Brussels 1787-1793* (Brussels, 1986).

²⁵B.K. Kiraly, *Hungary in the Later Eighteenth Century* (New York, 1969).

²⁶D. Echeverria, *The Maupeou Revolution. A Study in the History of Libertarianism. France, 1770-1774* (Baton Rouge, La., 1985), 37-122.

²⁷In the Ulster Museum there are buttons from Volunteer tunics with these words inscribed.

²⁸O'Brien, *Anglo-Irish Politics*, 166.

²⁹R.D. Harris, *Necker, Reform Statesman of the Ancien Regime* (Berkeley, Los Angeles, London, 1979) 176-91. See also M. Léonce de Lavergne, *Les Assemblées provinciales sous Louis XVI* (Paris, 1879), *passim*.

proposed the generalisation of such provincial assemblies. Several of them actually sat and began work under his successor Brienne.³⁰ But from the start it was feared that such assemblies, which, despite their names, did not sit in historic provinces but in generalities (the administrative districts of the agents of absolute monarchy, the intendants) would be bodies of stooges, with neither the power nor the courage to resist the demands of authority. Since mid-century, in fact, there had been growing support for an alternative representative model – the generalisation of provincial estates. Some parlements in provinces which had lost them had begun to call for their restoration from the 1750s onwards, and others joined them once Louis XVI was on the throne.³¹ These demands were reinforced when Corsica was given new estates, and existing ones such as those of Languedoc or Brittany managed to increase their powers in various ways over the same years.³² The pre-revolutionary crisis brought the movement to a head when Brienne capitulated to the demands of two provinces to be represented by estates rather than by his projected assemblies. Provence was allowed the full form of its old estates, last assembled in 1639. Dauphiné was granted the first assembly of any kind since 1628. And once these concessions were made, the movement snowballed, and every province was soon clamouring for its own estates, whether or not it had enjoyed them historically. Not only that. Many of them based their claims in the rhetoric of distinct national identity. The Dauphinois, whose example did most to inspire this movement, started calling themselves the Dauphinois ‘nation’, it came as no problem to the Bretons to call themselves a nation, and soon less probable areas were claiming nationhood. The first important thing ever written by Robespierre, which doubtless he was happy enough soon to forget, was a pamphlet addressed *A la Nation artésienne*, about the form to be taken by restored estates in Artois.³³

In the event, all this came to nothing. Once Louis XVI conceded that the Estates-General, themselves defunct since 1614, would meet in 1789, attention throughout his realms became concentrated on them, and the form they should take. Although there was a widespread conviction, especially among the nobility, that the deputies to the Estates-General should be chosen by provincial estates, that was only allowed to happen in the case of Dauphiné, Béarn and Navarre. The

³⁰ P.M. Jones, *Reform and Revolution in France. The Politics of Transition, 1774–1791* (Cambridge, 1995), 139–56.

³¹ W. Doyle, *The Parlement of Bordeaux and the end of the Old Regime 1771–1790* (London 1974), 227.

³² Jones, *Reform and Revolution*, 37–8.

³³ J.P. Jessenne, G. Derégnaucourt, J.P. Hirsch, H. Leuwers (eds.), *Robespierre: de la Nation artésienne à la République at aux Nations* (Lille, 1994), 73–104.

decision of December 1788 to opt for other methods stopped the movement for revived provincial estates dead in its tracks; and despite considerable continued support for them in the *cahiers* of the following spring, it was an idea that the National Assembly showed no interest in when it embarked later in 1789 on its reform of French administration. It is true that the constitution of 1791 enshrined a considerable measure of devolution, but it was of a standard, uniform sort which took no account of historic provinces and their privileges. In any case, it did not last. The 'Jacobin' pattern of representation bequeathed to France by the Revolution was to be posited on a nation 'one and indivisible', whose only legitimate representatives sat in a single national legislature, directly elected. It is a pattern that has only begun to be diluted under the regional devolution set in train since the 1960s by the Fifth Republic.

It was to such a Jacobin regime that the desperate Polish patriots appealed for help in 1794, seeing in its aspirations a parallel to their own doomed constitution of 3 May 1791. The heirs to the Dutch patriots, whose hopes had been snuffed out by Prussian invasion in 1787, also worked after their emancipation by the French in 1795 to give the new Batavian Republic a French style unitary representative constitution quite distinct from that of the old loosely federal United Provinces. And that was certainly the aspiration of the United Irishmen after 1795 – help from the French to establish in Ireland an independent legislature for a republic one and certainly indivisible. What they most emphatically did not want, having begun themselves in 1791 as a movement for parliamentary reform, was the Irish parliament – as constituted at any time in its history, remote or recent. However much they failed to achieve, they were certainly instrumental in securing this end, at least.

Other papers at this conference have explored the precise way in which the Irish parliament met its end, and the local implications for the conduct of British and Irish public life. The purpose of this paper is to try to see the Union from a much greater distance, and in a much wider setting. The key must lie in the French Revolution. Part of its origin lay in a desire for greater representation in government through devolution, that same desire which fuelled Irish demands for greater autonomy under the British crown. And if this aspect of the Revolution's origins is now largely forgotten, it is because for a complex set of reasons the settlement which emerged was committed to a single, centralised form of representation. That commitment entailed the abandonment of the rich and varied luxuriance of *ancien régime* institutions, including parlements and provincial estates. They were now seen as more likely to impede than to promote the legitimate activity of government. The behaviour of the Irish parliament, both before and after 1782, confronted George III's ministers with the same conundrum.

Even as they made concession to patriot demands on free trade or legislative independence, both Lord North and Shelburne's Whigs pondered whether Ireland might not be more easily governable under 'an union'.³⁴ Pitt was more agnostic. He thought legislative independence could be made to work, given the right reforms,³⁵ but what finally made such reforms impossible, again, was the revolution in France, in the manifold ways in which it impacted upon the Irish body politic.

Above all, the revolution helped to revive the Catholic question. The one area for comparison with the continent scarcely touched upon so far is the religious one, and this is because there was no true continental parallel to a legislative assembly which only represented a religious minority. Even in Languedoc, where sectarian antagonism was as strong as in Ireland, the oppressed Protestants were only in a majority in a few districts. Even so, what the French revolutionaries did to give Protestants civil and political equality³⁶ was instrumental in reviving the question of Catholic equality in Ireland; both by highlighting the intrinsic injustice of anything else, and by showing that Catholics in power were not natural oppressors.³⁷ And then, when the new regime in France began to quarrel with the Catholic Church, the prospect opened up in the British body politic, for the first time since the Reformation,³⁸ that Catholicism under the British Crown might be turned into a fund of loyalty rather than potential treason. Accordingly, the years between 1791 and 1793 became, as it were, a race between the United Irishmen and the British government to capture the support of the Catholics of Ireland. The Dublin parliament found itself sidelined, even though it would have to bear any immediate consequences. It was now that the term *Ascendancy* was first coined – rather like the term *ancien régime* in France – to describe an order assumed to be on the verge of extinction.³⁹

Yet the encounter with the French Revolution was to produce a further twist. When the French invasion of the Austrian Netherlands pitched Great Britain into war, reform of any sort was put on hold.

³⁴ G.C. Bolton, *The Passing of the Irish Act of Union. A Study in Parliamentary Politics* (Oxford, 1966), 6–7; O'Brien, *Anglo-Irish Politics*, 50.

³⁵ O'Brien, *Anglo-Irish Politics*, ch. 6.

³⁶ See B.C. Poland, *French Protestantism and the French Revolution. A Study in Church and State, Thought and Religion, 1685–1815* (Princeton, 1957), *passim*.

³⁷ T.W. Bartlett, *The Fall and Rise of the Irish Nation. The Catholic Question 1690–1830* (Dublin, 1992), chs. 8 and 9; D. Keogh, 'The French Disease', *The Catholic Church and Irish Radicalism 1790–1800* (Dublin, 1997).

³⁸ In Europe at least; the same strategy had of course underlain the Quebec Act of 1774, itself passed to reinforce the loyalty of Catholic French Canadians at a time when Protestant subjects of the king were on the verge of rebellion in the thirteen colonies.

³⁹ Bartlett, *Fall and Rise*, 151.

This gave the Irish parliament a last chance to prove its value in what had always been its primary function from the perspective of London, which was to keep Ireland under control in the British interest. It failed. Within five years its ineffectual intransigence had helped to provoke a rebellion, largely among the very Catholics whom Pitt had hoped to turn into a bulwark of resistance to the menace from France. Instead, driven to desperation by the savage though supposedly pre-emptive tactics of the Ascendancy's executive, Catholics positively begged the French to intervene as their ancestors had a century earlier. And, even though the French response was poor compared with that sent by Louis XIV to support James II, the Ascendancy could not cope with it. It had to be rescued from General Humbert and his peasant auxiliaries by money and troops from across the water. Parliament, meanwhile, now boycotted even by the very Whigs and patriots who had previously trumpeted its independent pretensions, had lost all relevance to what was happening in Ireland.

And so the French revolutionaries, who destroyed the institutional *ancien régime* first in their own country, and then wherever else they went, were also instrumental in destroying it even where they did *not* go – or at least not in significant numbers. In his classic analysis of *The Ancien Régime and the Revolution*, Tocqueville argued that the historic mission of the French Revolution was to destroy the remaining obstacles to the power of the centralised state. More recently this perception has been reformulated by Tim Blanning into the proposition that the Revolution liberated not so much the people as the state.⁴⁰ But once that had been done in France, and the energies thus released channelled into war against all major powers of Europe, sooner or later those powers, if they were to survive, had to liberate themselves in the same way from the shackles of their own *ancien régime* structures. Napoleon, the Revolution's heir, was defeated in the end not by the *ancien régime* – which he completed the Revolution's work by destroying outside France as well as within – but by states reformed and remodelled along parallel lines. The great exception to this generalisation is supposed to have been Great Britain, secure and untouched beyond its natural moat. From an anglocentric perspective I suppose that it is just about sustainable – although even here the extent of administrative reform during those supposedly frozen years has often been underestimated.⁴¹ And this is to overlook the elimination of the most glaring of *ancien régime* aspects of the British state, the separate sub-kingdom of Ireland

⁴⁰T.C.W. Blanning, *The Origins of the French Revolutionary Wars* (London, 1986), 211.

⁴¹See P. Harling, *The Waning of 'Old Corruption': The Politics of Economical Reform in Britain, 1779–1846* (Oxford, 1996), 104–6, 261–2.

and its distinct legislature, Britain's Achilles heel in its life-or-death struggle with the sworn enemy of all *ancien régime* institutions. Whether that elimination strengthened the British body politic for any other purpose that the defeat of France is, of course, a very different question.