

Edmund Burke and Daniel O’Connell: Contrasting Champions of Catholic Emancipation

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Both Edmund Burke and Daniel O’Connell were rooted in the defeated or oppressed Irish Catholic population, who still bore the brunt of the Penal Law regime and directed their major energies to combating it.

Burke is best known as a conservative who condemned the French Revolution and the ideologists who inspired and supported it whether in France or elsewhere.

In contrast, O’Connell, born almost a half century after Burke, began his public career after Burke’s death and was a liberal, even radical, pioneer of mass democratic politics. Although he had to flee revolutionary France where he and his brother had gone to study, he was not deterred during his subsequent legal studies in London from reading with enthusiasm many of the very writers whose views were contrary to Burke’s, such as Thomas Paine, Voltaire, and Mary Wollstonecraft. But he was especially influenced by William Godwin who wanted do away with institutions like marriage, organized religion, private property, and monarchy in the pursuit of human perfectibility. However, counting on the power of reason to achieve his aims, he was opposed to violence, which might explain O’Connell’s own persistent adherence to non-violence in his employment of the techniques of mass democratic politics.

Born in Dublin, Burke and his brothers were members of the Established Church because their father had conformed in order to practice law. Their mother, a cousin of Nano Nagle, and their sister were Catholics. Much of his youth was spent in a Catholic atmosphere with his mother’s relatives in Cork, receiving primary education in a hedge school. His secondary education was at a Quaker rather than an Establishment school, although he subsequently studied at Trinity (his statute stands outside its main gate).

Burke’s conformity was hardly a serious commitment. It was similar to that of O’Connell’s relations, as it covered the maintenance of land holdings by Catholic kin otherwise inhibited from such by the Penal Laws. Burke never went through a phase of religious scepticism, unlike O’Connell who did not recover the Catholic faith lost as a student in London until sometime after his marriage.

After Trinity, Burke went to England to study law at the Middle Temple. But he abandoned that to turn to literature and began editing the *Annual Register*, a yearly political dictionary or encyclopaedia of the time. In 1757 he married Mary Nugent, a Catholic and the daughter of a physician.

From 1761 to 1764 Burke was back in Ireland as secretary to William Gerard Hamilton, the Chief Secretary for Ireland. At the time of the Whiteboy disturbances, Burke suggested a public inquiry as to the cause of the disorders, instead of the imposition of strong anti-Papist measures. That inquiry attributed the disturbances not to “disaffection to His Majesty, his government, or the laws in general”, but to bad economic conditions.

At that time Burke began work on one of the best indictments of the penal system, his posthumously published, *Tract on the Popery Laws*. His analysis makes the penal system appear comparable to modern totalitarian atrocities. He saw the system directed against two-

thirds of the population of Ireland as “*a law against the people itself, ...not particular injustice, but general oppression*”.

Returning to England, Burke became private secretary to the Marquis of Rockingham, and a member of parliament for Wendover. He served in Rockingham’s short-lived ministry in 1765, and for the next sixteen years loyally supported his leadership of the Whig opposition. The Whigs wanted to preserve in Britain the gains of the Glorious Revolution of 1689, that is, the ascendancy of parliament and the restraint on the power of the monarchy. George III had become king in 1760, and the Whigs feared his ambition, that contrasted with the compliant acceptance of Whig direction by his German-born great grandfather and grandfather.

As a Whig, Burke saw the Glorious Revolution as a victory for political liberty in England, but as a defeat in Ireland where the English government acquiesced to the anti-popery enthusiasm of the minority.

Later within that minority there developed an “Irish Patriotism”. These “Patriots” did not identify with the overwhelming Catholic majority of Ireland, but did seek greater autonomy for the Irish Parliament. They also opposed the use of Ireland as a place for political sinecures for absentees, and a mercantile economic policy that restricted Irish exports, such as wool, that were competitive to English products. Understandably many of these “Irish Patriots”, especially Dissenters or Presbyterians, sympathized with the American rebels, many of whom had Ulster roots.

In the Westminster Parliament Burke opposed the mercantile restrictions on Ireland and supported the complaints of the Americans, but also championed the grievances of the Catholics.

As for the latter, there had been some softening of the enforcement of the Penal Laws as a reward for Irish Catholic indifference to the failed Jacobite attempts in 1719 and 1745 to regain the English throne for the Stuarts, the pretenders James III and Charles Edward. In 1771, Catholics were allowed to lease up to fifty acres of bog for sixty years, so long as it was not within a mile of a city or a market town. In 1774 they could take an oath of loyalty to the crown, but the oath contained rather insulting clauses—renunciations of the claims of the Stuarts to the English throne, of alleged Catholic opinion that heretics could be murdered and that faith need not be kept with them, and of claims of Papal jurisdiction in the realm. If Catholics took the oath they could enlist in the army. Their numbers were needed, especially should France, a recent ally of the Americans, invade England and/or Ireland.

In 1778, George Saville, a political friend of Burke, introduced legislation in the Westminster Parliament that ended some English penal laws. The same year, the Irish parliament passed a Catholic relief act—the first substantial reduction of the Penal Laws. Catholics were allowed to take a 999-year lease on land. Also, a Catholic’s estate need no longer be subdivided among heirs, nor given to an eldest son who turned Protestant.

In 1780 Burke had to give up his seat for the port city of Bristol where he had been elected six years earlier in 1774. Electors were unhappy with his sympathy for free trade for Ireland and for Catholic relief. Subsequently he was returned for Malton.

Burke authored a motion promoting the central Whig message that the influence of the monarchy over the parliament had grown too much, especially through patronage and sinecures, and should be curbed. It passed in parliament. Subsequently and begrudgingly, in early 1782, the King agreed to another Rockingham ministry, in which Burke had a post.

During that second Rockingham ministry, the “Irish Patriot” cause, enhanced by the support of the Irish Volunteers, a militia primarily of Protestants, raised originally to replace regular army units sent to America, achieved its great objective: Henry Grattan’s motion for Irish parliamentary independence passed the Irish Parliament and was accepted by Westminster.

In the same session, the Irish Parliament removed restrictions on Catholic bishops and monks, and allowed Catholics to purchase land and to become schoolmasters. But the next year, the “Irish Volunteers” failed to endorse the franchise for Catholics. The independent Irish Parliament came to reflect Ascendancy sentiment and was ill-disposed to further concessions to Catholics. In addition, its “independence” was limited, as the administration in Ireland, from Lord Lieutenant and Chief Secretary on down were controlled by the British government.

Burke complained to a peer in the Irish House of Lords of the inadequacy of Catholic relief. He objected to the exclusion of Catholics from the professions, particularly the law, and from the franchise for parliament. In his words, the “taking away of a vote is the taking away the shield which the subject has, not only against the oppression of power, but that worst of oppressions, the persecution of private society, and private manners.”

Burke was suspicious of a separatist independent Ireland under Protestant control. Although he considered himself to be more authentically Irish, he preferred the linkage with England as the probable way in which full Catholic Emancipation could be attained.

Rockingham died within a few months after forming a government, although Burke did serve in one of the short lived ministries that followed. Then, in 1784 William Pitt the Younger became first minister at the age of twenty-four and would remain such for two decades. Pitt was not the King’s servant, but his policies were satisfactory to the King.

The revolution in France that began in 1789 inspired a revived radical spirit in Ireland among some Volunteers, especially Ulster religious dissenters. Burke, on the other hand, was quite condemnatory of the Revolution and of those in England and Ireland sympathetic to it. His speeches on the subject brought about an ultimate split between him and other Whigs like Charles James Fox. He supported the Pitt government’s critical policy against France, even encouraging war.

To ward off Jacobin or pro-French sentiment spreading to the Irish Catholics, Pitt advanced further removal of disabilities. The British Government pressured the Irish parliament in 1792 to pass, although unenthusiastically, legislation that removed disabilities on mixed marriages and the remaining restrictions on Catholic education, and opened the legal profession to Catholics. However, they were still denied the franchise.

In 1791 leadership in the Catholic Committee, formed after the earlier failure to get the franchise in 1783, passed from the more conservative Lord Kenmare to middle-class figures like John Keogh and Edward Byrne. Significantly, Burke’s son, Richard, had been the agent for the Committee earlier, but his efforts failed to win sympathy for the Catholic franchise from both Pitt and the Irish Parliament. He was replaced by Theobald Wolfe Tone, the founder of the United Irishmen.

Its denial of franchise to Catholics strengthened Burke’s apprehensions about the Ascendancy dominated Irish Parliament. He continued to champion the franchise for Catholics, but feared the Catholics of Ireland, if continually disappointed, might be drawn into association with the

“Jacobins” among the Dissenters, that is, the United Irishmen, and bring to Ireland the chaos that accompanied the French Revolution.

His pleadings were ultimately effective. In January of 1793, at the behest of the Lord Lieutenant, the Irish Parliament passed legislation giving Catholics the franchise, the right to bear arms, and access to all civil and military posts aside from a few specific exceptions like the Lord Lieutenant, the Lord Chancellor, and the commander-in-chief of the military. All that remained was being admitted to parliament, which would be O’Connell’s achievement.

Of course the real or proportionate presence of Catholics in the legislature and in the public service would have to wait for the gradual electoral reform and extension of the franchise that would not come until the later nineteenth century.

Burke resigned from parliament in 1794 and within a month his son Richard died. However, he still remained close to political developments. Later the same year, Lord Fitzwilliam (Rockingham’s nephew and greatly subject to Burke’s influence) joined the ministry as Viceroy for Ireland. Probably misinterpreting his mandate, Fitzwilliam began to make concessions to the more liberal elements in the Irish parliament, led by Grattan, and to the Catholic Committee, dismissed Ascendancy stalwarts like Fitzgibbon and Beresford from the Irish administration, and agreed to introduce legislation allowing Catholics to be in parliament, or “Catholic Emancipation”. But he was almost immediately recalled. The Ascendancy figures resumed their positions.

The Catholic Committee was outraged. Some members began having contacts with the United Irishmen, who were primarily Ulster Dissenter Protestants. The United Irishmen were also making seemingly contradictory contacts with the primarily peasant Catholic agrarian group, the Defenders, who had a traditionalist and sectarian perspective.

In view of this ominous alliance the government sought to appease Catholics by allowing the establishment and state financing of a Catholic seminary at Maynooth, desired by the Catholic hierarchy in Ireland since seminaries in revolutionary France frequented by Irish aspirants to the priesthood had closed. (The 1792 law had enabled a seminary to open in Carlow, but without public assistance.)

However, when Maynooth was established in June 1795 its trustees included pillars of the ascendancy, such as John Fitzgibbon, the Earl of Clare and Irish Chancellor, scarcely a figure sympathetic to the interests of Catholics. Learning this, Burke was particularly distressed. He repeated arguments he had made much earlier against the government having a veto over the appointment of Catholic bishops or in controlling the education of the priests. He believed *“the constant meddling of the Bishops and the Clergy with the Castle, and of the Castle with them, will infallibly set them ill with their own body”*. He thought the Catholic would be better off to refuse the gift *“than to subject yourselves and your religion to your known and avowed Enemies—who connect their very Interest with your humiliation, and found their own Reputation on the destruction of yours”*.

However, Burke’s apprehension was unwarranted as the Ascendancy trustees were in fact only *pro forma* and never attended any trustee meeting after the very first and, more than likely, were told by Pitt that such was to be their limited role.

The establishment of a distinct Catholic seminary, which Burke had championed as early as 1782, like the other measures he championed—the 1771, 1778, and 1782 reliefs from Penal legislation; admission to the law profession in 1792; and the award of the franchise award in

1793—was one of the foundation pillars for the Catholic Emancipation that O’Connell attained in 1829.

Unfortunately, even before 1795 was over, things turned ominous for Ireland. In September, at the Diamond in Armagh, there was a sectarian clash between Protestant “Peep o’day boys” and Defenders. Soon afterwards the Ascendancy gave its blessing to the formation of a popular Orange Society to defend the settlement of 1689. Also that year the authorities apprehended several United Irishmen, including Wolfe Tone, on charges of sedition. Tone, by confessing, was able to opt for exile in America, where he remained for half a year, before winding up in Paris. His persuasive capabilities resulted in a French fleet arriving at Bantry Bay in December 1796 with 7,000 troops, inhibited from landing only by inclement weather.

Burke feared the Ascendancy was provoking a prospective French supported rebellion. He warned the Catholics not to support such, as that “*Victory would be the utter subversion of human Society itself, of all religion, all Law, all order, all humanity, as well as of all property.*”

Burke died in July 1797, not witnessing the tragic uprising of the following year with the brutal repression and sectarian strife he had worked so hard to spare the Catholics of Ireland.

Pitt ended Irish parliamentary independence with the Act of Union in 1800, expecting it could be followed by Catholic Emancipation. George III’s adamant opposition prevented it from coming about. In time, the Ascendancy, many of whom had originally opposed Union, saw it as the means of maintaining dominance. Many Catholics, especially the bishops, and Daniel O’Connell’s uncle-patron, Maurice, had tended to support the Union in anticipation of Emancipation. But young O’Connell, just beginning his legal career, successfully challenged their view at a Catholic meeting in January 1800 when he insisted:

“if the alternative were offered to him of union, or the re-enactment of the penal code in all its pristine horrors, that he would prefer without hesitation the latter, as the lesser and more sufferable evil; that he would confide in the justice of his brethren, the protestants of Ireland, who have already liberated him, than lay his country at the feet of foreigners,”

This contrasted with Burke’s primary concern with ending the Penal System, even if it meant unification of the two kingdoms.

A decade later O’Connell successfully turned around the willingness of the Catholic hierarchy to accept British Government veto over episcopal appointments, which even the Papacy had endorsed, in return for Catholic Emancipation. While his position on this question was closer to that of Burke, I suspect he was prompted more by nationalist concern about English control of the Irish hierarchy; whereas Burke was more concerned about the loss of popular faith were the hierarchy to be suborned by the Ascendancy.

On the issue of Catholic rights, and ultimately Catholic Emancipation, the essential contrast between Burke and O’Connell is that Burke very effectively championed Catholic rights from inside the pre-democratic political establishment, while O’Connell led a mass movement knocking at the door of that establishment. Fear on the part of that establishment of what might happen if that movement was scorned was a major reason why concessions were given. On the other hand, O’Connell was strong enough a constitutionalist and opponent of violence as to call off the culminating monster meeting in the 1843 campaign for Repeal of the Act of Union when it was prohibited.

O'Connell might also have been reverting to ancestral or genetic conservatism, as would be evidenced by his opposition to Robert Peel's educational proposal for secular colleges or "Godless Colleges" for Ireland, as he insisted he stood for "Old Ireland" rather than "Young Ireland". O'Connell in his later years might match a self-description given in March, 1923 by Kevin O'Higgins of himself and his political allies: "*we were probably the most conservative-minded revolutionaries that ever put through a successful revolution.*"

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