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*Enslaved Revolutionaries: Constitutional Rhetoric of Eighteenth-Century Irish and
American Patriots*

by

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Introduction

In the century before the sun ceased to set on the British Empire, the metropole's attempts to maintain control over other English peoples under the crown created an imperial crisis. As Neil L. York notes, the "failure to work out a plan of empire before England became imperialistic" plagued the early modern British Empire.¹ Imperial control tightened in response to assertions of peripheral rights and in an effort to secure British possessions as the concept of a holistic empire emerged. Claims of autonomy and authority became incompatible within the unstable framework of empire. Following years of escalating tension, the thirteen American colonies crossed the threshold over to armed revolt, declaring a war for independence in 1776. Restrictions placed upon the colonies and failed attempts at a compromise drove American patriots to initiate and execute a republican revolution that redefined their status from subsidiary colonies to independent nation. During this time, Ireland found itself in a unique situation, in an ambiguous status stuck between colony and nation. Desires for greater participation in Britain's mercantilist economy and demand for Ireland's legislative independence led to a revolutionary period orchestrated by an opposition group in the Irish Parliament and facilitated by extra-parliamentary patriots. The "Revolution of 1782" granted the Irish Parliament the sole right to legislate for the people and bestowed upon the country a nationalistic sentiment that would inspire later generations. According to York and the general consensus of the historical community, "The Anglo-Irish elite may have had the ingredients for a revolutionary ideology, but they stopped short of revolution. There they parted company with their revolutionary

¹ Neil Longley York, *Neither Kingdom Nor Nation* (Washington, D.C.: Catholic University of America Press, 1994), 2.

cousins across the Atlantic: ideological similarities were overshadowed by social and geographical differences.”²

This second assertion is assuredly true. The American and Irish patriots initially shared similar goals. Both engaged in a battle over sovereignty that beleaguered the early modern British Empire. The colonies and Ireland supported a reform of imperial arrangements that would allow for greater autonomy for the peripheries and extensive self-legislating. As Irish historian Stephen Small asserts, “At times, very similar arguments were used by both American and Irish Patriots, and they both used identical political terms, such as rights, tyranny, property, liberty, virtue, and corruption in very similar ways.”³ Until the American cause became one of separatist rebellion, both patriot groups essentially argued for the same rights. One should therefore expect that both groups saw a common thread between their situations, even if some pamphleteers exaggerated this commonality.

However, as York maintains, geographical circumstances helped to undercut the possibility for a unified cause. Unsurprising and yet ironic, the sheer distance of the colonies from London created difficulties for consistent and strenuous control of England’s thirteen “children” in ways that it did not for managing its neighboring “sister kingdom.” Notwithstanding restrictions, Ireland had its own central parliament to pass legislation for the country, while the colonies enjoyed only separate colonial legislatures. Nevertheless, these colonial legislatures, York observes, “by their very distance from London, enjoyed more autonomy and therefore a de facto legitimacy denied the Irish Parliament, despite its greater claim to right by law.”⁴ American assemblies could also be more responsive to public opinion, a

² Ibid., 1.

³ Stephen Small, *Political Thought in Ireland 1776-1798* (Oxford: Oxford University Press, 2002), 50.

⁴ York, 247.

situation that the Irish Patriots sought to change for their legislature. Additionally, Irish Lords Lieutenant possessed considerably more power than the royal governors of the colonies, and, due to proximity to England, could afford to assert themselves safely in ways that governors could not. Apart from politics, geography also affected culture. Despite British allegiance and ties remaining high until the American movement became radicalized, the Anglicanization of Ireland was always secure due to the interests of the Anglo-Irish elite. Families intermixed and many landlords were of the absentee sort, spending most of their time on the largest of the British Isles. While both groups claimed rights as “British subjects” and Ireland insisted on its status as a distinct kingdom, many Anglo-Irish elites, the class from which most Irish patriots derived, possessed a greater sense of Englishness than American patriots from the frontier could profess. Cultural ideas and trends were likely to spread more quickly across the Irish Sea than the Atlantic Ocean.

As for each land’s society, class distinctions varied. Although Ireland’s class lines were not rigid, York finds that Irish society was “not as fluid or open as that of the American colonies, which, by virtue of their patterns of settlement, the character of the settlers, and the immensity of the wilderness those settlers set forth to tame, gave rise to a more dynamic culture.”⁵ Republican ideas of independence were more likely to thrive within this cultural dynamism than in the aristocracy of the late eighteenth-century Irish state. The Anglo-Irish elite depended on Britain for protection against both foreign and internal threats. Some scholars have exaggerated the Catholic threat, which faded as the eighteenth century progressed. Yet, landowning Protestants that lead the movement still constituted a small minority whose security of power was not much more stable than the legal status of their country. While, as will be illustrated later, Ireland’s

⁵ Ibid., 248.

constitutional tradition allowed patriots to produce and cultivate a nationalistic sentiment amongst the populace that was very real to them, the social conditions of the “nation” and the dependence on, and penetration of, English ideals was too formidable for a separatist movement to initiate and prevail.

The concluding idea of York’s first statement, namely that the Anglo-Irish elite stopped short of revolution, needs revision. True, the Irish patriots were far from an armed rebellion in 1782 when they demanded legislative independence. The parliamentary Patriots⁶ and even the Volunteer Corps that came to symbolize their military arm never promoted breaking away from the Empire; in fact, the majority of the members in both these groups expressed nothing but a desire to remain solidly a part of the Empire, only with increased autonomy. Nevertheless, to view what the patriots accomplished in the early 1780s as anything less than revolutionary would be remiss. A revolution of ideas needs not bullets. The obvious difference between the American and Irish patriot groups, regardless of rhetorical similarities, is that one revolted and the other stopped after receiving legislative concessions. However, I maintain that just as the American rhetoric as defined by their constitutional interpretation facilitated in the creation of an American national identity, the “Irish constitutional nationalists,” as York delineated them, made use of an evolving constitutional tradition that sparked the beginnings of modern Irish identity before Ireland became a nation. To put the changes of 1782 in perspective, some scholars point to the fact that America broke all ties with Britain after their Revolution and yet the Irish were subsumed back into Britain within less than two decades of their patriots’ efforts. From a

⁶ As will be explained in the later paragraphs about typicality and defining groups, for my purposes Irish “Patriots” refers to the leading party of the Irish Parliament (mostly aristocratic elites). Irish “patriots,” on the other hand, refers to extra-parliamentary advocates writing for Irish rights at the same time. Depending on the context, Irish “patriots” could also mean Irish patriots as a whole, as in when compared to the American patriots. The capitalization distinction is a matter of historical accuracy and clarity and not a reflection of any weighted significance. York’s description of the late eighteenth-century Irish patriots as “constitutional nationalists” will be used in this thesis as well and expounded upon later.

practical sense then, no, in hindsight the short-lived independence of the Irish Parliament did not bring substantial change to the operation of Irish politics and is clearly overshadowed by the Union of 1800. However, as an examination of Irish patriot rhetoric and its comparison to that of the “revolutionary” Americans will illustrate, the Protestant nationalism disseminated by Irish patriots found its roots in ancient constitutionalism and contained enough fervor to establish a legacy for further “revolutionary” movements.

Any historical discussion of sociopolitical groups must engage in an explanation of such groups (and their movements) in hopes of defining their identity and addressing typicality. The patriot groups in either setting were not homogeneous and did not act with resounding consistency. In general terms, for the thirteen colonies the term “patriots” refers to those men, and often silent women, who challenged the authority of the British government during the American Revolution. Through their rhetoric, the American patriots engaged in intellectual battles against the British notion of parliamentary supremacy by demanding the recognition of basic constitutional rights afforded to them by their British birthrights. Central to their rhetoric were the subjects of political “slavery” and national identity. The ranks of such patriots included those from varied religious, ethnic, and socioeconomic backgrounds. Letters from farmers, pamphlets from politicians, and sermons from ministers combined to form an expression of the American patriot mind. In this way, the complexity and diversity of the patriot experience aids in the simplicity of definition. Amongst this body of revolutionaries over the entire period were radicals and reformers, those ahead of their times and those not able to keep up. Reflecting back on years past, John Adams wrote to Thomas Jefferson in 1815 about how to define the Revolution. He exclaimed, “What do we mean by the Revolution? The war? That was no part of the Revolution; it was only an effect and consequence of it. The Revolution was in the minds

of the people, and this was effected, from 1760 to 1775.”⁷ It is during this intellectual “Revolution” that the American patriot rhetoric evolved and prompted the loading of muskets.

The latter half of the eighteenth century was a time of burgeoning growth for Ireland, demographically, economically, and culturally. A group of affluent, Anglo-Irish Protestant elites governed the country and controlled most of the land. Their prominence solidified during the late seventeenth and early eighteenth centuries with the enactment of penal laws against Catholics and the seizure of power.⁸ However, this ruling class slowly started to develop a greater sense of identity separate from that of Englishmen. Within the Irish Parliament, a loosely organized group called the “Patriots” asserted themselves through speeches and began to serve as the political arm of the newly-established sentiment of Irish freedom. These Patriots were an opposition party to the Castle Government, working to secure “free trade” and the quasi-independence of their Parliament from British control through protestations and threats. While the “undertaker system” of ruling Ireland by expensive patronage and favors was fading, corruption permeated and special borough “arrangements” still constituted the central British policy for affecting Irish legislation.⁹ The Patriots would “soon become critical of this position and be accorded support by large sections of the mercantile, professional, and middle classes,” according to Maurice O’Connell.¹⁰

⁷ Quoted in Bernard Bailyn. *The Ideological Origins of the American Revolution* (Cambridge: Belknap Press of Harvard University Press, 1992), 1.

⁸ For in-depth analysis concerning the rise of the Protestant landed class, refer to S. J. Connolly. *Religion, Law and Power: The Making of Protestant Ireland 1660-1760* (New York: Cambridge University Press, 1992).

⁹ The “undertaker system” allowed the Castle Government to preserve control in Ireland by bribing borough representatives with elaborate patronage in exchange for their assistance in establishing and maintaining a strong majority government. Although this system was giving way due to concerns about corruption and improper representation, the Castle was still able to shape Irish bills and alliances through patronage arrangements on a smaller scale.

¹⁰ Maurice O’Connell. *Irish Politics and Social Conflict in the Age of the American Revolution* (Philadelphia: University of Pennsylvania Press, 1965), 20.

Led by the great orator Henry Grattan, these men inspired and made use of extra-parliamentary patriots who published pamphlets and newspaper articles echoing the language of the Patriots' debates. The threat of a possible French invasion during the American Revolution necessitated the formation of proper Irish defense. Ireland's close proximity to England made it an attractive point from which to launch a French attack. Yet, due to depleted funds from the ongoing war, the Castle Government failed to organize a militia. In the face of this situation, numerous military regiments known as Volunteer Corps and comprised mainly of Protestants emerged. These Volunteers saw themselves as protectors of the Irish constitution and passed resolutions aligning with the rhetoric of their parliamentary counterparts. The Volunteers became increasingly politicized and started to draw from mixed social and religious backgrounds. Although the Patriots had encouraged the corps to their intellectual maturation – applauding the Volunteers' more radical arguments, such as reform, in order to rally support for parliamentary independence – many MPs were not ready to go as far as the voice of “the people” suggested. Nevertheless, the Patriots, extra-parliamentary patriots, and Volunteer Corps all produced arguments which can be called “Irish patriot rhetoric” for the purposes of this thesis. As with the American patriots, the rhetoric of Irish patriots and their constitutional grievances also found a central focus in arguments against political “slavery” and allusions to national identity.

Historians have produced extensive research and scholarship on both American and Irish patriots, as well as the eighteenth-century imperial crisis. While I cannot provide systematic coverage of this scholarship's extent, I will note those works that provided significant insight for my particular focus. Starting with the American side, Edmund Morgan's *The Birth of the*

Republic provides a quintessential and short analysis of the American Revolution.¹¹ This work argues that the political ideologies and arguments used by the patriots were not intellectual abstractions, but reflections of real and substantive concerns. Bernard Bailyn's classic *The Ideological Origins of the American Revolution* examines the constitutional and political theories behind the Revolution's arguments. This thesis supports Bailyn's concept that the patriots did not so much desire to transform the social order like the French revolutionaries, but to restore the constitution to the status they deemed correct and to alleviate crippling restrictions against the colonies. Rebellion resulted partly from constitutional traditions preventing reconciliation. John Phillip Reid's *Constitutional History of the American Revolution* also highlights the importance of the inability to reconcile constitutional interpretations in fueling the outbreak of war.¹² Perhaps the most helpful book on the American side for my research is Jack Greene's *Colonies to Nation 1763-1789*.¹³ This documentary collection provided numerous primary sources that contained rhetoric essential to my arguments, as well as useful commentary linking the documents together. Only in brief mentions do any of these sources inspect American patriot rhetoric and its discussion of political "slavery" and national identity. None of these sources seem to make the argument that these aspects of rhetoric were essential to the revolutionary movement, and assertions about their connection to the American constitutional tradition are minimal.

Switching to the Irish side, Maurice O'Connell's *Irish Politics and Social Conflict in the Age of the American Revolution* remains an essential and substantial study of political and social

¹¹ Edmund Morgan, *The Birth of the Republic, 1763-89* (Chicago: University of Chicago Press, 1992).

¹² John Phillip Reid, *Constitutional History of the American Revolution* (Madison: University of Wisconsin Press, 1993).

¹³ Jack Greene, ed., *Colonies to Nation, 1763-1789: A Documentary History of the American Revolution* (New York: W. W. Norton & Company, 1975), 88.

change in Ireland in the years concurrent to and following the American Revolution. This work draws extensively from the Dublin newspapers and provided inspiration for me to investigate these. Since much of my primary source material was found in the capital's press, this book was invaluable. Although O'Connell recognizes that the Irish were obviously not a unified group at this time and that the Revolution of 1782 was limited, he describes this period in Irish history as "the most progressive era in eighteenth-century Ireland."¹⁴ Additionally, O'Connell argues that the Irish "parliamentary opposition to British control . . . is generally regarded by Irish historians as the embryo of Irish nationalism."¹⁵ I strongly agree with his statement about the patriots' arguments constituting an embryonic beginning of Irish nationalist thought and find a hesitation among scholars to attribute great influence to the Protestant elites due to their contradictions and failure to address social inequalities. Perhaps this elite's inaction was based upon indifference. Nevertheless, I believe it is important to recognize the significance of what the Irish patriots were indeed saying. Next, Stephen Small's *Political Thought in Ireland* covers the intellectual history of Irish patriots from 1776 to 1798. I made use of this work extensively in my research and writing, due to its focus on theoretical frameworks for classifying Irish rhetoric. I fully support his notion that "the efficacy of Patriot rhetoric depended on a context of political upheaval and reformist activity throughout the British Empire."¹⁶ On February 15, 1782, the Ulster Volunteers met at the Dungannon Convention and drew up resolutions that demonstrated their formidable resolve. However, as Small and other scholars demonstrate, Grattan's motion did not pass until North's government fell and the Rockingham Whigs, who had promised Patriot

¹⁴ O'Connell, 394.

¹⁵ *Ibid.*, 21.

¹⁶ Small, 112.

parliamentarians they would deliver concessions, formed a new ministry.¹⁷ Small also provides a cogent discussion of ancient constitutionalism's effect on Irish rhetoric.¹⁸ However, he is insistent on making a rigid distinction between eighteenth-century Patriotism and nineteenth-century nationalism.¹⁹ While it is true that these were different concepts, Small refuses to see the linear path of Irish nationalist thought. I believe that although the Anglo-Irish elites never wanted to break away from the empire, their rhetoric contained elements of nationalism similar to that of the American patriots and constituted an impetus for the expansion of anti-British, Irish nationalism over the next two centuries.

Some works that focus on the crisis of empire or the transatlantic world provide analysis, often comparative, of both the American and Irish situation in a broader context. Jack Greene's, *Peripheries and Center*, examines conflicting constitutional interpretations in the Empire and the problems arising from such clashes of authority and autonomy. This theoretical work argues that an imperial consciousness emerged for those in the peripheries. New awareness caused colonists and all others living in British dominions to examine their position using an imperial constitution. This customary constitution saw sovereignty resided "not in an all-powerful Parliament but in the crown, the power of which had been considerably reduced over the previous century" due to assertions of self-determination by periphery legislatures.²⁰ The Irish and the Americans, no doubt, shared this view of sovereignty on a simplistic level. However, while they made similar arguments, one must remember that the patriot groups were in quite

¹⁷ Jack Greene, *Peripheries and Center* (Athens: University of Georgia Press, 1986), 208. Greene adds the disastrous results of the American Revolution as further reasons for Irish success.

¹⁸ For a further examination of ancient constitutionalism, see Colin Kidd, *British Identities Before Nationalism* (Cambridge: Cambridge University Press, 2008) and Neil York's *Neither Kingdom Nor Nation*.

¹⁹ Small, 31.

²⁰ Greene, *Peripheries and Center*, 145.

different situations and each had a very distinct view of the constitution, what it afforded them, and most importantly for this thesis, why it did so.

As can be seen by the sampling of sources mentioned above, a great deal of scholarship examines American and Irish patriots separately. Comparative analysis of the two patriot groups often appears in small sections or chapters of larger works. However, to my knowledge no major book devotes itself entirely to the subject. Some dissertations deal with the subject directly, such as Raymond J. Barrett's "A Comparative Study of Imperial Constitutional Theory in Ireland and American in the Age of the American Revolution."²¹ Perhaps in danger of diminishing the importance of my thesis, he writes "that the obvious similarity in regard to the British Parliament of Ireland and the American Colonies 'may, perhaps, have exerted an undue fascination for historians.'"²² While no evidence exists that the Irish patriots or their military arm, the Volunteers, ever seriously sought to rebel against the British with the goal of independence, the importance of a comparison to the Americans cannot be denied. Irish and American patriots, surprisingly English and yet surprisingly anti-English at the same time, constituted a serious threat to the stability of the early modern British Empire, one threat being fully realized. Their constitutional interpretations and traditions perpetuated through the centuries, becoming increasingly in conflict with the dominant view in London. Although also defined by social movements, articulations of political "slavery" and national identity relied heavily on each patriot group's theory of to what their status entitled them. These interpretations are not simply deconstructed abstractions for historians to argue over. They combined with theories of national rights to constitute the basis of arguments for improved conditions. While legally they were not

²¹ Raymond J. Barrett, "A Comparative Study of Imperial Constitutional Theory in Ireland and American in the Age of the American Revolution" (PhD diss., University College, Dublin, 1958).²¹

²² As quoted in O'Connell, 396.

“correct” views of the British constitution, for most patriots and their followers, they were undoubtedly accurate and became the basic framework to argue for rights seen as fundamental to subjects and essential to their emerging nationality.

No systematic analysis of Irish and American patriot rhetoric exists. Nor does this thesis claim to represent the first of these. Instead, it attempts to examine the arguments of these peripheral patriots and argues that, although in different ways, both the Irish and the Americans saw themselves as “slaves” of the British and began to define their sense of national identity through their language in political pamphlets, newspapers, and speeches. Ultimately, each group’s constitutional interpretation profoundly shaped how they handled these two concepts and articulated their unique place in the imperial structure. In fact, the concepts of political “slavery” and national identity were so interconnected with constitutional traditions that a structural separation of such issues is nearly impossible to define. These issues have been alluded to but never fully discussed in previous scholarship. While I am obligated to revise or qualify certain scholar’s opinions from time to time, this work sets out on a course that has little direct precedent and hopefully provides a more holistic and interrelated view of eighteenth-century patriot rhetoric and the actions it inspired.

I

The early modern British Empire experienced internal discord over the correct interpretation of the constitution. Jack Greene describes three constitutions that emerged following the Glorious Revolution in the context of the “center,” British metropolis, and the “periphery,” those polities under the dominion of British rule. The first constitution was that of the central state and its inhabitants. Next certain “provincial constitutions” developed in Ireland and in each of the thirteen colonies. Finally, there was an imperial constitution materializing due

to the practice of distributing authority from the center to the peripheries for matters of local concern while having Parliament retain supreme authority overall.²³ British constitutional theory evolved as a result of the 1688 Revolution. Aligning with the dismissal of divine rule, after William and Mary displaced the Stuart line, the concept of parliamentary supremacy became fundamental to the constitution of the central state. The metropolis vehemently supported this idea as the basic maxim of the post-revolution constitutional tradition. Yet, the arguments of both the Irish Patriots and American Patriots did not align with this understanding.

Outlining the established constitutional interpretation of the British central state serves as a basis for comparison. This is best accomplished by referring to Sir William Blackstone's 1765 *Commentaries on the Laws of England*. Blackstone declared that every polity must have a supreme and sovereign legislative authority residing therein. For the British Empire, this authority is Parliament. With this constitutional tradition of the metropolis, all of the British Empire was subordinate to Parliament and its laws. He asserted that an act of Parliament "is the exercise of the highest authority that this kingdom acknowledges upon earth. It hath power to bind every subject in the land, and the dominions thereunto belonging; nay, even the king himself, if particularly named therein."²⁴ Blackstone also addressed the Lockean idea of power devolution to the people. However, he dismissed the idea of the people forfeiting their trust in the legislature and overthrowing it because this would remove all positive law. No polity would allow devolution of power so extensive that it would render ineffectual all legal institutions.²⁵ Blackstone believed that Parliament was literally equitable with the constitution itself. As York states, "Since the British Parliament was composed of three distinct branches – king, Lords, and

²³ Jack Greene, *Peripheries and Center*, 68.

²⁴ William Blackstone, *Commentaries on the Laws of England: Volume I* (Chicago: University of Chicago Press, 1979), 178.

²⁵ Jack Greene, ed., *Colonies to Nation*, 88.

Commons – that represented the three basic, irreducible political tendencies – monarchy, aristocracy, and democracy – Parliament embodied the ideal of mixed and balanced government.”²⁶ Blackstone, with the support of his contemporaries in England, judged Parliament’s power as absolute and without checks.

The interpretational conflict against this view is illustrated early in both patriot groups’ arguments and only became more heightened as the imperial crisis progressed. As Greene states, the colonies “were espousing the older seventeenth-century theory of a constitution of customary restraints on arbitrary power.” This theory more accurately reflected the actualities of the colonial experience and the relationships between the various peripheries and the metropolis throughout the empire.²⁷ The dynamic eighteenth century produced a constitutional dilemma in which American and British conceptions could not be reconciled. Colonists viewed Westminster’s supreme power as an arbitrary infringement upon their assemblies’ self-legislation and upon the very liberties of subjects. According to Reid, “American liberty – the right to be free of arbitrary power – could not be secured under parliamentary supremacy. British liberty – the representative legislature over the crown – could not be secured without parliamentary supremacy.”²⁸ This irreconcilability resulted in a revolutionary rhetoric.

British taxation without the justification of representation produced a large bulk of the colonial opposition. The American response to the new duties on sugar and stamps constituted an espousal of constitutional theory that held absolute power resided in the “people” and not a parliamentary body. One of the more well-known pamphlets published after these new measures was “The Rights of the British Colonies,” authored by Bostonian James Otis. His argument

²⁶ York, 84.

²⁷ Greene, *Peripheries and Center*, 71.

²⁸ Reid, 173.

relied on the basic premise that the power of all societies “is *originally* and *ultimately* in the people; and they never did in fact *freely*, nor can they *rightfully* make an absolute, unlimited renunciation of this divine right.”²⁹ While he admitted that a supreme legislature must reside somewhere in the Commonwealth, Otis asserted that the constitution as re-established following the upheaval of the tyrannical Stuarts was designed to secure British liberty against the threat of absolute power. An essential element of this liberty was the protection of the right to no taxation without representation for all subjects. This freedom from taxes without consent was so fundamental, according to Otis, that “it could be traced no higher than Magna Charta, is part of the common law, part of a British subjects birthright, and as inherent and perpetual, as the duty of allegiance.”³⁰

The Glorious Revolution solidified the devolution of British political power, thereby securing the rights of subjects with greater assurance. However, Otis maintained that a lack of representation for every man is contradictory to the very theory of constitution and indeed violates British tradition.³¹ Otis, among other American patriots, was appealing to a constitutional theory whose essence still remained in the current metropolis version, but whose substance had given way to parliamentary supremacy. A pamphlet written by Reverend John Zulby and published in 1769 under “a Freeholder of South-Carolina” openly admitted to the supremacy of Parliament – its concern was whether it would trump basic constitutional rights of subjects, namely the right to taxes only by consent.³² The New York General Assembly Petition to the House of Commons of October 18, 1764 claimed that exemption from involuntary taxes

²⁹ James Otis, “The Rights of the British Colonies” (Boston: Edes and Gill, 1764), 9.

³⁰ *Ibid.*, 60.

³¹ *Ibid.*, 65.

³² A Freeholder of South-Carolina, “An Humble Enquiry” (Charleston, 1769), 4.

was not a privilege, but a fundamental *right* even for their ancestors.³³ Finally, in pamphleteer Daniel Dulany's famous dismissal of virtual representation, the notion was set forth that while the colonies may be dependent on Great Britain and supreme authority rests in the King, Lords, and Commons, the superior does not have the right to "seize" the property of the inferior.³⁴ All of these arguments make use of an older constitutional theory whose protection against arbitrary power did not allow the transgression of individual rights, even in the face of parliamentary supremacy.

The colonial divergence of constitutional interpretation from the metropolis which strengthened during the Stamp Act Crisis is perhaps best illustrated by the arguments of Richard Bland. His views were more radical than the mainstream American view at the time, but were a strong indication of where their constitutional doctrine was headed. Bland argued that the legislative authority in the British Empire was, in fact, divided. In "An Enquiry into the Rights of the British Colonies," he asserted that the colonies should be once again "respected as a distinct state, independent, as to their *internal* government, of the original kingdom, but united with her, as to their *external* polity, in the closest and most intimate LEAGUE AND AMITY, under the same allegiance, and enjoying the benefits of a reciprocal intercourse."³⁵ The references to the "constitution of the colonies" and the traditional right of the colonists to direct their internal government as protected by the crown are indicative of an espousal of Greene's second layer of "provisional constitution." The great power of Parliament was granted by Bland. Yet, he argued this power must be limited in that it cannot deprive the people "of their *civil*

³³ Quoted in Greene, ed., *Colonies to Nation*, 35.

³⁴ Daniel Dulany, "Considerations on the Propriety of Imposing Taxes in the British Colonies" (Annapolis: Jonas Green, 1765), 15.

³⁵ Richard Bland, "An Enquiry into the Rights of the British Colonies" (Williamsburg: Alexander Purdie, & Co, 1766), 20.

rights, which are founded in compact, without their own consent.”³⁶ The tightening of imperial control in the late eighteenth century was met with an increasingly polarized view of opposition in the colonies that called for a return to legislative transference to the peripheries.

This opposition increased as British measures became more restrictive. Colonial patriots expanded their antiquated constitutional interpretation to dismiss fully parliamentary sovereignty and eventually to justify independence. The colonial response to the Townshend Acts aligned with the doctrine used to oppose earlier taxes. John Dickinson’s “Letters From a Farmer in Pennsylvania,” published between November 1767 and January 1768, represented a conservative but cogent denial of Parliament’s ability to levy duties solely for the purpose of revenue. The idea of arguing the constitutionality of taxes according to their intent was evidence of the colonists’ interpretation becoming more refined. However, the impetus for substantial colonial intransigence occurred with the reaction to the Tea Act – the Boston Tea Party. The metropolis responded to this property destruction by passing the Coercive Acts, intensifying resistance among the patriots and demanding further strengthening of their seemingly outdated constitutional concepts. In his 1774 “Considerations on the Authority of Parliament,” James Wilson did not consider unlimited parliamentary authority as legitimate and instead promoted the exercise of the crown’s legal prerogatives, making reference to the colonies’ initial settlers whom Parliament could not control. The final maturation of this constitutional interpretation seems to occur with Jefferson’s radical criticism of the King in “A Summary View of the Rights of British-America.” Jefferson maintained the colonies’ status as independent governments, thereby dismissing parliamentary supremacy like his fellow patriots. He also went further and reminded the King that he existed to serve the people. As Greene asserts, although these threats

³⁶Ibid., 26.

to George were “far too radical to receive the approval of either the Virginia Convention or the First Continental Congress, they were important in indicating the direction of American thought.”³⁷

Across the Atlantic Ocean, Irish patriots were no more eager to accept the conventional constitutional interpretation of the British as expressed by Sir William Blackstone. Trade grievances against restrictive British measures led to the Irish Free Trade Movement of the late 1770s. This crisis and the resulting concessions produced a re-evaluation of Irish political rights. The years leading to legislative independence were a dynamic period for Irish rhetoric as patriotic arguments became more popular and radical. According to Small, “Patriotism often centred on ancient constitutional rights” and the Irish “felt the need to explain their legitimacy in the context of a long history of conquest and struggle” in a way that the American patriots did not.³⁸ The British never taxed the Irish during this period. However, representation concerned the Irish and they highlighted the lack of it to negate British Parliamentary sovereignty. In MP Barry Yelverton’s April 26th speech in the Irish House of Commons, he moved to alter Poyning’s Law so that legislation could originate in Ireland. He was a prominent Patriot who drifted towards supporting the Castle Government in 1781 and helped cause a division in the Patriots. Nevertheless, Yelverton’s Act modified one of the most significant symbolic obstacles to Irish legislative freedom.³⁹ Poyning’s Law became law in 1494 and mandated that all legislation introduced in the Irish Parliament must first be approved by the English Privy Council before returning across the Irish Sea. Arguing that “Poyning’s Law was not enacted in a Parliament representing the people,” Yelverton maintained that it “is therefore time to recognize what

³⁷ Greene, *Colonies to Nation*, 212-213.

³⁸ Small, 44, 61.

³⁹ James Kelly, “Yelverton, Barry,” *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/30212?docPos=2>.

properly belonged to this kingdom” – the traditional right of originating laws. Isaac Corry of Newry supported this motion and urged that the Constitution must be restored.⁴⁰ Essential to Irish rhetoric was the adherence to a constitutional interpretation that was even older than the version patriots were using in the thirteen colonies.

Appealing to their status as an independent “sister kingdom” under a common sovereign, many patriots dismissed the authority of the Westminster Parliament to legislate for them by referencing an ancient constitutionalism that echoed English radicals’ Anglo-Saxonism. This theory drew on common law concepts of liberty and, Small asserts, “claimed the fundamental right of freeborn Irishmen to a mythical and pristine medieval ‘English’ constitution embodied in the Irish parliament.”⁴¹ York outlines extensively the creation and perpetuation of the tradition of the Irish constitutional nationalists. Central to this tradition was the notion that the Irish were distinct people domiciled in a land separate from their English brethren. Irish patriots and their constitutional interpretation relied heavily on the argument that Henry II extended common law to Ireland in 1172 and that John reaffirmed the extension during his reign. This Irish tradition, which claimed rights deriving from the twelfth century, dated its birth back to at least the 1460 Irish Parliament. Writers such as William Molyneux and Patrick Darcy built upon these ideas over the seventeenth century, peppering the tradition with historical precedent. According to York, constitutionalists over the years made use of historical events and acts that aligned with this tradition to provide strength, allowing it to evolve to its eighteenth-century Grattanite absolutism. An unwritten document deeply entrenched in British ideals, Yorks summarizes the essence of this Irish constitution:

⁴⁰ *Dublin Evening Post*, April 27, 1780.

⁴¹ Small, 15.

that from 1172 on Ireland had been a commonwealth as well as a kingdom, governed by the rule of law; that Ireland's legal tradition was linked to Magna Carta and rights enjoyed under common law, custom, royal proclamation, and parliamentary statute; that the Crown and all royal officials were bound to honor those rights; and, finally, that the Irish were a free people entitled to their own parliament, which had the sole power to legislate for them.⁴²

One should see the Irish constitutional interpretation as an evolving set of principles that the Patriots and extra-parliamentary patriots shaped alike. Its contradictions with historical nuances reflect the ambiguity of Ireland's status and the heterogeneity of the constitutional nationalists' minds.

An anonymous address to the January 4, 1780 edition of *Freeman's Journal* in Dublin asserted that the Irish people believe Poynings' Law should be repealed because it is "directly against the very fundamental principle of our constitution, as declared by Magna Charta, and all our ancient records, by parceling out to the privy councils of England and Ireland that legislative power which the constitution, entrusts as a sacred deposit in the hands of the King, Lords and Commons alone."⁴³ Four days later a writer with the pen-name of "Decius" noted that Ireland's compact with their first English sovereign declared the Irish people subjects of him and his heirs. In this compact "There was not in the whole code any law that subjected us to the power of the English parliament." Additionally, "Decius" stated that the 1720 Declaratory Act of George I transgressed against traditional Irish rights and declared England Ireland's mistress, not respecting the notion that Ireland was her sister kingdom under the common parent of the Sovereign king.⁴⁴ These men writing were not the Patriots of the Irish Parliament, but surely extra-parliamentary patriots who were aligning with the constitutional interpretation put forth by

⁴² York, 26.

⁴³ *Freeman's Journal*, January 4, 1780.

⁴⁴ *Freeman's Journal*, January 8, 1780.

the influential Patriot Party. The Irish patriots saw themselves as subjects of the King of England, not England herself. This interpretation was one that could not be reconciled with that of the center.

The greatest expression of the Irish patriot mind, however, is found in Henry Grattan's Declaration of Right speeches. The first of these took place on April 19, 1780 in the Irish House of Commons. Grattan became the leader of the Patriots and was a firm proponent of Irish claims based on their ancient constitution and their status as a separate kingdom. He stated that the Declaratory Act stripped Ireland of her constitution.⁴⁵ Echoing Jefferson's assertion that the King served his subjects, Grattan exclaimed to the Irish people that "The King has no other title to his Crown than that which you have to your Liberty; both are founded, the throne and your freedom, upon the right vested in the subject, to resist by arms, notwithstanding their oaths of allegiance, any authority attempting to impose acts of power as laws." Grattan maintained that this maxim stood whether this authority was James II or the British Parliament and, in turn, that either the Act of Settlement was a recalcitrant illegality or that the Declaratory Act usurped Irish liberties.⁴⁶ In this manner, Irish patriot rhetoric used the constitutional interpretation set forth by the Glorious Revolution, guarding against arbitrary power, as did the Americans. However, the Irish also maintained that their right as an independent kingdom was established much earlier historically. Therefore, they were arguing based on ancient constitutional ground as well.

On February 19, 1782, Grattan delivered another speech that was followed by a failed attempt to pass the Declaration of Right. Grattan asserted Irish constitutional claims based on the compact that secured Henry II to the crown and Irish settlers to English laws, or liberties.

⁴⁵ Henry Grattan, *Speeches of the Late Rt. Hon. Henry Grattan, in the Irish Parliament, in 1780 and 1782*. (London: James Ridgway, Piccadilly, 1821), 7.

⁴⁶ *Ibid.*, 15.

These liberties included the right to an independent legislative assembly without being bound by the legislature of another kingdom without consent. Grattan then stated that “These articles exclude the English legislature; and thus the title of the King precludes the Parliament: . . . there is, then, no covenant regarding the English Parliament, except one, which is against her.”⁴⁷ In this sense, the only covenant relevant to claims of British Parliamentary supremacy over Ireland said the exact opposite. In addition, Ireland had her own Parliament, an assertion American colonists could not make. The Patriots used this fact in their argument that the existence of two Parliaments possessing power over the same place – *imperium in imperio* – violated common law. Finally, Grattan dismissed Blackstone’s belief that Ireland was a colony: “she was not conquered, and that if she were, she has compacts, charters, and laws, to do away what is called the right of conquest.”⁴⁸ These declarations all made use of a constitutional interpretation that the metropolis believed had fallen to the way of Parliamentary supremacy. Just as the colonists referenced their ancestors and argued protection under a seventeenth-century interpretation, the Irish saw themselves as a separate kingdom with ancient rights of compact and had a different conception of what the constitution afforded them.

The Declaration of Right address was finally passed in April of 1782. In his speech on April 16, Grattan maintained that Great Britain and Ireland were two separate nations, forming a constitutional confederacy. He argued that the Irish nation was connected with England “not by allegiance only, but by liberty – the Crown is one great point of union, but Magna Charta is a greater – we could get a King any where, but England is the only country from which we could get a constitution.” Here Grattan pointed out a key difference between Ireland and the colonies

⁴⁷ Ibid., 19-20.

⁴⁸ Ibid., 35.

in that Ireland has a constitution and a charter.⁴⁹ Soon after Grattan's speech, the *Dublin Evening Post* was filled with resolutions from Volunteer Corps and county meetings praising the Patriots.

The constitution of the metropolis central state that provided for British Parliamentary supremacy stood in conflict with the "provincial" ideas of constitution that were argued by the American and Irish patriots. Yet, these "provincial" constitutions were fundamental to the peripheries. Each patriot group viewed its constitutional interpretation as the pure and correct version; it was the metropolis that had strayed from tradition. However, what about Greene's imperial constitution? Rather than envisioning this concept as a separate constitution, it makes greater sense to think of it as an ancillary concept advancing the constitutional interpretations of each group as they gained a greater sense of their place in the larger imperial framework. While their end goals and results obviously differed, the American and Irish patriots, each at their own pace and at different moments during their movement, at one time both advanced the notion that their legislatures should be independent, self-governing entities within the empire and that their own allegiance was to the King. With the qualification that Irish rhetoric reveals that the patriots did not see themselves as completely English, Small is somewhat accurate in arguing that the Irish Patriots "were attempting to detach their king from the British parliament to make him a genuinely imperial monarch presiding over a number of separate "English" peoples. This understanding directly contradicted how most Britons viewed the monarch's place in the constitution."⁵⁰ Thinking of the constitution in these terms was in direct contrast with metropolis concepts of imperial identity. Indeed, Small concludes that "Despite protestations from Ireland

⁴⁹ *Dublin Evening Post*, April 18, 1782.

⁵⁰ Small, 64.

and America, many Englishmen simply did not feel like equal partners in the Imperial project.”⁵¹ The respective imperial identities of the American and Irish patriots constituted important components of their constitutional theories. In this sense, it appears that Greene’s delineation of three constitutions is too rigid. Instead, there was constantly evolving accord and discord not only between constitutional interpretations of the peripheral and center, but also between different peripherals. In order to avoid excessive abstraction and reductionism, these constitutional interpretations will now be utilized to help examine the rhetoric of both patriot groups. The unique American and Irish concepts of the constitution are essential to understanding the origins and depth of their arguments concerning political “slavery” and national identity, as well as how these arguments were analogous and dissimilar.

II

“Shall the Colonists of America be free, and the loyal people of Ireland slaves? No – I know the gentlemen of this country too well; I know they won’t submit.”⁵² This statement formed part of Grattan’s second Declaration of Rights speech, after which his resolution that resulted in legislative concessions from the metropolis finally passed. However, rhetoric of political “slavery” was not a new tactic developed late in the Irish movement for legislative independence, feeding off the success of Americans. It constituted one of the most prevalent references in all of Irish and American patriot arguments. Historians such as Bailyn and Small cite patriots utilizing “slavery” references, but greatly overlook their importance. No scholarship to my knowledge treats this type of rhetoric as its own category deserving of any significance. The rhetoric of both patriot groups is strewn with references to a state of “abject slavery.” These claims of servitude to the English were used for their shock value, but also reflected the weight

⁵¹ Small, 64.

⁵² Quoted in *Dublin Evening Post*, April 18, 1782.

that both patriot groups attached to their own constitutional claims. The Irish considered themselves slaves due to violations of their ancient constitution. Additionally, they believed their distinct rights as Irishmen, subjects of the King, were denied by British claims of legislative supremacy under the Declaratory Act and Poynings' Law. On the other hand, American colonists viewed their servitude as an ongoing infringement on the dated constitution that protected against arbitrary power. While they referenced their birthrights as British subjects just as the Irish did, the American rhetoric represented more an assertion of natural rights, such as those argued by Locke, than any contention of liberties deriving from their polity's independent condition. While of course one must take into consideration the fact that Ireland had its own Parliament and America only colonial assemblies, in Ireland this 'independent condition' was its proclaimed status as an independent kingdom. The magnitude and specifics of the "slavery" rhetoric of each group should be examined.

As far as a timeline, it is difficult to align the two patriot movements. While the American Revolutionary movement progressed over two decades, the period of substantial tension leading to the Irish Revolution of 1782, with which this thesis is concerned, only consisted of a about three or four years. The Irish Patriot movement was, in some ways, a result of the American turmoil in that the Irish saw an opportunity to demand rights from a destabilized state currently at war. Attempting to argue for which group the idea of political slavery entered into the published rhetoric first would be a useless exercise. However, from the very beginning of each movement there are explicit declarations of the people being in a condition of slavery with respect to Britain. In the October 18, 1764 New York petition to the House of Commons addressing the exemption from parliamentary taxation as not a privilege but a right, the general assembly stated that "the Loss of such Rights as they have hitherto enjoyed, Rights established in

the first Dawn of our Constitution, founded upon the most substantial Reasons, confirmed by invariable Usage” would introduce “Discord, Poverty and Slavery” to the people.⁵³ In Ireland, “Decius” wrote in a January 1780 address “to the People of Ireland” that as a result of Britain’s newly-contrived government form created for Ireland “framed upon the same foundation, composed of the same ingredients as her own, subject to her controul in its legislative capacity, . . . Almost all now alive among us have been born the slaves of England.”⁵⁴ Slavery rhetoric sustained itself through the duration of both movements

The most common expression of such status made use of the words “slavery” or “enslaved,” or variations on these terms. These expressions appear throughout the writings and speeches of both patriot groups. Drawing on Lockean theory of consent and natural law, James Otis defined the slavery of the colonists in these terms: “By being or becoming members of society, they have not renounced their natural liberty in any greater degree than other good citizens, and if tis taken from them without their consent, they are so far enslaved.”⁵⁵ Otis believed that the essential rights of those living in a subordinate land can never be taken away; the inferior’s rights must stand with those of the superior. North Carolinian Maurice Moore stated in a 1765 pamphlet that if the British insisted on unfair taxation by confiscating the property of the colonists without their consent, then they are “stripped of that constitutional right on which their liberty and property depends, and reduced to the most abject state of slavery: A situation, in which, it is very unnatural to think, a Mother can take pleasure in viewing her Children.”⁵⁶ Describing the situation in blunt terms, John Dickinson wrote in his Letter VII that “We are taxed without our own consent, expressed by ourselves or our representatives. We are

⁵³ Quoted in Greene, ed., *Colonies to Nations*, 39.

⁵⁴ *Freeman’s Journal*, January 8, 1780.

⁵⁵ Otis, 30.

⁵⁶ Maurice Moore, “The Justice and Policy of Taxing the American Colonies” (Wilmington, 1765), 16.

therefore – SLAVES.”⁵⁷ These quotations align with the notion of the constitution protecting against arbitrary power and preserving natural liberties. In addition, Moore’s comparison of the metropolis-colonial relationship to that of a mother-child relationship is quite different from the Irish assertion of equal, sister kingdom status, despite the fact that Ireland’s was treated like a quasi-colony.

Irish patriots also peppered their rhetoric with generic references to “slavery” or “enslaved.” In 1780 a *Freeman’s Journal* entry read, “Till we shall be bound only by laws made in the Parliament of Ireland, an Irish and a slave shall be convertible terms.”⁵⁸ Making use of the belief in Ireland’s mythical status, an entry about a month afterwards exclaimed that “Providence seems satisfied with our patience, and designs at length to whisper to our oppressors, That Irishmen are not the children of slavery, but of Freedom, equally entitled to the common benefits of a free constitution, and as capable of defending its Rights as of asserting their own.”⁵⁹ Grattan and the other members of the Patriot Party were prone to equating the passing of Poynings’ Law and the Declaratory Act to an announcement of immediate Irish slavery. Additionally, there was considerable sentiment among the metropolis that protestations of Irish rights and patriotic demands for concessions were simply reflective of insatiability or ingratitude for all that Britain gave its special polity. Grattan responded to this claim by highlighting that “Ireland asks nothing but that which Great Britain has robbed her of – her rights and privileges. To say, that Ireland is not to be satisfied with liberty, because she is not satisfied with slavery, is folly.”⁶⁰ The Patriots viewed these rights and privileges as part of their ancient constitution. The subordination of

⁵⁷ John Dickinson, “Letters From a Farmer in Pennsylvania, To the Inhabitants of the British Colonies” (Philadelphia and Reprinted in London: J. Almon, 1774), 75-76.

⁵⁸ *Freeman’s Journal*, January 11, 1780.

⁵⁹ *Freeman’s Journal*, February 26, 1780.

⁶⁰ Grattan, 13.

Ireland after the Declaratory Act made it lawful for the Parliament of Great Britain to issue binding legislation for Ireland and abolished the judiciary functions of the Irish House of Lords, accompanied with trade restrictions and the frustrations under Poynings' Law represented a theft of Irish rights and an enslavement of subjects. While it is a safe assumption that many Irishmen knew of their subsidiary status in relation to Britain, their rhetoric shows that they viewed their country and indeed, as will be shown later, their "nation," as a separate and equal kingdom under a common sovereign. For the patriots, "the origin of the Irish polity was located in the donation of the English constitution to Ireland in the Middle Ages."⁶¹ While the widespread usage of explicit references to "slavery" or being "enslaved" was common for both patriot groups, the different views of the constitution dictated that they use that rhetoric in dissimilar ways.

Rhetoric drawing on the images associated with slavery, such as chains and shackles, was also a patriot device by which to argue against British policy. In an argument for nullifying all laws passed by England for Ireland, a patriotic civilian wrote that England's "long possession of dealing shackles to Ireland is no argument in favour of an oppression reprobated by their own constitution."⁶² The December 18, 1781 issue of the *Dublin Evening Post* published an anonymous patriot's work that expressed hopes for "removing those shackles, that at this day disgrace the constitution of Ireland."⁶³ This rhetorical strategy was not confined to ordinary subjects. Speaking to fellow Irish MPs, Grattan exclaimed to "have no ambition, unless it be, to break your chain, and contemplate your glory. I never will be satisfied, so long as the meanest cottager in Ireland has a link of the British chain clanking to his rags: he may be naked, he shall

⁶¹ Small, 15.

⁶² *Freeman's Journal*, February 26, 1780.

⁶³ *Dublin Evening Post*, December 18, 1781.

not be in irons.”⁶⁴ Irish patriot rhetoric contained countless examples of this symbolic language being used to create images of British law literally manacled the people of Ireland with real chains. In these assertions of Irish resistance to political slavery, a certain element of pride emerged that can be traced back to the supposed existence of an independent Irish constitution derived from that of Britain. The subjects of Ireland had long been in “shackles,” and the patriots were arguing for the breaking of these chains and a restoration of their mythical status as sister kingdom.

The Americans utilized rancorous rhetoric that employed this same type of language; however, its usage was not as prevalent. While the Irish patriots employed this rhetoric for more generalized purposes, the colonists tended to use words such as chains or shackles in relation to a fear of ministerial conspiracy. In fact, it seems that the patriots of the thirteen colonies were more likely to use slavery rhetoric as a whole to allude to ministerial conspiracy than were the Irish – no doubt related to the fact that they were more likely to suspect ministerial conspiracy in general. For the Americans, the threat of ministerial conspiracy aligned well with their view of the constitution as a protection against arbitrary power. In the late eighteenth century, the imperial peripheries began to see their subordinate position as partly resulting from a malicious plot against their own liberties contrived by British cabinet members, and sometimes Parliament as a whole. As Greene writes, “The enslavement of the colonies, it was widely believed, was only the first step in an elaborate conspiracy by power-hungry ministers to corrupt the British constitution and destroy the freedom of Britons everywhere.”⁶⁵ For some colonists, this plot was apparent relatively early in the movement. The early use of the phrase “enslavers” to describe the British governmental agents was evidence that the colonists saw an active initiative on the

⁶⁴ Grattan, 18.

⁶⁵ Greene, ed., *Colonies to Nations*, 145.

part of the center to reduce the periphery to an enslaved state. Similar to the Irish, American patriots often linked their movement to the preservation of civic virtue in the face of corruption. As an anonymous patriot “Brutus” wrote on June 1, 1769 representing the nonimportation associations, “From immorality and excesses we fall into necessity, and this leads us to a servile dependence upon power, and fits us for the chains prepared for us.”⁶⁶ As the Revolution progressed, the presence of a conspiracy to bind the colonists with symbolic chains grew to be a very popular notion. Following the Coercive Acts, Connecticut pastor Ebenezer Baldwin delivered a sermon on August 31, 1774 entitled “A Settled Fix’d Plan for Inslaving the Colonies.” In this homily, Baldwin doubted how anyone could be ignorant of the well-known plan to place the colonists, and the “nation,” under the rule of arbitrary government. He asserted that the British government always had a plan to destroy the Massachusetts government, but needed a substantial reason to execute such a plan; the Boston Tea Party served nicely. Baldwin argued that “should the colonies refuse to receive the chains prepared for them,” then all the precautions that the British “have early taken either to ruin us, or force us to subjection” will be known to all. Indeed, colonial patriots saw ministerial conspiracy in the form of “the iron rod of slavery” being “shook over America.”⁶⁷

Bailyn shows that the most common explanation of the plot against American liberty was the exercise of arbitrary power by the ministers and the King’s favorites. According to Bailyn, “No fear, no accusation, had been more common in the history of opposition politics in eighteenth-century England; none was more familiar to Americans whose political awareness had been formed by the literature of English politics.”⁶⁸ This plot to enslave was the result of

⁶⁶ Quoted in *Ibid.*, 157.

⁶⁷ Quoted in *Ibid.*, 217, 218.

⁶⁸ *Bailyn*, 126, 127.

considered deliberation on the part of Britain. In his “A Summary View of the Rights of British-America,” Jefferson delivered perhaps the most refined expression of this idea. In arguing against the British Parliament’s right to exercise any authority whatsoever over the colonies, Jefferson wrote that “Single acts of tyranny may be ascribed to the accidental opinion of a day; but a series of oppressions begun at a distinguished period, and pursued, unalterably through every change of ministers, too plainly prove a deliberate and systematical plan of reducing us to slavery.”⁶⁹ For the American patriots, slavery rhetoric was most useful for delineating the ministerial conspiracy of the British government. This reduction to slavery was an arbitrary act by an arbitrary government, infringements of rights that were supposed to be protected against by the fundamentals of Britain’s constitution according to the seventeenth-century interpretation they espoused.

Some Irish patriots also saw a similar ministerial conspiracy and used this in their rhetoric against Britain. An extra-parliamentary patriot, self-styled as “Toby Butler,” published a series of letters to the people in *Freeman’s Journal*, each with a slightly different topic but all relating to the injustice of Ireland’s subordinated position. In this Tenth Letter, he wrote, “It has been taken for granted, that it was necessary to oppress the people. It never occurred to them, to examine, whether this conduct was attended with any real utility.”⁷⁰ In this sense, Britain was executing a plot against Irish liberty because they believed it to be a necessity, not the means to any said purpose besides maintaining the current system. As York points out, the new generation of Patriots following those of the 1750s “would be more insistent than those who came before and they would draw lessons from what they saw as British tyranny in America to

⁶⁹ Thomas Jefferson, “A Summary View of the Rights of British-America” (Williamsburg: Clementinarind, 1774), 11.

⁷⁰ *Freeman’s Journal*, April 6, 1780.

warn of what could happen in Ireland.”⁷¹ There was fear among the Anglo-Irish elite that taxes such as the stamp duty for the colonies would be expanded to include Ireland. Indeed, no safeguards existed to protect the Irish against the extension of British taxation, if Westminster so desired.

Some slavery rhetoric did allude to plots against Irish liberties. In the noteworthy pamphlet, “The Usurpations of England,” a “Native of Ireland” declared that Irishmen “discovered that our liberty had been invaded by England, and that she had not only robbed us of our birthright, but had even tied up our hands from acquiring a compensation for so irreparable a loss.”⁷² This pamphleteer further urged that Lord North was aware that the future of the British Empire depended on the Irish situation and that he intended to dissolve Irish unity.⁷³

Nonetheless, the existence of a malevolent conspiracy of the British ministry against Ireland did not constitute a central component of Irish patriot rhetoric. Therefore, unlike the American patriots who often connected “slavery” with deliberate and malicious plotting, the Irish patriots typically employed rhetoric of political slavery to describe a historical condition rather than an evolving and strengthening conspiracy.

The alacrity to accuse the metropolis of building upon an ongoing plot to enslave its periphery found amongst American rhetoric simply is not as prevalent in Irish sources. This can be explained by a number of reasons. First, as Daniel Owen Madden pointed out in his memoir of Grattan, “The English Whig Government had numerous personal friends amongst the Irish patriots. Fitzpatrick was a scion of an Irish family that for centuries had been Lords of Upper Ossory. Burke had many leading friends in the Irish House of Commons, and several of

⁷¹ York, 74.

⁷² Native of Ireland, “The Usurpations of England” (Dublin: R. Burton, 1780), 14.

⁷³ *Ibid.*, 18.

[Charles] Fox's adherents in England were Irishmen."⁷⁴ Much to Grattan's annoyance, Fox used these connections with Irish Patriots to prolong the unavoidable legislative concessions. Additionally, Ireland's Revolution of 1782 was not one of militant recalcitrance. These years constituted a tension filled period of words and alliances rather than cannons and bloodshed. The Anglo-Irish elites still had strong ties to many Englishmen in power. While the Patriots' thrust for the restoration of their constitutional rights gave birth to extra-parliamentary patriots and the Volunteers movement, many of these MPs were landowning elites with definite interest in preserving an affable connection with their motherland. Indeed, Grattan "believed that the Aristocracy of Ireland were more patriot than they really were. . . . He thought that Irish gentlemen would have the same sense of national honour as he himself possessed – and he was deceived."⁷⁵ A group of "patriotic" elites with meaningful, often personal, ties to the British ministry or British MPs was less likely to see a plot to expunge them of their liberties than were patriots across the Atlantic whose interests were not likely to align with those of metropolis leaders.

The Irish patriot movement was revolutionary in that in addition to the restoration of legislative independence, it ushered in a nationalistic public spirit that hitherto had not existed. Grattan's ability to help define a national identity even amongst immense heterogeneity, religious and social, was noteworthy. The Irish patriots even displayed Whiggish proclivities reflective of the 1688 Revolution, similar to the American patriots. However, the Irish patriots never supported breaking away from the Empire. Despite assertions of an "Irish nation" and the implications of such claims, this concept described a Protestant nation suffering from a strained

⁷⁴ Daniel Owen Madden, ed. *Select Speeches* of the Right Hon. Henry Grattan, "A Commentary on His Career and Character" (London: Henry G. Bohn, 1847), xxx.

⁷⁵ *Ibid.*, xliv.

relationship with the British. Even the Volunteers, the militant arm of the politicians' speeches, "were not Republicans, like the insurgent Americans. . . . Their intensity was Irish, and not democratic; their purposes national, rather than convulsive."⁷⁶ Despite the plethora of rhetoric concerning political slavery, there is not sufficient proof that the Irish patriots as a whole discerned a plot of the North ministry to deplete them and their fellow subjects of their liberties. However, even if there was, it did not make sense for the Anglo-Irish elites to promote the possible existence of a ministerial conspiracy against the liberties of a country in which the majority of the people were under their control.

Finally, perhaps the most compelling reason for this lack of ministerial conspiracy-focused rhetoric on the Irish side concerns the patriot constitutional interpretation on the Emerald Isle and the concept of precedent. The main reason that the Irish did not believe the ministers were all conspiring against them was that Ireland was not subject to a continuing series of laws and restrictions that strengthened during their revolutionary period as the Americans were. Certainly, the threat of a standing army elicited rhetoric in opposition newspapers and pamphlets that addressed the idea, either implicitly or explicitly, that British ministers sought to execute a scheme against the liberties of Ireland. York maintains that the Irish constitutional nationalists drew strong analogies, at least initially, between their situation and that of the colonial patriots. He argues that these Irish patriots worried about British attacks on colonial liberties extending to Ireland. Yet, one should be careful in attaching too much importance to this idea. The laws and restrictions to which Irish patriots objected had been in place for decades. Up until the start of the free trade movement and the push for legislative freedom, the Irish had largely acquiesced to their dependent position because the British had only exercised power over them infrequently

⁷⁶ Ibid., xxvii.

and the Patriots had not yet established themselves as a substantial entity in Parliament. The Navigation Acts, Woolens Act, Poynings' Law, and the Declaratory Act were not reactionary measures to any Irish intransigence, but prior laws to which the Irish were themselves reacting. Thinking of Irish resistance in this manner illustrates the centrality of their constitutional interpretation. The notion that Irish patriots did not see a constant threat of arbitrary power bombarding them with innovative restrictions by which to enslave them aligns with their ancient constitutionalism. The Irish patriots structured their slavery rhetoric along the notion that Ireland's status as a sister kingdom with the same constitutional rights as Britain justified her protestations against the restrictive measures that were passed generations before and resulted in Irish political enslavement. For the most part, Irish patriots did not possess as much of an unwavering distress over future precedent as the colonists did. The Irish referenced precedence in a more retroactive way as opposed to the forward-looking approach of the colonists.

In his February 19, 1782 "Declaration" speech to the Irish House of Commons, Grattan exclaimed that the central question for his fellow MPs involved not the justificatory proof of Ireland's right to be free, but of Britain's right to enslave her. England has no right to legislate for Ireland based on any natural justification, since "nature has not given any one nation a right over another." He then moved to a discussion of the possibility of a compact justifying enslavement. Going further than showing that no such covenant existed, Grattan remarked that "there is a covenant most certainly, but a covenant diametrically opposite; it is a compact with Henry 2nd securing to Henry the crown – to Irish settlers the laws of England; that is to say, the liberties of England, in which is included a right not to be bound without her own consent, and to have her own legislative assemblies."⁷⁷ Precedent not only negated British assertions of right, it

⁷⁷ Grattan, 19.

also reversed them. Finally, Grattan addressed the subject of usage. Up until the egregious acts with which the patriots were concerned, Britain had not shown “a continuation of precedent from the beginning, exercised without opposition or counterclaim from a people able to oppose, whose laws on the subject are silent.”⁷⁸ Summing up his argument in impactful terseness, Grattan asserted that “I have shown the claim of England is not a case of precedent; violation is not legislation.”⁷⁹ Irish Patriots, in particular their leader, demanded legislative concessions by arguing that Britain’s enslavement of the emerging Irish “nation” was without precedent, neither by nature, compact, or usage. Concern for ancient rights established during the reign of Henry II structured Irish pronouncements with a historical propensity which had less room for fear of precedent by malevolent ministers than attention to restoring what the patriots believed was rightfully theirs.

Contrastingly, instead of using the concept of precedent predominantly to justify their position, American patriots were more likely to reference precedent out of fear of further infringements on their rights. Otis remarked in 1764 that “I cannot but observe here, that if the parliament have an equitable right to tax our trade, ‘tis indisputable that they have as good an one to tax the lands, and every thing else.”⁸⁰ This line of reasoning was popular amongst the colonists. If the British were able to tax a shilling without peripheral consent then why could they not take fifty shillings, or even an individual’s life? Otis and fellow patriots maintained that once constitutional rights are expunged, the road to reestablishing those rights is trying and difficult because unlawful precedent has been established. In response to the New York Suspending Act, Dickinson wrote that if the people of New York may be legally deprived of

⁷⁸ Ibid., 20.

⁷⁹ Ibid., 28-29.

⁸⁰ Otis, 42.

self-legislating, “why may they not, with equal reason, be deprived of every other privilege? Or why may not every colony be treated in the same manner, when any of them shall dare to deny their assent to any impositions, that shall be directed?”⁸¹ American patriot rhetoric expressed a strong belief that unless watchful eyes take care, new forms of slavery would be released upon the populace by the hands of the British.

Colonists recognized the implication of this apprehensive mindset with the introduction of the Intolerable Acts. The radical minister Baldwin expressed the patriot belief that the King’s appointed officers possessed malign intentions. Based on previous precedent, his 1774 sermon exclaimed, “there is no telling what men will soon become when entrusted with arbitrary power: such power will more surely intoxicate men than the strongest spirits: the best of men cannot be safely trusted with it.”⁸² Indeed, all of these arbitrary measures might be expanded upon and secured by an uncapped standing army. If one soldier could be sent, so could thousands. These examples illustrate the importance colonists placed on precedent, particularly as it related to ministerial conspiracy, in explicating their arguments. This should not be surprising considering the weight the colonial constitutional tradition attached to protection against arbitrary power. In their eyes, what could be more arbitrary than the malevolent establishment of precedent to ensure the possibility of further enslavement to a legislature to which they never consented?

In both lands, the concept of political slavery was indispensable to patriot rhetoric. It permeated through all mediums of writing and provides a common link for both groups. Despite the Anglo-Irish elites’ ties to “Englishness” and the reformists versus separatists characterization of the two patriot groups, Ireland and American both expressed intense dissatisfaction with their

⁸¹ Dickinson, 9.

⁸² Quoted in Greene, *Colonies to Nation*, 217.

political status and an antipathy towards the slavish dependence that British imperial ties created for peripheral polities. Yet, both conditions of “slavery” were not completely analogous.

For Irish constitutional nationalists, their slavery was “completed” by previous acts from Westminster that restricted their capacity for trading wealth, diminished the power of their legislature, and retracted the judicial functions of the Lords. They utilized a constitutional tradition based on convenient history that assured their status as an equal, sister kingdom to claim constitutional rights beyond those of being of “British” or “English” birth. Therefore, the Irish patriots argued that their enslavement to the British was made complete when Parliament infringed upon these distinctive constitutional rights. One patriot added, “Our slavery is complete as long as we are subject to regulations made by a legislature, in the election of which we had not a voice, and over whose members we have not the least controul.”⁸³ *Exactly* when Ireland’s slavery became complete according to the constitutional nationalists was not clear. The position most likely to be supported was that of pamphleteer “Decius” who argued for a completion date at the passing of the 1720 Declaratory Act. “Decius” wrote in the *Freeman’s Journal* that “It was the 6th year of the reign of George the First, that the slavery of Ireland was completed by a law made in England.”⁸⁴ However, the exact point of completion is of less importance. The Irish saw their slavery in decisive terms in that the British already established and fulfilled it with swiftness by the time the patriots formulated their arguments. According to this view, the parliamentary Patriots’ objective was to restore the island’s rightful status and eliminate the slavery by reinstating the constitution.

The American patriots employed arguments of essential liberties according to safeguards in the British constitution and their birthrights as British subjects. One must note that the

⁸³ Native of Ireland, 28.

⁸⁴ *Freeman’s Journal*, February 26, 1780.

Americans had specific constitutional claims with references to common law and rights as an unconquered land. Yet, while the Irish and Americans had a common belief in government legitimacy depending on compact, the colonists did not possess a constitutional tradition that would allow them to use the history of its land's compacts between Britain (even if not completely accurate) to make their arguments. In turn, they did not have theoretical claims to a "sister kingdom" status violations of which could be seen as completing their slavery. Therefore, American patriots did not regularly claim their slavery to be "complete," but instead viewed it as part of an ongoing and arbitrary conspiracy intent on maximizing the severity of servitude.

Despite this difference of each group's "slavery" due to constitutional tradition or even semantic portrayal, emancipation from said slavery comprised the ultimate goal for both patriot groups. The rhetoric of emancipation and its focus on unity, whether a united people really existed or not, often depended on rhetoric of national identity and vice versa. Both patriot groups evolved in the terms they used to articulate sentiments of national identity. Many of the patriot arguments against political slavery relied on justifications rooted in nationality and birthrights. Constitutional traditions also shaped rhetoric of national identity, its substance and limitations.

III

According to Colin Kidd, the actualities of colonial America and Protestant Ireland imply that "a narrow line separated" the "enthusiastic emulation of the liberal English core from a colonial irritation with the exclusiveness of the English motherland."⁸⁵ This tension complicated how the patriot groups viewed and described their national identity. Both patriot groups spoke of their birthrights as subjects of the crown. However, an examination of their arguments shows

⁸⁵ Colin Kidd, "Integration: Patriotism and Nationalism," in *A Companion to Eighteenth-Century Britain*, ed. H. T. Dickinson (Oxford: Blackwell Publishing Ltd., 2006), 378.

that American patriots experienced a more extreme transformation of their national identity rhetoric than Irish patriots. While the Parliamentary Patriots sparked a national movement that went beyond their expectations and desires, Irish patriot arguments demonstrated a consistent sense of national identity with more distinction from that of England than colonial arguments, and one arrived at earlier in their respective movement. Irish claims of nationhood and unity were premature and incomplete despite their forcefulness in achieving “emancipation” from “slavery” as it was defined as a static condition. One must remember that rhetoric can be, and in many cases is meant to be, deceptive of the truth.

The American patriots uniformly agreed on their status as “British subjects.” In fact, the bulk of their arguments were based upon this status and the rights guaranteed therein by the constitution. Allusions to the colonies as the children of Britain looking for paternal affection did not mean a Beacon Hill man saw himself as a British subject of any less status than one living in Mayfair. For patriots, the metropolis failure to uphold colonists’ rights as British subjects constituted ongoing slavery. In 1764, Otis stated the colonists’ claim to “British liberties” with “Every British subject born on the continent of America . . . [is] entitled to all the natural, essential, inherent and inseparable rights of our fellow subjects in Great Britain.”⁸⁶ Since the colonists were “emigrant subjects,” not conquered ones, they still had rights against their property being taken without their consent and against the despotic acts of an arbitrary legislature. These rights of British subjects, according to the patriots, remained intact despite the great distance from London to the colonies. Through ancestral heritage, the colonists believed “all the constitutional rights and liberties enjoyed in Great-Britain, at the time they departed from

⁸⁶ Otis, 35.

it, [to be] their Birth-Right, and that they brought them over with them to America.”⁸⁷ This argument was echoed a year later by Virginian Richard Bland. He reasoned that since subjects living in England and America were essentially of the same identity, there should be no reason why one should experience trade and legislative restrictions while the other does not. The location of British subjects should be irrelevant.⁸⁸

The colonists continued to address their rights as British subjects even as imperial tensions increased. Writing to the *Virginia Gazette* in the summer of 1769 about the promise of the nonimportation associations, American patriot “Brutus” exclaimed that even though colonists are ruled by “artful and designing men, who meditate our ruin, and would sacrifice their country for their private emolument” they desire nothing but the “privileges of *British subjects*.”⁸⁹ Virtue was a popular characteristic that colonists highlighted as distinguishing them from their ministers. Most mainstream patriots did not denounce their Britishness until a compromise was seen as impossible and war unavoidable. However, references to colonists as “English” would fade as agitation with the British government heightened. John Dickinson intended his October 19, 1765 Declaration of the Stamp Act Congress to provide a unified statement of colonial sentiment. The third resolution of that declaration, addressing the rights of no taxation without consenting in person or by representatives, specifically spoke of the “undoubted rights of Englishmen” to which the colonies are entitled.⁹⁰ Initially, the patriots seemed to support a duality of identity. The reasoning went that since England was the mother country of the grand British Empire, all members of the Empire could be called “Englishmen.” One was also allowed

⁸⁷ Moore, 4-5.

⁸⁸ Bland, 25.

⁸⁹ Quoted in Greene, *Colonies to Nation*, 157.

⁹⁰ Quoted in *Ibid.*, 64.

to have a regional or native identity as well such as “Irishman” or “American.”⁹¹ However, this classification of the colonists as Englishmen would quickly fade into extinction as the patriots began to envision their slavery to the Empire as an intensifying status of debilitation that was only made worse by the acts of “Englishmen.” Frustrations with the restrictive measures England pushed onto the colonies produced a desire to eliminate the English association.

The eighteenth-century Irish were undoubtedly British subjects and claimed rights under such a classification. Yet, in Ireland there was not an explicit identification of Irish subjects as Englishmen, even early in the patriot movement. The patriot writer “Decius” alluded to the Irish constitutional tradition, writing that under the compact with Henry II, “he endowed us with the common law of England” and “we were entitled to all the privileges and immunities of Englishmen.”⁹² Ireland’s mythical status as a separate sister kingdom guaranteed her all the rights of those living in England, but the Irish should not be identified as English. “Decius” clarified this point the next month in a different newspaper when he argued that while Irishmen may be subjects of a common king with the English, they are not the subjects of England.⁹³ Contrastingly, the Americans only gradually denounced that they were English subjects. “Toby Butler’s” Ninth Letter to the *Freeman’s Journal* illustrates the two patriot groups’ different views of the empire. The Americans initially respected England’s right to mother country status in the empire. However, the prominent Irish patriot wrote that “England and Ireland are both parts of an empire, to which England being the largest and most populous, gives its name; and this, not as matter of right, but as matter of decorum.”⁹⁴

⁹¹ Freeholder, 4.

⁹² *Dublin Evening Post*, January 8, 1780.

⁹³ *Freeman’s Journal*, February 26, 1780.

⁹⁴ *Freeman’s Journal*, March 28, 1780.

The nationality-based rhetoric of the American Revolution was more dynamic than that of the years leading up to the Irish Revolution of 1782, and was expressed over a longer period of time. The American patriot rhetoric had to evolve to dismiss their tendencies of explicitly claiming English identity, while the Irish were consistent with their exclamation of solely Irish identity or that of a British subject of the Empire. The lack of explicit English identity rhetoric in Irish sources is surprising considering the strong ties the Anglo-Irish had to the central state. Indeed, many Protestant elites thought of themselves as English living in Ireland despite years of familial residence. Cultural ties to England and intolerance of Roman Catholicism and Presbyterianism permeated the Irish gentry. Even the colonists, who eventually eliminated English as a self-classification, possessed numerous cultural characteristics passed down from English ancestors. However, there still remained “an anglophilic dimension to the campaign for [legislative] independence from the mother county.”⁹⁵ Regardless of their explicit remarks of identification, both Patriot groups utilized arguments that were deeply based in Anglo-Saxon principles and law.

Colonial rhetoric gradually started alluding to American identity. Perhaps due to the initial allowance of dual identity mentioned by the “Freehold of South-Carolina’s” pamphlet, the writings of the patriots are strewn with references to “Americans.” This was accomplished in a variety of ways. Perhaps to differentiate between English and American identity when discussing ministerial conspiracy or English self-interest, Dulany asserted that “an American” could infer that some motive other than generosity explains British engagement in the defense of the colonies.⁹⁶ Additionally, in a petition to the House of Commons, the New York General

⁹⁵ Kidd, “Integration: Patriotism and Nationalism,” 379.

⁹⁶ Dulany, 17-18.

Assembly referred to the colonists as “his Majesty’s American Subjects.”⁹⁷ These were examples from early in the Revolutionary period, both extracted from mid-1760s writings. While even up until the First Continental Congress patriots referred to their home country as “British America,” references to America and Americans without any anglo-qualifier or implication became more frequent as the colonists acquired more grievances.

References to British liberties pervaded American rhetoric. Yet with the emergence of an American national identity, the colonists began to speak of these liberties in localized and nationalistic terms. In his second letter, which attacked the constitutionality of the Townshend Acts, Dickinson mentioned the protection of “*American liberty*” early in the movement.⁹⁸ Later revolutionary writing continued the use of this term, particularly as British infringements on such liberties increased. In 1774 Ebenezer Baldwin spoke of “the general voice of American” standing in support of “the common cause of American liberty” against the ministerial plot in London.⁹⁹ Later, Continental Associations adopted this phrasing as well. This shift illustrates that American patriots started to conceptualize their rights as derivations from their developing nationhood and not just from an ancestral and British birthright. Although Irish patriots did not develop a nationalistic sentiment strong enough to revolt against the Empire, they argued for liberties deriving outside the status as British subjects from the beginning of their movement. While Irish patriotism started with defense of separate Irish rights, American patriotism initially lacked a conception of political rights outside those afforded to them by imperial doctrine. Yet, since American political slavery consisted of an evolving and increasingly tyrannical set of restrictions that would seemingly never be complete in the minds of the colonists, American

⁹⁷ Quoted in Greene, ed., *Colonies to Nation*, 34.

⁹⁸ Dickinson, 20.

⁹⁹ Quoted in Greene, ed., *Colonies Nation*, 219.

patriots eventually needed language that would separate them from evil “English” ministers and their plotting. Irishmen, on the other hand, not only saw their status as definite and their slavery as fixed in history, but also believed that the terms needed to describe themselves as a people were predetermined. Even the patriots’ approaches to describing who they were could be divided into either side of the retroactive versus forward-looking dichotomy used earlier to analyze precedent.

Whether genuine or manufactured, sentiments of national unity provided a strong legitimizing factor for patriots to emancipate their country from the shackles of the Empire. Naturally, the elite patriots depended upon the backing and involvement of the people. While emancipation from oppressive slavery, however each group defined it, constituted the ultimate goal, Irish patriots made use of emancipation terms more explicitly than did the colonists.

Since American patriots saw their slavery as an ongoing process, perpetuated by the calculation of evil ministers, what they defined as necessary for emancipation could be one action one day and another the next. In other words, since their definition of slavery remained transitory and shifting, although nonetheless serious, their path to eliminating that slavery also continued to change. Perhaps based on this, American patriots did not use the term “emancipation” or any of its variations with much frequency at all. Colonial arguments about how to eradicate their position of servitude were developed on more of an ad hoc basis than those of the Irish patriots. Jefferson’s “Declaration of the Causes and Necessities of Taking Up Arms” articulated in confident prose the colonists’ reasons for fighting. Illustrating a concern for posterity, Jefferson remarked, “We cannot endure the infamy and guilt of resigning succeeding generations to that wretchedness which inevitably awaits them, if we basely entail hereditary

bondage upon them.”¹⁰⁰ Under this view, the British imposed slavery on the colonists for such a long period of time and with such mounting pressure that they had no choice but to oppose the most abject state known to man. Jefferson could not imagine the future of the new American nation forced to suffer in the same manner. However, American patriots never united to fight a specific and definable state of slavery because they could not define such a state. The evolving notion of slavery for these colonists eventually pushed them over the threshold, combining with social forces and economic factors.

Irish patriots did not benefit from any great consensus of purpose either. However, they made reference to “emancipation” in specific terms more frequently than the Americans because the Irish viewed their slavery as a centuries old state of affairs resulting from unjust laws that violated the protections of their constitutional tradition. Irish slavery rhetoric highlighted their sister kingdom status, and their emancipation rhetoric called for a return of that status. The American rhetoric reflected their constitutional interpretation in that concerns against arbitrary power required constant vigilance and redefining of the situation. Slavery remained unfinished as long as corrupt ministers held the strings. Complete slavery could be emancipated in ways of which evolving slavery possessed no chance. Irish patriots wrote in the context of a more delineable and historic framework of slavery. With his remarks directed specifically at Lord North, Grattan spoke of emancipation in black or white terms. He articulated the ministry’s two options: “win her [Ireland’s] heart by a restoration of her right, or cut off the nation’s right-hand – greatly emancipate, or fundamentally destroy!”¹⁰¹ The Patriots depended on the Volunteers and general Irish populace to create a sense of urgency and anxiety for a British redress of Irish grievances. On July 11, 1780, Julius wrote to the Volunteers of Ireland that they “have begun

¹⁰⁰ Quoted in Greene, *Colonies to Nation*, 258.

¹⁰¹ Grattan, 8.

the glorious work of emancipation from slavery; let us not abate of our ardor, till our free constitution be firmly established.”¹⁰² Irish rhetoric often highlighted a massive patriotic fervor sweeping the nation with all ready to defend the country.

Extra-parliamentary assertions that called for emancipation assisted the Patriots in their arguments that an Irish nation existed at this time. “Decius” provided an early example of unity promotion with his contribution to the February 26, 1780 edition of the *Freeman’s Journal*. In order to gain emancipation, “Decius” exclaimed to a country divided by religion, “Let all Christians unite in the same cause; let us blot all religious rancour out of our minds and hearts, and all penalties grounded on differences of religion from our statute books.”¹⁰³ “Decius” recognized that without national unity, or even the appearance there of, slavery to Britain might prevail. A reference to this national unity of opinion surfaced three months later in the *Dublin Evening Post* with allusion to “the unalterable sentiments of a Determined nation.”¹⁰⁴ Not surprising, however, the most steadfast promotion of the idea that Ireland was unified as a nation occurred in the Irish Parliament. In order for the politicians’ goals to come to fruition, they needed the regular populace, Protestant and Catholic, behind them.

During the first Declaration of Right Speech, Grattan criticized his fellow MPs for not listening to the desires of their constituents. Urging Parliament to admire the rapid growth and spreading patriotism of the country, Grattan maintained that Ireland had become a free nation. Assertions of unity depended greatly upon the Irish constitutional tradition. Echoing Ireland’s ancient constitutionalism, Grattan addressed Parliament with “Eighteen counties are at your bar; there they stand, with the compact of Henry, with the charter of John, and with all the passions of

¹⁰² *Freeman’s Journal*, July 11, 1780.

¹⁰³ *Freeman’s Journal*, February 26, 1780.

¹⁰⁴ *Dublin Evening Post*, May 16, 1780.

the people!”¹⁰⁵ In 1780, Grattan spoke about the formation of the Irish nation, with all the populace “moulding into a people.” Indeed he remarked, “Never was such a revolution accomplished in so short a time.”¹⁰⁶ Clearly the constitutional nationalists did not comprise “a people” in the sense of the general Irishmen. However, as D. George Boyce remarks, “nationalists are as concerned – often more concerned – with the symbol of nationhood as with the substance.”¹⁰⁷ The patriots saw themselves as leaders of a nation whose majority of inhabitants differed from them substantially. Their position in society enabled them to utilize rhetoric entrenched in a constitutional tradition that was oftentimes factual, yet unmistakably Irish, to perpetuate the notion that the Irish nation was cohesive and should therefore take action with one voice to end “slavery.”

The Protestant elites created an illusion of unity and national identity that today’s observer might see as strewn with irreconcilable contradictions. The Penal Laws gravely restricted opportunities for Catholics and the Protestants constituted a small minority. Since mostly gentry formulated and perpetuated Ireland’s patriot rhetoric, their claims of unity seem remarkably unfounded. Looking through a lens based on modern definitions and connotations of nationalism, the Irish patriots did not constitute nationalists as the colonists across the Atlantic did. The American patriots broke away from their mother country, disbanding all ties with the British Empire and establishing a new nation against almost impossible odds. The Irish patriots were not separatists. However, as “Rainsbourough” wrote in the *Freeman’s Journal* four days prior to Grattan’s first Declaration of Right speech, “The general revolt of a nation cannot be

¹⁰⁵ Grattan, 5.

¹⁰⁶ Ibid., 15.

¹⁰⁷ D. George Boyce, *Nationalism in Ireland* (London: Routledge, 1995), 113.

called a rebellion.”¹⁰⁸ While Ireland did not rebel, a revolution took place that “emancipated” the people for a few years until the Act of Union. Even though the Irish political system did not undergo substantive, practical changes, the real impact of the 1782 Revolution was its place in nationalistic thought in Ireland.

As stated by Boyce, “in the eighteenth century Irish nationalism came of age” and the achievements of Grattan and the Patriots “became a goal and an inspiration for Irish nationalists of many breeds, including Thomas Davis, Charles Stewart Parnell, Arthur Griffith, and even republicans like Bulmer Hobson and Denis McCullough.” In fact, all of the blatant contradictions in the Irish patriots’ rhetoric should be expected of nationalist politics.¹⁰⁹ Some scholars have downplayed the significance of the 1782 Revolution and argued against the eighteenth-century Irish patriot’s place in the history of Irish nationalism. Marytn J. Powell claims that the “nascent form of Protestant nationalism” died quickly due to a lack of Catholic involvement. She does not consider it a part of the larger tradition of Irish nationalism.¹¹⁰ Even Stephen Small, whose analysis of Irish political thought I relied on greatly during my research, is quick to note that the Anglo-Irish struggle with Britain constituted liberalism and not nationalism. Being sure to discuss nineteenth-century Irish nationalism and eighteenth-century Irish patriotism as incompatible and not part of a continuum of thought, Small writes that the Patriots “were deeply worried by the role of the British parliament in Irish politics and expressed a dissatisfaction that can, on occasion, be described as proto-nationalist.”¹¹¹ I fully support the notion put forth by York and Boyce that Grattan and his fellow patriots were early Irish

¹⁰⁸ *Freeman’s Journal*, January 15, 1780.

¹⁰⁹ Boyce, 117.

¹¹⁰ Martyn J. Powell, *Britain and Ireland in the Eighteenth-Century: Crisis of Empire* (New York: Palgrave Macmillan, 2003), 229.

¹¹¹ Small, 31.

nationalists, whether called “constitutional nationalists” or “parliamentary nationalists” or any other qualifying term that could be used to keep modern readers from objecting. Some scholars seem hesitant to attribute national identity to the Irish patriot rhetoric due to the small amount of practical changes in 1782 and the irony of the elite’s position and their claims of unity. However, while the Irish patriots did not drift to supporting independence and failed to carry out substantial reform, their arguments represented the “nascent” beginnings of Irish nationalism. The patriots’ attention to Irish liberties, sincere or calculated, initiated a revolution of thought whose roots were centuries old.

The push for American independence was clearly not the unified, simultaneous defiance of British rule that simplified versions of this classic tale of nationalism depict. Patriots embarked on an uncharted mission to break away from the Empire and form a new nation based upon uneasy notions of commonality that had their greatest manifestation of unification in the words of American arguments. American rhetoric created an image of national identity and unity more effectively than did the Irish. However, the results of both groups’ movements are not what shaped that statement. American patriots did not have to deal with the contradictions that Irish patriots did in asserting the rhetoric of national identity.

Colonists were descendants of frontiersmen, living in a land miles away from England, both geographically and culturally. Similar to the situation in Ireland, educated elites wrote the majority of American patriot rhetoric. As recent works such as Woody Holton’s *Forced Founders* suggests, these American elites decided to break away from Britain partly due to pressures from grassroots rebellions and movements in their own colonies.¹¹² Trade

¹¹² Holton, Woody. *Forced Founders: Indians, Debtors, Slaves, & the Making of the American Revolution in Virginia* (Chapel Hill: University of North Carolina Press, 1999).

considerations and the suppression of the dangers brought forth by minority groups were also motivating factors for the leading colonists' actions. Indeed, this argument could be made for the Irish side as well. However, the two groups diverge when their resulting national identities are considered in relationship to the empire. Inhabitants of the thirteen colonies were able to form a new nation partially due to their lack of national ties and to their religious diversity. In Ireland, the Anglo-Irish Protestants symbolized a stark contrast to the mainly Catholic masses that they "represented" through arguing for the country as a whole. The Irish patriots depended on British security to some degree and, despite a sense of Irishness that most historians are hesitant to recognize, still had closer ties to England than the American elites would even admit in private. A discussion of whether the rhetoric of colonial patriots represented American nationalism is not helpful since there is general agreement over the subject. Clearly, the evolution of American patriot arguments, beginning with early responses to strengthening of imperial control and culminating with the Declaration of Independence, was an explicit expression of the American mind and the origin of today's American nationalism.

Conclusion

Although a more comprehensive comparison of Irish and American patriot rhetoric remains to be undertaken, I strove to initiate a discussion of how both groups intertwined their constitutional interpretations into the two concepts I believe dominate and permeate late eighteenth-century patriot rhetoric focused on resisting the tightened control of the British Empire over its peripheral possessions: political slavery and national identity. Both groups took great issue with the Blackstonian concept of Parliamentary supremacy and advocated for their own legislature's autonomy. Although their constitutional traditions differed and slavery

constituted a quasi-stable concept for only one of the patriot groups, the Irish and Americans broadly envisioned themselves as chained to the confines of an empire that demanded adherence to a constitution failing to preserve the essential rights they were due as subjects. Emerging sentiments of national identity ameliorated this servitude, whatever its immediate manifestation entailed. Ultimately, the aims and results of both patriot groups' actions were simultaneously limited and enhanced by social forces beyond their control and their relationship with the mother state. The societies in which the Irish and American patriots penned their arguments profoundly differed from one another. Still, they shared a common bond in their detestation of British involvement in their legislatures and the concept of their polities as subsidiary, dependent entities. While the patriots enjoyed protections under the Empire, they resented the subordination that accompanied them.

Analyzed on a macro level, the Irish and American patriots shared commonalities that explain the allure to compare them. Constitutional interpretations existed in the thirteen colonies, as well as in the colony that was not a colony exactly, that relied on antiquated notions of the preservation of basic rights and held the crown supreme over the Parliament. Both groups employed these convoluted traditions to their advantage and depended upon the support of those outside the largely elite patriot circle. Explicit references to "slavery" language were prevalent in each rhetoric collection. Some descriptive terms of national identity were also analogous amongst the Irish and American writers. On a certain level, they were both claiming British rights while concurrently manufacturing a nationalistic language. This language of identity, in turn, assisted in arguing against conditions of slavery.

However, a micro level analysis reveals disparities in the two groups' rhetoric. As has been discussed in length their differing constitutional interpretations accounted for much of this

contrast. Irish patriots wrote their argument through a lens that originated centuries back. Additionally, the Irish used language evocative of images accompanying slavery, such as shackles and chains, to a greater extent than Americans did. On the other hand, the colonists were more likely to see a ministerial conspiracy at work in London. This fact reflected their view of American servitude as a continuing process of oppression that gained in intensity after new laws followed each act of colonial recalcitrance. Conversely, Irish patriots saw imperial slavery in their own context, as part of a mythical historical arrangement in which medieval mandates gave the Irish Parliament the right to govern its own people.

Contemporary social arrangements combined with disparate constitutional theories and contrasting views of their own slavery forced each group's rhetoric of national identity to differ. American patriots, whether one views them as civic heroes or compromising elites, made use of language that is viewed today as the cornerstone of American identity and origin. Irish patriots, due to their contradictions and reservations to push for more reform, are viewed by some as Protestant elites that cared little for their fellow "countrymen" and had no intent of creating a feeling of nationhood. Whatever the case may be (in fact the Irish patriots were far from a homogenous lot), I argue that the Irish wrote and spoke in language that not only constituted early nationalism in a pure sense of the concept, but that synthesized centuries of Irish constitutional theory into practical arguments that initiated a awakening on the Emerald Isle. Later Irish nationalists were much more radical and Catholic than these Anglo-Irish elites. Yet, I maintain that their rhetoric resisted the control of Britain by expressing a sentiment of Irishness that was bound to inspire later generations.

Both groups sought to gain freedom from political slavery through an assertion of the primacy of their constitutional interpretation. The Irish believed they would be emancipated

with the re-establishment of their mythical “sister kingdom” status and the restoration of all rights afford therein. Sure the later 1800 Act of Union represented a significant blow to that status, but the Revolution of 1782 momentarily reinstated this status, at least symbolically. Americans could not define emancipation in precise terms during the course of their Revolution because the British acts the patriots opposed continued to materialize, creating a slavery that appeared limitless. Eventually their only emancipation manifested through the ultimate resistance, warfare. Nevertheless both patriot groups writing in opposition to the British stressed the importance of unity for breaking the chains of their servitude or gaining advantageous concessions. It made sense for these political leaders to form arguments around a sense of national identity. Unless their rhetoric had the support of “the people” (Irish Volunteers and American commoners), emancipation could never become a reality, regardless of whether their claims of unity were founded or not.

Neither American nor Irish patriots spoke with a unified purpose or intent behind their voices. Countless elites undoubtedly viewed the revolutionary movements as opportunities to ensure the preservation of their status in society. By protecting the rights of those without the ability to do so, patriots could be seen as heroes, embarking on either the establishment of a nation yet to be realized or the defense of one existing only in past myth. Other patriots were assuredly noble in their pursuits for concessions from the empire. While radicalism permeated American patriot rhetoric and, perhaps, merely liberalism that of Irish patriot rhetoric, both groups included advocates that legitimately believed in the sanctity of their cause. Various patriots defined the constitutional and practical problems of belonging to an empire that recognized their sovereignty in disparate ways. The American Revolution sparked cartographers into immediate action across the globe, while the Revolution of 1782 remains somewhat

insignificant in the eyes of historians examining the course of Irish history. Yet the language of both patriot groups initiated and gave strength to the crisis of empire facing Britain and its ministers. More importantly, it sparked the identity of a nation that was yet to be created and gave a framework for defining a nation that could not yet begin.

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