

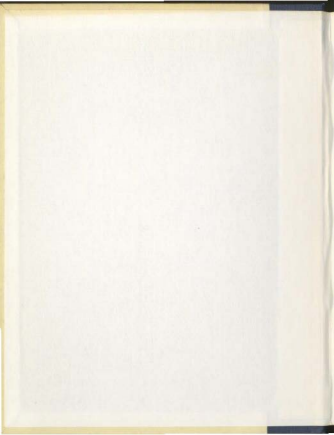
CHARLES FOX AND IRELAND, 1773-1798

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CHARLES FOX AND IRELAND, 1775-1798

By



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ABSTRACT

The closing decades of the eighteenth century saw a reinvigoration of both English and Irish political life with the government of Ireland, and the relationship between the two countries, having to be thought out afresh, albeit begrudgingly, by successive British governments. As a result, British rule in Ireland, after the comparative quiescence of the first half of the eighteenth century, again became a matter for controversy in England. In this development, Charles James Fox played an important part, and became more influential in Ireland than any other English politician.

Charles Fox participated in Irish affairs not only whilst he was in opposition but also during his brief tenure in government office. By so doing, he incorporated the problems of Ireland into his own political thinking, and ensured that the administration of that country remained a matter of political controversy in England throughout the period of Irish legislative autonomy. He made various conscious attempts to become the English leader of Irish opposition movements, and was determined to discuss Irish events and policies both inside and outside parliament. His views on the commercial relationship between England and Ireland,

although narrow, were consistent; but his views on the constitutional relationship between the two countries underwent a pronounced transformation in the heat of the early years of the Anglo-French war.

A variety of reasons lay behind Fox's involvement in affairs across the Irish Sea: familial relationships, political expediency, a commitment to religious toleration and a belief that English statesmen could learn from the experiences of Britain's administration of Ireland all played their part. However, crucial to any understanding of Fox's participation in Irish affairs was his career in English politics. His Whiggery was based on a fear of unchecked government: he believed in the necessity of restraining the executive power in both England and Ireland. The corollary was a commitment to the indispensability of party and the importance of the role of the legislature in the constitution. It was in an attempt to restrain the executive, and correspondingly to strengthen the legislative power that Charles Fox became involved in Irish politics.

England's government of Ireland, and the part played by Ireland in English politics, went through a marked transition in the late eighteenth century. Before the American war, successive English governments were agreed on the administration of Ireland; Irish affairs,

then, played little part in English politics and parliamentary life. In the nineteenth century, on the other hand, this situation was reversed, and if any one man was responsible for this development, it was Charles Fox. He is, in fact, an important link in the changing nature of England's "Irish Question" in the closing decades of the eighteenth century. In opposition Fox rejected the government's Irish policies and eventually emerged as the leader of an English political party with a distinct Irish platform. The quiescence of the early eighteenth century was broken, never to return.

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INTRODUCTION

The politics of Charles James Fox, 1749-1806, have captured the attention of numerous historians; yet only recently has Fox's career been seriously examined. Many of Fox's earlier biographers succumbed to an admiration for their subject which prevented impartial historical analysis. Moreover, no work so far has discussed in any detail Fox's involvement in Irish affairs, and it is one aim of this thesis to rectify this omission. In addition, this study has another objective. Professor Beckett has recently suggested that Anglo-Irish party connexions had an important effect on the development of the constitutional relationship between the two countries in the late eighteenth century.¹ He emphasises that English and Irish opposition groups started to cooperate during the American war and that this alliance remained throughout the years of Irish legislative autonomy. Yet Fox's part in this process remains obscure; and it is the contention of this thesis that he was the most important figure in

¹James C. Beckett, "Anglo-Irish Constitutional Relations in the Later Eighteenth Century," Irish Historical Studies, XIV, No. 53 (1964), 20-38. (Hereinafter referred to as "Anglo-Irish Relations").

this alliance without whom it might not have survived until the Act of Union.

The initial proliferation of works on Fox came in the years immediately following his death, and one of the first was by his Irish Secretary, Bernard Trotter. In 1811 Trotter published the Memoirs of the Latter Years of C.J. Fox; but this is little more than a series of personal reminiscences by one of Fox's greatest admirers.²

Personal memories then yielded to political didacticism and the middle years of the nineteenth century saw the appearance of The Life and Times of Charles James Fox by the Whig aristocrat Lord John Russell. Although this three volume work contains a mass of information, together with some scattered correspondence, the author provides little analysis.³ Russell also edited a selection of Fox's correspondence in the Memorials and Correspondence of Charles James Fox. This contains extracts from Fox's Irish correspondence when in office in 1782 and 1783; but the editor usually allows the

²Bernard J. Trotter, Memoirs of the Latter Years of C.J. Fox (London: G. Sydney, 1811).

³Lord John Russell, The Life and Times of Charles James Fox (3 vols.; London: Richard Bentley, 1859).

letters to speak for themselves.⁴

A few decades later another prominent Whig, George Otto Trevelyan, published two works dealing with the early years of Fox's career. His Early History of Charles James Fox was published in 1880; but this only takes the story up to 1774.⁵ It was followed in 1915 by George III and Charles Fox, which deals with the years of the American war. Although this is a detailed, favourable treatment of Fox, no mention is made of his connexion with the Irish free trade and Volunteer movements, and his part in the establishment of the constitution of 1782.⁶

In the meantime John Lawrence Le B. Hammond had published Charles James Fox: A Political Study in 1903. This is the only work so far which deals at some length with Charles Fox and Ireland; yet the reader is left in the dark about the complexities of Fox's Irish participation and the reasons behind it whilst the arguments are simultaneously obscured and limited by a

⁴Lord John Russell, Memorials and Correspondence of Charles James Fox (4 vols., reprint of 1853-1857 ed.; New York: Ams Press, 1970). (Hereinafter referred to as Fox Correspondence).

⁵George Otto Trevelyan, Early History of Charles James Fox (London: Longmans, Green and Co., 1880).

⁶George Otto Trevelyan, George III and Charles Fox (2 vols.; London: Longmans, Green and Co., 1915).

restricted use of sources and inadequate references.⁷

In the period between the wars more biographies appeared. 1928 saw John Drinkwater's Charles James Fox, a readable work which provides limited analysis and steers clear of Fox's Irish involvement;⁸ and although careful thought went into Christopher Hobhouse's Fox, he makes no mention of the Irish question at all.⁹ Neither does Lascelles's The Life of Charles James Fox fill the gap: he includes only a few isolated and unintegrated reactions by Fox to developments across the Irish Sea.¹⁰

The recent studies of Charles Fox have been more analytical. But Loren Reid's Charles James Fox: A Man for the People, published in 1969, is essentially concerned with Fox the orator; his few scattered commentaries on "Irish discontent" are of little value.¹¹ Leslie Mitchell,

⁷ John Lawrence Le B. Hammond, Charles James Fox: A Political Study (London: Methuen, 1903). For his two chapters on Fox and Ireland, pp. 146-203, Hammond relied almost solely on a selection of Fox's speeches, his correspondence and the parliamentary debates.

⁸ John Drinkwater, Charles James Fox (New York: Cosmopolitan Book Corporation, 1928).

⁹ Christopher Hobhouse, Fox (London: Constable, 1934).

¹⁰ Edward Charles P. Lascelles, The Life of Charles James Fox (Reprint of 1836 ed.; New York: Octagon Books, 1970).

¹¹ Loren D. Reid, Charles James Fox: A Man for the People (London: Longmans, 1969).

on the other hand, has been responsible for one of the best analyses to have appeared to date. His Charles James Fox and the Disintegration of the Whig Party, 1782-1794, published in 1971, is a perceptive and valuable study of Fox's political career in the 1780's and early 1790's.¹² He sees Fox as the prominent political theorist and activist behind the Whig party in these years; yet, in a significant omission, the author is content to make little reference to Fox's connexions with Irish affairs. Finally, John Derry's Charles James Fox, published in 1972, sees Fox not as the forerunner of nineteenth century English liberalism, a vice of many of the older biographies, but rather as the culmination of the tradition of English Whiggery established in 1688.¹³ Yet the author's analysis of Fox's Irish participation is limited to a discussion of his views on the relationship between England and Ireland in 1782, and the campaign against the Anglo-Irish commercial propositions in 1785.

Specific aspects of Fox's many-sided career have been the subject of articles. Herbert Butterfield's

¹² Leslie G. Mitchell, Charles James Fox and the Disintegration of the Whig Party, 1782-1794 (Oxford: Oxford University Press, 1971).

¹³ John Wesley Derry, Charles James Fox (London: Batsford, 1972).

"Charles James Fox and the Whig Opposition in 1792" is a scholarly treatment of Fox's attempts to hold the Whig party together under the growing threat of the Anglo-French war;¹⁴ whilst Ian Christie's "Charles James Fox" is a derogatory commentary on Fox's political career which, the author claims, was ruined by a reckless lack of judgement.¹⁵ Last but by no means least, J.R. Dinwiddy has written two enlightening articles, one on Fox's own "History of the Early Part of the Reign of James II," the other on his relationship with "the people."¹⁶ However, none of these stimulating but selective articles has anything to say about Fox's Irish involvement.

Charles Fox's complex and influential participation in Irish affairs began with the growth of the Irish patriot movement and the regeneration of Irish political life during the American war. The immediate results of the patriot demands during England's American conflict were the commercial concessions of 1779, and the establishment of the constitution of 1782, which gave

¹⁴Herbert Butterfield, "Charles James Fox and the Whig Opposition in 1792," Cambridge Historical Journal, IX, No. 3 (1949), 293-330.

¹⁵Ian R. Christie, "Charles James Fox," History Today, VIII, No. 2 (1958), 110-118.

¹⁶J.R. Dinwiddy, "Charles James Fox as Historian," Historical Journal, XII, No. 1 (1969), 23-34.
J.R. Dinwiddy, "Charles James Fox and the People," History, LV, No. 185 (1970), 342-359.

legislative autonomy to the Irish and which was to remain in force until the Act of Union in 1800.

When America declared her independence, Charles Fox was one of the first English statesmen to accept the inevitable and support the American claims. The right of people to have some say on the sort of government under which they wanted to live became part of his political beliefs; and Irish demands for autonomy found a sympathetic ear. On two occasions, in 1777 and 1779, he crossed the Irish Sea. He directly encouraged the Irish patriot movement, not only because he believed that the Irish should have some say in their government but also because he understood the agitation as an attempt to strengthen the Irish legislature against the Irish executive. He interpreted the Irish demands in the context of a Whig reaction against Lord North's government. To Fox, the Irish patriots, like the American rebels, were "Whigs" in opposition to George III and Lord North; and as such he sympathized with many of their demands. Yet Fox's deliberate association with the Irish patriot movement was complicated by two factors. He was not in favour of extensive commercial concessions for Ireland; indeed, his views on England's commercial monopoly were always narrow and mercantilist, betraying his traditional Whiggery. At the same time, the rise of the armed Volunteers put him in a dilemma, as they acted as

military associations forcing the hands of the civilian power, which was directly contrary to his Whig belief in the necessity of control of the military by the legislative authority. However, he did question the powers of the English parliament to legislate for Ireland; and, by so doing, he emphasised his belief that the Anglo-Irish constitutional relationship was the basic issue in the Irish opposition to England's government.

In March 1782, Lord North resigned, and Fox became Secretary of State for Foreign Affairs until his resignation in the following July. The next year, however, he resumed his office in the Duke of Portland's administration. As Foreign Secretary, Fox was not officially responsible for Irish affairs; but he still took an active part in the Irish administration and in the establishment of a new Anglo-Irish constitutional relationship, testifying to his own interest in Irish developments. He sincerely wished the Irish parliament to have the right to legislate on internal affairs without any interference from the English executive; but, at the same time, he wanted a reciprocal agreement drawn up to settle permanently the disputes between the two countries, and ensure England an Irish imperial contribution. In spite of Fox's efforts, this agreement did not materialize before the Irish had been given legislative autonomy; and this was to influence his Irish policy in 1783, as he

became extremely anxious over the possibility of the ultimate separation of the two countries.

The constitutional arrangement of 1782 repealed the Declaratory Act and established the principle that the Irish parliament had the sole right to legislate for Ireland; but the Irish executive remained appointed by the English government, and was therefore not responsible to the Irish legislature. This dichotomy in the 1782 constitution was to influence strongly Fox's Irish involvement during his long tenure in opposition from 1784. His determination to establish the accountability of executive power was sharpened in December, 1783 when he was dismissed from the government after the defeat of his India Bill in the House of Lords through the intervention of George III. William Pitt became First Lord of the Treasury although he only had a minority support in the House of Commons; and Fox's deepest suspicions of royal influence and executive power were now confirmed.

From this time onwards, Fox's guiding political principle was the necessity to restrain the executive power; and this was applied to Pitt's executives in both London and Dublin. With the war against France in 1793, his fear of an unchecked executive became acute. In Ireland he saw an unrestrained executive infringing not only individual liberties, but also the rights of the

legislature itself. Together with this was a nervous apprehension that these acts of arbitrary power would be repeated in England during Pitt's European struggles. So, during the 1790's, Charles Fox and his small but loyal group of followers revealed a frequent concern for the government of Ireland. His Irish involvement was to reach a new peak in the years immediately preceding 1800, culminating in the defence of a United Irishman in a Maidstone courthouse.

It was during the American and French wars that Fox's Irish participation was most influential. England's troubles were frequently Ireland's opportunity, and it was in these critical years that his anxiety over the executive power was most acute, at a time when Irish opposition to British rule reached overwhelming proportions. The dangerous strength of the Irish opposition was most apparent in the 1790's with the emergence of the United Irish movement and the possibility of an Irish invasion by revolutionary France. Fox's answer to the Irish danger was parliamentary reform and Catholic Emancipation, not an increase in arbitrary executive power and government repression.

Thus, Fox's activities in England, particularly in parliament, were eagerly, anxiously and continually scrutinized by successive Irish governments and oppositions. He was persistently accused of encouraging

Irish discontent, although he boldly told the House of Commons in 1796 that he had never accepted the doctrine, which had been warmly espoused by Pitt's government since 1784, of refusing to discuss Irish affairs in Westminster. In this situation, of especial importance were Fox's speeches in the Commons. These were reported in the Irish press and occasionally, as in the dispute over Pitt's free trade proposals in 1785, were reprinted and circulated in Ireland in pamphlet form. For this, Fox's unquestioned ability as a rhetorician was particularly suited.

The relationship between England and Ireland involved constitutional and commercial considerations. Although these were really inseparable, Fox attempted to distinguish between them. So, during the Irish agitation for free trade in 1778 and 1779, he concentrated on political and constitutional considerations and not the genuine Irish commercial grievances. He opposed Lord Lieutenant Northington's intended concessions to the Irish economy in 1783. Two years later, when Pitt proposed to give the Irish numerous commercial advantages in return for an imperial contribution, he met strong opposition from Fox, who emphasized that he had always considered Irish commercial grievances unwarranted.

In these ways, Fox's hostility to Irish commercial concessions was firm and consistent; however, his

consideration of the Anglo-Irish constitutional relationship was more flexible. He supported Irish demands for legislative autonomy in 1782; yet he was apprehensive over the possible separation of the two countries. By 1797, however, he had acknowledged that the constitution of 1782, which he saw himself primarily responsible for, had failed. His solution was to increase Irish autonomy by making the Irish executive more responsible to the Irish parliament and the Irish nation; and to achieve this, he was prepared to accept complete Irish independence. The government's answer, on the other hand, was the Act of Union.

CHAPTER I

ENGLAND AND IRELAND IN THE EIGHTEENTH CENTURY AND THE EMERGENCE OF THE IRISH PATRIOT MOVEMENT

The terms "Irish Question" and "Irish Problem" have been frequently used by British historians, sometimes rather carelessly. However, the fundamental issue denoted by the terminology is that of England's government of Ireland. Taken at this basic level, the "Irish Question" of the first half of the eighteenth century was very different from that of the nineteenth. For much of the eighteenth century, no distinctive policies were formulated by successive English ministries for the government of Ireland, as there existed a basic agreement on the broad tenets of the administration of that country. Irish opposition to the government was minimal, if not completely broken. As a result, the way in which Ireland was governed was not a political issue in England and Irish issues made few appearances in Westminster debates.

In the nineteenth century, however, the reverse was the case. Distinctive Irish policies were formulated by successive Whig/Liberal and Tory/Conservative governments and oppositions, the fundamental accord

amongst political parties over Irish administration was broken, and a remarkable number of governments were to fall over Irish issues. Similarly, English statesmen and politicians were compelled to cast their eyes over the Irish Sea because of the opposition to England's government there. The result was that the administration of Ireland became a political issue in England, with Irish issues making constant appearances in Westminster.

In Charles Fox's attention to England's government of Ireland lies an important origin of nineteenth century "Parliamentarianism," the idea, often condemned by Irish nationalists, of pursuing Irish grievances in the English Parliament, which had two of its most famous representatives in Daniel O'Connell and Charles Stewart Parnell. Moreover, Fox's involvement in the affairs of that country, which was a continuous feature of his long and influential political career, goes some way towards explaining the nineteenth century dictum that it was the Whig party who were "friendly to Ireland."

The quiescence of the "Irish Question" for much of the eighteenth century was the result of the Glorious Revolution of 1688-90. The victory of William III over James II at the Battle of the Boyne in July, 1690, established the Protestant Ascendancy in the internal government of Ireland and strengthened English control

over the subject country. Each of these aspects of the Williamite settlement was necessary to the other: it was through the Protestant Ascendancy that England subjected Ireland, and it was with English support that the Ascendancy maintained its position over the Catholic Irish majority.¹

The settlement established the Protestant Ascendancy on a firm property basis and greatly weakened the Catholic opposition. Approximately six million acres of Catholic Irish property were confiscated, and by the beginning of the eighteenth century, three-quarters of the land of Ireland was in the hands of Anglo-Irish Protestants and absentee Englishmen.² This change in property-holding was consolidated and perpetuated by the system of penal laws, which were imposed on Irish Catholics in the wake of the Battle of the Boyne. The objective of the penal system was the maintenance of the

¹Edith M. Johnston, Great Britain and Ireland, 1760-1800 (Edinburgh: Oliver and Boyd, 1963), p. 3.

²Christopher Hill, Reformation to Industrial Revolution (London: Weidenfield and Nicholson, 1967), p. 131. Hill estimates that by the middle of the century, £750,000 was leaving Ireland each year in the form of rent to absentee landlords. See also Eric Strauss, Irish Nationalism and British Democracy (London: Methuen, 1951), pp. 8-18. It was during the eighteenth century that the term "Anglo-Irish" first came into general usage to denote the Protestant ruling class.

Catholics in a position of economic, and hence of social and political subjection.³ Thus, by an act of 1704, the only terms on which an Irish Catholic could acquire land was by a lease for a maximum of thirty-one years' duration.⁴ Catholics were excluded from parliament, the law and both central and local government, while the Protestant Church was established as the Church of Ireland. So the ascendancy of the Protestants was complete in Church and State, and they ruled Ireland with little opposition for much of the eighteenth century.⁵ It is hardly surprising that the Jacobite conspiracies of 1715 and 1745 against the Hanoverian monarchy met with little Irish response.

The link between England and Ireland was the Irish executive, headed by the Lord Lieutenant and the Chief Secretary. Both were appointed by the British government and continued to be so after the constitutional changes of 1782. The Whig victories for

³James C. Beckett, The Making of Modern Ireland, 1603-1923 (London: Faber and Faber, 1966), pp. 157-158. (Hereinafter referred to as Making of Modern Ireland.)

⁴Ibid.

⁵Viz: "In the period 1714 to 1760, Ireland had little or no political history." Edmund Curtis, A History of Ireland (Reprint of 1936 ed.; London: Methuen, 1964), p. 292.

parliament in late seventeenth century England had no counterpart in Ireland where the executive power remained accountable to the English government and not to the Irish legislature. Even so, steps still had to be taken to manage the Irish House of Commons in order to maintain the control of England over the subject country. To ensure the passage of government business through the Commons, the undertaker system was employed. By this arrangement, the Lord Lieutenant gave to the principal Irish borough owners the rights of patronage which were at the government's disposal. By their influence over several parliamentary constituencies, the important borough owners would use this patronage to control members of the House of Commons, and thus ensure the ratification of the government's parliamentary business. However, the undertakers gradually gained power at the expense of the Lord Lieutenant; so Viscount Townshend, Lord Lieutenant from 1767 to 1772, abolished the system and took into his own hands the disposal of patronage. This new arrangement involved the permanent residence of the Lord Lieutenant in Ireland and was to remain in force until the legislative union of 1800.⁶

Besides the control exercised by the executive largely through patronage, the Irish parliament was

⁶Johnston, op. cit., pp. 4-5.

restricted in other ways. By Poynings Law, parliamentary legislation had first to be submitted to the Irish and English Privy Councils, in the form of "heads of bills." The Councils, in their turn, could accept, amend or reject the bills, and when returned to the legislature, the bills could either be accepted or rejected, but not altered. Hence the Irish parliament could not legislate without English assent. At the same time, the English parliament could pass laws pertaining to Ireland: the Declaratory Act of 1720 formalized Westminster's right to pass laws binding on Ireland, and abolished the appellate jurisdiction of the Irish House of Lords.

Although these powers over the Irish legislature were used cautiously by eighteenth century English ministries, they still emphasized the subjection of the Irish parliament to the English government.⁷ At the same time, until the Octennial Act of 1768, the only legal requirement necessitating a general election was the death of the sovereign. Moreover, two-thirds of the Irish revenue was granted in perpetuity to the Crown, lessening the dependence of the Irish executive upon its parliament, in contrast to the situation in England where parliamentary supremacy was based on the power of the purse.⁸

⁷Beckett, "Anglo-Irish Relations," p. 21.

⁸Johnston, op. cit., p. 10.

So the triumphs of the Bill of Rights and the Act of Settlement for the legislature in England were not carried over into Ireland; and for Charles Fox, whose politics were very much influenced by the Whig Revolution of 1688, the restrictions on the powers of the Irish parliament should be removed.

England curtailed Ireland's economy during the first half of the eighteenth century, as well as Irish legislative life. The English parliament placed restrictions on Irish manufactures and trade, and the Navigation Acts and subsequent legislation severely limited Irish trade with English colonies, foreign countries and with England itself. The Irish were allowed very little direct trade with the colonies and Europe, while Irish goods entering England were subject to high rates of duty. On the contrary, English goods entering Ireland were subject to comparatively low rates of duty.⁹ These commercial restrictions obviously had an adverse effect on Irish industrial development, of which English manufacturers were repeatedly to show a marked jealousy. So, by the latter half of the eighteenth

⁹George A.T. O'Brien, The Economic History of Ireland in the Eighteenth Century (London: Maunsell and Co., 1918), pp. 173-180; Alice Effie Murray, A History of the Commercial and Financial Relations between England and Ireland (Reprint of 1903 ed.; New York: Burt Franklin, 1970), pp. 74-94.

century, the Irish found themselves largely dependent on the linen and provisions trade, neither of which were seen as competitors to English economic development.¹⁰

The Irish economy was predominantly rural. However, because of the property settlement at the end of the seventeenth century, giving the bulk of Irish property to Protestant landlords who were interested largely in rent and not agricultural improvements, the economy was one of poverty and under-development.¹¹ Only Ulster in the north of Ireland was comparatively prosperous in the eighteenth century, because of the concentration there of a Protestant population, the prevalence of the "Ulster custom," and the growth of the linen and provisions trade in that region.¹² As a result of the restrictions on the Irish economy, commercial and economic grievances played a crucial part in Irish movements against British rule in the closing decades of the eighteenth century.

¹⁰O'Brien, op. cit., pp. 189-222; Murray, op. cit., pp. 85-134.

¹¹Strauss, op. cit., pp. 8-18.

¹²For Ulster see Strauss, op. cit., pp. 18-25; Beckett, Making of Modern Ireland, pp. 179-181. The "Ulster custom" was recognized throughout the province of Ulster. By this convention, if a landlord wished to evict a tenant, he had either to allow him to sell his tenant right, or had to purchase it himself at the current market value.

Yet support for this aspect of Irish agitation was always difficult for Charles Fox, and he was often to demonstrate a jealous desire to preserve England's commercial monopoly and the Navigation Code.

This, then, was the economic and constitutional situation of Ireland over which successive eighteenth century English administrations presided. No English statesman thought of any material alteration in the Navigation Acts, which curtailed the Irish economy to England's advantage; and nobody suggested changes in Poynings Law or the Declaratory Act, or envisaged alternative means of governing Ireland. Neither was it considered necessary that the Irish Lord Lieutenantcy had to change with the advent of a new government in England, as the broad outlines of the policy to be carried on by the Irish executive would remain the same.¹³ The general desire of both the Protestant Ascendancy and the English government was to maintain the status quo; and the administration of Ireland only sporadically entered English political debates.

In the 1720's, Irish opposition both inside and outside parliament was temporarily brought into English politics when First Minister Robert Walpole granted a

¹³Beckett, "Anglo-Irish Relations," p. 25.

patent to an English manufacturer giving him permission to mint the Irish coinage. This met with Irish resentment whilst in England Carteret, in opposition to Walpole, attempted to encourage Irish opposition in conjunction with discontented English Whigs. Yet Carteret's junction with the Irish opposition proved to be ephemeral, and the whole affair ended with his appointment as Lord Lieutenant to quell the disturbances.¹⁴ On the whole, there was little cooperation between opposition movements in England and Ireland to most eighteenth century administrations. Neither were Irish issues the subject of much debate in Westminster, although Edmund Burke was to distinguish himself in the parliamentary session of 1766 by attempting to promote Irish commerce.¹⁵ In general terms, England did not have an

¹⁴John H. Plumb, England in the Eighteenth Century (London: Pelican Books, 1957), p. 62.

¹⁵Thomas H.D. Mahoney, Edmund Burke and Ireland (Cambridge, Mass.: Harvard University Press, 1960), pp. 31-34. Edmund Burke, 1727-1797. Private Secretary to the Marquis of Rockingham in Rockingham's government in 1765-1766 and Paymaster-General in Rockingham's second administration in 1782. He resigned with Fox in July, 1782, and remained a Foxite until the French Revolution, after which he took the side of the Portland Whigs and William Pitt. Sir Lewis B. Namier and John Brooke, The History of Parliament: The House of Commons, 1754-1790 (3 vols.; London: H.M.S.O., 1964), II, 145-153. (Hereinafter referred to as History of Parliament.)

"Irish Question" in the early decades of the eighteenth century. As Edmund Burke himself wrote, "I have never known any of the successive governments in my time influenced by any passion relative to Ireland than the wish that they should hear of it and its concerns as little as possible."¹⁶

However, after the ephemeral resistance to Walpole, a more general Irish opposition movement gradually emerged. Although disorganized, the opposition became known as the patriots and was made up of members of the Protestant Ascendancy whose general aim was to strengthen the power of the Irish parliament at the expense of the executive and thereby of the English government. Essentially a parliamentary movement, the patriots made a number of attempts to achieve more frequent elections and to restrict the pension list as both of these measures would enhance the power of the legislature against the executive. Similarly, patriot demands for security of tenure for judges and a Habeas Corpus Act were also voiced.¹⁷ One success of the patriot agitation was achieved in 1753 when a surplus appeared in the Irish revenue. The Lord Lieutenant

¹⁶Quoted in Johnston, op. cit., p. 94.

¹⁷William E.H. Lecky, History of Ireland in the Eighteenth Century (5 vols.; London: Longmans, Green and Co., 1892), II, 70.

claimed that the surplus belonged to the Crown; but the patriots denied this principle and it was rejected in the House of Commons. Only by extensive bribery did the executive manage to regain control of the lower House. The result of the altercation was that, in the future, any surplus was to be returned to Ireland in the form of agricultural and industrial bounties and grants to Trinity College, Dublin.¹⁸

This attempt at partial parliamentary control of finance was just one of the many demands by which the Irish patriots aimed at securing for themselves the rights which the Glorious Revolution had secured for the English parliament; and it was in this fundamental Whig context that Charles Fox was to show interest in the patriot cause. This interest began during the American war, when the patriot movement became a powerful force in both English and Irish politics.

By the time of the outbreak of war with the rebellious American colonies in April, 1775, Fox had become a leading member of the opposition to Lord North.¹⁹

¹⁸Curtis, *op. cit.*, p. 302.

¹⁹Lord North, 1732-1792. Represented Banbury in the House of Commons from 1754 to 1790. He was First Lord of the Treasury 1770-1782, and Home Secretary in coalition with Fox in 1783. However, North was less active in the 1783 government than Fox, and played no part in the formulation of the India Bill. The dismissal of the coalition marked the end of his significance as a politician and most of his followers were defeated in the 1784 election. History of Parliament, III, 204-212.

Entering parliament in 1768 as a government supporter, Fox served in North's administration from February, 1770, to February, 1772, as a Lord of the Admiralty.²⁰ He resigned in February, 1772, but did not go over to the opposition.²¹ By the end of the year he had resumed office as a member of the Treasury Board. Again his tenure was short, and early in February, 1774, he was dismissed for acting independently of the government.²² In the following March and April he gave his first vote in conjunction with the Rockingham Whigs in favour of the repeal of the tea duty which had been levied on American ports.²³ This was significant as from this time onwards, Fox acted with the Rockingham opposition although he did not formally join the party until the summer of 1777; and his association with the followers of the Marquis of Rockingham became a leading factor in his political development and his Irish activities.

²⁰Fox Correspondence, I, 51-60.

²¹For Fox's resignation see Crawford to Ossory, February 21st., 1772, and Fox to Ossory, February 21st., 1772, Ibid., 72-73.

²²Ibid., 95-101.

²³Ibid., 135. The Rockingham Whigs were the followers of the Marquis of Rockingham First Lord of the Treasury in 1765-66 and again in 1782. The stalwarts of this aristocratic connexion were the Cavendish family, which included the Duke of Devonshire, the Duke of Richmond and the Duke of Portland.

The Rockingham Whigs regarded themselves as the successors of the Whig party who had made and maintained the Glorious Revolution of 1688. They believed in the concept of party as a means of opposing the government; and they saw an opposition party as a necessary political instrument whose task was the pursuit of office.²⁴ Charles Fox and the Rockingham Whigs thereby amplified the concept of party and developed and strengthened the role of the opposition in the English constitution. They became the most doctrinaire of the groups in opposition to Lord North, and they developed a coherent party structure.²⁵ In this way, party was gradually recognized as resting, at least partly, on principle; and a consistency of attitude was developed.²⁶ The result was that the Rockinghamite opposition to Lord North became distinguishable from previous oppositions by its cohesion as a party whose ultimate goal was to become the

²⁴Archibald S. Poord, His Majesty's Opposition, 1714-1830 (Oxford: Clarendon Press, 1964), pp. 310-315.

²⁵Ibid., pp. 338-345. The intellectual theorist of the Rockingham party was Edmund Burke whose "Thoughts on the Present Discontents" was published in 1770. In this treatise, Burke analysed the Rockingham concept of party.

²⁶Herbert Butterfield, George III and the Historians (London: Collins, 1957), pp. 265-272.

government.²⁷

Charles Fox and the Rockingham Whigs gave their vocal support to the Americans in their struggle with the mother-country. At the same time they incorporated the Irish patriot agitation into the beliefs of their own party, and no one was more involved in this process than Charles Fox. Not only did Fox see the American colonists as Whigs struggling against the arbitrary executive power of Lord North and George III, but he also identified the Irish patriots' beliefs with his own. This sympathy was possible because of his agreement with patriotic demands which were essentially aimed at strengthening the Irish parliament at the expense of its executive. Thus Fox wrote to the Earl of Charlemont in 1782 emphasising that they both acted on the "same political principles."²⁸ In fact, Fox identified the American rebels and Irish patriots as Whigs, all to be theoretically encompassed

²⁷Foord, op. cit., p. 359.

²⁸Fox to Charlemont, April 4th., 1782, Historical Manuscripts Commission Report, Manuscripts and Correspondence of James, First Earl of Charlemont (2 vols.; London: H.M.S.O., 1891, 1894), I, 57 (Hereinafter referred to as Charlemont MSS.) James Caulfield, First Earl of Charlemont, 1728-1799. Member of the Irish House of Lords. He was elected commander-in-chief of the Irish Volunteers in the summer of 1780 and in 1783 he became an Irish Privy Councillor under Lord Lieutenant Northington. He supported the opposition in the Regency crisis of 1788-1789 and was one of the founders of the Dublin Whig Club. He opposed the Union but died before its enactment. Dictionary of National Biography. (Hereinafter referred to as D.N.B.)

within his own political framework. To him, George Ogle, a leading patriot, was a "good Whig";²⁹ and he asked the Earl of Charlemont in 1782

Why should not the Whigs (I mean in principle not in name) unite in every part of the empire to establish their principles so firmly that no future faction shall be able to destroy them?³⁰

This was intended as more than a symbol of mutual cooperation between Fox and his English associates and the Irish patriots. It affirmed that they were all fighting for the same Whig demands; and this helps to explain the success felt by the Irish patriots when the Rockingham Whigs took office in March, 1782.

Meanwhile the Irish patriots tended to see themselves as Whigs in opposition to Lord North's executive, and the Volunteers, armed Protestant organizations who demanded free trade and then changes in the Anglo-Irish constitutional relationship, were eager to publicize their "Whiggish, Protestant, Glorious Revolution" characteristics. Their jealousy of English restrictions on their parliament met with Fox's sincere and generous support. Interpreting the Irish agitation in its Whig context, Fox believed in the necessity of

²⁹Fox to Leinster, January 4th., 1780, Charlemont MSS, I, 370.

³⁰Fox to Charlemont, April 4th., 1782, Ibid., 57.

strengthening the role of the Irish parliament in the constitution. After all, his forbears had increased the powers of the English parliament at the end of the previous century; now a similar exercise was necessary across the Irish Sea. So he objected to the extensive use of corruption by the Irish executive in controlling its legislature. Similarly he supported the demand for an alteration in Poynings Law, as he believed that in internal matters the Irish parliament had the right to legislate without English interference. In 1781 he violently opposed an Irish Mutiny Act which had been made perpetual by the English government: the Act was contrary to the Bill of Rights and to his Whig belief in the control of the military power by the legislative body. Interpreting the patriot demands as being in line with his own beliefs, then, Fox felt compelled to participate in the Irish movement; and in this development, the "Whig" philosophy was to provide a common theoretical basis uniting him with his Irish counterparts.

During the war against the American colonies, the nature of the opposition to government in England changed. Before 1775, eighteenth century oppositions had always been eager to emphasise their patriotism; now, however, this role was reversed as opposition supported the cause

of the recalcitrant colonists and Irish patriots.³¹ Thus the Irish agitation was incorporated into English politics; and the principles of Fox and the Rockingham Whigs, the association of their beliefs with the demands of the Irish patriots and the mutual identification through the use of the term "Whig" were enhanced by material factors. Many of Rockingham's followers were large absentee Irish landowners: the Marquis of Rockingham himself and later his successor, the Earl of Fitzwilliam, the Duke of Devonshire and the Earls of Bessborough and Upper Ossory were all owners of extensive Irish property.³² They obviously had a vested interest in preserving the Irish status quo, and in 1773 they had opposed the idea of an absentee tax on Irish landowners.³³ But they were prepared to conciliate the Irish when the opposition became dangerous during the American war, and they took a keen interest in Irish developments.

³¹ Foord, op. cit., p. 323.

³² The Duke of Devonshire was the representative of the Cavendish family. From 1762 to 1782, the Cavendish family was the pillar of the Rockingham group; and after Rockingham's death in 1782, the family followed Fox until 1794, when they went over to support Pitt's government. History of Parliament, II, 200-206.

³³ Earl of Albermarle, ed., Memoirs of the Marquis of Rockingham and his Contemporaries (2 vols.; London: Richard Bentley, 1852), II, 227-228, 234. See also J.E. Tyler, "A Letter from the Marquis of Rockingham to Sir William Mayne on the Proposed Absentee Tax," Irish Historical Studies, VIII, No. 32 (1953), 362-369, and Johnston, op. cit., pp. 294-295.

Familial relationships between English Whig aristocrats and prominent Irish political families were also present: Charles Fox himself was cousin to the Duke of Leinster, and a series of marriages associated the Cavendish and Ponsonby families.³⁴ Yet in Fox's case, the material factor must not be over-emphasised; neither must his involvement in Irish affairs, particularly Irish opposition movements, be seen as a matter of simple political expediency. To simplify Fox's Irish participation during the American war, and see it solely as another opportunity to oppose Lord North's government is to obscure Fox's identification with the Irish patriot

³⁴William Robert Fitzgerald, 2nd. Duke of Leinster, 1749-1804. Member of the Irish House of Lords. He became Colonel of the Dublin Volunteers but eventually joined the government in 1788 as Master of the Rolls. His brother was Lord Edward Fitzgerald, the United Irish leader who died in 1798. The Duke of Leinster supported the Union in 1800. D.N.B.

William Brabazon Ponsonby, 1744-1806. Represented County Kilkenny from 1783 until the Union. He joined the Irish government in 1784 but lost his place after the Regency crisis. He was one of the original members of the Irish Whig Club and sponsored parliamentary reform motions in the Irish Commons in 1793, 1794 and 1797. D.N.B.

George Ponsonby, 1755-1817. Brother of W.B. Ponsonby, he sat for the borough of Inistioge in Co. Kilkenny in the Irish Commons. He became Chancellor of the Exchequer under Lord Lieutenant Portland in 1782, but was a leading member of the opposition after the Regency crisis. He opposed the Union and became Lord Chancellor of Ireland in 1806 in the Fox-Grenville ministry. D.N.B.

movement and his support for its Whig demands.³⁵

It was the American war which channelled the Irish patriot agitation into a demand for free trade. The war severely limited the Irish staple trade in linen and provisions in 1775 and 1776 and caused an acute economic depression. This commercial dislocation encouraged patriotic demands for the rights of free trade, meaning permission for the Irish to trade wherever they wanted. This reinvigorated patriot movement flourished outside the walls of the Irish parliament in Dublin, although the movement in the country looked to its representatives in the legislature for support. The entry of France into the war in 1778 on the side of America stimulated the growth of the Protestant Volunteer movement, a number of armed associations organized to protect Ireland in the event of a French invasion. Yet

³⁵Viz: "The British opposition was certainly not moved by any altruistic concern for Irish welfare...But if there is some truth in the charge that Rockingham and Shelburne, Richmond and Fox, acted selfishly, even irresponsibly in bringing Ireland into British party politics, it must be admitted that the circumstances provide some justification for their conduct. The great issue was the American war. The ministry was desperately anxious to justify its policy in the eyes of the world, the opposition no less anxious to show that that policy was foolish, immoral and unpopular. Both sides therefore attached great importance to expressions of public opinion; and even Irish opinion, usually little attended to in England, acquired a new significance." Beckett, "Anglo-Irish Relations," p. 26. See also Johnston, op. cit., pp. 285-287.

the Volunteers gave the patriot movement a forbidding military complexion which could threaten to assert Irish rights by force. By 1779 the situation for the English government had rapidly deteriorated. Not only had Spain joined the war on the side of France and America but there existed in Ireland a universal demand for free trade with the Lord Lieutenant temporarily losing control of the House of Commons in Dublin. By the end of the year, the English government was forced to yield, thereby averting an ugly confrontation. Generous concessions were made to Irish commerce. Then, however, the patriots and Volunteers agitated for the legislative autonomy of their country to ensure retention of the commercial concessions. In 1782 the English administration gave the Irish legislative autonomy, but the Irish executive was still appointed by the English government, and was not therefore responsible to the Irish parliament.

The Irish demands, and the development of the struggle with Lord North's government were influenced to a large extent by the political situation in England. The confrontation between the two countries was characterized by an interaction between English and Irish politics with the administration of Ireland becoming a matter of political dispute in England. In other words, England again found herself confronted with the "Irish

Question." The Irish patriots found supporters in England and in this development, Charles James Fox had a leading part to play. It was through Charles Fox that the administration of Ireland was to remain a subject of political controversy in England during the period of Irish legislative autonomy, and it was during the Irish free trade agitation that he first became involved in Irish politics.

CHAPTER II

THE BEGINNINGS: CHARLES FOX AND IRISH FREE TRADE, 1778-1782

It was during the regenerated patriot agitation for free trade that several of the major characteristics of Charles Fox's views on Irish politics and developments emerged. He encouraged the Irish agitation in an indirect manner by his speeches in Westminster, and he also directly participated in the movement in Ireland in 1777 and again in 1779. At the same time, he made a conscious effort to establish and maintain a good reputation with the Irish opposition as the leading representative of its cause in England; and he was criticized by the English government for his Irish activities. More important, he saw the Irish commercial agitation as a political problem involving the constitutional relationship between the two countries. Indeed, he ignored the commercial issues and concentrated on political and constitutional considerations. Thus his role was ambiguous as he was determined to participate in the Irish agitation, but he was hesitant to give his support to Irish commercial relief. Finally, he persistently blamed Lord North's government for the strong

opposition in Ireland to the commercial restrictions, thereby making the administration of Ireland an issue in English party politics.

The war with the rebellious colonies in 1775 terminated Irish trade with America, particularly that of linen; and early in the next year an embargo was laid by the English government on the export of provisions from Ireland to foreign countries. By 1777, the embargo had raised general hostility and both of Ireland's staple trades had been severely curtailed.¹ In July, 1777, Lord Lieutenant Buckinghamshire asked Lord North's government for some relief for Irish trade, but nothing was done;² and Irish economic distress increased in March, 1778, when Ireland's large contraband trade with France was ruined when the French entered the war on the side of America.

¹Charlemont MSS, I, 41-42. The only provisions which the Irish were allowed to export under the embargo were those intended for England and the Empire, and those for the supply of the army and the navy. The English government refused to relax the embargo at the end of 1777, but in the summer of 1778 it was partially lifted before its abolition at the end of the year. Maurice R. O'Connell, Irish Politics and Social Conflict in the Age of the American Revolution (Philadelphia: University of Pennsylvania Press, 1965), pp. 44-48.

²O'Connell, op. cit., p. 52. John Hobart, 2nd. Earl of Buckinghamshire, 1723-1793. He served as Irish Lord Lieutenant from 1777 to 1780. D.N.B.

It was under these conditions that the patriots demanded a relaxation of the Navigation Code, reasoning that the Irish economy would be stimulated if the country was allowed to trade wherever she wanted. During 1778 and 1779, this demand for free trade swept across Ireland, while at the same time, a number of resolutions for Irish commercial relief were brought forward in Westminster. Yet Charles Fox did not give his powerful support to any of the resolutions in the House of Commons for an improvement in Irish trade.

The Westminster campaign for Irish commercial relief began in earnest with Lord Nugent's resolutions in April, 1778, demanding large concessions to Irish trade. They were accepted by the Commons, but the opposition of English manufacturing and commercial interests led Lord North to abandon his support for the proposals.³ The government's change of front hampered Nugent's efforts, and the result was two rather insignificant Acts. The Irish were given permission to export all their products except wool and woollen goods, cotton manufactures and glass to the British colonies; and they were allowed to export cotton yarn into England free of duty. However, the abandonment of the resolution allowing the Irish direct importation from the colonies meant that the

³O'Connell, op. cit., pp. 58-60.

concessions granted were of little value, as Irish export trade would be impractical without the corresponding direct importation.⁴ Although Lord Nugent's purpose was solely to improve Irish commerce, and not to enhance the parliamentary opposition to the ministry, a number of Whigs supported his efforts. Edmund Burke was later to lose his seat in mercantile Bristol for doing so. Yet Charles Fox remained conspicuously silent.⁵ In 1778 he was not prepared to come forward and support the Irish free trade agitation.

During the summer of 1778 the Irish patriot movement was stimulated by the emergence of the Volunteer organizations. The Irish government was on the verge of bankruptcy, American privateers were raiding the Irish coast, and there was an overriding fear of a French invasion. In an attempt to strengthen Ireland's defences in the event of a possible invasion, a Militia Act was passed; but owing to the financial difficulties of the Irish government, it was never implemented.⁶ As a result, Irish Protestants armed themselves to defend their

⁴Ibid.

⁵William Cobbett and John Wright, ed., Cobbett's Parliamentary History of England. From the Norman Conquest in 1066 to the year 1803 (36 vols.; London: Longman and Company, 1806-1820), XII, 1100 et seq. (Hereinafter referred to as Parl. Hist.)

⁶O'Connell, op. cit., p. 63.

country. Throughout the summer of 1778 and during the following year, armed associations of Protestant Volunteers sprang up all over Ireland. Within a year, their number totalled as many as 40,000.⁷ Leading parliamentary patriots, including Henry Grattan, the Earl of Charlemont and Fox's cousin, the Duke of Leinster, became Volunteer commanders; and by 1779, the patriot movement, backed by the Volunteers, had reached overwhelming proportions.⁸ The armed associations took up the demand for free trade and gave the whole patriot movement a forbidding military complexion.

Charles Fox's attitude towards the Volunteers was ambivalent. When France had joined the war, he had wanted troops withdrawn from America so that vigorous

⁷Curtis, *op. cit.*, p. 311.

⁸Henry Grattan, 1746-1820. Prominent Irish patriot and close friend of Charles Fox. He entered the Irish Commons in 1775 for the borough of Charlemont and played an active part in the winning of the constitution of 1782. However, he opposed the renunciation movement in 1783. Two years later, he opposed the commercial proposals, and he supported the Prince in the Regency crisis. He was a founder member of the Dublin Whig Club in 1789, and in the following year represented the City of Dublin in parliament. Although he did not oppose the war with France, he continued his efforts at reform and rejected the Union in 1800. In 1805 he was persuaded by Fox and Fitzwilliam to sit in the imperial parliament for Fitzwilliam's borough of Malton; and in 1806 again became the representative of the City of Dublin. D.N.B.

attacks could be made against the French.⁹ Although he favoured the American colonists' cause, he was strongly opposed to the Bourbon government of France. When Spain joined France and America in June, 1779, the anxiety of an Irish invasion increased; and this apprehension was strongly held by Fox.¹⁰ So he suggested that the government should consider sending part of the English militia over to Ireland to defend that country.¹¹ The implication of Fox's proposal was a reduction of the necessity and importance of the Irish Volunteers; as such, his suggestion was criticized by many Irish patriots.¹² On the one hand, then, he was willing to accept the necessity of the Volunteers because of the dangers of a European invasion of Ireland, but, at the same time, in true Whig spirit, he strongly disapproved of military associations organized to force the hand of the Irish parliament.

It was whilst the Irish economic situation was rapidly deteriorating, and whilst armed associations of Volunteers were emerging throughout Ireland that in the

⁹Fox to Fitzpatrick, November 11th., 1778, Fox Correspondence, I, 199-200.

¹⁰Fitzpatrick to Ossory, June 21st., 1779, Ibid., 229.

¹¹Parl. Hist., XX, 916.

¹²Freeman's Journal (Dublin), July 6-8, 1779.

early months of 1779, four resolutions were introduced into the English House of Commons in an attempt to obtain Irish commercial relief. Yet Fox, as in the previous year, played no part in the debates.¹³ His hesitancy to support the patriot's commercial demands is of crucial significance. Firstly it implies that the motive behind his Irish involvement was not merely one of political expediency: if his aim was simply to increase the opposition to North's government, then undoubtedly he would have been very active in the debates on the commercial resolutions, as were other opposition Whigs. Secondly, as later events were to show, he was never prepared to accept that the conflict between England and Ireland was an economic and commercial one. Instead he ignored Irish commercial grievances and concentrated on political and constitutional considerations. Thirdly, and more immediately, his silence over the free trade resolutions militated against the confidence expressed in him by the Irish patriots.

Charles Fox had already shown an interest in developments across the Irish Sea, and before the emergence of the free trade agitation had attempted to raise Irish issues in Westminster. In 1776 he had tried to encourage the Irish parliamentary opposition to the

¹³Parl. Hist., XX, 248 et seq.

Lord Lieutenant's offer to replace troops who had been withdrawn from Ireland for service in America with Protestant mercenaries;¹⁴ and in the summer of 1777, he had visited Ireland, met with prominent patriots, particularly Henry Grattan, the Earl of Charlemont and Thomas Conolly, and encouraged the Irish opposition.¹⁵ Then, in 1778, he had supported two Catholic relief Bills in Westminster. One of these allowed Irish Catholics to buy forfeited Irish estates and was followed in Dublin by the Irish Catholic relief Act of 1778.¹⁶ The Irish Act allowed Catholics to lease land for a longer period of time than previously, and they were permitted to inherit and bequeath property on the same terms as Protestants.¹⁷

¹⁴Ibid., XVIII, 1132-1142.

¹⁵Burke to Fox, October 8th., 1777, Thomas W. Copeland, gen. ed., Correspondence of Edmund Burke (9 vols.; Cambridge: Cambridge University Press, 1960-1970), III, 380-388. (Hereinafter referred to as Burke Correspondence.) See also Fox Correspondence, I, 156-157; Francis Hardy, Memoirs of the Political and Private Life of James Caulfield, Earl of Charlemont (2 vols.; London: Cadell and Davies, 1812), I, 368. Thomas Conolly, ?1737-1803. Sat in both Westminster and College Green. In Westminster he usually sided with the Rockingham Whigs and was married to the Duke of Richmond's sister and thereby related to Fox. He supported Irish demands for legislative autonomy and wished to maintain a close connexion between the two countries. History of Parliament, II, 242-243.

¹⁶O'Connell, op. cit., pp. 107-110.

¹⁷Beckett, Making of Modern Ireland, p. 214. See also Maureen Wall, "The Rise of a Catholic Middle Class," Irish Historical Studies, XI, No. 42 (1958), 91-115.

Fox remained committed to religious toleration throughout his life, displaying interest in a question which was of crucial importance to the Irish Catholics, the position of the Protestant Ascendancy and, indeed, to the whole government of Ireland and its relationship with England.

In fact, by the time of the free trade agitation in 1779, Fox had established himself in both English and Irish politics as a leading supporter of Irish grievances. Patriots recognized him as one of the leading opponents of North's ministry and its policies.¹⁸ More specifically, he had received special attention from the radical Freeman's Journal in Dublin when he had publicly regretted the death of Irish-born General Montgomery, one of the leading American colonists in the struggle against England.¹⁹ In the early months of 1779, however, it was the activities in Westminster for Irish commercial relief which were applauded by the Irish patriot movement. Lord Nugent was given the freedom of the city of Dublin as an acknowledgement of his services in the cause of Irish

¹⁸ Freeman's Journal, January 21-23, April 3-5, 1777.

¹⁹ Ibid., March 19-21, April 18-20, 1776. Richard Montgomery, 1736-1775. Major-General. Member of the British army and acquaintance of Fox from 1765. He left the army in 1772 and settled in New York. He supported the American rebellion and was killed in the Christmas attack on Quebec City in 1775. D.N.B.

trade;²⁰ and both he and Edmund Burke, who had supported the commercial agitation, were seen by the patriots as the "firm advocates of this oppressed country."²¹ The efforts of Lord Shelburne in the House of Lords were similarly appreciated.²² However, Charles Fox was not to remain in the background of the Irish agitation for long.

Although Fox had studiously avoided discussion of the state of Irish commerce in Westminster in the first half of 1779, he made a crucial speech in June in which he questioned the powers of the English parliament to legislate for Ireland. Before the American war had broken out, he had denounced the claim that Westminster had the right to tax either the Americans or the Irish,²³ and had advanced a proposition that

²⁰Freeman's Journal, December 31, 1778-January 2, 1779, June 19-22, 1779.

²¹Ibid., March 25-27, 1779.

²²Ibid., June 8-10, 1779. William Petty, First Marquis of Lansdowne, better known as Lord Shelburne, 1737-1805. Joined the government with Rockingham and Fox in 1782 as Secretary for the Colonies. In July, he became First Lord of the Treasury and Fox resigned. He supported Pitt's commercial proposition in 1785 and sided with the government in the Regency crisis. However, his opposition to the war with France from 1793 led to a reconciliation with Fox; but he supported the Union. He was one of the most unpopular statesmen of his time. D.N.B.

²³Russell, op. cit., I, 63.

it was proper to include Ireland in all the debates upon American taxation, in order to ascertain the Parliamentary right of taxation over every part of the British dominions.²⁴

Now, however, in June, 1779, he told the House of Commons that it was the "principles of Government as applied to Ireland" which were "much the subject of discussion in that kingdom," and he recommended to the attention of the ministry, and to Lord North in particular, a "weighty and able" pamphlet concerning the power of the English parliament over Ireland.²⁵

The pamphlet was entitled "Observations respecting the extent of the power of the British Parliament principally with relation to Ireland, in a letter to Sir William Blackstone;" and it was probably written by Charles Sheridan.²⁶ Blackstone had asserted that Ireland was a distinct, subordinate and dependent kingdom of Britain, and thereby bound by laws enacted in Westminster.²⁷ Sheridan's pamphlet refuted this argument,

²⁴Parl. Hist., XVIII, 64.

²⁵June 15th., 1779, Ibid., XX, 875-876.

²⁶Henry Grattan, ed., Memoirs of the Life and Times of the Right Honourable Henry Grattan (5 vols.; London: Henry Colburn, 1849), I, 363. Charles Sheridan, 1750-1806. Represented the borough of Rathcormack in the Irish Commons. He was the brother of Richard Brinsley Sheridan and was appointed Secretary at War in the Irish government in 1782. He resigned after the Regency dispute in 1789. D.N.B.

²⁷Freeman's Journal, June 8-10, 1779.

claiming in particular that "every act of power exercised by the legislature over the people of another community is an usurpation of the fourth natural right of mankind."²⁸

Fox's speech is important as it demonstrates the way in which he saw the Irish problem in 1779. At a time when Sheridan's pamphlet was causing a stir in Dublin,²⁹ when the Volunteers were increasing in numbers and influence and when Irish commercial relief was still being denied by the English government, Charles Fox introduced into the conflict the very structure of the Anglo-Irish constitutional relationship as enacted by Poynings Law and the Declaratory Act. The problem posed by Ireland in 1779 was its constitutional relationship with England, and not the restrictions placed on the Irish economy by England's Navigation Laws. Already, then, Fox was thinking in terms of giving the Irish a degree of legislative autonomy. To him, the Irish patriot agitation was a movement for constitutional concessions which were at the very basis of the relationship between the two countries. He was hesitant to lend

²⁸Quoted in Herbert Butterfield, George III, Lord North and the People, 1779-1780 (London: G. Bell, 1949), p. 92. (Hereinafter referred to as George III, Lord North and the People.)

²⁹Freeman's Journal, June 8-10, 1779.

his support to the demands for Irish commercial relief as he did not see this as the basic issue at stake; instead, he concentrated his opposition on political and constitutional considerations. At the same time, as will be seen, he was not prepared to allow the Irish extensive commercial concessions; so, when he questioned Westminster's power to legislate for Ireland in June, 1779, he was presumably referring to Ireland's right to legislate for herself on internal matters without any English interference. The problem of this distinction between internal and external legislation confronted Fox when in office in 1782.

Soon after Fox's speech, parliament adjourned without having provided any solution to the Irish commercial distress. Throughout the summer, Lord Lieutenant Buckinghamshire patiently waited for directions from London; but Lord North did little but make repeated applications to retire.³⁰ All over Ireland, constituents were urging their parliamentary representatives to demand the removal of the restrictions on Irish trade; and it was becoming increasingly obvious that the government was losing control over the Irish House of Commons. It was in this situation, during

³⁰George III to John Robinson, October 6th., 1779, Historical Manuscripts Commission Report, Manuscripts of the Marquis of Abergavenny (London: H.M.S.O., 1867), p. 26. (Hereinafter referred to as Abergavenny MSS.)

October when the Dublin parliament met, that Charles Fox paid another visit to Ireland. This time he went for six weeks, and it is highly unlikely that he failed to become involved in the reinvigorated Irish agitation.³¹ Even his presence in Ireland at this time was a way of demonstrating his support for the Irish opposition, and he presumably attempted to ascertain its demands at first hand and probably influence it as well. Not surprisingly, when he returned to England in November, he was to be accused by the government of deliberately and directly encouraging Irish hostility.

When the Irish parliament convened, many members deserted the government because of the overwhelming popularity of the patriot movement outside the House, and when Henry Grattan moved an amendment for free trade to the Address, it was accepted.³² Three days later John Scott, Irish Attorney-General, wrote to John Robinson, North's influential adviser, that "it is certain that Oppositions in both kingdoms are so connected that no man in English Opposition should be permitted to have an ally

³¹Butterfield, George III, Lord North and the People, p. 169.

³²Beckett, Making of Modern Ireland, p. 216.

in this government."³³ To make a statement to this effect when Fox was in Ireland was not coincidental. On November 4th. the Volunteers paraded outside parliament with their ominous placards "Free trade or -----?", and on November 24th., Grattan's motion "that it would be inexpedient to grant any new taxes" was passed.³⁴

By this time Fox was back in England and in Westminster on November 25th., he took special care to blame Lord North for the Irish crisis.³⁵ By doing this, he was turning the administration of Ireland into an issue in English party politics. He accused the ministry of neglecting Irish affairs, and blamed the American war, for which North was completely responsible, for the Irish agitation. Time and time again he was to accuse North of causing the strength and popularity of the Irish opposition. It was North's Irish policy which was responsible for the crisis in the Anglo-Irish relationship, not English restrictions on Irish commerce. On the contrary, he told the House, the Irish commercial requests

³³Scott to Robinson, October 15th., 1779, William Beresford, ed., Correspondence of the Right Honourable John Beresford (2 vols.; London: Woodfall and Skinner, 1854), I, 64.

³⁴Grattan, op. cit., I, 402.

³⁵Parl. Hist., XX, 1126.

of the previous year were "more reasonable" than those which would probably be demanded now.³⁶ He did not announce his support for Irish commercial relief; indeed, he did not know what steps ought to be taken in the present crisis.

Fox also emphasised his paradoxical attitude towards the Volunteers. The representatives at Westminster, he claimed,

were almost as effectually barred from giving a free opinion on the case as the members of the Irish House, who had the bayonet at their breast and were sworn by compulsion to vote as the people dictated.³⁷

He could not accept the idea of military organizations threatening the authority and rights of the legislature as this was contrary to his indispensable Whig belief that the military power must be controlled by the legislative body. At the same time, however, he acknowledged the necessity of the armed associations during the American and European conflict.

Yet the basis of Fox's argument was the culpability of Lord North. It was Lord North's Irish policy which was responsible for the worsening, indeed critical, situation in Ireland; and Fox had seen this deterioration at first hand during the previous month.

³⁶ibid.

³⁷ibid.

By affixing the blame for the Irish agitation on North's Ministry, Fox was creating the impression that a change of government in England would lead to a corresponding change in England's Irish policy. Hence the excitement of the patriots when Fox joined the government in 1782. Charles Fox had transformed the movement in Westminster in the early months of the year for Irish commercial relief into a political party question concerning the administration of Ireland. After the quiescence of the early decades of the century, Irish government had become a matter of dispute in England.

This became apparent a few days later when Fox and the Whig opposition attempted to censure Lord North's handling of the Irish situation. This motion was the first of its kind to appear in Westminster for many years. As such it was more far-reaching than the attempts made earlier in the year to achieve Irish commercial relief, and it was opposed by Lord Nugent, who saw the problem solely as a commercial one for which he would not hold the government responsible.³⁸

The debates on this occasion were "long, various and interesting," and Fox took a "distinguished part."³⁹

³⁸ Ibid., 1212.

³⁹ Annual Register, 1780, History of Europe, p. 72.

Again he emphasised North's total culpability for the emergence of Irish hostility. The trade laws themselves, he argued, were not the cause of Irish distress; rather it was the government's policies which had ruined the Irish linen and provisions trade. The American war had caused the rise of the Volunteers, had ruined Irish trade with America and had led to the embargo on the export of Irish provisions. So,

It was the general calamities of the Empire which had made Ireland poor; but it was the incapacity and negligence of government that had rendered her bold and daring.⁴⁰

Fox was still reticent, then, to blame England's commercial monopoly and the Navigation Code for Irish economic distress. He went on to argue that if Westminster revealed the responsibility of North's ministry for the deteriorating situation across the Irish Sea, then the Irish would realize that it was not the English who were to blame, but England's government. And this realization by the patriots would hopefully bind England and Ireland together.⁴¹ This anxiety over the possible ultimate separation of the two countries was to become increasingly important in Fox's Irish activities over the next few years, as his aim was to attach "both countries in the most indissoluble ties of

⁴⁰Parl. Hist., XX, 1225.

⁴¹Ibid.

friendship and affection."⁴²

His attitude to the Volunteers remained ambivalent. He was afraid of the consequences of the armed associations, and accused them of dictating to the "acquiescing British Parliament";⁴³ but he qualified this by declaring that

He approved of that manly determination which, in the dernier resort, flies to arms in order to obtain deliverance. When the last particle of good faith in men is exhausted, they will seek in themselves the means of redress.⁴⁴

It was during this debate that Fox met with the first of what proved to be a frequent accusation, that of encouraging Irish discontent against England. He fervently denied this, although he "seems to have winced at the charge of the English and Irish Oppositions being in correspondence."⁴⁵ Presumably he was worried over the charge because of his presence in Ireland during the previous October. Still, in refuting the assertion, he publicly declared that Henry Grattan's activities "did honour to human nature," a compliment immediately

⁴²Ibid.

⁴³Ibid., 1128.

⁴⁴Ibid., 1126-1127.

⁴⁵Waite to Germaine, December 13th., 1779, Historical Manuscripts Commission Report, Manuscripts of Mrs. Stopford-Sackville (London: H.M.S.O., 1904), pp. 263-264. (Hereinafter referred to as Stopford-Sackville MSS.)

repeated by the Dublin Volunteers.⁴⁶ Charles Fox was, in fact, deliberately encouraging the Irish patriot movement and channelling it into an attack on the Irish policy of Lord North. The ministry was certainly in a difficult position. There were dissensions within the government and the Whigs were optimistic of coming into office and scornfully rejected overtures for a coalition in December.⁴⁷ In this situation, the ministry had to give way to the Irish demands. On December 13th., North announced liberal free trade concessions to the Irish.

By these measures, which became law early in 1780, the Irish were allowed to export wool, woollen goods and glass, and to import foreign hops. They were also allowed to trade directly with English colonies in Africa and America, on condition that they established the same duties and regulations as English trade with the colonies was subject to. Similarly, the Turkey Company, and thereby the Levant, was opened to Irish merchants.

Although Lord North really had little alternative in granting these concessions, the measures themselves were generous. Yet although Fox expressed a sincere

⁴⁶Freeman's Journal, December 11-14, December 21-23, 1779.

⁴⁷Fitzpatrick to Ossory, December 2nd., 1779, Fox Correspondence, I, 239-240; Butterfield, George III, Lord North and the People, pp. 120-130.

desire that the Irish would now be satisfied, he did not support the resolutions.⁴⁸ Instead, he would wait until Irish opinion was known before declaring his own feelings on the matter. Yet his failure to support the concessions was criticized in Ireland;⁴⁹ and he was so concerned with his standing in that country that he wrote to the Duke of Leinster to explain his behaviour.

Fox took great care to inform his cousin of the ambiguities and difficulties in forwarding the Irish cause in England. He explained that if he had supported the resolutions in Westminster, only to find them unacceptable to the patriots, then he, personally, would have lost support in Ireland. This loss of support, he argued, could prove dangerous to the Anglo-Irish connexion by encouraging those Irishmen who wanted a total separation of the two countries. On the other hand, if he had opposed the resolutions on the ground that they were inadequate, then he would have encouraged the Irish to reject them. If this happened, he would lose support in England as he would be openly accused of inducing the

⁴⁸Parl. Hist., XX, 1285.

⁴⁹Lady Sarah Lennox to William Ogilvie, February 18th., 1780, Brian Fitzgerald, ed., Correspondence of Emily, Duchess of Leinster, 1731-1814 (3 vols.; Dublin: Stationary Office, 1949-1957), II, 309. (Hereinafter referred to as Leinster Correspondence.)

Irish to ask for more.⁵⁰ Such were the difficulties of Fox's position as the English representative of Irish patriotism.

He also made a conscious attempt to retain the confidence of the Irish movement by asking Leinster to show the written explanation of his conduct to the Earl of Charlemont, Henry Grattan and other influential patriots, while reminding the Duke that

If, after all, we are suspected of not being friendly to Ireland, it is very hard, and upon me in particular, who certainly never missed any opportunity of declaring in public, as well as in private, how much I wished you success in all the points you were likely to push.⁵¹

Fox's susceptibility to the charge that he was deliberately encouraging Irish agitation had been made apparent a few weeks before, and he wished to avoid this sort of criticism. Indeed, even though his comments on North's concessions had been deliberately cautious, Thomas Townshend informed Charlemont that Fox's speech was called in England "an encouragement to the Irish to

⁵⁰Fox to Leinster, January 4th., 1780, Charlemont MSS, I, 369-370.

⁵¹Ibid.

ask for more."⁵² However, Fox's argument that his silence over the resolutions was determined by the fact that they might not be approved by the Irish does not tell the whole truth. It disguises Fox's own hesitancy to allow the Irish extensive commercial relief. There could have been little doubt in his mind that the patriots would approve of North's measures. Yet even more significant than this was his conscious attempt to explain his conduct to leading Irish patriots in order to retain their confidence: Charles Fox was determined to maintain his Irish reputation and remain a leading supporter of the patriot movement.

If Fox's popularity amongst the Irish opposition suffered because of his actions over the free trade concessions, it received a fillip from his activities in London in 1780. It was at this stage in his career that he joined the Westminster Association movement for parliamentary reform. He was chosen by the Association as a candidate for Westminster, England's most popular constituency, at the next general election; and when this was held, towards the end of 1780, he was successfully elected. Except for one short break, he sat for

⁵² Townshend to Charlemont, December 31st., 1779, *Ibid.*, 368. Thomas Townshend, 1733-1800. Follower of Rockingham and a leading opponent of North's ministry from 1775. In 1782 he became Secretary at War, and then joined Shelburne's ministry as Secretary for Home Affairs and chief government spokesman in the Commons. He resigned with Shelburne in 1783, but returned to office under Pitt until 1789. History of Parliament, III, 554-556.

Westminster for the rest of his political career, and his activities in the Association movement led to his emergence as the "Man of the People," which added a radical dimension to his politics.⁵³ The Freeman's Journal reported his Westminster activities;⁵⁴ so the criticism of his refusal to publicly support North's resolutions proved to be ephemeral.

Yet Fox was not happy with the Irish free trade agitation which explains why he had attempted to ignore the commercial restrictions at stake and concentrate his own opposition on political and constitutional considerations. Thus his conduct was ambiguous. Interpreting the Irish opposition in its Whig context, he was willing to make changes in the Anglo-Irish constitutional relationship to give more power to the Dublin parliament in the Irish constitution. At the same time, he was determined to make a political issue of the Irish administration and succeeded in this by concentrating his criticisms on Lord North's Irish policy.

⁵³Butterfield, George III, Lord North and the People, pp. 224-226; Eugene Black, The Association: British Extra-Parliamentary Organization, 1769-1791 (Cambridge, Massachusetts: Harvard University Press, 1963), pp. 58-61.

⁵⁴Freeman's Journal, February 8-10, February 12-15, March 4-7, 1780.

But his eighteenth century Whig prejudices in favour of England's commercial monopoly and the Navigation Code were too strong for him to accept extensive commercial relief being given to the Irish.

Meanwhile the free trade resolutions were well received in Ireland; but they also encouraged the patriots and the Volunteers to demand legislative autonomy for their country to maintain the concessions which had been gained. In April, 1780, Grattan's declaratory resolution, asserting the right of the Irish parliament to legislate for itself, and Yelverton's motion for an alteration in Poynings Law, were both rejected by the House of Commons, even though numerous county meetings declared in favour of the measures.⁵⁵ Indeed, although Lord Lieutenant Buckinghamshire had managed to regain control of the Commons, opinion outside parliament continued to move against the government. Thus an anonymous correspondent informed North from Ireland in January, 1780, that "everything disagreeable, everything dangerous may be apprehended here";⁵⁶ while the English Lord Chancellor

⁵⁵O'Connell, *op. cit.*, pp. 226-234. Barry Yelverton, First Viscount Avonmore, 1736-1805. Represented Carrickfergus in the Irish Commons from 1776 and joined the Volunteers in 1778-1779. In December, 1783, he became Chief Baron of the Court of Exchequer. He supported the opposition in the Regency dispute, but was in favour of the Union in 1800. D.N.B.

⁵⁶Abergavenny MSS, p. 27.

commented that "whoever can advise about Ireland and finds the means to be listened to might do his country good service."⁵⁷

The patriots succeeded, however, in passing an Irish Mutiny Bill in May, 1780, which was to give Fox the opportunity to emphasise again his support for the Irish movement, redeem himself for his behaviour in December, 1779, and censure the workings of Poynings Law.

Until 1780, the army in Ireland had been subject to the English Mutiny Acts; now, however, patriotic magistrates were refusing to act according to the English legislation, and there was a danger that Ireland would soon have no army at all under any sort of discipline.⁵⁸ To remedy this, an annual Irish Mutiny Bill was proposed by the Irish parliament in 1780; but North's ministry, through the use of Poynings Law, changed the proposal into a perpetual Bill, thereby giving the King power to maintain a standing army in Ireland for all time. Grattan and his followers criticized the amendment, but to no avail.⁵⁹ The Irish perpetual Mutiny Bill became

⁵⁷Thurlow to Robinson, March 28th., 1780, Ibid., p. 28.

⁵⁸Grattan, op. cit., II, 71-73.

⁵⁹O'Connell, op. cit., pp. 236-250.

law. So Grattan called on the English Whigs to oppose the Act, announcing that the liberties of both countries were at stake.⁶⁰ Fox heeded the call in February, 1781, thereby emphasising his determination to discuss Irish issues in Westminster.

In the Commons in February, 1781, Fox moved for the re-commitment of the British Mutiny Bill as the word "Ireland" had been omitted.⁶¹ This was an attempt to replace the perpetual Irish Mutiny Act and restore the control of the army in Ireland to the British annual Mutiny Acts. Although Fox was generally in favour of a greater amount of control over internal affairs on the part of the Irish parliament, he was not prepared to support any measure which would enable the Crown to maintain a standing army for all time. Annual legislative supervision of military forces was one of his fundamental principles. Yet he was very cautious in explaining his doubts over the Irish Act because, despite patriotic opposition, the Act stood, even in its perpetual form, as a symbol of Irish legislative autonomy. So, referring to his experience during the free trade agitation, he announced that

⁶⁰Ibid.

⁶¹Parl. Hist., XII, 1293.

he knew from experience that pains would be taken to misrepresent what he should say in order to place him in a light unfavourable to the people of Ireland.⁶²

He attributed this falsification to the "basest of purposes," as the Irish "had not a friend in that House more warmly attached to their interests than himself,"⁶³ a claim which reveals his deliberate attempt to maintain his Irish reputation.

Without much trouble, Fox censured the perpetual Irish Mutiny Act in a manner which would be acceptable to both English and Irish Whigs. An Act which enabled the Crown to maintain a perpetual army was unwarranted by the constitution and contrary to the Bill of Rights.⁶⁴ This arbitrary power threatened both Englishmen and Irishmen, and both countries should therefore unite against it. In fact, he vehemently declared, the ministers who were responsible for the amendment of the annual Irish Bill were guilty of high treason.⁶⁵

Here is a classic example of the way in which Fox's Irish participation was determined by his Whig beliefs. In his opposition to the Irish Mutiny Act, an

⁶²Ibid., 1294.

⁶³Ibid.

⁶⁴Ibid., 1296-1297.

⁶⁵Ibid., 1299.

anathema to a believer in the 1688 Revolution, Fox emphasised the dangerous powers that the Act had given to the Crown and the executive, at the expense of parliament. He had been provided with a perfect opportunity to demonstrate the incorporation of the beliefs of the Irish movement into his own political principles, voiced and practised in England.

Moreover, he now announced that Lord North had acted wisely in granting the free trade concessions in 1779, but he was still perturbed as

Concessions made when Ireland was armed could have neither grace nor dignity.⁶⁶

Yet as an encouragement to the Volunteers, he claimed that "the associations should always have his admiration and applause."⁶⁷

Fox's efforts to alter the Irish Mutiny Act failed; but he re-asserted his claim to the leadership of the Irish patriot movement in England, when the Irish situation was playing little part in the debates in Westminster after the hectic year of 1779 and before the change of government in 1782. By so doing, he kept both countries fully aware of his support for the Irish opposition; and his exertions led immediately to a

⁶⁶Ibid., 1301.

⁶⁷Ibid.

pamphlet warfare in Ireland over the perpetual Irish Mutiny Act, which testified to his significance in that country.⁶⁸ Yet to oppose a measure which could be interpreted as an acknowledgement of Ireland's right to legislate for herself could be a dangerous manoeuvre. Certainly his Irish opponents were willing to seize on his criticisms of the Irish legislation:

Opposition ... has taken advantage of all occasions to make Ireland their tool. The ruin of the Minister being their only object, with this view and for this purpose when Irish trade was to be made free they desert our cause, when Irish privilege is to be established, they become our enemies.⁶⁹

And it was noted that Fox had "emphasised the supremacy of the British legislature" by seeking the replacement of the Irish Mutiny Act.⁷⁰ However, as a number of patriots had opposed the Irish Act, Fox's Irish reputation seems to have withstood the criticisms.⁷¹

In November, 1781, Grattan's motion for the repeal of the Mutiny Act was defeated, and his declaratory

⁶⁸Freeman's Journal, March 3-6, March 6-8, April 21-24, May 10-12, 1781.

⁶⁹Ibid., February 24-27, 1781.

⁷⁰Ibid., March 1-3, 1781.

⁷¹Ibid., August 15-17, 1780, January 13-16, 1781.

resolution was shelved by adjournment on February 22nd., 1782. But outside parliament, the Volunteers, especially those of Ulster, pressed on with their demands, and held a convention at Dungannon on February 15th., 1782. The convention resolved in favour of Irish legislative independence, the unconstitutionality of Poynings Law, condemnation of the Mutiny Act and security of tenure for judges. Most of the Protestants were behind the convention; and the postponement of Grattan's declaratory resolution seemed merely a temporary expedient. Lord Lieutenant Carlisle, who had replaced Buckinghamshire at the end of 1780, warned the ministry in London that Ireland would soon be impossible to govern;⁷² but on March 14th., the Irish parliament was adjourned. A week later, Lord North had resigned.

By September, 1781, Fox's opposition to North's government had become more pronounced than ever;⁷³ and by the end of the year, English attempts to subdue the

⁷²Beckett, *Making of Modern Ireland*, p. 222. Frederick Howard, 5th. Earl of Carlisle, 1748-1825. He was a schoolboy associate of Fox at Eton and later acted as surety for Fox's gambling debts. He was a member of the Lords from 1770 and served as Irish Lord Lieutenant from 1780 to 1782. He became Lord Privy Seal in the Fox-North coalition and opposed Pitt's government until the French war. He supported the Irish Union in 1800. D.H.B.

⁷³Fox to Fitzpatrick, September 9th., 1781, Fox Correspondence, I, 267.

American colonists had suffered a tremendous setback with Cornwallis's surrender at Yorktown. The parliamentary opposition prepared for the final attack, and on February 22nd., 1782, a motion declaring the purpose of subduing the revolted colonies by force as impractical was passed.⁷⁴ The Rockingham Whigs had achieved their aim: Lord North and his ministry had been defeated in the House of Commons, and on March 20th., North resigned.

It was during the free trade agitation that several important features of Fox's connexions with Irish politics emerged. He had, directly and indirectly, encouraged the Irish agitation, made a conscious and continuing effort to establish a good reputation with the Irish opposition, and had been criticized by the English government for so doing. At the same time, Irish administration had become a matter of altercation in English party politics; and Charles Fox was ultimately responsible for this.

Yet the difficulties of his position as a supporter of the Irish movement were also made apparent. Seeing the patriot agitation as essentially a Whig movement against Lord North's executive, to secure certain rights for the Irish parliament, he had given it his support; and in the House of Commons in 1779, he had

⁷⁴Ibid., 280.

questioned English legislative powers over Ireland, the basis of the Anglo-Irish relationship. But he still had to work out the degree of Irish legislative autonomy which he was prepared to accept. He certainly had no desire for England to forgo all her rights over the Irish, believing that the interests of the two countries were essentially the same; and he had already shown apprehension over the possibility of Ireland's total separation from England. Moreover, on the discussions on the Mutiny Act in 1781 he had declared that

In better times than these, he should have talked of the superintending power of the British Parliament over Ireland and over every part of the British monarchy; but such was the miserable situation to which the King's servants had reduced this country that the question was of a very delicate nature indeed, and it was by no means a matter easy to be handled without disturbing what ought not to be disturbed, and without producing consequences which every man who wished well to his country must wish to avoid.⁷⁵

Charles Fox now had to ascertain what degree of Irish legislative autonomy could be granted and still maintain some degree of "superintending power" by the English parliament, the power which Lord North had so discredited. He attempted to distinguish between external and internal legislation during the establishment of the constitution of 1782, a differentiation which was especially necessary for the maintenance of the Navigation Code in Ireland.

⁷⁵Parl. Hist., XXI, 1295.

CHAPTER III

FOX AND IRISH AUTONOMY, 1782: AN INCOMPLETE SUCCESS

Charles Fox played an important part in the formulation of a new Anglo-Irish relationship in 1782. The Protestant Irish nation demanded the repeal of the Declaratory Act and the establishment of Irish legislative autonomy; but the Whig government, and Charles Fox in particular, did not wish to relinquish English control over Irish external affairs, especially Irish trade with the colonies.¹ Fox was prepared to grant the Irish legislative autonomy for internal affairs, but before this was conceded, he wanted the negotiation of an Anglo-Irish treaty which would specify Westminster's powers of external legislation over Ireland. This arrangement, however, had not materialized before he was compelled to move the repeal of the Declaratory Act in the House of Commons on May 17th., and in this respect, his Irish policy in 1782 failed. More important than this, however, was his introduction into the debates over the repeal of an implied distinction between internal and

¹The free trade concessions of 1779-1780 had allowed the Irish to trade with the colonies, but only subject to the control of the English parliament.

external legislation, a distinction which surprised a number of Irish patriots. Although the ministry assumed with Fox that the English parliament still possessed legislative authority over Irish external affairs, it was Fox who made this distinction public, and whose Irish reputation suffered accordingly. His second resolution of May 17th., that a future Anglo-Irish treaty would be formulated, created patriotic suspicions not only about Irish legislative autonomy but also of Fox's own intentions towards that country.

During these hectic months, Charles Fox corresponded with the Irish executive and leading Irish patriots, and continued to identify his beliefs with those of the Irish leaders, attempting to persuade Henry Grattan and the Earl of Charlemont to join the Irish government. He also suggested measures to the Irish Secretary which would strengthen the Irish parliament at the expense of its executive. In addition, several characteristics of his Irish involvement during his years in opposition were repeated. He still criticized Lord North's Irish policy, even after North's resignation, thereby ensuring that Irish government remained an issue in English party politics, his speeches in Westminster continued to influence events across the Irish Sea, and he was again censured for his Irish involvement even though he was now a member of the government.

The new government was a coalition of Rockingham and Shelburne Whigs. The Marquis of Rockingham became First Lord of the Treasury, with Lord Shelburne as Secretary of State for the Colonies and Charles Fox as Secretary of State for Foreign Affairs and Leader of the House of Commons. Other offices were distributed between the respective groups of Whigs, and overall, the changes made were numerous. Not surprisingly, the Whigs were optimistic and saw the change of ministry as a victory over the executive power of George III and Lord North. Fox himself triumphantly claimed that "this revolution which he had brought about was the greatest for England that ever was; that excepting in the person of a King, it was a complete change of the Constitution, and an era ever glorious to England."² Contemporaries saw the extensive changes as a "surprising revolution,"³ and as a

²Selwyn to Carlisle, March 23rd., 1782, Historical Manuscripts Commission Report, Manuscripts of the Earl of Carlisle (London: H.M.S.O., 1897), p. 604. (Hereinafter referred to as Carlisle MSS.)

³Malone to Charlemont, 1782, Charlemont MSS., II, 401.

"general sweep."⁴ Yet the Whig elation was not to last for long.

The Whig coalition soon proved to be mainly nominal. Fox saw it as consisting of two parts, "one belonging to the King and the other to the public";⁵ and George III, in his vituperation against the Rockingham Whigs, established a channel of communication with Lord Shelburne at the expense of the Rockinghams.⁶ Divisions soon arose, particularly over the proposed American negotiations, which involved a direct conflict between Shelburne and Fox, and also over measures of economic reform and the proposed Irish settlement. In fact, Charles Fox soon became convinced that the coalition would not work, and he wrote on April 12th.:

⁴Lucan to Pery, March 21st., 1782, Historical Manuscripts Commission Report, Manuscripts of Lord Emly (London: H.M.S.O., 1895), pp. 163-164. (Hereinafter referred to as Emly MSS.) The Rockingham Whigs were represented in the cabinet by Lord John Cavendish as Chancellor of the Exchequer, Admiral Keppel as First Lord of the Admiralty, the Duke of Richmond as Master-General of the Ordnance and General Conway as commander-in-chief. Edmund Burke became Paymaster-General of the forces, and Richard Sheridan was appointed under-secretary to Fox. The Shelburne group in the cabinet was represented by Lord Thurlow as Lord Chancellor, the Duke of Grafton as Lord Privy Seal and Lord Camden as President of the Council.

⁵Fox Correspondence, I, 292.

⁶Ibid., 321.

We had a Cabinet this morning in which, in my opinion, there were more symptoms of what we had always apprehended than had ever hitherto appeared... If they [the Shelburne group] do not [yield], we must go to war again, that is all.⁷

By July, Fox had resigned, but not before Irish demands for legislative and judicial autonomy had been met. Indeed, although Rockingham informed the King that the important measures which he expected to see adopted were those of economic reform and peace with America, the Irish problem was the most urgent which confronted the Whigs.⁸

In Ireland, Lord Lieutenant Carlisle and his Secretary, William Eden, were replaced by the Duke of Portland and Richard Fitzpatrick.⁹ Even though Carlisle

⁷ Fox to Fitzpatrick, April 12th., 1782, Ibid., 314.

⁸ Ibid., 286n; Russell, op. cit., I, 286.

⁹ Bentinck, William Henry Cavendish, 3rd. Duke of Portland, 1738-1809. He became the leader of the Rockingham Whigs after Rockingham's death in 1782, although he was often overshadowed by Fox. He was First Lord of the Treasury in 1783 during the Fox-North coalition, and remained in opposition from 1784 to 1794, when he supported Pitt's government and became Home Secretary. D.N.B. Richard Fitzpatrick, 1748-1813. Member of the English House of Commons for Okehampton, 1770-1774, Tavistock, 1774-1807, Bedfordshire, 1807-1812 and Tavistock, 1812-1813. He came from an ancient Irish family with property in Queen's County. Fox brought him into the ranks of the opposition during the early months of the American war; and Fitzpatrick remained a loyal Foxite for the rest of his life. History of Parliament, II, 433-435.

and Eden had decided to leave office on North's resignation, this change in the Irish executive was significant as it implied a change in the Irish policy of the new ministry.¹⁰ In previous years it had not been customary for the Irish Lord Lieutenant to change hands with the accession of a new administration in England. Other changes in the Irish government followed. Attorney-General John Scott and the Irish Prime Serjeant were replaced by patriots Barry Yelverton and Hussey Burgh.¹¹ George Ponsonby joined the government whilst Charles Sheridan, whose pamphlet questioning Westminster's right to legislate for Ireland had been brought before the House

¹⁰ See Eden's speech in the English House of Commons, April 8th., 1782, Parl. Hist., XXII, 1254; Eden to Shelburne, April 5th., 1782, in Ibid., 1255-1256; Robert J. Elden, ed., The Journal and Correspondence of William, Lord Auckland (2 vols.; London: Richard Bentley, 1861), introduction. (Hereinafter referred to as Auckland Correspondence.)

¹¹ John Scott, Earl of Clonmell, 1739-1798. Appointed Attorney-General in 1777 but dismissed by Portland in 1782. In the Fox-North coalition he became Prime Serjeant and the following year was created Chief Justice. D.N.B. Walter Hussey Burgh, 1742-1783. Represented the borough of Athy in the Irish Commons from 1769 and Dublin University from 1776. He was very active in the patriot agitation and was a close friend of Henry Grattan. Soon after his appointment as Prime Serjeant, he was made Chief Baron of the Exchequer. D.N.B.

of Commons by Fox in 1779, became military under-secretary. Throughout the changes, the theme was the same: the promotion of the supporters of the Irish patriot movement.¹² Indeed, so extensive were the changes that John Fitzgibbon declared: "It would seem that the present system is totally to unhinge Government in Ireland, and to erect a kind of mobocracy, by which they hope to rule the Parliament."¹³

Certainly, Irish patriots were optimistic that their demands for legislative and judicial autonomy would be accepted now that Fox and the Whigs were in power. This enthusiasm was justified because of the Whig sympathy for the patriot cause during North's government; and Fox's accession to office caused excitement among leading patriots, testifying to the special interest which he had already shown in Irish affairs. So, on March 21st., Lord Lucan wrote to Pery:

No one has more liberal sentiments as to Ireland than Charles Fox, and he at present is everything¹⁴ here, the momentum of the great party he conducts.

¹²Charlemont MSS, I, 64.

¹³Fitzgibbon to Carlisle, May 27th., 1782, Carlisle MSS, p. 629. John Fitzgibbon, Earl of Clare, 1749-1802. Represented Dublin University and then Kilmallock in the Irish Commons. He supported the government in the Regency crisis and was rewarded with the Irish Lord Chancellorship. He was a fervent opponent of popular movements and Catholic Emancipation and was one of the architects of the Union. D.N.B.

¹⁴Lucan to Pery, March 21st., 1782, Emly MSS, p. 164.

The interests of both countries were at stake; and the Earl of Charlemont informed Fox that "the people at large must indeed entertain a partiality for the present Ministers. True Whigs must rejoice at the prevalence of Whiggish principles."¹⁵ The appointments of Portland and Fitzpatrick were a "good presage."¹⁶

Charlemont was a great admirer of the Marquis of Rockingham;¹⁷ but many of the Irish patriots saw the establishment of the Whig Ministry as a victory for their own political principles.¹⁸ The Freeman's Journal, however, was not so easily convinced. It warned its readers that the "liberties of these kingdoms have ever suffered most in popular administrations," and suggested that the Whig coalition was "fully resolved to maintain the parliamentary supremacy of England" over the Irish.¹⁹ This scepticism increased in the ensuing weeks.

¹⁵Charlemont to Fox, April 11th., 1782, Fox Correspondence, I, 390.

¹⁶Ibid., 389.

¹⁷Charlemont MSS, I, 22.

¹⁸See, for example, Hutchinson to Burke, April 6th., 1782, Burke Correspondence, IV, 434-435.

¹⁹Freeman's Journal, April 4-6, April 6-9, April 9-11, 1782.

Lord Shelburne, as Colonial Secretary, had official responsibility for Irish affairs; but this does not seem to have impeded Charles Fox's Irish participation. During his three months in office, Fox was continually involved in Irish politics and he was to take a similar interest in Portland's ministry in the following year. This demonstrates his concern for the Anglo-Irish relationship and his determination to achieve some sort of settlement.

Indeed, before the Whigs had received the seals of office, Fox was enquiring about the replacement of Carlisle and about changes in the Irish episcopacy.²⁰ Within a few weeks of the accession of the ministry, his associate, Dr. Newcome, was appointed to an Irish bishopric.²¹ So he used Irish government as a source of political patronage; but he was sincere when he told the Earl of Charlemont that he felt "on every private as well as public account most peculiarly interested in the

²⁰ Selwyn to Carlisle, March 16th., March 18th., and March 23rd., 1782, Carlisle MSS., pp. 595-596, 598, 604. Of Carlisle, Fox had declared in November, 1779 that "he entertained a very great respect for that young nobleman's private character, though he considered his public abilities much too highly rated for his years and experience." See Parl. Hist., XX, 1127-1128.

²¹ Russell, op. cit., I, 6. William Newcome, 1729-1800. He was Fox's erstwhile tutor at Hertford College, Oxford, during 1764-1765. During Fitzwilliam's Lord Lieutenancy in 1795, he was appointed Primate of all Ireland. D.N.B.

success" of Portland's administration.²² Not only did Fox establish channels of communication with Grattan and Charlemont; he also maintained a continuous correspondence with Richard Fitzpatrick, the Chief Secretary. It was through the Secretary that Fox was able to participate directly in Irish developments, as it gave him a direct though unofficial channel of communication with the Irish executive. Fitzpatrick himself was one of Fox's most ardent followers, and before his appointment, George Selwyn had written: "I do not yet hear what will be Richard's reward for attachment to Charles and his principles."²³ According to Lord Russell, Fitzpatrick was Fox's "chief adviser and dearest friend" until Fox's death in 1806.²⁴ Charles Fox's connexion with the Irish Secretary, his dominant influence within the Rockingham party and his position as spokesman for the government's business in the House of Commons resulted in his playing a prominent role in the Irish administration during the Whig coalition. He revealed the depth of his concern to Fitzpatrick on April 15th.:

²²Fox to Charlemont, April 4th., 1782, Charlemont MSS, I, 57.

²³Selwyn to Carlisle, March 28th., 1782, Carlisle MSS, pp. 608-610.

²⁴Fox Correspondence, I, 171.

I am really so anxious for the success of your Administration and have such a dread of being upon ill-terms with persons so like ourselves in their ways of thinking, as Lord Charlemont and Grattan, that I cannot forbear thinking and writing about it constantly.²⁵

This anxiety was caused partly by the important part which he had played in the Irish movement during the American war, and his belief in his own responsibility for the formulation of an Irish solution. Simultaneously he realized that the Anglo-Irish relationship was at stake and had to be worked out afresh.

Charles Fox was a firm advocate of making extensive changes in the personnel of the Irish administration in favour of the patriots. He agreed with Fitzpatrick that "obnoxious persons" ought to be removed and he thought it would be of "infinite utility" if Grattan could be persuaded to join the government.²⁶ The same went for the Earl of Charlemont. But both refused Fox's request: they would support the ministry, but would not take office.²⁷

Fox's attempt to persuade the two prominent patriots to join Portland's government was more than simple pragmatism. It arose directly from his concept of

²⁵Fox to Fitzpatrick, April 15th., 1782, Ibid., 394.

²⁶Fox to Fitzpatrick, April 28th., 1782, Ibid., 413.

²⁷Charlemont to Fox, April 11th., 1782, Ibid., 390.

the Rockingham Whig party which he had been developing since 1774. Excited over the fall of North's government, he saw the change of ministry as the harbinger of a new era. Thus he put the crucial question to Charlemont:

Why should not the complete change of system which has happened in this country have the same effect there (Ireland) that it has here? and why should not these who used to compose the opposition in Ireland become the principal supporters of the new administration there upon the very grounds upon which they opposed the old ones?²⁸

Rightly or wrongly, Charles Fox saw North's defeat as a victory for both English and Irish Whigs as he continued his attempts to incorporate patriot beliefs into the principles of his own party. He was very concerned to emphasise that his accession to office did not imply any change in his principles. On the contrary, he told Charlemont,

I wish to talk with you and consult with you in the same frank manner in which I should have done before I was in this situation so very new to me.²⁹

In fact, Fox's purpose was to establish a Whig party in both England and Ireland.

²⁸Fox to Charlemont, April 4th., 1782, Charlemont MSS, I, 57.

²⁹Ibid.

Professor Ginter has stressed the organizational, at the expense of the ideological, factor in the development of the English Whig party after 1782.³⁰ Yet in Fox's concept of party, the ideological factor was uppermost; and besides, until the 1790's, his abilities of organization were rather limited. Instead, it was in the realm of ideas that he wished to establish an Irish Whig party. By identifying his own beliefs with those of the Irish patriots in bonds of common sympathy and mutual aspirations, Fox was, at least ideologically, trying to set up a Whig party in both countries.

However, although Fox had known and respected Charlemont for a long time prior to 1782,³¹ and although Charlemont was later to express admiration of Fox's "wonderful talents and astonishing parliamentary exertions,"³² Fox's desire for a positive alliance with the Irish leader was unsuccessful. Charlemont did not agree with Fox's concept of the Whig party as the Englishman saw it pertaining to Ireland. On the contrary,

³⁰Donald E. Ginter, Whig Organization in the General Election of 1790 (Berkeley: University of California Press, 1967), Introduction, pp. xi-lvii.

³¹Hardy, op. cit., I, 368.

³²Charlemont MSS, I, 56.

... with every degree of affection for our sister-kingdom, with every regard for the interests of the empire at large, I am an Irishman. I pride myself in the appellation, and will in every particular act as such; at the same time declaring that I most sincerely and heartily concur with you in thinking that the interests of England and Ireland cannot be distinct and that therefore in acting as an Irishman, I may always hope to perform the part of a true Englishman also.³³

Moreover, he later declared a firm belief that Irish interests could not be served in England, and that all English political parties were hostile to Irish well-being.³⁴ This was directly contrary to Fox's attempts in 1782 to encompass Irish politics into English party politics and his efforts to establish an Irish Whig party.

However, the fundamental problem facing Fox and the Whigs in 1782 was that of the Anglo-Irish constitutional relationship. The Whig coalition was only willing to accept the Irish demands for legislative and judicial autonomy in return for a treaty which would secure the future relationship between the two countries on a permanent basis. Of particular concern was the Anglo-Irish commercial relationship and an Irish contribution to the cost of imperial defence.³⁵ It was with this permanent arrangement in mind

³³Charlemont to Fox, April 11th., 1782, Ibid., I, 58.

³⁴Ibid., 14-15.

³⁵For a treatment of the Irish question from 1782 to 1800 as an imperial problem see Vincent T. Harlow, The Founding of the Second British Empire, 1763-1793 (2 vols.; London: Longmans, 1952), I, 493 et seq.

that the ministry saw that its first objective was to secure the postponement of Grattan's declaratory resolution which had been promised in the Irish Commons for April 16th. So Shelburne wrote anxiously to Secretary Fitzpatrick, and Rockingham did the same to the Earl of Charlemont with this intention in mind.³⁶ Over in Ireland both Portland and Fitzpatrick tried to persuade Grattan to agree to this request. One of the first letters from London to the Irish leaders asking for a postponement of their proceedings was from Fox. Charles Fox wrote to Charlemont as early as April 4th., thereby emphasising his concern for Irish developments immediately after the coalition had assumed office.³⁷ Perhaps he thought that the patriots would listen to him because of the confidence which they had begun to place in him in the previous years. However, neither Charlemont nor Grattan would agree to the request because "the eyes of all the nation are eagerly fixed on the meeting of the 16th."³⁸ Indeed, Charlemont was afraid of the possible

³⁶Shelburne to Fitzpatrick, April 19th, 1782, Fox Correspondence, I, 401; Rockingham to Charlemont, April 9th., 1782, Charlemont MSS, I, 53-54.

³⁷Fox to Charlemont, April 4th., 1782, Charlemont MSS, I, 56-58.

³⁸Charlemont to Fox, April 11th., 1782, Fox Correspondence, I, 389.

consequences in Ireland if the intended resolution was postponed;³⁹ but Grattan decided to change his resolution to a simple address, thus making it less overtly hostile to British rule.⁴⁰

Thus, on April 16th., when the Irish parliament met, Grattan moved his address, which was unanimously accepted, asserting Irish legislative independence. The address, later transmitted to England, declared that the only constitutional power which could make laws binding on Ireland was the Irish parliament.

In England, however, Fox's policy of temporization was successful, although the situation was complicated by the sudden arrival of Carlisle's Secretary, William Eden, with the Lord Lieutenant's resignation. On learning that Carlisle had already been replaced, Eden refused to communicate with the ministry on the state of Irish affairs; and on April 8th., in the House of Commons, he moved for the immediate repeal of the Declaratory Act.⁴¹

Fox reacted vehemently to Eden's presumptuous move: "The motion," he claimed, "was in substance and effect nothing less than a declaration of unconditional submission on the part of Great Britain, and a direct

³⁹Ibid., 390.

⁴⁰Russell, op. cit., I, 290.

⁴¹Parl. Hist., XXII, 1245.

relinquishment of her dearest and most valuable rights."⁴² The Whigs, he stressed, needed time to produce a permanent solution. At this juncture, Eden's motion was "one of the most alarming extent that could possibly be conceived;" and he accused him of yielding to the power of the Volunteers.⁴³

Fox then went out of his way to blame Lord North's ministry for the Irish crisis, in the same way as he had done when in opposition. In 1778, North had rejected moderate Irish demands for commercial concessions, while in the following year he had been forced to yield "more than was compatible with the honour of the country."⁴⁴

Realising the implications of his accusations, Fox felt obliged to emphasise that he was alluding to the manner in which Eden's motion had been brought forward, rather than passing an opinion on repeal itself. Indeed, "Ireland had a just right to expect ample redress from this country for the suppressive treatment she had long groaned under;" but the subject still required the "deepest consideration." He hoped his speech would not be misrepresented in Ireland, as Irish demands ought to be accepted as far as possible. Finally, he asked Eden

⁴²Ibid., 1247.

⁴³Ibid., 1249.

⁴⁴Ibid.

to withdraw his motion, and the latter eventually complied.⁴⁵ The next day Fox informed the House that they would soon be considering Irish affairs; so the ministry had acquired a breathing-space.

Fox's reprimand was hardly likely to conciliate Irish patriots. Indeed, one member in Westminster expressed surprise at the claim that Eden's proposal was equivalent to unconditional English submission.⁴⁶ Malone, an Irish Whig who was over in London at this time, sent Charlemont a copy of Fox's speech with certain passages underlined. He thought that the government intended to propose something less than the repeal of the Declaratory Act, and only do that when an arrangement had been made to ensure that the Irish would make no more demands. This, he suspected, would not be done until peace had been made with America, when the ministry would be in a much stronger position to negotiate with the Irish patriots. To make matters worse, he thought that "there are two or three ... in the cabinet by no means friendly to the emancipation of Ireland, Lord Shelburne and, of course, Dunning and Barre."⁴⁷

⁴⁵Ibid., 1264.

⁴⁶Ibid., 1259.

⁴⁷Malone to Charlemont, April 9th., 1782, Charlemont MSS, I, 400.

Over in Ireland, however, it was Charles Fox's intentions which were now suspected. Fitzpatrick told him of Irish suspicions of his speech, which had

contained some exceptionable expressions, for the very mention of the words supremacy of England is enough to inflame this country in its present ferment.⁴⁸

In the Irish press, there was some confusion over Fox's reprimand of Eden and misrepresentation of what he had said, which caused the Freeman's Journal to publish the whole of the Westminster debate.⁴⁹

Yet Malone's estimate of the ministry's intentions was not quite accurate. Both Shelburne and Fox were willing to grant Irish legislative autonomy in internal affairs provided that some permanent arrangement for the future Anglo-Irish relationship, and English control over Irish external affairs, could be formulated. Here, however, their accord terminated. Whilst Shelburne wanted the Irish demands met first, with the negotiation of a treaty to follow, Fox wanted the treaty negotiated by parliamentary commissioners simultaneously with the Irish requests being granted. These opposing views of the manner in which the Irish were to be given legislative autonomy led to a struggle within the cabinet which lasted

⁴⁸Fitzpatrick to Fox, April 17th., 1782, Fox Correspondence, I, 396.

⁴⁹Freeman's Journal, April 13-16, 1782.

until May, when Shelburne's policy was finally accepted. Fox's desire not to accept the Irish demands until arrangements had been made for a permanent settlement between the two countries explains his strong denunciation of Eden's proposal for the repeal of the Declaratory Act. His assessment of the situation was realistic as a settlement to preclude all future disputes was a more feasible proposition before the Irish had been given the right of local self-government. The future was to prove him right: the permanent settlement was never made. Instead, in 1800, the Act of Union destroyed Irish self-government. Fox's intention to maintain English supremacy over Irish external legislation explains his caution in the House of Commons. As a contrast, Shelburne's speeches in the Upper House were more conciliatory towards the Irish, demanding that their requests for independence be accepted.⁵⁰

Fox made his position clear to Fitzpatrick a week after he had secured the withdrawal of Eden's motion. Neither the repeal of the Declaratory Act nor the amendments in the procedure necessitated by Poynings Law were to be admitted immediately as it would be

⁵⁰Fitzpatrick to Fox, April 19th., 1782, Lord Fitzmaurice, The Life of William, Earl of Shelburne (2 vols.; London: Macmillan, 1912), II, 94-95.

perfectly inconsistent with the intention of entering into a treaty to settle finally the future connection between the two countries to take any step at all previous to the opening of that treaty.⁵¹

To achieve this treaty, Fox was prepared to wait; and until negotiations had begun, he was determined not to yield to the Irish request for legislative autonomy.

In the interim, Fox suggested two measures to strengthen the power of the Irish parliament at the expense of its executive. Both suggestions demonstrate the way he applied his Whig beliefs to the Irish situation. Firstly, he wanted a measure adopted in Ireland similar to Crewe's Bill in England which prevented government revenue officers from voting at elections.⁵² This would reduce government influence at elections. He also proposed the institution of an Irish cabinet council, presumably on the lines of the English cabinet. Without such an institution, Fox argued, the power of the Irish executive was concentrated in the hands of officials who could not be held responsible to the legislature. Such a state of affairs, present in England during North's government, with the "Jenkinsons and the Robinsons," led

⁵¹Fox to Fitzpatrick, April 15th., 1782, Fox Correspondence, I, 393-394.

⁵²Fox to Fitzpatrick, April 13th., 1782, Ibid., 392.

to a ministry without responsibility to the legislative power.⁵³ Both of Fox's proposals reflect his concern for the Irish administration and his desire to increase the Irish parliament's influence at the expense of the executive; but neither were enacted.

The day after Grattan's declaratory address, the Chief Secretary informed Fox of the state of Irish affairs and the problems which the Irish government was encountering. Fitzpatrick thought that there was now no alternative to granting the repeal of the Declaratory Act, whether "right or wrong." All Irishmen considered the "whole matter as concluded," in spite of the fact that Portland had not pledged himself to Irish legislative autonomy.⁵⁴ However, the Secretary was convinced that the Irish did not want a complete separation from England; and he believed that Henry Grattan, whose popularity was reaching new heights, was probably willing to negotiate on some parts of the proposed settlement, but not the repeal of the Declaratory Act. Grattan's willingness to

⁵³Charles Jenkinson, 1729-1808. He was Secretary at War in the closing years of North's ministry and was believed to have had an influence at Court and with the government far beyond that to which his office entitled him. Similar suspicions were directed towards John Robinson, 1727-1802, who was Joint Secretary to the Treasury from 1770 to 1782. Both resigned with North in 1782. History of Parliament, II, 674-678, III, 364-366.

⁵⁴Fitzpatrick to Fox, April 17th., 1782, Fox Correspondence, I, 398.

negotiate would no doubt encourage Fox; and his confidence in Grattan was one feature of his connexion with Irish politics throughout these difficult months.⁵⁵

However, the Secretary warned Fox that decisions must be made quickly, as "long debates in your Cabinet upon these matters will be very dangerous."⁵⁶ And by this time, another problem had arisen, concerning Fox's Irish correspondence:

Respecting the confidential letters you write me, which you had better never trust to the post, as we have the misfortune of being here in the hands of the tools of the last Government, and there is every reason to suspect that our letters may be opened before they reach us. I wish you therefore to trust them only in the hands of messengers.⁵⁷

Such was one problem encountered by conducting an unofficial correspondence with the Irish Secretary. And to make matters worse, Fitzpatrick found Shelburne's Irish policy ambiguous, when he compared his parliamentary speeches, conciliatory in nature, to the instructions he sent to the Irish executive, urging it to maintain English

⁵⁵Viz: "The adjustment in Ireland of 1762 was not less the result of the confidence which the congenial honour and genius of two great men, Mr. Fox and Mr. Grattan, inspired in each other, than of the force of circumstances and the skill of negotiation." Lord Russell, Ibid., 471.

⁵⁶Fitzpatrick to Fox, April 17th., 1762, Ibid., 400.

⁵⁷Ibid., 394.

authority in the formulation of a new Anglo-Irish relationship.⁵⁸

The relationship between Henry Grattan and Charles Fox, and their mutual respect for one another, was soon confirmed when the Irishman told Fox of the principal Irish demands. The repeal of the Declaratory Act, the amendment of Poynings Law and the alteration of the perpetual Mutiny Act were essential; and, Grattan continued,

We have defined our desires and limited them, and committed ourselves to what is indispensable to our freedom; and have this further argument, that you have thought it indispensable to yours.⁵⁹

In this way, Grattan carefully stressed the common identity of the principles held by the Irish patriots and Charles Fox. Simultaneously he reminded Fox that the Volunteers had not appeared armed outside the Irish parliament when the declaratory address was presented on April 16th., in contrast to the free trade amendment in October, 1779, when the streets of Dublin had been lined with Volunteers.⁶⁰ This would no doubt encourage Fox, as the threat of the armed associations remained an important factor in his desire for a permanent settlement of the Anglo-Irish dispute. Indeed, the longer the Volunteers

⁵⁸Ibid., 399.

⁵⁹Grattan to Fox, April 18th., 1782, Ibid., 403.

⁶⁰Ibid., 407.

continued, the more anxious Fox became.

Charles Fox had to remind the Irishman that he was not personally responsible for the ministry's Irish policy; hence "it would be very imprudent in me ... to give any direct opinion upon the various points which make the subject of your letter."⁶¹ In general terms, however, he urged the necessity of a final settlement:

Whatever settlement is made may be so made as to preclude all future occasions of dispute between two nations upon whose mutual union the prosperity of both so unquestionably depends.⁶²

Although he did not make any concrete proposals, the broad outlines of his solution to the problem of the Anglo-Irish relationship were clear. Believing the interests of the two countries to be the same, and refusing to accept any idea of separation, he wanted a settlement to solve the problem once and for all, and not be merely a prelude to further conflict. As an Englishman, he wanted a close connexion between England and Ireland; but,

That this connexion may be such as may consist with the liberty and happiness of Ireland, I must wish as a Whig, and as one who professes to hold the natural rights of mankind far more sacred than any local prejudices whatever.⁶³

⁶¹Fox to Grattan, April 27th., 1782, Ibid., 409.

⁶²Ibid.

⁶³Ibid., 410.

So, Fox was prepared to be generous and liberal to the Irish in his pursuit of a settlement; and he was prepared to wait until this arrangement had been formulated before he acceded to Irish demands for autonomy.

By the end of April, however, Fox's Irish participation had angered Shelburne and had intensified the divisions in the coalition. Not only was Fox clashing with the Colonial Secretary over the negotiation of a treaty with France and America, but Shelburne also objected to Fox's Irish involvement. As Fox told the Irish Secretary,

Shelburne shows himself more and more every day, is ridiculously jealous of my encroaching on his department, and wishes very much to encroach on mine. He hardly liked my having a letter from Grattan, or my having written one to Lord Charlemont.⁶⁴

Dispute over the responsibility for the formulation of the Irish arrangement was one of a number of issues which were destroying the Whig coalition; and Fox now prophesied an early departure of the Rockinghams from office.⁶⁵ Yet before this happened, he was determined to do his utmost to influence Irish developments in order to achieve some sort of agreement between the two countries. He believed that no peaceful Anglo-Irish

⁶⁴Quoted in Lascelles, op. cit., p. 99.

⁶⁵Ibid.

relationship could ensue without this arrangement, and to negotiate it he suggested the appointment of parliamentary commissioners. The purpose of the reciprocal agreement was twofold:

My opinion is clear for giving them all that they ask, but for giving it them so as to secure us from further demands and at the same time to have some clear understanding with respect to what we are to expect from Ireland in return for the protection and assistance which she receives from those fleets which cost us such enormous sums and her nothing.⁶⁶

Any more disputes, Fox thought, would end in the ultimate separation of England and Ireland which he was determined to avoid. More specifically, he wanted an Irish imperial contribution, a measure which Pitt tried to establish in 1785 with his commercial propositions. In Fox's thinking, then, Ireland was to continue as part of the Empire, subject to the Navigation Code. At the same time, he was optimistic that the arrangement could be made without too much difficulty.

This was not to be the case, and his policy of deliberation worried some of the Irish patriots. This concern was echoed by the Freeman's Journal towards the end of April:

⁶⁶Fox to Fitzpatrick, April 28th., 1782, Fox Correspondence, I, 412.

The affairs of Ireland have for the last week produced very serious debates in the new Cabinet... Temerity and delay, though opposite causes in politics, generally produce similar effects.⁶⁷

Yet the Duke of Portland shared Fox's optimism: he thought that a reciprocal agreement between the two countries could be made so long as the government promised the settlement of the Irish demands first.⁶⁸ However, as this was not Fox's intention, Portland, like Fitzpatrick, warned him not to deliberate for too long. Unless decisions were made quickly, Irish government would become impossible.

Yet Fox became even more resolved to wait for further Irish information on the possibilities of a reciprocal agreement when the Lord Lieutenant adjourned the Irish parliament early in May. On May 11th. he wrote:

I really begin to have hopes that this business will terminate better than I had expected; and that with a concession of internal legislation as a preliminary accompanied with a modification of Poynings Law and of a temporary Mutiny Bill, we may be able to treat of other matters so amicably as to produce an arrangement that will preserve the connection between the two countries.⁶⁹

⁶⁷Freeman's Journal, April 27-30, 1782.

⁶⁸Portland to Fox, April 28th., 1782, Fox Correspondence, I, 414.

⁶⁹Fox to Fitzpatrick, May 11th., 1782, Ibid., 417-418.

By "internal legislation" Fox meant essentially local Irish self-government; presumably, the arrangement of "other matters" would include the question of an Irish imperial contribution and the negotiation of a settlement between the two countries to guarantee English rights of external legislation, especially in regard to commerce.

Three days later the cabinet met to consider the Irish business;⁷⁰ and the conflict between Fox and Shelburne over the question of granting Irish legislative autonomy before or concomitant to a permanent arrangement was decided in favour of Shelburne's policy.⁷¹ This decision came just in time as Fox's position on the Irish demands was already in dispute in the Dublin press.

In Westminster, Fox had complimented the Volunteers and the Irish opposition, and this had met with a favourable response in Ireland, convincing many that he intended to accede to all the Irish demands. The Freeman's Journal, however, remained sceptical of Fox's policy of deliberation, and warned the patriots against putting too much faith in his manoeuvres. As that paper rather amusingly put it,

⁷⁰Fox to Carlisle, May 14th., 1782, Carlisle MSS, p. 629.

⁷¹Lucan to Pery, May 15th., 1782, Emly MSS, p. 168; Harlow, op. cit., I, 535.

When the fox in the fable saw a raven with a loaf in its beak, high perched upon a distant tree, he complimented it on its notes and plumage; the loss of the loaf was the consequence of the compliment. It will be your case if you be too credulous...If you change your plan until it be crowned with success, may the fate of fools be your lot and may a Fox outwit a simpleton.⁷²

So Fox's intentions were not to be trusted; and it was argued that he had changed his beliefs when he joined the government from those which he had held in opposition. Edmund Burke was similarly criticized. Indeed,

Edmund and Charles blustered for Ireland when the North wind blew in their teeth. Now that they rule the weather, the one is silent, the other pays compliments, whilst Ireland's barque is sinking. They formerly looked one way; now they steer another.⁷³

Yet there was no agreement; and Fox's Irish supporters argued that his praise of the Volunteers proved that he intended to grant the Irish demands.⁷⁴

Once the cabinet had decided to accept Irish legislative autonomy, Fox was compelled to recommend the repeal of the Declaratory Act in the House of Commons. As with all his speeches on the Irish question over the

⁷²Freeman's Journal, May 18-21, 1782.

⁷³Ibid. Edmund Burke, who had been particularly active in the Irish Catholic relief movement of 1778 and the free trade agitation of 1779 seems to have played little part in the Irish affairs of the governments in 1782 and 1783. See Mahoney, op. cit., pp. 131, 138.

⁷⁴Freeman's Journal, May 18-21, 1782.

past few years, he severely criticized North's Irish policies. More important, he introduced into public debate the concept of internal and external legislation. The Declaratory Act "would never have given umbrage to any part of the British Empire if it had been used solely for the good of the Empire. But in America and Ireland this power of external legislation had been hitherto employed for the purpose only of oppressing and distressing."⁷⁵ Charles Fox had not opposed the Declaratory Act as relating to the American colonies; but he had always made a distinction between external and internal legislation. The Declaratory Act, as Fox saw it, only gave England the right of external legislation over America and Ireland. The Irish, he claimed, had not complained of the theoretical basis of English supremacy, only of its practical application. This had been demonstrated in 1778, when Lord North had changed his mind over the proposed resolutions for giving Ireland free trade, resulting in insignificant measures being granted to the Irish in that year. Twelve months later, however, North had been threatened by the force of the Volunteers, and was compelled to give Ireland much more than she had previously desired.⁷⁶ This was an example to

⁷⁵Parl. Hist., XXIII, 21-22.

⁷⁶Ibid.

Fox of the way in which Lord North had wrongly exercised England's right of external legislation over Ireland.

All the same, Fox said that he would accept the repeal of the Declaratory Act as relating to Ireland as it was a just and reasonable request; and "for his part, he had rather see Ireland totally separated from the Crown of England than kept in obedience only by force."⁷⁷ As his greatest anxiety was over the possibility of a total separation of the two countries, a fear which was to become even more acute in the following year, it can be assumed here that he was trying to forestall possible Irish suspicions of his speech. It is not an accurate representation of his Irish policy in 1782.⁷⁸

As with the Declaratory Act, so with Poynings Law, Fox argued that the Irish would never have complained of it if it had not been "abused"; but on the demand for the amendment of the perpetual Mutiny Act, he was uncompromising. He honestly declared that

if the Irish had never mentioned this law among their grievances he would have held it to be his duty, as an Englishman, to have recommended the repeal of it.⁷⁹

This he had done in 1781.

⁷⁷Ibid., 23.

⁷⁸Both Reid, op. cit., p. 142, and Lascelles, op. cit., p. 100, isolate this quotation, which is very misleading.

⁷⁹Parl. Hist., XXIII, 25.

To establish the Anglo-Irish connexion on a firm basis, Fox announced that in the future a treaty might be made which would, hopefully, forestall further Irish demands; and he moved a resolution to that effect, together with one for the repeal of the Declaratory Act.⁸⁰ The nature of the treaty, however, was not specified.

Both of these resolutions were accepted unanimously, and Burke's assessment was that "Fox handled the delicate business incomparably well."⁸¹ The repeal of the Declaratory Act was held to establish the sole right of the Irish parliament to legislate for Ireland and also gave the powers of final jurisdiction to the Irish House of Lords. However, it was tacitly understood by Fox and the government that Westminster still had the right of external legislation over Ireland.⁸² On May 27th., when the Irish parliament assembled, it was informed by the Lord Lieutenant that the demands for legislative independence were to be met. Subsequently, in the Irish legislature, Poynings Law was modified: the Irish executive and Privy Council lost all

⁸⁰ Ibid., 34.

⁸¹ Burke to Portland, May 25th., 1782, Burke Correspondence, IV, 454-455.

⁸² Peter Jupp, "Earl Temple's Viceroyalty and the Question of Renunciation, 1782-1783," Irish Historical Studies, XVII, No. 68 (1971), 503.

power to originate or alter Bills. In future, only the legislature was to draw up the Bills and transmit them to England. Once in England, the English executive could only accept or reject the Bills; it thereby lost the power to alter them, although the King retained the power of veto.

As Professor Beckett has shown, this modification of Poynings Law was, in practice, equivalent to a repeal, as British ministers proved reluctant to use their power of veto.⁸³ However, the Irish executive was still responsible to the executive in England. It was this shortcoming in the constitution of 1782, the responsibility of the Irish executive to the English executive and not to the Irish legislature, which was to be of crucial importance in Fox's Irish participation in the future, as he formulated his political beliefs and ideas around the fundamental necessity of the restraint of the executive power. An Irish executive responsible to the English ministry, however, was acceptable to Fox in 1782. He could not foresee the workings of the new constitutional arrangement in Ireland whilst in England his political views were not that crystallized or definite. Most important of all was his fear of a

⁸³Beckett, "Anglo-Irish Relations," pp. 23-25.

separation of the two countries: this was obviously made less likely by the 1782 constitution.

In the meantime, in Ireland, Fox's speech on the repeal of the Declaratory Act, and Westminster's right of external legislation, led to his violent denunciation by the more radical patriots. Fear of his intentions was enhanced by his second resolution for an Anglo-Irish treaty, the precise implications of which were obscure.⁸⁴ His policy of deliberation had already engendered suspicions that England did not intend to grant Ireland her rights;⁸⁵ now, these doubts seem to have been confirmed by his reference to the doctrine of external legislation. Thus, in the Irish House of Commons, his distinction between external and internal legislation was seen as a "most absurd position."⁸⁶ Presuming that the rights of external legislation meant Westminster's right to legislate on Irish commercial matters, it was remarked that

Ireland is said to have a free trade, but the key of it is in Mr. Fox's pocket.⁸⁷

⁸⁴ Pery to Shelburne, May 23rd., 1782, Early MSS., p. 168.

⁸⁵ Freeman's Journal, May 14-16, 1782.

⁸⁶ Ibid., May 28-30, 1782.

⁸⁷ Ibid.

Sir Henry Cavendish, relative of the Duke of Devonshire, immediately leapt to Fox's defence: Fox's intentions "were to make Ireland flourish and then England must flourish also."⁸⁸ This assessment was correct; but it remained true that Fox had not defined Westminster's powers of external legislation. As Henry Flood pointed out, Fox had not given up the "assumption of power" by England over Ireland.⁸⁹ The result of this Irish scepticism was the renunciation movement, demanding an explicit denunciation by Westminster of all rights over Irish legislation. This demand had very adverse effects on Fox's Irish reputation and the confidence expressed in him by the patriots, which he had consciously tried to establish during the preceding years.

Fox himself was unhappy with the situation as the Declaratory Act had been repealed without the opening of negotiations for a permanent settlement; and Richard Sheridan, his under-secretary, wrote to Fitzpatrick, echoing Fox's own sentiments and anxieties:

⁸⁸Ibid.

⁸⁹Henry Flood, 1732-1791. Entered the Irish Commons in 1759 and sat for the borough of Enniskillen from 1776. He became a Volunteer colonel and was the leading protagonist of renunciation in 1782. In 1783-1784 he sat in Westminster for Winchester and later, from 1786 to 1790, he represented Seaford. D.N.B.

tho' things are pretty quiet now, (they) will, I doubt, overturn all and in the worst way.⁹⁰

This was a reflection on the defeat of Fox's policy. How was the second resolution to be implemented now that the Irish had been given legislative autonomy?

In actual fact, the second resolution never materialized. Although the Duke of Portland was not averse to Fox's idea of parliamentary commissioners to negotiate an Anglo-Irish treaty, Grattan was strongly opposed to it.⁹¹ Consequently, even though in June the Lord Lieutenant was still optimistic of obtaining an Act which would acknowledge British supremacy in matters of "state and general commerce,"⁹² and despite Rockingham's communication to the Earl of Charlemont that some matters between England and Ireland would now want

⁹⁰Sheridan to Fitzpatrick, May 20th., 1782, Cecil J.L. Price, ed., The Letters of Richard Brinsley Sheridan (3 vols.; Oxford: Clarendon Press, 1966), I, 144-146. Richard Brinsley Sheridan, 1751-1816. Born in Ireland, he represented the borough of Stafford in Westminster from 1780 to 1806. He was a close friend and follower of Fox. In 1780 he joined the Westminster Association and in 1782 he became Under-Secretary of State for Foreign Affairs. He resigned with Fox but joined the coalition in 1783 as Secretary to the Treasury. From 1784 he was a leading opponent of William Pitt. He supported Fox in the Regency crisis and welcomed the French Revolution. He remained with the Foxites after the outbreak of war in 1793 and opposed the Act of Union. History of Parliament, III, 451-454.

⁹¹Shelburne to Portland, April 29th., 1782, and Portland to Shelburne, May 6th., 1782, Fitzmaurice, op. cit., II, 96-99.

⁹²Portland to Shelburne, June 6th., 1782, and Shelburne to Portland, June 9th., 1782, Ibid., 101-103.

adjustment,⁹³ the idea had to be shelved as Grattan and his enthusiastic supporters would not oblige.⁹⁴

Meanwhile among the more radical patriots, England's right of external legislation was represented as Fox's doctrine. Henry Grattan was warned by the Freeman's Journal to take care that "Mr. Fox's doctrine of external legislation doesn't damn the future commerce of Ireland."⁹⁵ Charles Fox was represented as having asserted Westminster's right of external legislation in the "most deliberate manner."⁹⁶ He was also accused by the supporters of renunciation of having deliberately taken advantage of the popularity of the Whig administration in Dublin to persuade the Irish to be content with the repeal of the Declaratory Act.⁹⁷ Thus, not only had the

⁹³Rockingham to Charlemont, June 17th., 1782, Charlemont MSS, I, 90-92.

⁹⁴Fox had little to do with Portland's attempts in June and later denounced them as "adopted without communication or consult, and as suddenly dropt." See Grattan to Fitzpatrick, February 14th., 1800, and Fox to Fitzpatrick, February 19th., 1799, Fox Correspondence, I, 426-434.

⁹⁵Freeman's Journal, June 4-6, 1782.

⁹⁶Ibid., June 11-13, 1782.

⁹⁷Ibid., June 25-27, 1782.

resolutions for Irish legislative autonomy been passed in Westminster in the manner which Fox had worked to avoid, but also his Irish reputation had suffered a severe setback.

Fox's failure to clarify English rights over Irish external legislation influenced his Irish policies in 1783 in his coalition with Lord North. Also, his attempts to reach an Irish settlement contrasted with his efforts to reach an agreement with America, over which issue he resigned at the beginning of July. Fox wished to agree unconditionally to American independence and then negotiate, whilst Shelburne wished to negotiate first and then grant independence if necessary. So Fox's policy was the reverse towards America of that towards Ireland; and the explanation for this seems to lie in his concern for the maintenance of a strong Anglo-Irish connexion. This concern had been continually revealed long before he had joined the government in March, 1782, and was to be strongly emphasised in the following year.

Fox had already been outvoted in the cabinet on the question of American independence before Rockingham's death on July 1st.⁹⁸ Two days later he saw the King and proposed Portland as First Lord of the Treasury. When

⁹⁸Fox Correspondence, I, 435.

the King appointed Shelburne as First Minister, Fox resigned, claiming that Shelburne's appointment was a departure from the principles on which he had himself entered office.⁹⁹ He sincerely believed that Shelburne was pledged to maintain the influence of the Crown. However, he had also become convinced that the coalition would not work. The disagreements between him and Shelburne over proposals for economic reform and the policies to be adopted towards America and Ireland were complicated by a mutual distrust which they had for each other.¹⁰⁰

However, the constitutional importance of Fox's demand that the Duke of Portland be made First Lord of the Treasury can scarcely be over-emphasised: it was a direct and forceful challenge to the royal prerogative of the choice of ministers, and as such, it did not pass unnoticed by Shelburne who remarked that

In truth it is taking the executive altogether out of the King's hands, and placing it in the hands of a party which, however respectable, must prove a complete tyranny to everybody else.¹⁰¹

⁹⁹Ibid., 437.

¹⁰⁰Mitchell, op. cit., pp. 17-34; Russell, op. cit., I, 325; Fox Correspondence, I, 434.

¹⁰¹Shelburne to Marlborough, July 8th., 1782, Auckland Correspondence, II, 3-4.

Unfortunately for Fox, the only other Rockingham Whig who resigned from the cabinet was Sir John Cavendish, the Chancellor of the Exchequer, who was replaced by William Pitt. This lessened the impact of Fox's decision.¹⁰² However, numerous minor office-holders followed Fox, including Burke and Sheridan. In Ireland, Portland and Fitzpatrick both resigned, although they remained in Dublin until the end of the Irish parliamentary session; and Fitzpatrick prophesied violent opposition to the "new system."¹⁰³ He found that Shelburne was very unpopular in Ireland, particularly in the north, which was still in the forefront of the Volunteer agitation, because of his insistence that negotiations had to be undertaken with America before her independence was recognized. Fox, on the other hand, had wanted American independence recognized immediately and, according to Fitzpatrick, was "held in a degree of the highest estimation from his step on this occasion" by the Irish.¹⁰⁴

¹⁰²North to Robinson, July 6th., 1782, Abergavenny MSS, p. 53.

¹⁰³Fitzpatrick to Ossory, July 15th., 1782, Fox Correspondence, I, 465.

¹⁰⁴ibid., 466.

Yet Irish suspicions of Fox's intentions had already been voiced; and by the time he had become a member of the government again in 1783, his Irish popularity had suffered a severe blow because of the renunciation movement. He was unhappy with the granting of Irish legislative autonomy as no permanent settlement had been established. The Declaratory Act had been repealed without reserving England's control over Irish external legislation. His Irish policy in Rockingham's ministry had failed. In addition, the Volunteers continued and increased in influence and to make matters worse, he was confronted with a renewed series of Irish demands for economic relief. All these factors combined to make Charles Fox's Irish policy in 1783 more positive than at any time hitherto.

CHAPTER IV

A DECLINE IN POPULARITY: THE RENUNCIATION MOVEMENT AND FOX'S IRISH POLICY IN 1783

While Charles Fox was in opposition to Shelburne's ministry, from July 1782 to March, 1783, the renunciation movement swept across Ireland, eventually forcing the government to yield. In fact, Fox had unwittingly helped to polarize Irish politics round Grattan and the "simple repeal" advocates, who claimed, with Fox, that the repeal of the Declaratory Act was sufficient to guarantee Irish legislative autonomy, and the advocates of renunciation, led by Henry Flood, who wanted Westminster to make a formal disavowal of its right to legislate for the Irish.

In the Irish House of Commons, Henry Grattan attempted to defend Fox's conduct. He argued that Fox had claimed that England's right of external legislation was "useful," but that he had now given up that right altogether. So Irish criticisms of Fox were unwarranted.¹ Many remained unconvinced, however, and when a motion was offered to give "the thanks of the House to Mr. Fox for his late conduct in Parliament and sacrificing every

¹Freeman's Journal, July 20-23, 1782.

interest for the liberty of the constitution," it was lost as nobody would second it.² Instead, Fox's critics were eager to emphasise his support for England's power of external legislation in the American Declaratory Act, and argued that he understood the Irish Declaratory Act in the same way.³ Fox's supporters in Dublin used a speech of his at a Middlesex meeting to demonstrate that he was a supporter of Irish liberties; but this portrayal was immediately rejected by the Freeman's Journal:

The question may be brought to a short issue, did Mr. Fox, or did he not, during his late short reign as Minister of State, introduce into Parliament the doctrine of England's right to external legislation and reason on and support the said doctrine?⁴

By August the paper was claiming that Fox believed that Westminster had the power to make commercial regulations for Ireland; and the Belfast Volunteers attempted to ascertain Fox's exact intentions, and his distinction between internal and external legislation.⁵

It was in this situation that Fox paid his third visit to Ireland in four years; and as with his previous visits, it seems probable that his sojourn had a

²Ibid.

³Ibid., July 25-27, 1782.

⁴Ibid., August 1-3, 1782.

⁵Ibid., August 3-6, 17-20, 1782.

political as well as a social purpose.⁶ It is likely that he went to explain his position on the "simple repeal" and renunciation conflict. Yet the criticisms continued, and throughout, the theme was the same: Charles Fox claimed that Westminster had the power of Irish external legislation.⁷

Thus, Fox's Irish reputation was heavily tarnished when he joined the government again in 1783, as it was unclear where he stood on the question of external legislation. As the renunciation movement gained in strength and popularity, his attempts to identify his principles with Irish patriotism floundered. Simultaneously, his Irish reputation suffered from the failure of many Irish Whigs to understand the principled and constitutional side of his resignation in July, and his belief that Shelburne was intending to increase the influence of the Crown. The Earl of Charlemont saw the English Whigs simply in a process of "schism and separation" with the party "broken to pieces."⁸ He became even more sceptical

⁶Historical Manuscripts Commission Report, Manuscripts of the Marquis of Lansdowne (London: H.M.S.O., 1876), p. 256.

⁷Freeman's Journal, August 27-29, August 29-31, 1782.

⁸Charlemont MSS, I, 81.

of a party alliance between English and Irish Whigs which Fox had been attempting to forge:

Ireland, I thought, ought to be kept as clear as possible from the baneful influence of English faction; and as for parties at home, I was determined to be no further connected with them than the service of my country required.⁹

His confidence in Fox and the Whigs, never very strong, had been severely shaken. To Charlemont's disapproval, Grattan, Fox's chief Irish ally, had become a "party man." Indeed, Grattan

thought himself pledged to the support of the Portland administration, not only in Ireland but of the same connexion in England also, whether in or out of power; and thus his private credit and his private animosities uniting themselves with party principle he became, in effect, perhaps even unknown to himself, a party man.¹⁰

As had now become the custom, then, politics and events in London were profoundly influencing developments in Dublin; and Earl Temple, Irish Lord Lieutenant under Shelburne, whose appointment Fox had not approved of, found himself overwhelmed by the demand for renunciation.¹¹

⁹Ibid.

¹⁰Ibid., 80.

¹¹Lady Sarah Napier to Lady Susan O'Brien, August 8th., 1782, Countess of Ilchester and Lord Stavordale, ed., The Life and Letters of Lady Sarah Lennox, 1745-1826 (2 vols.; London: John Murray, 1901), II, 22. (Hereinafter referred to as Lennox Correspondence.)

Shelburne decided to give way and early in 1783 a Renunciation Bill was introduced into Westminster. This secured the popularity of Temple's government; but it made Fox's Irish reputation even more dubious. Charles Fox was still seen as the sponsor of the doctrine of external legislation, and in October it had been claimed that his wish to establish the Anglo-Irish connexion on a "solid and permanent basis" was proof that further measures were intended by the British government.¹² So, by the beginning of 1783, once the intentions of Shelburne's ministry were known, it was Temple, Shelburne and Flood who received the admiration of the Irish patriots, whilst Fox and his adherents were criticized beyond measure.¹³

On the introduction of the Renunciation Bill in January, 1783, Fox immediately declared that the repeal of the Declaratory Act was a sufficient safeguard of Irish autonomy. Repeal, he said, was all "he had ever conceived as incumbent on this country to Ireland."¹⁴

¹²Freeman's Journal, October 8-10, October 31-November 2, 1782.

¹³Ibid., January 21-23, 1783.

¹⁴Parl. Hist., XXIII, 340.

Therefore renunciation was unnecessary. And he also had some ominous advice to offer the government:

This business must have an end some time or other; and the question now was, how should they draw the line, and where would it be possible for them to stop? ... He only wished that Ministers would come to the resolution of making a stand somewhere, that they would take the most permanent station.¹⁵

Hoping, as usual, that his speech would not be misunderstood in Ireland, he accused Shelburne's Irish administration of courting popularity at the expense of its predecessor; and he hoped that Ministers "would not, in any other part of their conduct, render themselves more reprehensible than they had done in this."¹⁶

Fox's rejection of renunciation was the result of the failure of his own Irish policy in the previous year. Having been unsuccessful in his efforts to establish an Anglo-Irish treaty before the granting of Irish legislative autonomy, he was now extremely anxious over the ultimate separation of the two countries.¹⁷ This fear had always been present in his Irish participation; now it was preponderant. There was another reason, however, why he was unhappy with renunciation: the

¹⁵Ibid., 339.

¹⁶Ibid., 341.

¹⁷See Fox to Northington, November 1st., 1783, Fox Correspondence, II, 163-171.

measure implied a criticism of the Rockingham ministry's Irish policy. The Rockingham Whigs had merely repealed the Declaratory Act, and this was now assessed as inadequate. No one was more susceptible to this criticism than Charles Fox, in his attempts to incorporate the Irish movement into his own party and remain in the forefront of Irish agitation. Hence his accusation that Temple's administration was buying popularity at the expense of its predecessor.

Fox's reaction to the Renunciation Bill was denounced in Ireland. The Patriots accused him of political expediency:

The very mode that will now give complete harmony to both nations is condemned by Charles, because place and harmony suit not with his absence from office. If a bustle is not kept up while he is out of the Ministry, he will soon sink into ineffable contempt.¹⁸

In the same vein, he was accused of publicly supporting the Volunteers purely for his own selfish political advancement.¹⁹ Obviously, then, Charles Fox was not a "great friend to Ireland."

Yet the Renunciation Bill did not become law before the fall of Shelburne's Ministry and the advent of the Fox-North coalition in March, 1783. So in February,

¹⁸ Freesman's Journal, January 30-February 1, 1783.

¹⁹ Ibid., February 1-4, 1783.

Henry Grattan wrote anxiously to Fitzpatrick: "It is reported here that the Opposition in England are become strong, and that Mr. Fox will come into power. If so, it is not too late; amend the Irish Bill according to your own idea."²⁰

The prospect of a change of government and Fox's return to office led to Irish fears that the Renunciation Bill might be shelved. Lord Lieutenant Temple objected to Fox's implied criticism of his Irish policy and was anxious for the success of the Bill.²¹ Fox himself was busy writing to Grattan to see if the Bill could be amended.²² Now and again patriots argued that as Fox believed the welfare of the two countries to be closely connected, then he would let the measure pass to gain Irish confidence on any terms whatsoever.²³ Usually, however, scepticism was expressed over the final success of the measure, coupled with the fear that Fox, who was not willing to declare Irish legislative independence in

²⁰ Grattan to Fitzpatrick, February 18th., 1783, Fox Correspondence, I, 425. See also Temple to Grenville, January 15th., 1783, Historical Manuscripts Commission Report, Manuscripts of J.E. Fortescue, Esq. (8 vols.; London: H.M.S.O., 1892-1894), I, 182. (Hereinafter referred to as Fortescue MSS.)

²¹ Temple to Grenville, January 27th., 1783, February 2nd., 1783, February 16th., 1783, and March 7th., 1783, Fortescue MSS., I, 186, 188, 195, 200.

²² Temple to Grenville, March 1st., 1783, Ibid., 198.

²³ Freeman's Journal, February 6-8, 1783.

the "full and equivocal sense," would reassert Westminster's power of external legislation in any government of which he was a member.²⁴ In fact,

An obscure and durable mode of conduct has marked Mr. Fox's actions towards Ireland; and it may justly be said that in no one instance did he prove a friend to us, but when it had some sinister purpose of his own to answer.²⁵

The story of the coalition between Charles Fox and Lord North needs no detailed relating here.²⁶ Suffice it to say that the Peace Preliminaries with America in November, 1782, and with France and Spain in January, 1783, were opposed by Fox and North in the Commons on February 17th., 1783.²⁷ A censure of the Preliminaries was carried, and on February 24th., Shelburne resigned.²⁸ After six weeks a government was eventually formed under the Duke of Portland with Charles Fox as Secretary of State for Foreign Affairs and Leader of the House of Commons, and Lord North as Colonial Secretary.

²⁴Ibid., February 25-27, 1783.

²⁵Ibid.

²⁶See particularly John Cannon, The Fox-North Coalition (Cambridge: Cambridge University Press, 1969), pp. 38-64.

²⁷Fox Correspondence, II, 13.

²⁸Ibid., 15.

Primarily the coalition between Fox and North was to safeguard their respective political positions. For North, the coalition forestalled all possibility of impeachment for the American war, and allowed him to keep his followers together, as they were very dependent on Treasury and Admiralty boroughs.²⁹ The prospect of opposition was equally unattractive to Fox; but, of course, he had the added inducement that he would again be in a position to reduce the influence of the Crown. It must also be remembered that he dominated the politics of the coalition, more so than he had done in Rockingham's ministry.³⁰

By the end of February, whilst negotiations to form a government were proceeding, rumours were increasing in Dublin that the Renunciation Bill had been thrown out of Westminster.³¹ After all, Fox was not a "sincere friend to full Irish independence."³² However, on taking office, Fox found that the Bill had gone too far to be curtailed. It had already been introduced into parliament,

²⁹Mitchell, op. cit., p. 46.

³⁰Russell, op. cit., II, 4.

³¹Freeman's Journal, February 27-March 1, 1783.

³²Ibid., March 11-13, 1783.

and so, to his disapprobation, it became law.³³ Yet more Irish criticisms of Fox followed. As he had denounced the Peace Preliminaries, it was suspected that he intended to renew the war with France and America; and this could be of no possible benefit to Irishmen.³⁴ More important, the popular Lord Lieutenant, Earl Temple, resigned; and Fox was blamed for Temple's departure.³⁵

Fox's opposition to renunciation, together with doubts of his intentions towards England's power of external legislation, meant that the coalition between the two former antagonists was more heavily criticized in Ireland than in England. Professor Mitchell has pointed out that the public furore against the coalition in England must not be pre-dated and was largely a product of the propaganda campaign surrounding the 1784 general elections. Yet in Ireland this was not the case, and Fox was exposed to charges of inconsistency in both his English and his Irish politics. Derogatory comments were published on his character and his political conduct, whilst his

³³Fox to Northington, November 1st., 1783, Fox Correspondence, II, 164.

³⁴Freeman's Journal, March 20-22, 1783.

³⁵Ibid., March 25-27, April 1-3, 1783.

Janus distinction between external and internal legislation demonstrates him to have been an enemy to the fame and welfare of Ireland.³⁶

He was represented as the "betrayer of the public cause," and the "symbol of the political faith of many of our pseudo-patriots";³⁷ and in July, the Freeman's Journal published the cynical "Creed of the Man of the People," which had previously appeared in the London Evening Post.³⁸ Charles Fox's Irish reputation sank to its lowest point since his entrance into the ranks of the Opposition in 1774, with criticisms of his juncture with Lord North stimulated by doubts of his intentions concerning British supremacy. It was in this antagonistic atmosphere that he turned his attention to Irish administration.

The Irish situation in 1783 was fraught with possible danger to the English government. There was an outcry for tariff protection against English imports, while the Volunteers, still the dominant force in Irish politics, demanded an extension of the Protestant franchise and a reduction in the power of borough-owners, now that their parliament had become largely independent of the English government. With the emergence of both these demands, Fox's fear of an Anglo-Irish separation

³⁶Ibid., April 1-3, June 19-20, 1783.

³⁷Ibid., July 19-22, 1783.

³⁸Ibid.

reached its climax.

The new Irish Lord Lieutenant was the Earl of Northington. Although he had little experience of public affairs, he was a follower of Fox, and the latter seems to have been completely responsible for his appointment.³⁹ Another of Fox's associates, William Windham, a man of "genuine Whig principles" became Chief Secretary; but he was soon replaced by Thomas Pelham.⁴⁰ The Rev. William Dickson, still another of Fox's close friends, was appointed as First Chaplain to Northington, and by the end of the year he had become bishop of Down.⁴¹ Fox placed a lot of confidence in Grattan, who, together with the Duke of Leinster, supported the new administration.⁴²

³⁹Charlemont MSS, I, 100; Hardy, *op. cit.*, II, 81; Northington to Fox, November 17th., 1783, Fox Correspondence, II, 175. Robert Henley, 2nd. Earl of Northington, 1747-1786. Entered the Commons for Hampshire in 1768 and joined the Lords in 1772. D.N.B.

⁴⁰Charlemont MSS, I, 101; Mrs. H. Baring, ed., The Diary of William Windham, 1784-1810 (London: Longmans, 1866), p. 21. Thomas Pelham, 1756-1826. Represented Sussex in the Commons from 1780 to 1801. He became Surveyor-General of the Ordnance in 1782 under Rockingham and then Shelburne. He resigned on the accession of the Fox-North coalition and it was only after strong representations from Portland that he accepted the Irish Secretaryship. From 1784 he was in opposition and was to return to Ireland as Secretary in 1789 if the Regency had materialized. History of Parliament, III, 259-260.

⁴¹Burke Correspondence, V, 91-92.

⁴²Hardy, *op. cit.*, II, 87; Charlemont MSS, I, 110; J.H. Hutchinson to his wife, May 27th., 1783, Historical Manuscripts Commission Report, Manuscripts of the Earl of Donoughmore (London: H.M.S.O., 1891), p. 307. (Hereinafter referred to as Donoughmore MSS.) See also Burke to Windham, May 5th., 1783, Burke Correspondence, V, 91-92.

Yet Fox's Irish reputation suffered another severe setback when Scott and Fitzgibbon, who had never been in the forefront of the patriot agitation, were appointed to the Prime-Serjeantry and the Attorney-Generalship. These particular appointments made the Earl of Charlemont very suspicious of the coalition's Irish intentions.

As with Fox's resignation in the previous year, Charlemont was very sceptical of the "strange and certainly unnatural" coalition of 1783.⁴³ He assumed that North was controlling Irish patronage, not Fox or Portland, when Scott and Fitzgibbon took office; and he had little communication with the Irish administration during 1783.⁴⁴ Indeed, Edmund Burke felt obliged to warn Charlemont that a quarrel with the government would be very embarrassing, probably referring to Fox's attempts to associate his beliefs with those of the patriots.⁴⁵ However, Fox's efforts of the previous year to persuade Grattan and Charlemont to take office achieved a partial success by their appointment as Irish Privy Councillors. But Fox was not against the appointments of Scott and Fitzgibbon, as he was "no enemy to coalitions"; in fact, his only

⁴³Charlemont MSS, I, 100

⁴⁴Charlemont MSS, I, 100, 101, 103, 105; Hardy, op. cit., II, 83-86, 137-138; Sheffield to Eden, August 7th., 1783, Auckland Correspondence, I, 57.

⁴⁵Burke to Charlemont (1783), Hardy, op. cit., II, 101.

proviso with the appointments was that the Lord Lieutenant was to ensure that they both supported the government.⁴⁶

In 1783, Charles Fox played a prominent part in the Irish administration; indeed, Lord John Russell goes as far as to claim that he was, in reality, the Minister of Ireland.⁴⁷ He established a regular channel of communication with the Irish executive and told Northington the procedure to ascertain instructions from London:

... when you write for instructions on material points that you or Pelham would write a private letter to the Duke of Portland or me, letting us know how far you consider each point as important to your plans and arrangements.⁴⁸

Fox was determined to advise the Irish Lord Lieutenant.⁴⁹ Simultaneously, Northington was always anxious to get Fox's instructions:

I ... most earnestly entreat you, whenever you think matters are not going in the manner you would wish, that you would send me an early notice of it, that I may have opportunity of changing my measures in time, or of satisfying

⁴⁶Fox to Northington, November 1st., 1783, Fox Correspondence, II, 170.

⁴⁷Russell, op. cit., II, 4.

⁴⁸Fox to Northington, November 1st., 1783, Fox Correspondence, II, 167.

⁴⁹Russell, op. cit., II, 4.

you and the Duke of Portland, by my reasons, for my adherence to my own plan ... [But] Government, although strong, cannot do always here as it would wish.⁵⁰

Throughout 1783, Fox's Irish policy was positive: no more Irish concessions were to be allowed. He maintained this firm stand against both commercial and political demands.

The free trade concessions of 1779-1780 had done nothing for Irish trade with England, and demands were now made by the Irish for tariff protection against English imports. Northington sympathized with the protectionist movement: to strengthen the Irish economy, and thereby increase government revenue, he suggested to Fox the levy of additional duties on goods imported into Ireland, particularly beer and sugar. He also proposed a reduction of the duty levied in England on Irish woollens to the same rate as that levied in Ireland on English woollens, emphasising that the Irish could never compete with the English woollen manufacture. Similarly he suggested that the duty on Irish imported bar-iron ought to be the same as that paid on imported bar-iron in England, again stressing that this would be no great concession to the Irish.⁵¹

⁵⁰Northington to Fox, November 17th., 1783, Fox Correspondence, II, 173-174.

⁵¹Northington to Fox, November 18th., 1783, Ibid., 180-181.

Fox rejected these suggestions. He had already warned Northington to do nothing which might be criticized by English brewers, thereby revealing the hostile attitude of English manufacturing interests towards the Irish economy.⁵² And his strong opposition to the more extensive proposals led to a rebuke from the Lord Lieutenant:

I must revert to my old idea, that is, that the trade to Ireland being open for England, any regulation she may find it expedient to make must interfere with English trade, and I cannot help observing that the old notions seem to govern even now the King's councils, and that a strong jealousy exists about any trifling advantage likely to be gained by Ireland.⁵³

So Charles Fox rejected the levying of protective duties for the Irish economy, and revealed his determination to preserve English advantages in the Irish market. He was not being inconsistent as he had been unhappy with the Irish free trade agitation in 1778 and 1779 and had not supported the commercial relief resolutions in Westminster. His opposition demonstrated the narrow, prejudiced side of his Whiggery: his forbears had built up England's commercial monopoly, and he was not prepared to see the structure dismantled for Ireland's benefit.

⁵²Fox to Northington, November 1st., 1783, Ibid., 168.

⁵³Northington to Fox, November 18th., 1783, Ibid., 181-182.

At the same time, English control of the Irish economy gave the government a strong weapon if Irish requests became too demanding, and Fox reminded Northington that the Irish had more to fear from the English than the latter had from the Irish. He referred specifically to English protection of the Irish linen trade, as only low duties were levied on Irish linen imported into England. The duties could easily be raised by the English government; and Fox therefore concluded that England need not pay Ireland "too much court."⁵⁴

So when Fox thought that the Lord Lieutenant was making slight concessions to Ireland, possibly to increase his support, he reprimanded him for doing so and added that

This country [England] is reduced low enough, God knows, but depend upon it we shall be tired if, year after year, we are to hear of granting something new, or acquiescing in something new, for the sake of pleasing Ireland.⁵⁵

Northington denied that he was yielding to Irish demands, either through negligence or through a desire to gain popularity, which, he claimed, echoing Fox, had been Earl Temple's policy. His position, however, was difficult, particularly because of a "notion of the instability of

⁵⁴Fox to Northington, November 1st., 1783, Ibid., 169.

⁵⁵Ibid.

Government at home."⁵⁶ So Whig fortunes in England reverberated across the Irish Sea, and the interaction of the politics of the two countries, which Charles Fox had done so much to engender, was still ever-present. Yet the Lord Lieutenant thought that there was another more sinister reason for the unstable Irish situation: the "influence of a secret hand, attempting to undermine Government here; I mean a secret hand from a high quarter."⁵⁷ Evidently the opponents of the coalition in both countries were working together, a junction which Fox had deliberately fostered during his opposition to North a few years before. Thus when the Lord Lieutenant opened the Irish parliament in October, some of his political opponents claimed that they supported William Pitt in England.⁵⁸

However, Fox's Irish policy in 1783 did include constructive proposals. He wanted annual instead of biennial parliamentary sessions to ensure more frequent meetings of the legislature;⁵⁹ and he agreed with

⁵⁶Northington to Fox, November 18th., 1783, Ibid., 183.

⁵⁷Ibid.

⁵⁸Hardy, op. cit., II, 140.

⁵⁹Fox to Northington, November 1st., 1783, Fox Correspondence, II, 166.

Northington's proposals for the creation of an Irish Admiralty Court and Post Office, two of the many new arrangements necessitated by Irish autonomy.⁶⁰ He also urged an increase in the Regium Donum, thereby revealing the practical side of his belief in religious toleration.⁶¹ The government gave this financial subsidy to Protestant Dissenting ministers as a compensation for their religious disabilities. Another question which arose in 1783 was whether treaties and peace preliminaries made by the English government were to be laid before the Dublin parliament. Fox thought not, as the result could be the public expression of differences of opinion between the two countries; besides, English ministers could only be responsible to Westminster.⁶²

As the opening of the Irish parliament approached in the autumn of 1783, Fox intended "to leave the government of Ireland to its Parliament, exercising the King's negative only in extraordinary cases, but then with decision."⁶³ England's power of veto in the 1782 constitution was to be used only with extreme caution.

180. ⁶⁰Northington to Fox, November 18th., 1783, Ibid.,

171. ⁶¹Fox to Northington, November 7th., 1783, Ibid.,

168. ⁶²Fox to Northington, November 1st., 1783, Ibid.,

p. 178. ⁶³Knox to Pery, September 12th., 1783, Early MSS.

Yet his designs were still doubted in Dublin:

Strong apprehensions are formed that Mr. Fox's doctrine of England's external legislative power may be productive, if not relinquished by him, of some disagreeable disputes.⁶⁴

The continual patriotic suggestion was for Fox to define what he meant by England's power of external legislation as

at the moment it is vaguely obscure and appears inimical not only to Ireland's commercial interests but also to her constitutional interests as well.⁶⁵

Usually it was presumed that Fox's doctrine would be detrimental to Irish commerce as, if it was applied, "the trade of Ireland will be as completely shackled as before;"⁶⁶ and Fox would introduce his doctrine if Irish opposition increased.⁶⁷ It was true that the constitutional changes of 1782 had not explicitly reserved England's powers of external legislation.

Over in England, Fox was not at all satisfied with the Irish situation. No reference was made to Ireland in the King's Speech at the opening of the English parliament, and Fox confessed:

⁶⁴Freeman's Journal, September 4-6, 1783.

⁶⁵Ibid., September 11-13, 1783.

⁶⁶Ibid., September 18-20, 1783.

⁶⁷Ibid., September 11-13, 1783.

I am really at present so much in doubt whether it will be wise or not to touch upon a string so delicate, and have not settled my mind upon the proper manner of doing it, if it is to be done.⁶⁸

In fact, he thought that the Irish situation was rapidly becoming critical.

An assembly of delegates from forty-five Volunteer corps had met at Lisburne in Ulster at the beginning of July, and had appointed a committee to contact leading reformers in both countries to ascertain their views on parliamentary reform. Fox was not approached because of his poor reputation among the patriots.⁶⁹ In September, another meeting had been held at Dungannon, and it was decided to hold a convention at Dublin on November 10th., when the Irish parliament would be in session, to consider parliamentary reform and draw the government's attention to it.⁷⁰

⁶⁸Fox to Ossory, November 5th., 1783, Fox Correspondence, II, 210.

⁶⁹Hardy, op. cit., II, 94; Mrs. Motter to Dr. W. Drennan, 1783 (September), David A. Chart, ed., The Drennan Letters (Belfast: H.M.S.O., 1931), p. 18. (Hereinafter referred to as Drennan Letters.) The committee wrote to the Duke of Richmond, William Pitt, Dr. Franklin, Dr. Price, Christopher Wyvill, the Earl of Charlemont, Henry Grattan and Henry Flood, among others.

⁷⁰Hardy, op. cit., II, 99; Charlemont MSS, I, 118.

Charles Fox was not against a discussion of Irish parliamentary reform; but he would not have it considered by an armed Volunteer convention. The Volunteers were no longer necessary now the American war had terminated. His ambivalence towards the armed organizations, revealed many times prior to 1783, was now finally dispelled: they must be defeated.⁷¹

Fox emphatically stated his opinions to Northington a week before the Dublin convention. The situation was extremely dangerous:

I want words to express to you how critical in the genuine sense of the word I conceive the present moment to be... Unless they [the Volunteers] dissolve in a reasonable time, Government, and even the name of it, must be at an end.⁷²

He had never fully approved of the armed Volunteers forcing the Irish civil government, and now he demanded a determined effort from the Irish executive to defeat them. The government was not to recognize the Volunteers, and no petition which they might present to parliament was to be accepted. If they were allowed to continue, then "all is gone, and our connexion with Ireland is worse than none at all."⁷³

⁷¹Fox Correspondence, II, 94, 162.

⁷²Fox to Northington, November 1st., 1783, Ibid., 163.

⁷³Ibid., 165.

The Volunteers heightened Fox's fear of the ultimate separation of England and Ireland; and in this dangerous state of affairs, he looked to Henry Grattan for support. Fortunately, Grattan agreed with Fox, and strongly objected to the Volunteers forcing the Irish legislature on the question of parliamentary reform; and as with the renunciation movement of the previous year, he was opposed by Flood, who was leading the reform agitation. Fox supported Grattan, reassuring himself that the Irishman could not see "the present situation in any other light than that in which I do." Grattan, he thought, was bound to the coalition because of his support for the Rockingham Whigs in 1782 and his opposition to renunciation.⁷⁴

Fox believed, then, that the Volunteers could be defeated if the Irish government was resolute and had the support of Grattan and his followers. His first reaction to the convention was to prohibit it altogether; certainly, the Irish parliament was to disown its proceedings. But the Irish government disagreed.

On the last day of October, General Burgoyne, commander-in-chief in Ireland, informed Fox that he did not envisage any "serious commotion" with the proposed convention, although as a precaution, he had strengthened

⁷⁴Ibid.

the Dublin garrison.⁷⁵ Burgoyne did not share Fox's apprehension over the Volunteer assembly, and he wrote again, a week later, assuring Fox that no trouble was expected.⁷⁶

On November 10th., the Volunteers met at Dublin and began what turned out to be a three week convention. Fox was so afraid of the outcome that he decided not to recall General Burgoyne, who was a member at Westminster, to support the India Bill for which he was mustering as many votes as possible.⁷⁷ And even though the Earl of Charlemont had been elected president of the convention, where he acted as a moderating influence,⁷⁸ Fox urged the Irish government to pursue the matter in parliament and disown the Volunteers' proceedings. Northington and Burgoyne, however, still disagreed: it was not necessary, they argued, as by the second week, the convention seemed to be disintegrating amidst a diversity of sentiments.⁷⁹

⁷⁵Burgoyne to Fox, October 31st., 1783, Ibid., 189.

⁷⁶Burgoyne to Fox, November 8th., 1783, Ibid., 191.

⁷⁷Fox to Northington, November 14th., 1783, Ibid., 173.

⁷⁸Charlemont MSS, I, 123-126.

⁷⁹Burgoyne to Fox, November 17th., 1783, and Northington to Fox, November 17th., 1783, Fox Correspondence, II, 193, 174.

One of the primary reasons for the conflict within the convention was the suggestion of a Catholic franchise, which was opposed by Charlemont and numerous other prominent Volunteers;⁸⁰ but the dissension was also partly the result of the efforts of the Irish government. The Irish executive had found little support for Fox's suggested prohibition of the assembly; so it had deliberately attempted to confuse the Volunteers' proceedings, a policy which Northington claimed had been very effective.⁸¹

However, by the end of the month, Flood had got his own way at the convention and presented a plan of representative reform to parliament. The proposal was moderate: its purpose was to reduce the power of the borough-owners by extending constituency boundaries and repealing bye-laws which limited the number of voters.⁸² All Protestant L10 freeholders were to have the franchise in the boroughs, and parliament was to be elected every three years. The moderation of the plan would be

⁸⁰Burgoyne to Fox, November 17th., 1783, Ibid., 194; Russell, op. cit., II, 15.

⁸¹Northington to Fox, November 17th., 1783, Fox Correspondence, II, 175-176.

⁸²O'Connell, op. cit., p. 386.

sufficient to quell Fox's suspicions at the beginning of November when he claimed that "Volunteers, and soon possibly Volunteers without property will be the only government in Ireland..."⁸³ But in the Irish parliament the proposal was dealt with in the way Fox had recommended.⁸⁴ It was opposed on the grounds that it had originated from an unconstitutional and illegal assembly, and was defeated.⁸⁵ Northington wrote to Fox the following day:

If in consequence of the wishes on your side of the water I had opposed this meeting by active measures at an earlier period, I should have had the prejudices, the opinions and the affections of all men to have combated against.⁸⁶

The Earl of Charlemont later reflected that the Volunteers came to be "hated" by the government during 1783;⁸⁷ and certainly Fox had lost his ambivalence towards

⁸³Fox to Northington, November 1st., 1783, Fox Correspondence, II, 165.

⁸⁴See Burgoyne to Fox, November 17th., 1783, Ibid., 196.

⁸⁵Northington to Fox, November 30th., 1783, Ibid., 185-186; Russell, op. cit., II, 23.

⁸⁶Northington to Fox, November 30th., 1783, Fox Correspondence, II, 186-187.

⁸⁷Charlemont MSS, I, 109.

them. Yet the distinction between parliamentary reform and the manner in which it was discussed and proposed to parliament helped to prevent a direct conflict between the Volunteers and the government. There were many property-holding patriots who objected, with Fox, to the armed threat to civil government.⁸⁸ But Fox's foremost concern was that if the Irish demands and the Volunteers were not restrained, the result would be the complete separation of England and Ireland. The necessity to avoid separation had always been a hallmark of Fox's Irish involvement. He had continually emphasised it during the American war, and whilst in office in 1782, he had attempted to achieve a permanent reciprocal agreement to prevent future Irish demands which, he presumed, would weaken the Anglo-Irish connexion. Yet his policy in 1782 had failed, and his resolution to defeat the Volunteers in 1783 was a reflection of this. His worst fears were materializing, and Irish demands were continuing. This would lead to the ultimate separation of the two countries, and therefore had to be defeated at all costs. As one Irish Whig put it, Fox would

lament it as the deepest misfortune of his life if by any untoward steps then taken, and whilst he was minister, the two kingdoms should be separated, or run the slightest risque of separation.⁸⁹

⁸⁸Ibid., I, 135.

⁸⁹Francis Hardy, Hardy, op. cit., II, 136.

Yet this policy put Fox in a very difficult position in Ireland, as noticed by Charlemont:

Singular, indeed, it would have been if under the administration of the duke of Portland, any attempt had been made against the Volunteers, or if, when Mr. Fox, the great abettor of reform in England, was secretary of state, an endeavour at reform should have been deemed so criminal in Ireland that civil convulsion should have been hazarded for its punishment.⁹⁰

Such were the difficulties encountered by an English Whig pursuing an Irish policy.

Obviously the English government was relieved with the defeat of the convention's proposals; it seemed as if the Volunteers had at last been checked.⁹¹ But the coalition's satisfaction was ephemeral. By the end of December, Charles Fox and Lord North had been dismissed from office and William Pitt was First Lord of the Treasury.

Much has been written about Fox's India Bill, which transferred the control of the affairs of the East India Company to commissioners appointed by the government, and its defeat in the House of Lords through George III's unscrupulous intervention on December 15th., 1783.⁹² A few days later Fox and North were forced to resign; but

⁹⁰Charlemont MSS, I, 135.

⁹¹Eden to Norton Eden, December 9th., 1783, Auckland Correspondence, II, 64.

⁹²See particularly Mitchell, op. cit., p. 64 et seq.

they still had a majority in the Commons, which produced a political and constitutional crisis.

It was now axiomatic that a change of English government would be reflected in the Irish executive because of the acute interplay of English and Irish politics over the past few years.⁹³ However, as Fox thought Pitt would be forced to relinquish his office because he did not have the support of the House of Commons, he urged Northington not to resign before Westminster re-assembled in January, 1784.⁹⁴ But Northington refused Fox's request, and resigned on January 3rd., although he remained in Dublin until his successor, the Duke of Rutland, arrived in February.⁹⁵

The Lord Lieutenant claimed that anxiety over Fox's dismissal was already spreading in Ireland before

⁹³Eden to Morton Eden, December 16th., 1783, Auckland Correspondence, I, 68.

⁹⁴Fox to Northington, December 26th., 1783, Fox Correspondence, II, 224; Eden to Morton Eden, December 30th., 1783, Auckland Correspondence, I, 70.

⁹⁵Northington to Pery, January 14th., 1784, Emly MSS, p. 182; Fox Correspondence, II, 225; Hardy, op. cit., II, 143. Charles Manners, 4th. Duke of Rutland, 1754-1787. Represented Cambridge University in the House of Commons in 1774 and joined the Lords in 1779. He was one of Pitt's intimate friends, and served as Lord Privy Seal in Pitt's government before his appointment to Dublin. D.N.B.

the defeat of the India Bill;⁹⁶ but Fox's Irish policy had lost him a lot of support in that country in 1782 and 1783. His Irish reputation was never to sink so low again. He was accused of political inconsistency and corruption. Charles Fox, the advocate of English reform, had opposed the Volunteers' Irish proposals.⁹⁷ The radical Irish press found his conduct in office very different from his activities in opposition.⁹⁸ He was, unjustly, blamed for the defeat of Pitt's parliamentary reform proposal in Westminster in May, 1783. If he had persuaded his party to support Pitt, then the proposal would have been accepted; but his assistance had been "lukewarm, insincere and nugatory." So,

it is very evident that Fox regarded the measure of a parliamentary reform no longer than it served his purpose.⁹⁹

More amusingly, but with some justice, Fox was accused of developing the art of "ambiguity," and of "orbicular reasoning--there is no handle to it, neither beginning nor end."¹⁰⁰ It was difficult for Irishmen to ascertain Fox's

⁹⁶Northington to Fox, November 30th., 1783, Fox Correspondence, II, 188.

⁹⁷Freeman's Journal, December 27-30, 1783.

⁹⁸Ibid., February 26-28, 1784.

⁹⁹Ibid., January 8-10, 1784.

¹⁰⁰Ibid., February 17-19, 1784.

true feelings about parliamentary reform and external legislation.

Even in England, Fox's politics in 1782 and 1783 were difficult to comprehend. Many people were surprised by his coalition with North, whom he had viciously attacked for seven years over the American war. Some failed to grasp the full implications of his resignation in July, 1782, dismissing it as an exercise in bitterness on the spur of the moment. Simultaneously he had an uneasy relationship with the Association movement for parliamentary reform. Thus it is hardly surprising that few Irishmen could understand his manoeuvres in London. This made it increasingly difficult for him to maintain the reputation and association with Irish patriots which he had established during the American war.

After 1783, however, Fox's politics became more comprehensible. George III's defeat of the India Bill, and Pitt's accession to power without a majority in the House of Commons, was the determining factor behind Fox's later political development. His deepest suspicions of royal influence had been confirmed, and he repeatedly attacked the new First Lord of the Treasury before the dissolution of parliament in March, 1784. Fox's opposition to Pitt involved two fundamental but related tenets: legislative control of the King and the executive power, and a belief in the ultimate authority of the House of

Commons. Both tenets were inherent in the Rockingham Whigs' position before the debacle over the India Bill: they had triumphed in 1782 with the defeat of Lord North in the Commons, and in 1783, Fox, in coalition with North, had unseated the First Lord of the Treasury and nominated his successor on the basis of a majority support in the House of Commons. In the end, Fox's justification for these executive changes was the authority of the House of Commons; and the claims he made on behalf of that body, particularly from January to March, 1784, were novel and, in constitutional terms, revolutionary.¹⁰¹ Although the responsibility of the executive government to parliament had been recognized from the time of Walpole, it had never been claimed that the King's ministers were chosen for him by the party with a parliamentary majority. Royal selection of ministers had remained intact until Fox's demand for Pitt's removal because he did not have the support of the lower House.

Fox's claim for the ultimate authority of the House of Commons was inseparable from his concept of party: once the royal choice of ministers was attacked, party became the only alternative ratification of the claims to executive power.¹⁰² The restriction of the King's role

¹⁰¹ Mitchell, *op. cit.*, pp. 56-57.

¹⁰² *Ibid.*, pp. 58, 64.

in the constitution left a void which could only be filled by the majority in the Commons.

From January to March, however, Pitt refused to resign, in spite of Fox's repeated attacks on his minority government. And in retaliation for Pitt's obstinacy, Fox made more and more innovatory claims on behalf of the House of Commons.¹⁰³ Contemporaries well appreciated the volatile constitutional and political upheaval;¹⁰⁴ but in the end, Fox failed. The coalition gradually lost votes in the lower House, and parliament was dissolved in March. In the ensuing election Pitt's supporters, and Fox's enemies, were returned with a resounding majority.¹⁰⁵ Yet Fox had polarized loyalties round the Crown and the House of Commons in both parliament and the country, and by holding the Whigs together under his leadership, he committed his supporters to a reliance on the final authority of the House of Commons against the encroaching executive.¹⁰⁶

¹⁰³ Ibid., pp. 82-85.

¹⁰⁴ See, for example, Earl of Bessborough, ed., Extracts from the Correspondence of Georgiana, Duchess of Devonshire (London: John Murray, 1955), pp. 72-74.

¹⁰⁵ History of Parliament, I, 87-96.

¹⁰⁶ Mitchell, op. cit., pp. 88-91. Mitchell emphasises that it was Northite votes for the coalition which were steadily deteriorating from January to March, 1784, suggesting that North's followers succumbed to royal offers and threats because of their fear that the coalition might upset the smooth running of government.

Charles Fox's dominant political principles from 1784 were based on a belief in the development of a party whose aim was to achieve power and become the government, the ultimate authority of the House of Commons, and the fundamental necessity to restrain the executive power. These principles became the basis of his Irish involvement until his death in 1806. The Irish executive was not responsible to the Irish parliament: by the constitution of 1782, it was still appointed by the English government. Fox acknowledged the results of this arrangement in January, 1784. Which of the recent Irish Lord Lieutenants, he asked the House, "had not found it impossible to act under ministers on whom they had not the completest confidence?"¹⁰⁷ The Irish executive was appointed by and responsible to the English executive, not the Irish parliament; and Fox's future Irish participation was an attempt to remedy this shortcoming of the constitution of 1782.

¹⁰⁷Parl. Hist., XXIV, 336.

CHAPTER V

SUCCESS: THE CAMPAIGN AGAINST THE COMMERCIAL PROPOSITIONS

The experiences of 1782-1783 were decisive for Fox's future politics. The King's association with Shelburne in Rockingham's ministry, the coalition's unscrupulous and arbitrary dismissal by the Crown in 1783, and the continuance of Pitt's executive in power until April, 1784, with only a minority support in the House of Commons, made Charles Fox and his followers angrily determined to consolidate their party in order to restrain and, if possible, defeat the executive power of George III and William Pitt. The polarization around support for the King and Pitt's executive, and support for Fox, the coalition and the Commons, had been bitter, and the institutionalization of the Whig party in the later 1780's was primarily motivated by the events of these years.¹ Charles Fox was insistent in his belief that Pitt's executive had to be checked and, of fundamental importance, this included both Pitt's English and Irish governments. Irish administration became an integral part

¹Mitchell, op. cit., pp. 98-103.

of Fox's conception of the relationship between the executive and legislative powers in the constitution. The accountability of the Irish executive to the legislature was just as essential as the accountability of the English executive; and Fox's concern over the activities of the Irish government was revealed during his successful but bitter Westminster campaign in the 1784 election.²

Early in 1784, another commercial depression had struck Ireland.³ The cry for protection, which Fox had resisted in the previous year, increased, and the Irish parliament's rejection of a protectionist proposal in April only served to enhance the dissatisfaction, especially amongst the Dublin populace.⁴ Rutland's administration was heavily criticized, particularly in the press; and Foster's Press Bill was an attempt to curtail this public hostility. The Bill provided for the registration of newspaper proprietors, made it a

²Unfortunately for Fox, an enquiry was held into his Westminster victory which lasted for almost a year; whilst this was proceeding, he sat for the Scottish constituency of Kirkwall. In March, 1785, however, his election for Westminster was accepted and he resumed his representation of England's most popular constituency. Reid, op. cit., p. 205.

³O'Brien, op. cit., p. 245.

⁴Rutland MSS, III, 86; Hardy, op. cit., II, 146; O'Brien, op. cit., pp. 248-249.

criminal offence to receive or offer money to print libels, and prohibited the sale of unstamped newspapers.⁵ The Irish opposition immediately represented the Bill as an attack on the freedom of the press;⁶ and the criticisms were taken up by the Foxites in their Westminster campaign.

Perhaps this was the first time in English electoral history that an Irish issue was brought before the voters. During the Westminster battle, handbills were circulated against the Irish Press Bill, and fears were spread that the English press was to be similarly restricted.⁷ A meeting at the Crown and Anchor tavern in the Strand heard Richard Sheridan denounce the threat to press freedom by Pitt's Irish executive; and Charles Fox was represented throughout the campaign as the "Champion of the People" of both England and Ireland.⁸ Fox had been responsible for the commercial concessions of 1779; and Pitt's government had to be "well-watched and opposed" in both countries as

⁵Lecky, op. cit., II, 394.

⁶Mornington to Temple, April 10th., 1784, Fortescue MSS, I, 228.

⁷Anon., History of the Westminster Election (London: Debrett, 1785), pp. 136-137, 323-324.

⁸Ibid., pp. 42-43, 338.

The royal party are now beginning to overwhelm the people in confusions and distractions of all sorts, throughout the remaining dominions of the Crown, as may easily be seen by the present state of Dublin.⁹

In fact, with these denunciations of the Irish government together with the activities of Fox's Irish Chairmen, his rather uncouth "campaign managers," Irish politics became an issue in the Westminster election, adding another dimension to Fox's activities outside the House.¹⁰

Scrutiny of the Irish executive's proceedings was gradually becoming an integral part of Fox's political beliefs and conduct. The Westminster election marks another stage in this process and, as in 1780, it was covered by the Irish press.¹¹

Fox's attempts to strengthen the Whig party, then, incorporated Irish developments. He saw both Pitt's English and Irish executives in the same context after 1784; and when the predominantly Pittite parliament assembled after the election, he tried to discuss

⁹Ibid., pp. 42-43, 179.

¹⁰For the Irish Chairmen see Ibid., pp. 93, 96, 100, 123, 231, 242, 251; and even poems about Henry Flood were circulated during the election campaign, see Ibid., p. 455.

¹¹Freeman's Journal, May 22-25, 1784.

Rutland's activities.¹² The attempt was rebuffed; but it signified the incorporation of the Irish government's policies into Fox's concern for the accountability of the executive power.

The susceptibility of the Irish government to English politics was largely the result of Fox's activities since 1775. In 1784, some English statesmen thought that "it is from Ireland that the minority have any hopes of some new confusions," because of Pitt's strength in Westminster and the relative stability of English politics compared to the previous years.¹³ Others saw the process in the reverse: as the English political situation was quiescent, then that of Ireland would be too.¹⁴ Yet all observers acknowledged the connexion between English and Irish politics.

Because of this delicate situation, Pitt wished to prevent "all party jealousies and distinctions in Ireland,"¹⁵ and one of his first occupations was to

¹²Pulteney to Rutland, May 24th., 1784, Rutland MSS, III, 97.

¹³Pulteney to Rutland, August 20th., 1784, Ibid., 133.

¹⁴Shelburne to Rutland, April 3rd., 1784; and Orde to Rutland, June 3rd., 1784, Ibid., 85, 101.

¹⁵Pelham to Pery, January 8th., 1784, Early MSS, p. 181.

ascertain Rutland's support in the Irish Commons.¹⁶ Lord Sydney, Pitt's Home Secretary, hoped that Irish opposition would not be influenced by a "fancied connexion with English politics.";¹⁷ and in Dublin, Rutland adopted a conciliatory policy towards the Irish Whigs. Many remained in office, in spite of the bitter criticisms of the Foxite Whigs in England. This indicated that the changes in Irish administration did not automatically follow the changes in the English government. Charles Fox in particular wanted the Irish Whigs to oppose Pitt's Irish executive; but this was difficult to achieve in face of the conciliatory policy of Pitt and Rutland.¹⁸ Yet the influential Duke of Leinster would "do whatever Mr. Fox will desire him at any minute" because he was "totally attached" to him. The Ponsonby family,

¹⁶Jenkinson to Robinson, February 14th., 1784, Abergavenny MSS., pp. 66-67. In May, 1784, the Irish Commons was classified as:

For government.....	184
Against.....	74
Doubtful.....	39

with 1 absent, 1 Speaker and 1 seat vacant. See Historical Manuscripts Commission Report, Manuscripts of Philip Vernon Smith Esq. (London: H.M.S.O., 1891), p. 373. (Hereinafter referred to as Smith MSS.)

¹⁷Sydney to Rutland, March 9th., 1784, Rutland MSS., III, 79.

¹⁸R.D. Kennedy, "The Irish Whigs, 1789 to 1793" (unpublished Ph.D. dissertation, University of Toronto, 1971), pp. 23-35.

meanwhile, "waited for orders from the Duke of Portland."¹⁹ In this situation, Pitt had to ensure that he did not arouse Irish opposition as the consequences could be disastrous to both his English and Irish governments;²⁰ and this danger lay beneath the surface of Fox's campaign against the commercial propositions in 1785.

Charles Fox, more than any other English politician, realized the importance of the new connexion between English and Irish politics; indeed, he was largely responsible for it. The Earl of Mornington warned the Lord Lieutenant that "Fox has said that he expects his harvest from Ireland." The noble Earl found this a "most diabolical expression," and hoped that "Fox's expectations from that quarter" would be defeated.²¹ Rutland, however, doubted Fox's optimism.²² All the same, Fox's popular opposition to Pitt, his Westminster campaign and his censure of Rutland's executive had increased his Irish popularity. The fall of his

¹⁹Beresford to Robinson, April 11th., 1784, Beresford, op. cit., II, 253-254.

²⁰Rutland MSS, III, 125.

²¹Mornington to Rutland, May 31st., 1784, Ibid., 99.

²²Rutland to Pitt, June 16th., 1784, Lord Mahon, ed., Correspondence between the Right Honourable William Pitt and the Duke of Rutland, 1781-1787 (London: Blackwood, 1890), p. 22.

reputation in the previous year was slowly being reversed, even though more radical patriots, such as Sir Edward Newenham, still refused to give him their confidence.²³

The two most pressing Irish problems in 1784 were the continuing demands for parliamentary reform and for protective duties against English imports, the latter of which was to lead to Pitt's commercial propositions.

Flood's representative reform Bill was rejected in 1784;²⁴ but although the Irish government opposed the demand, Pitt was more tolerant and saw it as a possible corollary to his commercial proposals.²⁵ Meanwhile, the demand for reform continued in the country at large.²⁶ Meetings were held in Dublin, a committee was established, and local county sheriffs were invited to arrange the election of delegates to a convention to be held in Dublin

²³Miles to Newenham, June 16th., 1784; and Newenham to Miles, July 3rd., 1784, Rutland MSS, III, 108, 117-118.

²⁴Hardy, op. cit., II, 145; Sydney to Rutland, March 9th., 1784, Rutland MSS, III, 79; Johnston, op. cit., p. 271.

²⁵Lecky, op. cit., II, 413-415; John Ehrman, The Younger Pitt (London: Constable, 1969), 200.

²⁶Campbell to Charlemont, December 25th., 1784, Charlemont MSS, II, 16.

in October.²⁷ Fox was to be invited to the convention, showing perhaps an increase in his Irish popularity; but this never materialized.²⁸ However, some Irish radicals objected to Fox's participation, reminding the public that he had only used the reform issue to attain office, and had then relinquished his support for it.²⁹

With or without Charles Fox, the assembly met at Dublin in October and again in January, 1785, when Christopher Wyvill, the English reformer, attended.³⁰ In the interim, however, the Irish Attorney-General had proceeded against the high sheriff of the county of Dublin for summoning a meeting to elect convention delegates. The sheriff was fined through the judicial procedure of "attachment" without the intervention of a jury.³¹

²⁷Lecky, op. cit., II, 399-400.

²⁸Freeman's Journal, October 5-7, 1784.

²⁹Ibid.

³⁰The Times (London), February 9, 1785. Until January 1, 1788, The Times was known as The Daily Universal Register, but for reasons of consistency, it has been referred to solely as The Times.

³¹The case against the sheriff was undertaken before the Court of King's Bench and the legality of the proceeding was questioned by a number of lawyers on both sides of the Irish Sea. Lecky, op. cit., II, 400.

The rights of juries was one of Fox's favourite principles, demonstrated in 1792 with his Libel Act. He was always concerned for the protection of individual liberties, particularly in the courts; and he denounced the proceedings against the sheriff of Dublin as a violation of the rights of juries. The proceedings were simultaneously criticized in College Green by his cousin Lord Edward Fitzgerald and Henry Flood.³² Thus, both London and Dublin parliaments were attempting to censure the Irish government's judicial proceedings; and in the process, the familial relationship between English and Irish politicians was revealed. As The Times put it:

Familial connections seem to be rent asunder in the present whirlwind of political disputes. Mr. Conolly supports Administration with all his power; he acts in concert with his brother-in-law, the Duke of Richmond, whilst their nephews, Mr. Fox, the Duke of Leinster and Lord Edward Fitzgerald are in opposition.³³

Fox was blamed for Leinster's opposition in Dublin, and the cousins' mutual opposition to Pitt's commercial resolutions was a characteristic feature of Anglo-Irish politics in 1785.³⁴

³²The Times, January 26, January 28, 1785.

³³Ibid., February 1, 1785.

³⁴Freeman's Journal, January 25-27, March 10-12, April 7-9, 1785. In the summer of 1784, the Freeman's Journal changed sides and became a government newspaper. Brian Inglis, The Freedom of the Press in Ireland, 1784-1841 (London: Faber, 1954), p. 36.

The concessions of 1779-1780 had opened colonial trade to the Irish and had removed the prohibitions on the export of Irish glass and woollens. Two years later, the constitutional changes gave the Irish executive the freedom to regulate her trade with foreign countries by treaty. However, the East India Company's monopoly remained intact and the Irish were not allowed to re-export colonial products to Britain. Most important, the old difficulties of Anglo-Irish trade remained: heavy duties restricted Irish exports to England, except linen and provisions, while most English products entered Ireland at a low rate of duty. In 1784, the Irish parliament rejected a proposal for protective Irish tariffs as many members were afraid to offend the English government, with the possible consequences of an Anglo-Irish tariff war in which Irish linen particularly would suffer.³⁵ However, in May, 1784, the Dublin parliament unanimously voted an address for a more liberal arrangement of Anglo-Irish commerce.

William Pitt's commercial propositions were intended to allay this clamour for protection in one of England's best markets.³⁶ Simultaneously he was given

³⁵Rutland MSS, III, 79; O'Brien, op. cit., p. 248.

³⁶Strauss, op. cit., p. 58.

an opportunity to settle, permanently, the Anglo-Irish relationship, which the Whigs, and Fox in particular, had intended in 1782. The fundamental question was: how were the Irish, with their measure of independence which had been acknowledged in 1782, to remain loyally and permanently attached to England if they were dissatisfied with Anglo-Irish commercial intercourse?

The Irish government's proposals, drawn up largely by Secretary Orde and Chancellor of the Exchequer John Foster were presented to Pitt in the autumn of 1784. They consisted essentially of a revision of the Navigation Acts and the institution of protective measures for the Irish home market.³⁷ Pitt, however, intended a more grandiose scheme. He would give numerous commercial advantages to the Irish in return for an imperial contribution to naval defence. The Irish hereditary revenue fund, which consisted largely of customs and excise duties, would provide the contribution; so, as Irish commerce increased, the naval contribution would correspondingly increase. These principles were embodied in ten commercial propositions presented to the Irish Commons in February, 1785.³⁸

³⁷Ehrman, op. cit., p. 199.

³⁸The propositions with subsequent amendments are in O'Brien, op. cit., pp. 250-252.

The resolutions amended the Navigation Code and gave a number of advantages to the Irish in their commercial intercourse with England. After North's concessions, the Irish were still prohibited from sending colonial products from Ireland to England and had to take them directly to England. Now it was proposed that all foreign and colonial products could pass between England and Ireland without any increase in duty. No prohibitions were to exist against the importation of products of the respective countries. If import duties were levied, they were to be reduced in the country in which they were highest, usually England, to that in which they were the lowest. Similarly, no prohibition or additional duties were to be imposed by either country on the products of the other; and export bounties were prohibited, except on corn, meal, flour, malt and biscuits. To encourage English and Irish products, foreign imports were to be controlled from time to time. Finally, it was provided that whenever the Irish revenue exceeded a certain sum, not initially specified, then the surplus would automatically be applied to the maintenance of the imperial navy, in a manner directed by the Irish parliament.

Irish opposition to the imperial contribution led the government to make a tactical amendment. An additional proposition was introduced establishing the principle of

a balanced budget and the original proposition for the naval contribution was amended. In its final form, it was stipulated that when the hereditary revenue exceeded £656,000, the surplus was to be given to naval defence; but in wartime, a contribution was to be submitted even if there was a deficit.

Therefore, although the Lord Lieutenant and others had continually warned Pitt of the danger of the imposition of an Irish imperial contribution, it was accepted, albeit in an amended form; and all in all, Pitt offered liberal concessions to Irish commerce.³⁹ If these original propositions had been accepted in England, then both countries would have been unified in commercial matters, there would have been a great reduction in the protective level in each country, and the English government would, it was hoped, have been guaranteed an annual Irish imperial contribution.⁴⁰

However, the parliamentary opposition led by Charles Fox, and numerous English manufacturers and merchants outside the House, were not prepared to accept Pitt's proposals. Fox refused to allow greater Irish participation in imperial trade, and although many

³⁹Rutland MSS, III, 147-153.

⁴⁰Strauss, op. cit., p. 58.

manufacturers were prepared to forgo restrictive duties against Irish imports, they insisted on Irish conformity to English trade and navigation laws.⁴¹ This combined opposition forced a modification of the proposals; but even then they were rejected by Fox. Pitt's majority ensured their passage; and in the summer they were sent to the Irish parliament for its consent. In August, however, Irish opposition to the amended proposals led to their withdrawal by the government, and despite rumours to the contrary, they were never subsequently revived.

Charles Fox dominated the discussions on the arrangement during 1785; in fact, many Whigs had already left London before the end of the parliamentary session.⁴² Fox's opposition, articulated with tremendous rhetorical ability, also had a vital effect on the Irish reception of the revised propositions in July and August. Throughout the campaign, leading newspapers in London and Dublin saw Charles Fox as the prominent opponent of Pitt's arrangement; and his hostility was denounced

⁴¹Harlow, op. cit., I, 593-597.

⁴²Fulteney to Rutland, May 26th., 1785, Rutland MSS., III, 206. Richard Sheridan was a vocal opponent of Pitt's scheme. For his participation see Thomas Moore, Memoirs of the Life of the Right Honourable Richard Brinsley Sheridan (2 vols.; London: Belford, Clarke and Co., 1880), I, 275. (Hereinafter referred to as Sheridan.)

first by contemporaries and later by historians.⁴³ Edmund Burke has suffered a similar fate at the hands of his biographers. He voted with Fox against the propositions although he played little part in the debates; moreover, he was particularly vulnerable to criticism because of his support for Irish free trade in 1778 and 1779.⁴⁴

Yet Fox's case was different. During North's ministry he had avoided taking up Irish commercial grievances. When this was impossible, he had blamed the government for Irish commercial distress, not the commercial restrictions embodied in the Navigation Code. In 1782 he had worked hard for an Anglo-Irish agreement to ensure an Irish imperial contribution. Pitt's proposals guaranteed this; but Fox's proposed exchange was the constitution of 1782, not increased Irish participation in imperial trade. In the following year he had rejected Northington's proposals for Irish protective duties and had stressed English control of the Irish

⁴³For example see Lascelles, *op. cit.*, p. 176. Harlow, *op. cit.*, I, 591, sees Fox's tactics permeated with "malice and mischief-making." Derry, *op. cit.*, p. 231, claims that Fox "ruthlessly and irresponsibly exploited anti-Irish prejudice in England and instead of exorcising old hatreds he made political capital out of them."

⁴⁴*Burke Correspondence*, V, 221. Mahoney, *op. cit.*, p. 315, assesses Burke's volte-face as "shocking as it was inexcusable."

economy through the importation of Irish linen. So, by 1785, Fox had already taken a strong stand against Irish commercial demands.

Similarly, to dismiss Fox's opposition as "irresponsible" fails to grasp Fox's determination to oppose Pitt, particularly on issues on which the government was vulnerable.⁴⁵ One such issue was the proposed Anglo-Irish arrangement. Neither must it be forgotten that Fox had been involved in all the major Irish discussions in Westminster in the past ten years except the free trade concessions in 1778. In office he had played a dominant part in the Irish administration; and he was never to forget that it was the Rockingham Whigs who gave the Irish legislative autonomy in 1782. Indeed, during the Anglo-French war he was to acknowledge proudly his personal responsibility for Irish autonomy.

Pitt introduced the propositions in Westminster after they had been accepted by the Irish parliament.⁴⁶ Fox did not approve of this manner of proceeding, and thought it "highly indecent and disrespectful."⁴⁷ He was not merely quibbling: he was determined to assert

⁴⁵ Mitchell, op. cit., pp. 101-102.

⁴⁶ Parl. Hist., XXIV, 1414-1415.

⁴⁷ Ibid., XXV, 332.

Westminster's superiority in commercial matters, and felt that Pitt had undermined this. The Times agreed and accused Pitt of sacrificing "the honour and precedence of England to Ireland."⁴⁸ But this was only the beginning. Fox found that

The whole tendency of the propositions appeared to him to go to the length of appointing Ireland the sole guardian of the laws of navigation and grand arbitress of all the commercial interests of the empire; a trust which he felt no sort of inclination to part with out of our own hands; not even to delegate to Ireland, of whose generosity, loyalty and gratitude no man entertained a higher opinion.⁴⁹

This was Fox's initial summary of Pitt's arrangement which, he found, went to an "extravagant length of concession" to the Irish.⁵⁰

Fox rejected further Irish participation in imperial trade, assuming, under the proposals, that Ireland would probably become the commercial centre of the empire. He emphasised particularly the danger of smuggling: foreign and colonial products would be smuggled into Ireland and then re-exported into England in Irish or British ships. In this way the Irish would avoid paying duty on the initial direct importation, but

⁴⁸The Times, February 21, 1785.

⁴⁹Parl. Hist., XXV, 333.

⁵⁰Ibid., 334.

would receive a drawback on the actual rate of duty when the products were re-exported to England. To strengthen his arguments, Fox referred to North's concessions of 1779. These measures, he pointed out, had been supported by Camden, Richmond and Sydney, who were all now members of Pitt's ministry; yet none of them had intended to concede in 1779 as much as Pitt now proposed.⁵¹

Significantly Fox took the opportunity of a discussion on Irish affairs to criticize Rutland's executive. He had unsuccessfully attempted this in Westminster in the previous year; and now he accused the Irish government of acting unconstitutionally in trying to prevent the meetings to elect delegates for the parliamentary reform convention.⁵² He hoped that Pitt was not trying to pacify the Irish opposition at the expense of English commerce and navigation by far-reaching Irish commercial concessions.⁵³

However, Fox's opposition was not immediately successful. At the beginning of the year, Pitt had appointed a committee of the Privy Council to canvass the opinions of British manufacturers and merchants on his proposals for reciprocal duties between England and

⁵¹Ibid.

⁵²Ibid., 335.

⁵³Ibid.

Ireland; and the committee's reports were favourable.⁵⁴ So, at the beginning of March, Pitt announced that he would have the resolutions put to the vote within a week, unless fresh evidence contrary to his proposals appeared.

Unfortunately for the government, however, the committee had omitted reference to the Navigation Acts; and it was the fundamental alteration to these Acts, embodied in the arrangement, which was causing concern and scepticism among many English manufacturers and merchants. Fox, aware of this growing anxiety, objected to voting on the resolutions. Instead, he asked for more information on Irish opinion, claiming that there was a great difference between the Irish declaring voluntarily, on their own initiative, what they wanted, and that of their accepting propositions introduced into their parliament by the English executive.⁵⁵ He blamed the governments of both countries for the situation which had now been reached:

... ministers at home and the ministers in Ireland had led the parliaments of the two countries into the strange situation of holding a different language on the same business.⁵⁶

⁵⁴Ehrman, op. cit., p. 206.

⁵⁵Parl. Hist., XXV, 344-346.

⁵⁶Ibid., 346-347.

His suggested proceeding was for the "two Parliaments to have separately resolved what each was disposed to give."⁵⁷

Meanwhile manufacturing and commercial opposition to the proposals was increasing; and Fox encouraged it. He supported a petition from Liverpool merchants, the essence of which was to restrict British markets to British merchants and thereby limit Irish participation.⁵⁸ Petitions were filtering into Westminster from all over the country, West Indian merchants were particularly worried and the "Great Chamber of Manufacturers" was organized in London to oppose Pitt's arrangement.⁵⁹

The threat to the Navigation Code was causing the most concern. In February, Lord Sheffield had published a pamphlet which illuminated the threat to the Code if the propositions were accepted; and on March 10th., Fox announced that

The primary consideration of all was whether the produce of Africa and America ought to be permitted to be brought into Great Britain through Ireland.⁶⁰

The acceptance of the propositions depended on this. He wanted the manufacturers and merchants who had been

⁵⁷Ibid.

⁵⁸Ibid., 349.

⁵⁹Ehrman, op. cit., p. 207.

⁶⁰Parl. Hist., XXV, 351.

called before the Privy Council to be brought before the House, as there seemed to be discrepancies between the inferences which the committee had drawn and the declarations of the merchants and manufacturers at their own meetings.⁶¹ Under this pressure, Pitt was forced to assure the West Indian merchants and the East India Company of the protection of their interests; and the propositions as a whole had to be amended.⁶²

Undoubtedly Fox had encouraged this hostility. Lord Sydney accused the Foxites of "revenge and avarice... ready to propagate every opinion that may tend to inflame the minds of the people and to take advantage of every local prejudice;⁶³ and Daniel Pulteney wrote of Fox's "peevishness."⁶⁴ The Times thought that Fox's opposition was determined by "necessity and ambition."⁶⁵ Obviously, Fox's hostility was determined partly by his

⁶¹Ibid., 357-358.

⁶²Ehrman, op. cit., p. 210.

⁶³Sydney to Rutland, April 15th., 1785, Rutland MSS, III, 200.

⁶⁴Ibid., 204.

⁶⁵The Times, April 5, 1785.

resolution to oppose William Pitt; but equally important was the Anglo-Irish relationship, in particular, English control of Irish commerce. His suggestion that each parliament should have separately decided what each country was disposed to yield heavily underlined his insistence on the definitive role of the legislature in the constitution. Pitt allowed Westminster to discuss the propositions after they had been accepted in Dublin. This implied that they were not to be altered by the English parliament, which thereby had no part in their formulation.⁶⁶

Early in April, The Times ran a series entitled "Opinions of living legislators respecting the independency and commerce of Ireland," consisting of extracts from the speeches of leading Whigs in 1782 and 1783 on the Anglo-Irish relationship. The paper drew attention to Fox's resolution in May, 1782, stating that a future settlement would be made between the two countries.⁶⁷ Pitt was now attempting to establish this. However, Fox had worked hard to ensure that the reciprocal arrangement would materialize before legislative autonomy. His attempt had failed, and his rejection of Pitt's settlement three years

⁶⁶Ibid., April 4, 1785.

⁶⁷Ibid., April 2, 1785.

later was a reflection of this failure. Paradoxically, it was also argued that Pitt's concessions were the result of Fox's encouragement of Irish agitation in 1779 and 1782. Fox had repealed the Declaratory Act, giving the Irish a degree of independence and had thereby encouraged them to demand further commercial concessions from the English government.⁶⁸ But Fox's conduct since 1778 shows that he had never been prepared to concede numerous advantages to Irish trade. He had never emphasised his hostility as it could have had dangerous repercussions in Ireland, possibly resulting in the complete separation of the two countries. This approach made him appear inconsistent. When he argued in 1785 that Irish and English commercial interests could be directly opposed to one another, he seemed to be contradicting his claim in 1782 that the interests of the two countries were the same.⁶⁹ But this confusion arose over his refusal to declare his views on the Anglo-Irish commercial relationship. Until 1785, few people were aware of Fox's views on Irish commerce as he had never publicized them.

⁶⁸Ibid., March 5, April 15, May 7, 1785.

⁶⁹Mornington to Grenville, March 2nd., 1785, Fortescue MSS, I, 247.

Fox's campaign against the original propositions did have repercussions in Irish politics; but they were not as pronounced as those which resulted from his opposition to the revised arrangement. Even so, the Irish government was furious and saw him obstructing the permanent settlement of the Anglo-Irish relationship.⁷⁰ At the same time, rumours were spreading in Dublin that Fox and the Whigs would defeat Pitt and form a government, the advent of which would be extremely advantageous to the Irish.⁷¹ By the end of April, observers were noticing the "violence of party" in Ireland.⁷² On the whole, however, it was not until the propositions were revised that Fox's campaign drastically influenced the course of the Irish opposition.

In their revised form, some of the propositions were amended, and some new ones were added. Irish trade was now forbidden in the areas of the East India Company's monopoly, and only colonial, not foreign products could be re-exported from Ireland to England. Moreover, French and Spanish colonial products could not be carried to England in Irish ships; and Irish importation of rum and other spirits was prohibited. At the same time

⁷⁰Ibid.

⁷¹Freeman's Journal, March 4, 1785.

⁷²The Times, May 4, 1785.

compensating duties were to be levied on Irish products which might undercut their British counterparts. But most important of all was the new fourth resolution: the Irish parliament had to re-enact all present and future British Acts regulating imperial trade and shipping.⁷³

Even though Irish commerce still received numerous advantages from the revised propositions, the fourth resolution could be construed as a dangerous encroachment on the Irish constitution of 1782. The repeal of the Declaratory Act had not preserved Britain's control over Irish trade; but it was tacitly understood by Fox and most English statesmen that Westminster still possessed legislative authority over Irish external affairs. So the Renunciation Act had not explicitly renounced Britain's superintending powers.⁷⁴ In sum, then, the question of English powers of external legislation had been avoided. Thus the new fourth proposition could be interpreted as an attack on the constitution of 1782.

The revised propositions were introduced into Westminster on May 12th.; and Charles Fox was still not satisfied. He did not see any need for further Irish concessions, and he decided to oppose the arrangement

⁷³For the twenty revised propositions see O'Brien, op. cit., pp. 256-263.

⁷⁴Jupp, op. cit., p. 516.

again, and "fight the whole of it inch by inch," as it was still destructive of British commercial strength. At the same time, by representing Pitt as hostile to English manufacturers and merchants, he might increase his popularity with those interests.⁷⁵

Fox now emphasised that the original basis of reciprocity had been abandoned, and stressed that the government had virtually acknowledged that if the original propositions had been carried, then England would have forsaken the East Indian monopoly and sacrificed the Navigation Code, "the great source of our commercial opulence."⁷⁶ In fact, under the original agreement, England would have been

... delivered up in trust to Ireland, leaving us for ever after totally dependent on her policy and on her bounty, for the future guardianship of our dearest interests.⁷⁷

So, he concluded, the revised propositions were "far more palatable to Englishmen than previously"; and this demonstrated the advantages of careful deliberation, which Pitt had tried to avoid.⁷⁸

⁷⁵Burke to Tydd, May 13th., 1785, Grattan, op. cit., III, 251-252.

⁷⁶Parl. Hist., XXV, 597.

⁷⁷Ibid.

⁷⁸Ibid., 599.

To forestall some of the weight of Fox's criticisms, the government had attempted, like the press, to blame the opposition for the concessions of the previous years, making Pitt's arrangement necessary.⁷⁹ Fox vehemently denied this and, quite rightly, claimed that his administration in 1783 had

declared to the Lord Lieutenant that we could not encourage him to make a promise to Ireland which, if fulfilled, would be destructive to Great Britain. In that opinion we were then unanimous, and to that opinion we firmly adhere.⁸⁰

Indeed, his government had been determined to "withhold what it were ruin to relinquish."

Fox applauded the retention of the East India Company's monopoly; but he thought that the fourth resolution relating to the Navigation Acts required "very particular consideration indeed." By this resolution,

we shall deliver up into the custody of another, and that an independent nation, all our fundamental laws for the regulation of our trade, and we must depend totally on her bounty and liberal spirit for the guardian-ship and protection of our dearest interests.⁸¹

The Navigation Laws "can be deposited in no hands so properly as our own." He did not believe that English

⁷⁹Sydney to Rutland, April 2nd., 1785, Rutland MSS, III, 196.

⁸⁰Parl. Hist., XXV, 601.

⁸¹Ibid., 611.

and Irish commercial interests would work in mutual agreement. So, the Irish might import foreign sugars, instead of the stipulated colonial produce, and foreign products would still find their way into England to the detriment of English manufacturers and merchants.⁸²

Therefore,

Ireland will become the medium of trade to the general empire, and indeed almost exclusively so with respect to the produce of our colonies.⁸³

Under the revised propositions, each country could levy internal duties on manufactured imports which they might wish to curtail to promote a corresponding or alternative local product, and Fox argued that this could act as an indirect form of prohibition. It was "in favour of Ireland and inimical to England," as the Irish would never have imposed protective duties whilst the English could retaliate on Ireland's staple commodity, linen.⁸⁴ England was now asked to relinquish her power of retaliation, and

by giving up all legislative control over the admission of her staple into Britain, we for ever throw ourselves on the mercy of Ireland, and have no means of protecting ourselves against her future caprices... True policy suggests that with a disposition to be amicable ourselves, we should be prepared against the effects of a contrary disposition in others.⁸⁵

⁸²Ibid., 611-612.

⁸³Ibid., 613.

⁸⁴Ibid., 615.

⁸⁵Ibid., 616.

Fox had reminded Northington of English support of Irish linen in 1783 and he was not prepared to forsake this and the control it gave the English over the Irish economy.

Fox then turned his attention to the Irish imperial contribution. Its permanence made it "pregnant with the most alarming consequence to the liberties and to the constitution of both countries."⁸⁶ Government revenue collected without annual supervision was anathema to Charles Fox's Whig beliefs; and it was on this ground that he had opposed the Irish Mutiny Act in 1780. This time his argument was equally sound. It was the basic right of both Westminster and College Green to limit all grants of supply to one year, which was the case with the army, navy and ordnance supplies. To make any supply permanent

establishes a precedent for diminishing the sole security which the domestic branch of the constitution possesses against the encroachments of the executive.⁸⁷

Even so, he was uncertain that the arrangement would work. If the Irish were not satisfied with the imperial contribution, what would prevent them from withdrawing their supply to the army, which was reviewed annually?

⁸⁶Ibid.

⁸⁷Ibid., 617.

In fact, the consistent theme behind Fox's opposition was his conviction that the proposals would not work harmoniously. He refused to accept that the Irish would comply with the arrangements, even if they were advantageous to their interests. In the eighteenth century Whig tradition, he believed that England's commercial supremacy rested on English monopoly and English control of imperial trade. Commercial pursuits were determined by national self-interest; so,

If there is any nation upon earth in whom, on a point of honourable compensation, I would have implicit confidence, it is Ireland; but in the due performance of commercial regulations, where the laws stand for ever in the way of interest and adventure, I would not trust to any people existing.⁸⁸

Thus, if both English and Irish merchants participated in the same markets for the same products, then rivalry and hostility would ensue, not mutual friendship. This made the whole question one of "life and death ... for the political existence of Great Britain herself."⁸⁹

Finally, Fox re-affirmed his conviction that Pitt's propositions were intended to pacify the Irish. There was strong opposition to the Irish government because of its restrictions on the freedom of the press and its

⁸⁸Ibid., 616.

⁸⁹Ibid., 624.

attempted prevention of county meetings through one means or another. So ministers "are desirous of avoiding the consequences of imprudent insult by imprudent concession."⁹⁰

Charles Fox had never explicitly denied the English government's right to control imperial trade, and Pitt's propositions seemed to him to relinquish English powers over Irish commerce. He was not prepared to accept this change in the structure of imperial commerce embodied in the Navigation Acts. Thus his view of the Anglo-Irish commercial relationship remained narrow and intolerant. However, he sincerely supported Irish political and constitutional grievances; so, on May 19th., he declared that "the commercial complaint of Ireland he always considered ill-founded, though he thought otherwise of their political ones."⁹¹ Charles Fox was never happy discussing commercial matters; and Irish commercial grievances were no exception. His Irish participation was always clearer and more influential where Irish political issues were involved; and Pitt had provided him with a unique opportunity with the fourth resolution. Fox's comments on this resolution in Westminster had a tremendous effect on the Irish reception of the revised

⁹⁰Ibid., 622.

⁹¹Ibid., 659.

arrangement.

On May 19th., Fox boldly told the House that the Irish would not accept the fourth resolution because it encroached on the 1782 constitution. The price, then, which the Irish had to pay for the amended propositions, beneficial though they were to their country, was too high.⁹² Simultaneously, however, "he was so much of an Englishman that he could not part with those resources and advantages on which our national existence depended."⁹³ The paradox of Fox's position as an English leader of Irish patriotism was publicly revealed. As a supporter of Irish political demands, he said that the Irish could not be expected to re-enact present and future English trade laws; as a defender of English commercial hegemony, he announced that the Irish should not be given any say in these matters anyway.

Daniel Pulteney immediately informed the Irish government of his anxieties that the fourth resolution would not be accepted in Ireland.⁹⁴ Pulteney was worried; but Fox continued his attack, and within a few

⁹²Ibid.

⁹³Ibid., 660.

⁹⁴Pulteney to Rutland, May 20th., 1785, Rutland MSS, III, 207.

days had again asserted that the resolution was a direct attack on Irish legislative independence:

Was it to be imagined that under the idea of getting a participation of our trade, she would relinquish that power?⁹⁵

This single clause, according to Fox, took away from the Irish more than the rest of the propositions gave them.

Pulteney now saw Fox as the "new Irish Patriot," delivering one of the most "bare-faced and party speeches" he had ever heard;⁹⁶ and in Westminster, Fox was accused of being both an English and an Irish Patriot. Fox proudly acknowledged this characterization; but he emphasised that it was not a front adopted for the moment because on the first day of the session he had criticized the Irish executive.⁹⁷ The Irish government's attempts to suppress parliamentary reform were oppressive. He reiterated his belief that the whole idea of commercial concessions was intended to lure the Irish away from their constitutional grievances, and his "fears for the constitution of Ireland were not ill-founded."⁹⁸ So,

⁹⁵Parl. Hist., XXV, 692.

⁹⁶Pulteney to Rutland, May 24th., 1785, Rutland MSS., III, 208.

⁹⁷Parl. Hist., XXV, 777.

⁹⁸Ibid.

If this conduct, Sir, constitutes an Irish patriot, then am I one; and if to struggle to save the trade of England from annihilation gives any claims to the appellation of an English patriot, I possess that claim.⁹⁹

And Fox summarized his opposition to the proposals with his famous declaration:

I will not barter English commerce for Irish slavery; that is not the price I would pay, nor is this the thing I would purchase.¹⁰⁰

The Times agreed with Fox that the Irish would never accept the fourth proposition, but found his conjunction of English and Irish patriotism a "curious subject for political speculation."¹⁰¹ It was presumed he was now defending Irish independence because he had been responsible for the 1782 constitution. Even so, it was more understandable that Burke and Sheridan should defend the Irish constitution as they were themselves Irish.¹⁰² It was easy to show Fox's apparent inconsistency, as in 1782 he had wished to maintain Westminster's powers of external legislation over Ireland. However, the danger of Fox's opposition, articulated with tremendous rhetorical ability was appreciated:

⁹⁹Ibid.

¹⁰⁰Ibid., 778.

¹⁰¹The Times, May 25, May 26, 1785.

¹⁰²Ibid., June 6, 1785.

If this party [the Whigs] had any credit in Ireland, [it] would be pernicious in the extreme, as it evidently tends to excite jealousy in the people of Ireland, and to promote disunions between the sister kingdoms.¹⁰³

Yet as the discussions in Westminster drew to a close, Fox concentrated more and more on Pitt's alleged destruction of Irish autonomy.¹⁰⁴

In fact, in his opposition to the fourth resolution, Charles Fox found a common cause with the Irish opposition which he had lost during 1782 and 1783; and, as such, his criticisms had a profound effect in Ireland. Irishmen again represented him as the "friend of Ireland," responsible for all Irish concessions since 1779.¹⁰⁵ The Irish press polarized round support for Fox and Irish independence and opposition to Fox and support for Pitt's government. The Irish government's criticisms of Fox had essentially two standpoints. Firstly, he was acting solely on the grounds of political expediency and attempting to return to office through

¹⁰³Ibid.

¹⁰⁴Pitt to George III, July 25th., 1785, Arthur Aspinall, ed., The Later Correspondence of George III (5 vols.; Cambridge: Cambridge University Press, 1962-1970), I, 173.

¹⁰⁵Freeman's Journal, June 9-11, June 18-21, June 30-July 2, 1785.

exciting Irish discontent and defeating Pitt and Lord Lieutenant Rutland.¹⁰⁶ Indeed, some members of the Irish parliament thought that there was a distinct possibility that the Irish administration would be replaced if the propositions were defeated in Ireland.¹⁰⁷ It would be naive to suppose that Fox was not aware of the embarrassment to Pitt's executive, in both countries, if this took place.

Secondly, however, it was emphasised by Irish government supporters that Charles Fox was an opponent of Irish interests. He had rejected the propositions because they were favourable to Ireland, and detrimental to English manufactures and commerce; and he had told the House of Commons that he would not allow any more Irish concessions.¹⁰⁸ Simultaneously, he had stressed the importance of English control over the Irish linen trade.¹⁰⁹ And Fox's previous Irish politics were remembered: he was the advocate of simple repeal, and had refused to renounce Westminster's power of external legislation over Ireland. Hence his criticism of the fourth

¹⁰⁶ Ibid., June 9-11, June 21-23, July 2-5, July 5-7, July 16-19, 1785.

¹⁰⁷ Beresford to Rose, August 25th., 1785, Smith MSS, p. 348.

¹⁰⁸ Freeman's Journal, June 21-23, July 23-26, July 26-28, July 30-August 2, August 9-11, 1785.

¹⁰⁹ Ibid., July 21-23, 1785.

resolution was hypocritical.¹¹⁰ In office in 1783 he had done nothing for the Irish economy. In other words, Fox and his associates "strike the Irish on one cheek and kiss them on the other."¹¹¹ Be that as it may, these criticisms were submerged beneath Irish hostility to the fourth resolution.

There is little evidence of Fox directly encouraging the Irish opposition to Pitt's arrangement, and he did not visit Ireland as he had done in 1779 and 1782. However, it is probable that emissaries were sent over from England; and the Lord Lieutenant thought that a certain Mr. Minchin had been sent to Dublin by the English Whig party to encourage the Irish opposition.¹¹² Similarly it was assumed that if Fox formed a government in England, then numerous offices and pensions in the Irish administration would go to his Irish supporters.¹¹³ Again, however, it is doubtful that definite arrangements were made. But Fox's opposition no doubt encouraged that of his Irish cousin, the Duke of Leinster, with whom he

¹¹⁰Ibid., July 7-9, July 16-19, 1785.

¹¹¹Ibid., July 28-30, 1785.

¹¹²Rutland to Sydney, July 4th., 1785, Rutland MSS, III, 221.

¹¹³Freeman's Journal, June 21-23, July 7-9, July 14-16, August 2-4, 1785.

was corresponding;¹¹⁴ and after the revised propositions had been only narrowly accepted by the Irish Commons in August, John Beresford, the First Commissioner of Irish Revenue, was certain that the "Duke of Portland and Mr. Fox exerted themselves to the utmost and that they called upon their friends to assist them on this occasion."¹¹⁵

Fox encouraged the Irish opposition primarily through the strength of his speeches and his arguments. His justification of his claim to be both an English and an Irish patriot was a "singular and almost unexampled effort of ability" and was published in pamphlet form.¹¹⁶ By the end of June it was reported that he was gaining a lot of support in Dublin, and his speeches had been reprinted in Ireland on a "single sheet," and "hung up in most houses, inns and taverns."¹¹⁷ So Charles Fox again found his Irish popularity.

Edmund Pery, the Speaker of the Irish Commons, found the revised arrangement pertaining to the East Indies as "most alarming";¹¹⁸ and Pitt's government was

¹¹⁴Ibid., July 5-7, July 7-9, July 16-19, 1785.

¹¹⁵Beresford to Rose, August 25th., 1785, Smith MSS., p. 348.

¹¹⁶The Times, June 10, 1785.

¹¹⁷Ibid., June 29, July 4, 1785.

¹¹⁸Pery to Orde, May 27th., 1785, Early MSS., p. 185.

informed that the preservation of the East Indian monopoly was causing much Irish resentment.¹¹⁹ But Fox had firmly supported the maintenance of the monopoly. Similarly, the Irish linen trade would have benefited from the propositions;¹²⁰ yet Fox had shown anxiety over the impossibility of England establishing protective duties on Irish linen exports in the future. But common ground between Fox and the Irish opposition, the important link in the chain of Fox's Irish influence, was found in two particular clauses of Pitt's revised arrangement.

As early as May 19th., Rutland told Pitt that the perpetual contribution would never be accepted by Irishmen;¹²¹ and by the end of the month, the suggestion had aroused the "strongest opposition."¹²² Irish opposition was the same as Fox's criticisms in Westminster; all grants of supply had to be systematically reviewed by the legislature.¹²³ More important, however, was the

¹¹⁹ Mornington to Grenville, May 20th.-31st., 1785, Fortescue MSS, I, 251.

¹²⁰ Brownlow to Charlemont, October 15th., 1785, Charlemont MSS, II, 26.

¹²¹ Rutland to Pitt, May 19th., 1785, Mahon, op. cit., p. 101.

¹²² Mornington to Grenville, May 20th.-31st., 1785, Fortescue MSS, I, 251.

¹²³ The Times, July 27, 1785.

fourth resolution. By the end of May, no great opposition to this clause had been noticed in Ireland; but this situation changed during the next few weeks.¹²⁴ The fundamental reason for this change was Fox's arguments in favour of Irish independence, articulated in Westminster towards the end of May. This was noticed by Secretary Orde:

You [Pitt] will conclude that the suggestion has come from your side of the water and that the arguments are almost entirely the same with those by which Mr. Fox and Mr. Sheridan have attempted to inflame this country. It was impossible not to be aware of their manoeuvres.¹²⁵

As Beresford later declared, the fourth resolution was the "right string to touch."¹²⁶ The Irish parliament, of course, had still to consider the revised propositions; but by the middle of June, Rutland was desperately informing Pitt that all Irish opposition was concentrating on this resolution, leaving the government with very little support.¹²⁷ By early July, observers were

¹²⁴Mornington to Grenville, May 20th.-31st., 1785, Fortescue MSS, I, 251.

¹²⁵Orde to Pitt, June 8th., 1785, Smith MSS, pp. 345-346.

¹²⁶Beresford to Rose, August 25th., 1785, Ibid., p. 347.

¹²⁷Rutland to Pitt, June 12th., 1785, Rutland MSS, III, 215.

convinced that the English opposition had done their utmost to encourage Irish dissatisfaction, and the Irish Secretary was advised to take precautions to maintain government support in the parliament.¹²⁸ Henry Grattan was concentrating all his opposition on the fourth resolution;¹²⁹ and even the former Irish Lord Lieutenant, Earl Temple, accepted the validity of Fox's argument that the resolution encroached on Irish independence.¹³⁰ It was Charles Fox's articulate and rhetorical comments on the fourth resolution which inspired Irish criticism of the revised arrangement; in particular, he helped determine that the Irish reception of the scheme would concentrate on whether or not the 1782 constitution was being attacked. This became apparent when the Irish parliament met on August 12th.

It had already been rumoured in the Irish press that the Irish parliamentary opposition were to use Fox's speeches; and certainly the arguments produced were very similar.¹³¹ The Irish Attorney-General acknowledged

¹²⁸Beresford to Orde, July 4th., 1785, Beresford, op. cit., I, 274.

¹²⁹The Times, July 14, 1785.

¹³⁰Buckingham to Grenville, July 17th., 1785, Fortescue MSS, I, 252.

¹³¹Freeman's Journal, August 9-11, 1785.

that the primary criticism of the arrangement was that it affected Irish independence.¹³² Henry Grattan summarized the arrangement as follows:

You are called upon to barter your free¹³³
Constitution for a restricted commerce.

The "bartering of constitutional rights," illusory or not, was a peculiarly Foxite turn of phrase, which had caught the imagination of the Irish opposition. As The Times put it, "Mr. Fox gave the most faithful description of the Irish propositions when he called them 'an attempt to barter British commerce for Irish freedom'."¹³⁴ Henry Flood repeated Fox's criticism that the arrangement had been constructed by the English Cabinet, not by the Irish parliament; and Thomas Conolly attempted a repetition of Fox's dichotomous patriotism:

He [Conolly] would not object to it on the narrow principle of his being an Irishman, as an Englishman he must object to it; he could not as an Englishman agree to relinquish the constitution of England.¹³⁵

¹³² Ibid., August 15, 1785.

¹³³ Gentleman's Magazine, Vol. 50, Part II (1785), p. 657.

¹³⁴ The Times, September 9, 1785.

¹³⁵ Freeman's Journal, August 15, 1785.

In the end, the opposition to the fourth resolution was successful. When Secretary Orde moved to bring in a Bill based on the twenty propositions, it was accepted by only 127 to 108.¹³⁶ Defeat looked probable if the government proceeded; so the scheme was abandoned, possibly until a more opportune moment arose.¹³⁷

The Irish opposition had been particularly angered by the supposed attack on the 1782 constitution embodied in the fourth resolution, an attack which Irish property was prepared to repel.¹³⁸ Fox's hostility to the fourth resolution enabled him to find and utilize a common ground with the Irish opposition. This link had been forged during the American war, with the mutual opposition to Lord North, but had been lost in 1782-1783. Now, however, in 1785, a joint opposition was engineered again; and Fox's rejection of greater Irish participation in imperial trade was forgotten. Irish government spokesmen anxiously observed the re-emergence of this joint opposition. Beresford saw the campaign as an

¹³⁶ Auckland Correspondence, I, 80.

¹³⁷ Pitt to Rutland, August 17th., 1785, Mahon, *op. cit.*, pp. 117-119; Orde to Rutland, October 19th., 1785, Rutland MSS, III, 250; Charlemont to Haliday, December 17th., 1785, Charlemont MSS, II, 31.

¹³⁸ Drennan to Mrs. McTier, August 25th., 1785, Drennan Letters, pp. 35-36.

example of the "Portland or Fox party ... endeavouring to make battle here";¹³⁹ whilst the Freeman's Journal thought that Charles Fox would stop at nothing to get back into office.¹⁴⁰ Irish patriots, on the other hand, were determined to strengthen their connexion with opposition English Whigs. It was around this time that Isaac Corry informed Dr. Drennan that "the great loss of this country [Ireland] was the want of a formed party ... that Fox and Portland and all the Whig interest saw the necessity of it more and more..."; and he added that his own party was that of Charles Fox.¹⁴¹

On June 11th., Fox wrote: "Was there ever a history of folly like this Irish business?"¹⁴² His campaign demonstrated his position as a defender of both Irish political rights and English commercial monopoly.

¹³⁹Beresford to Rose, August 25th., 1785, Smith MSS., pp. 349-350.

¹⁴⁰Freeman's Journal, August 20-23, 1785.

¹⁴¹Drennan Letters, pp. 38-39. Isaac Corry, 1755-1813. Represented Newry in the Irish Commons. He was very active in the Volunteer movement in 1783; but he joined the government in 1788, and supported Pitt during the Regency crisis. In 1798 he became Chancellor of the Irish Exchequer, and was in favour of the Act of Union. D.N.B.

¹⁴²Fox to Ossory, July 11th., 1785, Fox Correspondence, II, 270.

This position was artificial as, given Ireland's commercial relationship with England, constitutional and economic grievances could not be separated in the way in which Fox was attempting. Irish political autonomy inherently involved control of Irish commerce. Even so, Fox's opposition stands as a good example of his participation and influence in Irish affairs during his years in opposition. The campaign revealed the importance of his speeches in Westminster, rhetorical and perfectly suited to an emotional issue such as Irish independence. It emphasised his familial relationship with the Duke of Leinster, an arch-opponent of Pitt's scheme, and it revealed the tendency of the Irish press to polarize for or against Fox when his influence in that country was at its highest. Beneath all this was the hope of the Irish opposition that a change in the English government would lead to a corresponding change in the Irish executive. Finally, but most important of all, the 1785 campaign demonstrated that Charles Fox had re-established a common ground of opposition with leading Irish patriots, in the process of which the Irish had conveniently forgotten his traditional eighteenth century Whig views on the maintenance of the Navigation Code.

CHAPTER VI

FOX AND ANGLO-IRISH WHIG UNITY: THE REGENCY CRISIS, THE FRENCH REVOLUTION AND CATHOLIC RELIEF

The withdrawal of Pitt's Anglo-Irish commercial arrangement in 1785 was one of the few successes of the Whig opposition from 1784 to 1790; and the victory had been achieved by the strength of Irish resistance which Charles Fox had done so much to encourage. The campaign against the commercial proposals showed Pitt the danger of Fox's participation in Irish affairs once he could establish a common ground with the Irish opposition. Simultaneously the volatility of Irish issues in English politics had been revealed. The government now became increasingly anxious lest Irish issues might be pursued in England, with Fox and the English Whigs participating in Irish affairs in Westminster.

During the years 1786 to 1793 the alliance between the English and Irish Whigs was clarified and consolidated under the leadership of Charles Fox. In Dublin his popularity increased after the 1785 campaign whilst in London, during the parliamentary discussions of the Anglo-French commercial treaty in 1787 he attempted to open a debate on the Anglo-Irish commercial relationship and

thereby maintain his Irish reputation and portray himself as the defender of Irish interests. His attempt failed; but the fortuitous possibility of a Regency owing to George III's illness in 1788 provided Fox and his Irish associates with a common ground of opposition to William Pitt. The Regency issue brought into Irish politics the polarization around Pitt and Fox which had characterized English politics since 1783, engendered the institutionalization of the Irish Whig party, much to Fox's satisfaction, and overall, contributed to the strengthening of the Anglo-Irish Whig alliance, which had been Fox's goal since the American war. In 1790 Fox directly participated in the Irish general election; and although the French Revolution created new and dangerous problems for Anglo-Irish Whig unity his Irish activities continued. These were particularly pronounced in the months preceding the outbreak of the Anglo-French war in 1793, with his vocal support for the reinvigorated movement for Catholic Relief.

Charles Fox's Irish reputation had recovered from the setbacks of 1782-1783 "through his unwearied attention to the general interests of Ireland, whenever attempts have been made to invade her rights."¹ One reason for

¹The Times, September 26, 1785.

this attention, demonstrated in the Westminster campaign against the Irish Press Bill of 1784, was the fear that some of the Irish government's proceedings might be repeated in England. The Times fully appreciated this concern as

the Irish and English constitutions being so intimately connected that an infringement on the one, by a corrupt and base-minded set of men might in time to come be quoted by them as an example for any innovation on the other.²

The Irish government press, meanwhile, attempted to offset Fox's increased popularity. The means used were sometimes unscrupulous: the public was reminded of Fox's father, the "defaulter of unaccounted millions."³ The Fox-North coalition had never intended any Irish commercial concessions, and the Foxite opposition were motivated solely by an ambition to get into office.⁴ When Fox's Irish supporters represented him as the champion of parliamentary reform, government sympathizers reminded them that he had forsaken the cause once in office in 1783.⁵ Most important of all, it was alleged

²Ibid.

³Freeman's Journal, October 8-11, 1785.

⁴Ibid., October 18-20, December 17-20, 1785.

⁵Ibid., November 18-21, 1786.

that Charles Fox wished to maintain England's power of external legislation over Ireland, and from this it was suspected that he would never make any commercial treaty beneficial to the Irish.⁶ Memories were long, the censures familiar; but Fox's Irish popularity remained intact.

Yet the Anglo-Irish commercial relationship remained undefined; in particular, rumours were prevalent in both countries throughout 1786 that Pitt was to re-introduce his propositions.⁷ In London, The Times repeated many of Fox's arguments against the scheme;⁸ and doubts over Pitt's intentions increased when the government signed a commercial treaty with France in September, 1786, based on a reduction of tariffs on Anglo-French trade. The Times now suggested that the French would receive advantages in the English market at Irish expense; so the Irish would be hostile to the French treaty.⁹ Perhaps Edmund Burke should go to Ireland to oppose the Anglo-French arrangement and defend Irish trade.¹⁰ The Times

⁶Ibid., January 10-12, 1786.

⁷The Times, January 3, January 9, May 5, May 11, May 17, August 15, September 9, September 20, 1786; Freeman's Journal, December 14-16, 1786.

⁸The Times, January 23, February 9, February 16, 1786.

⁹Ibid., December 2, December 5, December 15, December 21, December 30, 1786.

¹⁰Ibid., January 23, 1787.

suspected that the commercial propositions of the previous year had to be revived to remedy Irish disadvantages in the English market after the French treaty had been signed.¹¹

Fox and Pitt were both aware not only of the growing public feeling that the propositions were to be re-introduced, but also of the possibility of Irish opposition to the French treaty. The government, therefore, had to be careful; so Pitt told the Lord Lieutenant that

care will be taken in wording the articles to leave Ireland a free option to participate in all the benefits of the treaty, if the Irish Parliament thinks proper to ratify it, or otherwise to remain exactly in her present situation.¹²

More positive precautions followed. Pitt sent for Beresford, the Irish Revenue Commissioner, and the Irish Chancellor of the Exchequer, to discuss the elements of the French treaty which were pertinent to Irish interests. He was so afraid of offending Irish opinion that he intended to establish members of the Irish government on a permanent committee of the Council for the Affairs of Trade. This committee would "establish a regular and easy communication which might be of material use on all questions of foreign treaties and other commercial points

¹¹Ibid., December 25, 1786, January 11, 1787.

¹²Pitt to Rutland, April 29th., 1786, Mahon, op. cit., p. 143.

which extend to both countries."¹³ Pitt's determination to avoid Irish opposition was the result of Fox's campaign of the previous year.¹⁴

Charles Fox, however, took the opportunity of the parliamentary discussion of the French treaty to open a debate on the Anglo-Irish commercial relationship. Together with Flood, the Irish patriot who had now taken a seat in Westminster, he supported Sheridan's claim that new Anglo-Irish commercial arrangements were to follow the French treaty.¹⁵ By this assertion, Sheridan and Fox were trying to ascertain if the press rumours were valid. If they were, then they wanted to know the government's intentions. Also, equally important, the assertion would create alarm and distrust of both English and Irish governments, as Fox doubtless intended. If the 1785 proposals were to be renewed after the ratification of the French treaty, then English manufacturing and mercantile interests would be alarmed. If, on the other

¹³Pitt to Rutland, August 19th., 1786, Ibid., pp. 158-161.

¹⁴See, for example, Camarthen to Eden, April 18th., 1786; and Pitt to Eden, April 20th., 1786, Auckland Correspondence, I, 492, II, 109.

¹⁵Woodfall to Eden, February 3rd., 1787, Auckland Correspondence, II, 170; Pulteney to Rutland, February 20th., 1787, Rutland MSS., III, 373-374.

hand, Pitt's proposals had been permanently withdrawn, then an opportunity would still be given to discuss the Anglo-Irish commercial relationship, and possibly encourage Irish distrust of the government.¹⁶ So Pulteney informed Rutland that Fox

exaggerated our want of generosity to Ireland in not setting our intercourse with her under the guard of the fourth resolution, though we had no possibility of such a guard respecting France. And why? Because France has so much to give us in return, whilst Ireland, from that very poverty which this country had occasioned from that monopoly which we had so long possessed there, had no such reciprocity of a rich market to offer.¹⁷

Charles Fox raised the spectre of the fourth resolution, and English monopoly of Irish commerce, in a deliberate attempt to maintain his reputation with the Irish opposition. Pitt's government had to be opposed in both countries, and Fox was determined to do his utmost to see this materialize.

Simultaneously Fox referred to the Irish dispute with Portugal. Although the Irish had been permitted to export wool in 1780, Portugal had refused admission of Irish wool because of a treaty made with England in 1703 which bound her to import only English wool. Fox now declared that Pitt's government ought to compel Portugal

¹⁶Pulteney to Rutland, February 20th., 1787, Rutland MSS, III, 373-374.

¹⁷Ibid.

to receive Irish products.¹⁸ Again he was deliberately portraying himself as the defender of Irish interests; and this caused Daniel Pulteney to remark of both him and Sheridan that

when Irish affairs were but even hinted at, [they] were sure to be on their legs, and instead of British members of Parliament, seemed to be a pair of Irish delegates running a race for Irish popularity.¹⁹

And, of course, it was possible that Fox's activities would have repercussions in Ireland, particularly "amongst the rabble."²⁰

Unfortunately for Fox, the comparative calm in Dublin over the Anglo-French treaty meant that the situation of 1785 was not going to be repeated.²¹ Perhaps Irish quiescence was one of Pitt's greatest assets during these months.²² Even so, the Irish government press felt

¹⁸Pulteney to Rutland, February 10th., 1787 and February 22nd., 1787, Ibid., 371, 374.

¹⁹The Times, February 23, 1787.

²⁰Pulteney to Rutland, February 20th., 1787, Rutland MSS, III, 373-374.

²¹Pulteney to Rutland, February 9th., 1781, Ibid., 371.

²²Pulteney to Rutland, February 24th., 1787 and March 19th., 1787, Ibid., 375, 378; The Times, March 21, March 24, 1787.

it necessary to refute Fox's arguments against the French treaty.²³ However, the Irish parliament approved the Anglo-French arrangement and the necessary alterations of Irish duties were accepted without demur. So Fox's opposition to the French treaty had few Irish repercussions. In fact, the debates on the French treaty was the last time during the period of Irish legislative autonomy that Charles Fox participated in a public discussion of Anglo-Irish commerce. From now on, his Irish involvement was concerned solely with political, constitutional and religious issues. In general, this was advantageous to his deliberate attempts to maintain his Irish reputation, as he had always favoured English commerce at the expense of Irish economic development. Similarly, although he had made political capital out of Pitt's commercial propositions in 1785, it is doubtful whether his success could have been repeated.

In his resolve to oppose Pitt's government, Fox wanted the Irish opposition to Pitt's Lord Lieutenant maintained. This, however, received a setback in the summer of 1788 when the Duke of Leinster surprisingly joined the Irish administration as Master of the Rolls.²⁴

²³Freeman's Journal, March 1-3, 1787.

²⁴Ibid., June 11, June 13, June 14, 1788.

Leinster deserted the opposition because of Fox's position in English politics: "Waiting ten or twenty years for the coming in of one man was a serious thing."²⁵ Neither Fox nor Leinster's brother, Lord Edward Fitzgerald, approved of this move,²⁶ but to their satisfaction, Leinster's tenure in office proved to be short.

In the meantime, Fox's English activities continued to be eagerly watched by the Irish opposition. The Dublin press followed the Westminster election campaign of Fox's associate, Lord John Townshend, in 1788, as keenly as it had followed Fox's own campaigns; and again the Freeman's Journal reminded Irish "Foxites" that their leader had relinquished the cause of parliamentary reform when in office in 1783.²⁷

So Irish interest in Charles Fox continued; but what had been lacking since 1785 was an issue which would provide a common ground of opposition for Fox and his Irish associates. If such an issue emerged, then the strength and the importance of the connexion between Fox and the Whigs in London and the Irish opposition in

²⁵Duke of Leinster, quoted in Brian Fitzgerald, Emily, Duchess of Leinster, 1731-1814 (New York: Staples Press, 1950), p. 185.

²⁶Ibid., pp. 186-187; Lord Edward Fitzgerald to Duchess of Leinster, November 21st., 1788, Leinster Correspondence, II, 57.

²⁷Freeman's Journal, July 31-August 2, August 2-5, 1788.

Dublin could be amply demonstrated. By accident, the opportunity arose towards the end of 1788.

In November, 1788, George III fell seriously ill, and it seemed that the Prince of Wales would be appointed Regent. Moreover, because of the Prince's support for the Foxites, in opposition to his father and William Pitt, it was generally assumed that under a Regency, Pitt's ministry would be dismissed and replaced by a Whig government led by Fox and the Duke of Portland. Simultaneously leading Irish Whigs assumed that a new Irish executive would be appointed.²⁸ Pitt, anxious to gain time for the King's health to improve, contemplated a restriction on the Regent's powers so as to avoid wholesale changes in his administration.

Charles Fox, on the other hand, saw the Regency question in its party context: here was the opportunity to break Pitt's ministry and force a total change in the administration. To achieve this complete change of government he favoured a bold declaration of the Prince's

²⁸Malone to Charlemont, December 2nd., 1788 ; and Charlemont to Forbes, n.d., Charlemont MSS, II, 82, 374-375; John W. Derry, The Regency Crisis and the Whigs, 1788-1789 (Cambridge: Cambridge University Press, 1963), p. 9. (Hereinafter referred to as Regency Crisis.)

hereditary right to the Regency.²⁹ Thus, when Pitt moved for a Commons committee to search for precedents of a Regency on December 10th., Fox defiantly put forward the claim of the Prince's hereditary right, thereby making any precedents unnecessary. If this claim was accepted, it would rule out any compromise with members of Pitt's government.³⁰ Yet Pitt successfully denied the Prince's inherent right to the Regency and represented Fox's declaration as an attempt to attain power at the expense of the legislature.³¹ So by the beginning of 1789, a Bill had been introduced into Westminster restricting the Regent's powers. The limitations were extensive: the Regent's power to create peers and to grant offices and pensions was curtailed, and the Queen was given sole responsibility for the King's Household.³² Faced with Pitt's successful demand for a restricted Regency, Fox now abandoned his uncompromising position and became primarily concerned with furthering the Prince's installation as Regent; and by the second week of February, the Regency Bill had passed the Commons.

²⁹Mitchell, op. cit., pp. 123-131.

³⁰Ibid., p. 134.

³¹Derry, Regency Crisis, pp. 70-71.

³²Ibid., pp. 138-139.

The Irish Whigs were divided over Fox's claim that the Prince had the inherent right to the Regency with unrestricted powers.³³ Gradually, however, they came round to Fox's view, and by December 18th., Charlemont was asking Forbes, Grattan and others to go to London to help the Prince's cause.³⁴ The Irish opposition eagerly sought Fox's advice;³⁵ and Bishop Dixon, assuming Fox would be responsible for Irish patronage in the new ministry, went to London to seek his own promotion.³⁶ The Earl of Charlemont was very optimistic:

I confess myself ... firmly of Mr. Fox's opinion ... My thorough confidence in the party whose principles confirmed our rights, and who are now, thank heaven, likely to succeed, and in those Irishmen who are fortunately, not to say providentially, at hand to advise them, renders any doubt on this head criminal.³⁷

So Charlemont was at last prepared to place his confidence in Charles Fox; and he looked forward to the Irish policy

³³Kennedy, op. cit., pp. 45-52.

³⁴Charlemont to Forbes, December 18th., 1788, Charlemont MSS, II, 84.

³⁵The Times, January 8, 1789.

³⁶Buckinghamshire to Grenville, December 1st., 1788, Fortescue MSS, I, 377.

³⁷Charlemont to Forbes, December 18th., 1788, Charlemont MSS, II, 84.

of the new government.

Yet Fox initially intended the Duke of Northumberland to become Irish Lord Lieutenant under the Regency.³⁸ This was a political move to satisfy the "Armed Neutrality" parliamentary group, so-called because of its position between the government and the opposition in the Regency dispute. Northumberland was one of the principal members of this group, who wanted Pitt to continue as First Minister but opposed the idea of a restricted Regency and who were therefore critical of any discussions over the Prince's hereditary right to the Regency.³⁹ By offering Northumberland's group positions in the proposed administration, the Foxites eventually won them over to their side. However, Northumberland refused the headship of the Irish government. In the end, Lord Spencer became the Whig choice for the Irish Lord Lieutenancy. He was a Foxite, and one can assume that if the Regency had materialized, then he would have acted in Ireland according to Fox's wishes.⁴⁰

³⁸ Fox Correspondence, IV, 283; Diary of Georgiana, Duchess of Devonshire, in Walter Sichel, Sheridan (2 vols.; Boston: Houghton and Mifflin Co., 1909), II, 245.

³⁹ Derry, Regency Crisis, p. 93.

⁴⁰ Charlemont MSS, II, 88; Auckland Correspondence, II, 289; Grotton, op. cit., III, 337.

While these negotiations were proceeding, the Irish opposition took the opportunity to emphasise the autonomy of their parliament by establishing their own Regency settlement instead of simply following Westminster's declarations. A resolution was passed in the Irish parliament, giving the Prince of Wales full powers as Regent of Ireland without any restrictions whatsoever. When the Irish Whigs drew up an address on February 17th., asking the Prince to become Regent of their country, the Lord Lieutenant refused to transmit it to London. So the Irish parliament appointed six delegates to deliver the address personally; and the Irish executive's refusal to cooperate with its legislature was censured.⁴¹ Irish politics were now in "great confusion,"⁴² whilst in London, the Prince was delighted, the government was anxious and the Whig leaders were summoned to discuss the proceedings.⁴³

⁴¹Hardy, op. cit., II, 186; Burke Correspondence, V, 450, 453. The delegates included T. Conolly, W.B. Ponsonby, the Duke of Leinster and the Earl of Charlemont.

⁴²Storer to Eden, February 24th., 1789, Auckland Correspondence, II, 297.

⁴³Lucan to Pery, February 17th., 1789, Emly MSS., p. 196; Burke Correspondence, V, 446-447.

Charles Fox did not think that the Irish parliament was legally competent to appoint an Irish Regent. This is of crucial importance as it provides an insight into Fox's views on Irish legislative autonomy in the years between the excitement of 1782 and 1783 and his more radical views of the 1790's. In Charles Fox's opinion, in 1789, Irish legislative autonomy was restricted. Therefore he did not want the Prince to answer the Irish address before he had been officially appointed Regent in England. This, he thought, was so material that "our friends ought more than ever to avoid anything that tends to delay here."⁴⁴ If the Prince had to reply to the Irish delegation before the Regency Bill had become law, then his answer

must be couched in some general terms to which the acts he will do in a few days after must give the construction of acceptance.⁴⁵

Fox thought that the Irish parliament had exceeded its authority by acting independently of Westminster, and that "our friends have gone too fast in Dublin."⁴⁶

At the same time, it is unlikely that he wanted promises made to the Irish delegation until he was safely

⁴⁴Fox to Fitzpatrick, February 17th., 1789, Fox Correspondence, II, 301.

⁴⁵Ibid.

⁴⁶Ibid.

installed in office. As in 1782 and 1783, he probably intended to take a major part in the Irish administration of the Regency government. With a Foxite Lord Lieutenant, he planned to use the Irish government as a source of political patronage to reward his Irish associates. He had already written to Lord Henry Fitzgerald and informed him that one of the first acts of the Regency would be promotion for himself and his brother, Lord Edward Fitzgerald; and, assuming that he would become Secretary for Foreign Affairs, he had enquired of the Fitzgeralds if they would be interested in foreign employment.⁴⁷ Similarly, Fox was delighted with the Duke of Leinster's support for the Whig opposition and looked forward to the "prospect of our acting together in politics."⁴⁸ It also looks as though Fox and the Whigs promised the Irish delegates government support for the restriction of the Irish pension list, which would limit the Irish executive's patronage.⁴⁹ Perhaps other Rockinghamite reforms would follow. However, concrete proposals for a

⁴⁷Fox to Lord Henry Fitzgerald, February 1st., 1789, Thomas Moore, The Life and Death of Lord Edward Fitzgerald (2 vols., 3rd. ed.; London: Longmans, Green and Co., 1832), I, 134-135. (Hereinafter referred to as Lord Edward Fitzgerald.)

⁴⁸Ibid.

⁴⁹Joy to Charlemont, March 31st., 1789, Charlemont MSS, II, 90.

Foxite Irish administration remain obscure because the convalescence of the King was underway before the Irish delegates had reached London; and the opportunity for a Regency disappeared. On March 10th., George III announced that he had re-assumed full royal authority, the Prince thanked the Irish delegates, and they returned home.⁵⁰

In England, the Foxites were accused of inciting the Irish rebellion against Pitt's Regency proposals. The Whigs had already caused the loss of the American colonies and were now attempting to separate England from Ireland.⁵¹ This, of course, was not Fox's intention, and it was left to the Dublin press to attempt a more realistic evaluation. The Freeman's Journal argued that if the Prince became Regent, then Fox would saturate the Irish peerage with English adherents to whom he had made promises.⁵² But the strongest argument against Fox was his former advocacy of simple repeal. "A wise nation will ever be guided by the recollections and experience of past events"; and Fox had opposed renunciation and the confirmation of Irish autonomy. No Irish advantages would ensue, then, from a Foxite

⁵⁰Burke Correspondence, V, 450-451.

⁵¹The Times, March 2, March 4, March 6, 1789.

⁵²Freeman's Journal, February 3-5, 1789.

government.⁵³ Charles Fox was the enemy of Irish independence.

In the Irish government, the repercussions of the Regency dispute were widespread. The Earl of Westmoreland replaced Lord Lieutenant Buckinghamshire and many government members, including the Ponsonbys, the Duke of Leinster and Charles Sheridan were dismissed for supporting the English Whigs. Fitzgibbon, on the other hand, for his support of the government, was made Irish Lord Chancellor.

During the conflict Buckinghamshire wrote of the Irish Whigs: "I now know that every proceeding is suggested by their friends in England."⁵⁴ Certainly the dispute had increased the cooperation between the Whigs on both sides of the Irish Sea. One remarkable feature of the whole episode was the Irish Whigs' assumption that a Whig government in London would be to their own advantage. This testified to the consolidation of the Anglo-Irish Whig opposition alliance since its inception during the American war. The Whig alliance had survived the problems of 1782 and 1783, when English Whigs opposed each other and when Irish patriots doubted English Whig intentions

⁵³Ibid.

⁵⁴Buckingham to Grenville, January 27th., 1789, Fortescue MSS., I, 405.

over renunciation and external legislation, and was present beneath the surface during Rutland's conciliatory policy from 1784 to 1787. Now the alliance was revealed again as a powerful force in Anglo-Irish politics. Charles Fox was largely responsible for this Whig consolidation. Anglo-Irish Whig unity had been apparent in Fox's opposition to Lord North, and he had struggled to maintain it since 1782. With the accession to power of William Pitt, Whig cooperation became essential to Fox's principled hostility to an executive which had attained power through the influence of the Crown and without the support of the legislature. So to Fox, the Anglo-Irish Whig alliance was based largely on principle.

Simultaneously, of course, there was an element of political expediency in the alliance between Dublin and London Whigs. Fox was the active leader of the English opposition to Pitt and it was only through his advent to power that the Irish Whigs could hope to capture the Irish government. Hence, with some justice, the Lord Lieutenant presumed that if the opposition in early 1789 had been successful, then all government in Ireland would have been overthrown, "save that of Mr. Fox."⁵⁵

⁵⁵Buckinghamshire to Grenville, March 22nd., 1789, *Ibid.*, 435.

In fact, the possibility of a Regency brought into Irish politics the polarization round William Pitt and Charles Fox which had been the primary characteristic of English politics since Fox's dismissal from office in 1783. As Buckinghamshire wrote from Dublin:

the question is only understood in this kingdom as a personal struggle between Mr. Pitt and Mr. Fox.⁵⁶

Fox's hostility to Pitt and his belief in the necessity of party had been given the opportunity to enter Irish politics through the fortuitous possibility of a Regency:

Party runs higher than ever here [Dublin] and party is stronger too.⁵⁷

Government dismissals and promotions after the Regency crisis increased the determination of the Irish Whig opposition, who now pledged not to take office unless all together.⁵⁸ Pitt's conciliatory policy had failed. In England in the 1780's, Fox's determined opposition to the government had led to increasing efforts to organize the Whig party; now, in Ireland, Whig consolidation was institutionally reflected in the formation of Whig Clubs.

⁵⁶Buckinghamshire to Grenville, December 13th., 1788, Ibid., 385.

⁵⁷Lady Sarah Napier to Lady Susan O'Brien, February 15th., 1790, Lennox Correspondence, II, 76.

⁵⁸Gretton, op. cit., III, 424.

The Dublin Whig Club was established in the summer of 1789 by Charlemont, Grattan, George Ponsonby and Forbes, and a similar club appeared in the north of Ireland during the following year.⁵⁹ The Dublin Club consisted of the leading members of the Irish parliamentary opposition, increased the cohesion of the Irish Whigs and enable them to pursue long-term aims.⁶⁰ At the same time, it rested

with peculiar security on Mr. Fox and the Rockingham party, under whose power and with whose aid Irish freedom was established in 1782.⁶¹

Charles Fox was proclaimed as the "British senator who would not bribe Ireland to sell her constitution," a compliment based on his strenuous opposition to the commercial propositions in 1785.⁶² He was the "idol" of the Dublin Whig Club, and was seen by the Irish Whigs as the head of their party.⁶³ In 1791 it was suggested

⁵⁹Charlemont MSS, II, 100, 105, 114, 125, 133.

⁶⁰See Hardy, *op. cit.*, II, 196-208; William T.W. Tone, ed., *Life of Theobald Wolfe Tone* (2 vols.; Washington: Gales and Seaton, 1826), I, 30-33; W.J. Fitzpatrick, *Life and Contemporaries of Lord Cloncurry* (Dublin: James Duffy, 1855), p. 45; Kennedy, *op. cit.*, pp. 74-79.

⁶¹Hardy, *op. cit.*, II, 202.

⁶²Grattan, *op. cit.*, IV, 33. This was a toast offered at the Dublin Whig Club in early 1791.

⁶³*Freeman's Journal*, January 19-21, November 4-6, 1790, May 21-24, 1791.

that "all English Whigs be Irish Whigs in future," re-affirming their mutual sympathies and aspirations which Fox had continually emphasised since the American war.⁶⁴ In fact, the Dublin Whig Club provided more than a symbolic connexion between the Irish Whigs and the English Foxites; rather did it represent a formal alliance between the Dublin and London Whigs which Irishmen had hitherto avoided during Rutland's conciliatory policies. In this sense, the institutionalization of the Irish Whig party can be seen as a victory for Charles Fox's attempts to consolidate the Anglo-Irish Whig alliance. To Fox, an opposition party in Dublin was essential, in order to provide some sort of check on Pitt's Irish executive. Hence, the Irish government saw the Dublin Club as a deliberate attempt "to introduce English party here";⁶⁵ and in August, 1789, Secretary Hobart informed the London government that

more than two-thirds of the Irish Opposition are linked with English party ... Opposition are clearly acting upon a party principle, and if they are not met on the same ground they will be successful.⁶⁶

⁶⁴The Times, January 15, March 3, 1791.

⁶⁵Hobart to Grenville, December 22nd., 1789, Fortescue MSS, I, 556.

⁶⁶Hobart to Grenville, August 19th., 1789, Ibid., 492.

In England, meanwhile, Fox and his associates continued to incorporate Irish developments into their own opposition. Rumours emerged in the summer of 1789 that Fox intended another visit to Ireland; but this does not seem to have taken place.⁶⁷ However, the Foxites severely criticized Westmoreland's appointment as Irish Lord Lieutenant, and charged that the majority in the Irish parliament consisted of placemen and pensioners.⁶⁸ This campaign in Westminster by the Foxites ran parallel to a similar campaign by the Irish Whigs in Dublin, who incessantly accused the Irish executive of parliamentary corruption.⁶⁹ And the Irish government suspected that the Foxite Whigs in London were directing their Irish associates' opposition.⁷⁰

Charles Fox's Irish reputation was therefore strengthened; and, as usual, this led to another round of criticism from the Irish government press. Many of the old arguments were repeated. Pitt was given the credit for securing Irish independence because he had

⁶⁷The Times, April 6, 1789.

⁶⁸Ibid., December 3, December 19, 1789, April 2, March 21, 1790.

⁶⁹Kennedy, op. cit., pp. 91-98.

⁷⁰Freeman's Journal, October 27-29, 1791; The Times, December 31, 1789, February 15, 1790.

supported renunciation, which Fox had opposed. Fox was unscrupulous in his attempts to get into office, as was revealed by his coalition with Lord North in 1783, whilst by his India Bill, he had tried to "possess power and patronage independent of King and people." He had rejected Pitt's propositions in 1785 because they were too generous to Irishmen; and he was still opposed to Irish commercial concessions. More critically, and with some justice, it was questioned how the claim of the Irish Whigs to choose their own Regent, independently of Westminster, could be reconciled to Fox's doctrine of British external legislation.⁷¹ It has been seen that Fox did not think that the Irish parliament was legally competent to appoint its own Regent.

In 1790 general elections were held in both countries. In England the extensive preparations for the campaign included the suggestion by one of Portland's associates that public meetings should be called to announce the refusal to support any candidate who would not oppose Pitt's Excise Laws. These arrangements, the proposal went on, could be administered in Ireland by Ogilvie, Curran and Forbes, all leading Irish Whigs. The "Irish Test" for candidates could also include a

⁷¹Freeman's Journal, May 9-12, 1789, January 21-23, October 12-14, November 4-6, 1790, April 7-9, 1791.

commitment to "vote for a Law to put Ireland on the footing of England in respect to members vacating their seats on accepting any place or pensions." Such a measure would strengthen the powers of the Irish parliament at the expense of its executive.⁷² So English Whig supporters presumed that their Irish counterparts were fighting the same battle against William Pitt.

In Ireland, Grattan's Bill to prevent revenue officers from voting at elections, which Fox had recommended eight years previously, was rejected in March, and parliament was dissolved in the following month.⁷³ Because of the events of the past few months, and the polarization of Irish politics, the election was heavily contested; and Henry Grattan was elected for the City of Dublin "in scenes like our Westminster election."⁷⁴ However, one of the most interesting contests was that for County Down, the traditional stronghold of the Marquis of Downshire and his son, Lord Hillsborough. The Irish Whigs brought in Robert Stewart and another

⁷²Memorandum by Charles Stuart (1789 or 1790), in Ginter, op. cit., pp. 246-250.

⁷³Grattan, op. cit., III, 458.

⁷⁴The Times, April 26, May 31, 1790.

independent to contest the traditional influence of the Downshire family.⁷⁵ Residing in County Down was the Rev. Charles Hare, a friend of Fox.⁷⁶ Charlemont wrote to Edmund Burke to ask Fox to solicit Rev. Hare's support for the two independent candidates. Charlemont, by this time, had no doubt of Fox's "goodwill towards us and our cause;"⁷⁷ and it would have been surprising if Charles Fox had refused an opportunity to help the Irish opposition. So, by early July, he was doing "what he can" in support of the Irish independent candidates.⁷⁸ This joint endeavour by the English and Irish Whigs in the Down election was partially successful: after two months of industrious campaigning, the campaign was won by Robert Stewart and Lord Hillsborough.⁷⁹

⁷⁵Robert Stewart, Second Marquis of Londonderry, better known as Viscount Castlereagh, 1769-1822. Stewart was one of the original members of the Northern Whig Club which worked for him during the election. In the campaign he pledged himself to support parliamentary reform; and he voted with the Whig opposition in his early years as a member of the Irish House of Commons. H.M. Hyde, The Rise of Castlereagh (London: Macmillan, 1933), pp. 38, 72, 89.

⁷⁶The Rev. Charles Hare was precentor of Down and Rector of Seaford, Co. Down. His brother was the loyal Foxite, James Hare, 1747-1804, who represented Knaresborough in Westminster. Burke Correspondence, VI, 123-124.

⁷⁷Charlemont to Burke, June 26th., 1790, Ibid.

⁷⁸Burke to Charlemont, July 2nd., 1790, Ibid. From the content of Burke's letter, it seems that correspondence was enclosed from Fox to Rev. Hare; but this has never been found.

⁷⁹Johnston, op. cit., p. 42.

This is the only example of Fox's direct participation in an Irish election which has emerged so far; perhaps, however, further research would reveal a much greater cooperation between the English and Irish oppositions than has heretofore been thought. The consolidation of the Anglo-Irish Whig alliance was a product of Fox's determination to oppose Pitt's English and Irish executives. Fox's polarization of English politics had been carried over the Irish Sea through the Regency question through which a common ground of opposition had been found.

Yet this Anglo-Irish Whig consolidation was maintained only with difficulty. It was around this time that the impact of events in France began to be felt in both English and Irish politics. The French Revolution of 1789 eventually split the English Whig party and isolated Fox from many of his erstwhile associates: in 1794, Portland and his followers formally joined Pitt's government. Simultaneously the Revolution had very serious effects on Fox's Irish participation, and in the end, led to a decisive change in his views on Irish affairs and on the Anglo-Irish constitutional relationship. After the early years of the Anglo-French war, he in fact urged a separation of the two countries. The Revolution obstructed, but did not destroy Anglo-Irish

Whig unity, although Irish property-holding Whigs could not support Fox's position on French events. At the same time, the Revolution encouraged the emergence of extra-parliamentary revolutionary organizations, the corresponding society movement in England and the United Irish agitation in Ireland. In general, the French Revolution made English administration of Ireland much more difficult; in particular, it encouraged Irish demands for Catholic relief.

Charles Fox's commitment to religious toleration was firm and consistent, and his support for concessions to Irish Catholics, demonstrated in 1778, was renewed after 1791. The Catholic committee in Dublin had been established a number of years previously to promote Catholic interests, and had been dominated by established members of Irish society. In 1791, however, the committee was taken over by a more democratic element which wanted the establishment of full Catholic rights, including the franchise. Thus the question of Irish Catholic relief was brought to the foreground at a time when the French Revolution was imposing new strains on the Anglo-Irish relationship. By 1792 Wolfe Tone, founder of the United Irishmen, was the committee's Secretary and Edmund Burke's son, Richard, was appointed English agent to the Irish Catholics to further their

cause.⁸⁰ Meanwhile in Westminster, an English Catholic relief Bill was successfully introduced, during the course of which Fox put forward his belief in universal religious toleration, which included giving Catholics voting rights. He also intended to try and extend the provisions of the English Bill to all Catholics; but this never materialized.⁸¹

Fox's adherence to universal toleration was completely unacceptable to the Irish government. The Ulster Presbyterians, who had dominated the popular agitation against the government in the previous decades, had begun to articulate revolutionary and republican sentiments.⁸² Simultaneously the United Irish Society was formed in Belfast in October, 1791, with a Dublin Society following a month later. With its twin demands of Catholic Emancipation and parliamentary reform, the United Irish movement initiated a democratic alliance between Catholics and Protestants. As eighteenth century British rule of Ireland had been largely maintained through Protestant support in face of Catholic hostility,

⁸⁰Beckett, Making of Modern Ireland, p. 247.

⁸¹Grenville to Westmoreland, March 24th., 1791, Fortescue MSS, II, 41.

⁸²See A.T.Q. Stewart, "The Transformation of Presbyterian Radicalism in Northern Ireland, 1792-1825" (unpublished M.A. dissertation, Queen's University, Belfast, 1956).

Pitt's government in both countries looked warily at a democratic, non-sectarian alliance.

So the Irish government acted wisely. The English example, together with the powerful assistance of the Burkes, led to the Irish Catholic Relief Act of 1792. Although the Irish government did not introduce the Bill, it supported it and thereby ensured its success.⁸³ The legislation removed a number of the remaining Catholic disabilities including those on marriage between Catholics and Protestants, and Catholics were finally allowed to practise law. Yet Catholic voting rights were still refused; and Irish Catholic agitation continued. A Catholic convention met in Dublin in December, 1792, which finally decided to petition the King for a Catholic franchise.⁸⁴ It was at this stage that Charles Fox put his powerful support behind the Irish demands.

By this time, war with revolutionary France was looking increasingly likely and dissension among English Whigs was becoming acute. On the one side, Fox refused to accept the necessity of war; on the other, Portland and the conservative Whigs were coming round to the idea

⁸³Grattan, *op. cit.*, IV, 39.

⁸⁴Moore, Lord Edward Fitzgerald, II, 206, 209; Burke Correspondence, VII, 326.

that war was essential and inevitable. Even so, on November 29th., Fox had written:

About Ireland we are all agreed, but nothing respecting it can be done in our Parliament; though something may, and I hope will, be said.⁸⁵

Despite their disagreements over the necessity of a French war, Foxite and Portland Whigs were in substantial agreement on the necessity of Irish reform.

Thus in Westminster on December 13th., Fox announced his full support for the continuing Catholic agitation for voting rights. The Dublin assembly was a

most respectable and formidable convention--I call it formidable because I know nothing so formidable as reason, truth and justice--[which] will oblige you [the government] by the most cogent reasons to give way.⁸⁶

The government, he claimed, should have given the Irish Catholics their voting rights "long ago."

Pitt's ministers, however, were not prepared to sit idly by whilst Fox came forward as the protagonist of Irish Catholic relief. Dundas, the Home Secretary, who was by virtue of his office responsible for Irish affairs, reminded Fox that

Ireland had a legislature of her own, and that House had no right to interfere in discussions which had not yet received a decision in the proper quarter.⁸⁷

⁸⁵Fox to Adair, November 29th., 1792, Fox Correspondence, III, 261.

⁸⁶Parl. Hist., XXX, 26.

⁸⁷Ibid., 49.

Westminster, then, had no right to interfere in Irish affairs. Charles Fox was to hear this claim continually during the ensuing months. The Irish executive was not responsible to its legislature in College Green. So Fox unceasingly attempted to establish its accountability to Westminster. Dundas also remarked that the "consequence of such unnecessary interference could only be to provoke those disturbances which it was desirable to avert."⁸⁸ The government was by now fully aware of Fox's Irish influence.

Fox denied any encroachment on Irish legislative autonomy, "which he had ever been most ready to assert"; and he argued that "the more frankness was maintained on the subject, the better would it be for both countries."⁸⁹ The next day he continued his support for the Irish Catholics, and attempted to use their agitation to strengthen his own anti-war effort:

Was not the condition of Ireland to be considered in a question that implicated a war? ... in that country there were millions of persons in a state of complete disfranchisement, and very little elevated above slaves. Would any man in his senses suppose that hearty support could be expected from that kingdom in the event of a war?⁹⁰

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid., 62.

Malone estimated that Fox's declaration "will tend strongly to disturb the peace and shake the whole property" of Ireland. Fox was using the Catholic issue as a last desperate means of opposing Pitt's government, with his party "driven to try what can be done by influencing the Catholics of Ireland."⁹¹ Dr. Drennan, on the other hand, thought that Fox's demand for Irish Catholic voting rights would make the government reject any further concessions.⁹² Ultimately, however, it was Richard Burke who fully grasped the importance of Fox's support for the Catholic agitation. Fox had argued that England could not go to war with France whilst the Irish Catholics were dissatisfied, and had "taken his ground upon that point, and taken it well." Burke comprehended the validity of Fox's argument and also the dangerous implications of his Irish support. He warned Dundas:

He [Fox] has also laid himself out for partisans in that country. If you lose Ireland, or rather if you do not recover it, he gets it.⁹³

It turned out that Pitt had already decided to grant the Irish Catholics further relief before the Dublin convention had met. The Irish executive was

⁹¹Malone to Charlemont, December 14th., 1792, Charlemont MSS, II, 207.

⁹²Drennan to McTier, December 14th., 1792, Drennan Letters, p. 109.

⁹³R. Burke to Dundas, December 27th., 1792, Burke Correspondence, VII, 326.

compelled to accept Pitt's concessions and many conservative Irish Protestants, formerly opposed, were prepared to accept Catholic relief once war had broken out with France. So the Irish Catholic relief Bill, sponsored by the government, became law. By this Act, Catholics were given the franchise on the same terms as Protestants, the remaining restrictions on Catholic land-holding were removed and a number of civilian and military positions were opened to them, although not the highest such as the Lord Lieutenancy, the Lord Chancellorship and the Chancellorship of the Exchequer. Yet Irish Catholics were still excluded from their parliament, and the attempts to rectify this became the essence of the Catholic Emancipation movement which lasted until 1829 and which Fox did his utmost to support until his death in 1806.

Thus Charles Fox had supported the Irish Catholic cause at a critical juncture in English and Irish politics. His encouragement helped to guarantee the success of the relief measure as in December, 1792, Pitt wished to avoid a confrontation with Fox and the Irish Catholics. Fox had taken advantage of the emergency situation, rather like he had done in 1778, when he pursued the Irish Catholic cause in Westminster after France had joined the American war against England. He

also realized the value of the Irish agitation in his own anti-war effort, and although the granting of Catholic voting rights removed one of his arguments against declaring war, Catholic dissatisfaction continued and Fox was to use this in his later anti-war campaign. Yet Fox's support for the Irish demands was sincere as he was committed to religious toleration. Simultaneously he made it plain to all that Irish agitation could still look to him for support. He was trying to keep his Irish reputation, and the Anglo-Irish Whig alliance, intact despite the fresh problems posed by the French Revolution.

Fox greeted the fall of the Bastille in the summer of 1789 with ecstatic delight.⁹⁴ In the following February he opposed an increase in the army estimates, and thereby refused to acknowledge any danger to England from the French situation. In November, 1790, Burke's Reflections on the Revolution in France was published, whilst in April, 1791, Fox publicly expressed great admiration for the new French constitution. In the following May, Edmund Burke broke dramatically from Fox over French events and in August published his Appeal from the New to the Old Whigs to stimulate Whig anxiety and establish support for his own position against the

⁹⁴Fox to Fitzpatrick, July 30th., 1789, Fox Correspondence, II, 361.

French Revolution.⁹⁵

Few Irish Whigs shared Fox's jubilation. On the contrary, the Earl of Charlemont, Henry Grattan, George Ponsonby and numerous other erstwhile patriots all sought to restrain Irish enthusiasm for French principles.⁹⁶

Charlemont was particularly hostile to French revolutionary ideas, and by March, 1791, George Ponsonby "had expressed himself much dissatisfied with Mr. Fox's language."⁹⁷ Two months later, Thomas Knox, an Irish member of Parliament, informed the Irish government how the Irish Whigs would divide if the English Whig party broke up: Leinster's followers, with Henry Grattan, would go with Fox, Ponsonby's with the Duke of Portland.⁹⁸

But at the end of 1791, The Times commented that

It is somewhat remarkable that Irish Whigs have never attempted to celebrate the French Revolution.⁹⁹

Although it had been predicted that the Duke of Leinster and Thomas Connolly would go with Fox in the event of a Whig schism, both had publicly announced their hostility

⁹⁵Mitchell, op. cit., p. 169.

⁹⁶Grattan, op. cit., IV, 35-36.

⁹⁷Westmoreland to Grenville, March 12th., 1791, Fortescue MSS, II, 40.

⁹⁸Edith M. Johnston, "The State of the Irish House of Commons," Proceedings of the Royal Irish Academy, LIX, No. 1 (1957), 52.

⁹⁹The Times, November 2, 1791.

to events in France before the end of 1791;¹⁰⁰ and early in the following year the former radical patriot, Sir Edward Newenham, who had mistrusted Fox's radicalism a few years previously, declared in the Irish Commons that "parliament must support the strong arm of Government at this critical juncture."¹⁰¹ The problems posed by the French Revolution, then, were obstructing Fox's influence amongst Irish property-owners.

Charles Fox's opinions on the French Revolution were based on a firm conviction that the greatest threat to English liberty came, not from France but from the Crown and the English executive. For a long time, in fact, he interpreted French events as analogous to the Whig Revolution of 1688: French despotism, royal and religious, was being attacked in the same manner and for the same reasons as James II had been opposed in England one hundred years before.¹⁰² The French Revolution, therefore, was a Whig Revolution; but few Irish Whigs could understand or accept Fox's reasoning because, faced with an immense Catholic majority, few Irish property-holders were prepared to go as far as Fox eventually did

¹⁰⁰Ibid., December 14, 1791.

¹⁰¹Ibid., January 31, 1792.

¹⁰²Mitchell, op. cit., p. 164.

in his support for popular agitation. Thus Fox's attempts to identify his own principles with those of the leading Irish Whigs was obstructed.

During 1792, however, Fox's main efforts were dedicated to keeping the English Whig party intact.¹⁰³ On one side stood Edmund Burke, the first Whig to oppose French activities; on the other stood Richard Sheridan, as verbose as ever in his support for the Revolution. In 1792, Burke's outpourings at last received serious attention from English Whigs. By the end of the year the Whig party was dismembered. For Charles Fox's later Irish participation the break was crucial.

In April, 1792, the Association of the Friends of the People was established by a group of the more radical Whigs led by Sheridan and Charles Grey, to promote parliamentary reform; but Fox had no part in this.¹⁰⁴

¹⁰³See Butterfield, "Charles James Fox and the Whig Opposition in 1792," pp. 293-330.

¹⁰⁴Fox Correspondence, III, 22; Moore, Sheridan, II, 145; Earl of Ilchester, ed., The Journal of Elizabeth, Lady Holland, 1791-1811 (2 vols., 2nd. ed.; London: Longmans, Green and Co., 1909), I, 14-15; Lord Holland, ed., Memoirs of the Whig Party during my Time (2 vols., London: Longmans, Green and Co., 1852), I, 13. Charles Grey, 1764-1845. Represented Northumberland in the House of Commons from 1786 to 1807. He aligned himself with Fox and was a leading opponent of William Pitt throughout the 1790's. In 1806, in the Fox-Grenville ministry, he became First Lord of the Admiralty and then Secretary of State for Foreign Affairs. History of Parliament, II, 552.

Yet in his attempt to keep the Whig party intact, he refused to consider the Associators as separate from the party.¹⁰⁵ Besides the fact that many members of the Association were his personal friends, he was not opposed to their demands for parliamentary reform. So he supported Grey's motion to that effect in the House of Commons in the spring of 1792, although he was careful to stress that he did not think the time appropriate for such a proposal. During the summer attempts were made to form a coalition between Pitt and Fox; but Fox's insistence that Pitt should vacate the Treasury meant that the attempt never stood much chance of success.¹⁰⁶ Yet it was presumed in Dublin that if a coalition occurred, then changes in the Irish administration would follow.¹⁰⁷ In France in August, the Tuileries were stormed and Fox supported the Jacobin successes.¹⁰⁸ War with France looked probable. No longer could the Whig aristocrats in the centre of the party, represented by

¹⁰⁵Fox to Carlisle, July 25th., 1792, Carlisle MSS, p. 696.

¹⁰⁶Fox Correspondence, III, 12-18; Loughborough to Carlisle, August 1st., 1792, Carlisle MSS, p. 696.

¹⁰⁷Freeman's Journal, July 31-August 2, November 15-17, 1792.

¹⁰⁸Fox to Holland, October 12th., 1792, Fox Correspondence, II, 372-375.

the Duke of Portland and Earl Fitzwilliam, dismiss Edmund Burke as an alarmist; and Fox's position was rapidly becoming untenable.

Fox's refusal to commit himself during the summer of 1792 to either side of the Whig party was emphasised by the Freeman's Journal, which brought the attention of the Irish public to Fox's disavowal of Paine's Rights of Man, repeated his Westminster declaration that the time was not suitable for parliamentary reform and hoped that the Irish Whigs would agree with their Magnus Appollo.¹⁰⁹ A few weeks later, in June, great satisfaction was taken in reporting Fox's discouragement of "meetings and inflammatory writings which have tended to excite tumult and confusion."¹¹⁰ These were all accurate representations as Fox struggled to maintain English Whig unity; yet the reports testify to Fox's influence with the Irish opposition which became increasingly dangerous once the Whigs had divided and Anglo-French hostilities had begun.

In December, Fox finally abandoned his equivocal position as he believed that unless he acted quickly, Pitt's government would use popular enthusiasm and

¹⁰⁹Freeman's Journal, May 12-15, May 19-22, June 16-19, 1792.

¹¹⁰Ibid., June 28-30, 1792.

hysteria against the French revolutionaries to undermine fundamental English liberties and to persuade English armies to invade France in pursuit of a Bourbon restoration. Thus, when the English militia was called out in the first week of December, Fox found it a "detestable measure";¹¹¹ and on December 13th., he moved an amendment to the Address in Westminster which accused Pitt of increasing the power of the executive. This was defeated by 290 votes to 50, which was a good indication of Fox's future support in the lower house. Two days later he unsuccessfully tried to have an ambassador sent to negotiate with the French. In January, Louis XVI was executed; and France declared war on England on February 1st., 1793. A week later twenty-one Whigs, led by the Duke of Portland, agreed to support the government; and Whig unity, in spite of Fox's energetic efforts, was broken.¹¹²

Fox's change of front in December was anxiously reported to Charlemont.¹¹³ However, when Fox asked for French negotiations on December 15th., he had outraged

¹¹¹Fox to Fitzpatrick, December 5th., 1792, Fox Correspondence, II, 381.

¹¹²Mitchell, op. cit., p. 212.

¹¹³Malone to Charlemont, December 3rd., 1792, Charlemont MSS, II, 203.

many of the conservative Whigs in England. Thus, in an attempt to maintain Whig unity, he moderated his position in the next few days, called the trial of Louis XVI unjust and even joined a Westminster loyalist association. So Charlemont was again informed of Fox's activities:

You probably have been much surprised at some of the movements here during these last ten days. C. Fox, as I told you he would, set off at a very smart pace towards republicanism; but finding the whole people of England against him, has become somewhat more moderate.¹¹⁴

Charles Fox's behaviour during these few exciting days was not consistent as he tried to hold the party together on his own terms. In Dublin, his radical speeches were represented as attempts to get into office:

From the elaborate harangue of Fox in Westminster he seems to think the present time a favourable opportunity to get into power. But remember, he tried to become the uncontrollable Director of India in 1783, to secure millions to himself. So his profession of principles and patriotism must be looked upon with a smile of derision.¹¹⁵

Then, Fox would change front slightly in England; and the Irish press used his declaration that Louis XVI's trial was "highly unjust" to strengthen its argument that the Irish opposition should fight against the French.¹¹⁶

¹¹⁴Malone to Charlemont, December 22nd., 1792,
Ibid., 209.

¹¹⁵Freeman's Journal, December 20-22, 1792.

¹¹⁶Ibid., December 27-29, 1792.

In this way, Fox's politics were carefully scrutinized in the weeks preceding the outbreak of war. Immediately before hostilities commenced, Ponsonby "reprobated most violently the Belfast Star for making use of the term 'our French brethren'."¹¹⁷ His rejection of French principles was solid. Similarly, Henry Grattan, Fox's longtime ally, supported the war.¹¹⁸ However, there was one significant exception to Irish Whig hostility to French principles: Fox's cousin, Lord Edward Fitzgerald.

For the last few years, Fitzgerald's friends had seen him as a "thorough Foxite",¹¹⁹ and by early 1792 he was committed to Irish parliamentary reform and Catholic relief.¹²⁰ By October of that year he had expressed his disgust at Irish property's fear of the French Revolution, and was in Paris paying regular visits to the National Assembly.¹²¹ The following month, British sympathizers

¹¹⁷Drennan to McTier, January 31st., 1793, Drennan Letters, p. 125.

¹¹⁸The Times, February 27, 1793.

¹¹⁹Lady Sarah Napier to Lady Susan O'Brien, May 29th., 1789, Lennox Correspondence, II, 71.

¹²⁰Lord Edward Fitzgerald to Duchess of Leinster (early 1792?), Leinster Correspondence, II, 63-64.

¹²¹Moore, Lord Edward Fitzgerald, I, 169-170.

in the French capital celebrated the recent French victories over the invading European armies and proposed various radical toasts and subscriptions to the French regime. Fitzgerald was one of them; and for his conduct, he was dismissed from the British army.¹²²

Prior to the Christmas recess in 1792, Fox brought the case of Fitzgerald's dismissal before the House of Commons. He had heard that the dismissal was for the donation of a subscription to the French regime for support against invasion. This gift, he claimed, was "legal" and might, indeed, be "infinitely meritorious."¹²³ Thus Fox demonstrated his support for the French system; but there was also a principle at stake. In 1789 Fox had criticized the Marquis of Lothian's removal from his army command for having supported the opposition during the Regency crisis. On that occasion, Fox had admitted the "prerogative of the Crown to dismiss officers, but urged that the exercise of such a power should be jealously watched."¹²⁴ The principle, then, was that

¹²²The Times, December 3, 1792; Moore, Lord Edward Fitzgerald, I, 173, 183.

¹²³Parl. Hist., XXX, 171.

¹²⁴E.B. de Fonblanque, Political and Military Episodes in the Latter Half of the Eighteenth Century (London: Macmillan, 1876), pp. 457-458.

the King could not arbitrarily dismiss his military commanders; and Fox thought that Fitzgerald had been removed "out of caprice founded upon political topics."¹²⁵

Fox's defence did not lead to Fitzgerald's reinstatement; but his speech was more than a public acknowledgement of his admiration for the young Irish nobleman. The incident gave Fox an opportunity to emphasise both the necessary restraint on the government's power to dismiss its military commanders and to publicly announce his hostility to the European armies' invasion of France. It also provided an indication of his future Irish participation. Fitzgerald was one of the few Irish Whigs who remained sympathetic towards the French Revolution, even in its darkest hours; and he was to play an important part in the pursuit of Irish reform from 1793. In this attempt, both within parliament and outside, he was to find a loyal associate in Charles Fox.

Fox's experiences of 1782-1783 determined his future opposition to William Pitt. English politics were polarized round Pitt and Fox; but it was not until the disputes over the Regency that this cleavage became apparent in Irish politics. The Regency question and its aftermath brought party into Irish politics, and

¹²⁵Parl. Hist., XXX, 173.

Charles Fox was ultimately responsible for this development. The possibility of a Regency became a crisis because of Fox's opposition to Pitt's ministry and the expected change of government; and Fox saw the whole dispute in a party context. The possibility of a change in Irish government, followed by the dismissal of a number of Irish Whigs from the Irish executive led Fox's Irish associates to see the dispute in its party context as well. The consolidation of an Anglo-Irish Whig alliance, towards which Fox had been working since 1775, was now realized. In 1789-1790, the party struggle between Pitt and Fox was transposed fully fledged across the Irish Sea; and Anglo-Irish Whig unity was correspondingly strengthened. It remained to be seen whether it would survive the problems posed by the French Revolution.

CHAPTER VII

THE STRUGGLE FOR IRISH CIVIL LIBERTIES: CHARLES FOX, CATHOLIC EMANCIPATION AND PARLIAMENTARY REFORM, 1793-1798

With the outbreak of war between England and France in 1793, and the disintegration of the English Whig party, Charles Fox became the undisputed leader of a small party which opposed the war abroad and rejected Pitt's repressive policies at home. Fox's commitment to the restraint of the executive power and the necessity of party continued, but by 1796 he had finally accepted that the legislature had to be reformed first and restored to its proper role in the constitution afterwards. Simultaneously Fox committed his party to an intense involvement in Irish affairs and a continual pursuit of Irish parliamentary reform and Catholic Emancipation. In fact, Pitt's measures at home and in Ireland mutually convinced Fox of the danger of the government; and both became inextricably intertwined to push Fox into the most radical position of his political career. In both countries Fox saw individual liberties, and liberty in general, repressed by William Pitt; and the actions of both London and Dublin governments fully confirmed all of

his worst fears. Charles Fox became the shelter not only for English liberties but also for Irish liberties as he stood at the head of both English and Irish reform movements.

The Irish situation during the French war was tense, with the growth of the revolutionary United Irish movement and the fears of a French invasion. Charles Fox's Irish participation inevitably assumed dangerous overtones; in particular, two of his Irish associates, Arthur O'Connor and Lord Edward Fitzgerald, had become United Irishmen by 1796. Fox was aware of and sympathized with some of the United Irish intentions, he appreciated the gravity of the Irish situation more fully than most other English statesmen, and at Maidstone, in 1798, he defended O'Connor against a charge of high treason. Like Pitt, Fox realized that British rule of Ireland had to change; but his solution was not legislative union but Anglo-Irish separation, with the Irish government made responsible to the needs and aspirations of the Irish people.

The recall of Portland's associate Fitzwilliam from the Irish Lord Lieutenancy in 1795 had a decisive effect on Fox's views on the Anglo-Irish constitutional relationship. Fitzwilliam's dismissal revealed without any doubt that the Irish executive was responsible to

nobody but William Pitt. Pitt's action stood as a defiant confirmation of the necessity to control the Irish executive and convinced Fox that the constitution of 1782 had failed. In 1797, therefore, Charles Fox urged that the Irish be given more autonomy. Indeed, to satisfy Irish demands for reform and to establish a responsible Irish government, he was prepared to contemplate an independent Ireland.

Charles Fox's changing role in English politics influenced his commitment to changes in Irish government. From 1793 he was the undisputed leader of a small but brilliant and vocal opposition party. His leadership supporters were Grey, Sheridan, Whitbread, Erskine, the Dukes of Bedford and Norfolk and Lord Holland. By the end of 1793, all hope of reconciliation with the Portland Whigs was gone, and Fox was able to relate, in an unrestricted manner, his political ideals to his devoted adherents without attempting to maintain the support of the conservative Whigs and with little opportunity of joining the government.

The Foxite Whigs were unrelentingly hostile to the French war. Fox himself had opposed the possibility of armed conflict with France before the war had commenced, and he did not accept its necessity until the months prior to his death in 1806. As a corollary to his pacifist

platform, he interpreted Pitt's domestic policies as attempts to destroy individual liberties, utilizing the French war and the supposed conspiracies of the English "Jacobins" as his excuse. So the Foxites now concentrated their opposition on the fundamental Whig principle of the necessity to restrain the executive power, which Fox had articulated in the previous decade. Fox became especially concerned with the fate of reformist individuals and in September, 1793, he was shocked by the sentences given to the two Scottish reformers, Muir and Palmer.¹ In 1794, on the contrary, he was delighted with the release of Hardy, Tooke and Thelwall and he was determined to save United Irishman Arthur O'Connor in 1798.² All of these individuals had been arrested on charges of high treason.

The dire necessity to check the executive reaffirmed Fox's belief in the importance of party. Although he thought of seceding from Westminster in 1793, he decided against it out of a sense of obligation to the public. Also he feared that the public would misinterpret it, and see it simply as the result of having little

¹Mitchell, *op. cit.*, p. 226; Francis O'Gorman, The Whig Party and the French Revolution (New York: St. Martin's Press, 1967), p. 166.

²After the acquittal of Hardy, Tooke and Thelwall, Fox wrote: "It is a good thing that the criminal justice of the country is not quite in the hands of the Crown." Fox to Holland, December 15th., 1794, Fox Correspondence, III, 95.

opportunity of gaining office.³ So Fox refused to despair, in spite of the small size of his party compared to Pitt's ever-broadening majority.⁴ An opposition party was the only way in which the power and influence of the Crown could be checked:

party is by far the best system, if not the only one, for supporting the cause of liberty in this country ... it is my duty, and that of those who think like me, to use the utmost endeavours to preserve together what little remains of this system, or to revive it if it is supposed to be quite extinct.⁵

Although the Foxite Whigs disagreed over the extent of parliamentary reform which they wished to see established, they were all committed to it in one way or another. Fox himself had done little to promote it since his connexions with the Association movement in 1780; but he had supported Grey's efforts in 1792 and continued to do so throughout the early years of the war. Fox's commitment to parliamentary reform had a profound effect on his support for Irish agitation.

The Foxites' pursuit of Irish reform was consistent, although Irish demands tended to play themselves out in unconstitutional channels after 1795. In

³Fox to Holland, April 25th., 1794 and April 12th., 1795, Ibid., III, 71, 105-106.

⁴Fox to Holland, March 9th. and August 18th., 1794, Ibid., 64-68, 80-81.

⁵Fox to Holland, October 5th., 1794, Ibid., 88-89.

two of Fox's most vocal supporters, Charles Grey and Richard Sheridan, there were additional incentives for Irish participation. Grey married into the Ponsonby family in 1794 and was on intimate terms with his wife's family. So he took a great interest in Irish politics.⁶ Sheridan had been energetic in his native country's affairs since his entrance into Westminster in 1780. Above all, however, it was Fox's own concern which influenced and committed his party to support the Irish reform agitation. The result was an English political party with a distinct Irish platform.

Fox was adamant in his rejection of repressive measures Pitt introduced in 1793 and 1794. Usually his opposition incorporated Irish references and developments, as was the case in the debates over the Traitorous Correspondence Bill in March, 1793. This Bill made it treasonable for any of the "King's subjects" to supply the French with certain enumerated articles; and it was forcibly opposed by the Foxites though loyally supported by the Duke of Portland.⁷ Fox presumed that the phrase

⁶George M. Trevelyan, Lord Grey of the Reform Bill, 1754-1845 (2nd. ed., London: Longmans, Green and Company, 1952), pp. 89, 113; (Hereinafter referred to as Lord Grey.) See also Ilchester, op. cit., I, 171.

⁷The Times, March 28, April 17, May 10, 1793.

"King's subjects" necessarily included the Irish; hence the Bill "went to legislate for Ireland by making that treason in an Irishman by an English Act of Parliament which was not treason by an Irish Act."⁸ This was an interesting constitutional problem; and to emphasise Irish legislative autonomy at this time could have serious repercussions in that country. Pitt, however, argued that as the Irish had a common interest with the English, then it could be presumed that they would adopt such regulations as were necessary for their mutual safety. In this situation, "one of the two legislatures must take the lead."⁹ Fox, on the other hand, found this an "extravagant doctrine." Indeed, "he had never heard of two independent countries legislating by turns for each other." Westminster, he claimed, had no right whatsoever to legislate on Irish internal affairs; and he demanded that the operation of the Bill be confined to persons residing in Britain.¹⁰

The last thing which the government wanted during the early months of Anglo-French hostilities was a renewal

⁸ Parl. Hist., XXX, 623.

⁹ Ibid.

¹⁰ Ibid., 623-625.

of the controversy over Irish legislative autonomy; so Pitt retreated. The Bill was amended to restrict its operation to Britain, although a similar Bill was successfully introduced into College Green a few months later.¹¹ Pitt was aware of Fox's Irish influence and therefore forestalled the possibly dangerous repercussions of Fox's opposition. Yet it was during the early years of the war that Pitt's measures at home, and Pitt's Irish activities, were mutually convincing Fox of the danger of the government. Fox rejected Pitt's wartime policies in both countries, and in May, 1793, declared that

the scandalous increase in offices in Ireland was one of the most important heads of his charge of the great increase lately in the influence of the Crown.¹²

Indeed, his greatest accusations against the government arose from Pitt's Irish policies.

¹¹The Times, June 24, 1793.

¹²Ibid., May 14, 1793. The Crown's parliamentary influence in England declined in the closing decades of the eighteenth century. In 1765, it had included 163 members in the Commons, 116 by 1780 and 67 by 1790. However, the reverse was the case in the Dublin Commons, where the Crown included 78 members in 1769, 96 in 1782 and 110 by 1790 after the Regency crisis. Kennedy, op. cit., p. 11.

In May, 1794, a report from a secret committee of the House of Commons alleged conspiratorial agitation in Britain, and Habeas Corpus was suspended. Fox opposed the suspension, and in the debates on the report he took the opportunity to refer to the recent Irish Catholic convention. Arguing in favour of public meetings, he emphasised that the Irish Catholics would not have been given the franchise if they had not supported their demands with a convention. In 1792, he pointed out, Catholic requests for voting rights had been rejected. Conventions were therefore beneficial.¹³ So Fox continued to incorporate Irish developments into his opposition, although he found few opportunities to discuss Irish affairs until the recall of Fitzwilliam in 1795. And his activities in England were constantly observed by Irish politicians.

Although numerous Irish Whigs disagreed with Fox's sympathy with the French Revolution, their allegiance to the English leader remained largely intact as they accepted that some degree of reform was necessary to conciliate the Irish population. They supported repressive measures against revolutionary activities but simultaneously wanted reform before peaceful change

¹³Parl. Hist., XXXI, 507-508.

became impossible. Irish Whig demands for reform to protect Irish society against a democratic revolution and the United Irishmen meant that Fox's influence with them managed to survive many of the problems posed by French events. In 1793, minor concessions were made to Irish reformers, such as the restriction of the pension list. However, an Arms Act prohibited the importation and distribution of arms and ammunition without a licence, and meetings of representative assemblies were prohibited. Whig opposition to these repressive measures was minimal.¹⁴ Then, in 1794, William Ponsonby's moderate representative reform Bill was easily defeated, shattering hopes for reform through constitutional means.¹⁵ Irish parliamentary opposition was weak.¹⁶ In part, this was because of Irish Whig hostility to the French Revolution, and Henry Grattan was criticized by radicals in both

¹⁴Kennedy, op. cit., pp. 127-133.

¹⁵Grattan, op. cit., IV, 145-151. Ponsonby's plan was to increase the representation by 14 members and enlarge parliamentary boroughs to an area 24 miles in circumference.

¹⁶The Times, March 18, 1794.

London and Dublin for his opposition to French events.¹⁷ Yet because of Irish Whig demands for reform to avoid social revolution, Charles Fox remained an influential force in Irish politics.

Thus, the scheme to pay Fox's debts, which was launched in the summer of 1793 by his English supporters, was carried over into Ireland, and one of the principal subscribers was Lord Edward Fitzgerald.¹⁸ Irish contributions were denounced by Irish government sympathizers, and numerous attempts were undertaken to curtail Fox's reputation with the Irish opposition.¹⁹ The Freeman's Journal glibly announced that "the people of England have had too much experience of blue and buff politics"; and with more cynicism than amusement, Irish Foxites were accused of reciting the "Pseudo-Patriots' Creed," with its important article, "I believe in the infallibility of Mr. Fox."²⁰ Care was taken to refute

¹⁷ Ibid., February 1, 1794.

¹⁸ Moore, Lord Edward Fitzgerald, I, 232.

¹⁹ Freeman's Journal, July 13, 1793.

²⁰ Ibid., May 14-16, December 5, 1793. Blue and buff were the colours of the Foxite Whigs in England.

Fox's parliamentary arguments.²¹ The Foxites were so determined to embarrass the government's policies that "they pursue it, regardless of any absurdity into which it may have led them." If Pitt made peace with France, then Fox would oppose it to maintain his hostility to the ministry. So Fox acted solely out of political expediency.²²

At the beginning of 1794, Lord Edward Fitzgerald sincerely lamented Irish support for the war:

If we do anything ... to support Charles Fox and his friends against the war, I shall be in better humour.²³

Fitzgerald, then, still saw the alliance with Fox as one of practical importance. Malone, however, the secretary of the Northern Whig Club, thought differently. Fox's language was a deliberate attempt to appeal to the "mob," an appeal which could not be fulfilled by "rational arguments."²⁴ Charlemont's view, on the other hand, was more complimentary. Although he disagreed with Fox, he credited him with acting on principle:

²¹Ibid., March 1, May 24, 1794.

²²Ibid., April 15, July 24, 1794.

²³Moore, Lord Edward Fitzgerald, I, 234-235.

²⁴Malone to Charlemont, February 20th., 1794, Charlemont MSS, II, 220.

No man [was] ever possessed of a better heart, and though I am thoroughly persuaded that he has carried his principles much too far, yet I am equally sure that he has ever acted upon principle. In the heat of debate, it is scarcely possible not to transgress.²⁵

Charlemont's estimate was fair, given his hostility to the French Revolution. Fox's opposition was principled and sincere.

In July, 1794, the conservative Portland Whigs finally joined the government which they had been supporting since the outbreak of the war. Portland became Home Secretary and Lord Fitzwilliam was to become Irish Lord Lieutenant as soon as a position could be found for Westmoreland. Fox was gravely disappointed with this formal coalition, particularly with the accession of Fitzwilliam, his "most affectionate friend."²⁶ Indeed, his long-time admiration of Fitzwilliam was to influence his attitude towards the latter's recall from Dublin in the following year.

Yet with the Duke of Portland as Home Secretary and Lord Fitzwilliam as future Irish Lord Lieutenant, it

²⁵Charlemont to Malone, June 4th., 1794, Ibid., 242.

²⁶Fox to Holland, August 18th., 1794, Fox Correspondence, III, 79-80. See also Lady Sarah Napier to Lady Susan O'Brien, September 9th., 1794, Lennox Correspondence, II, 116; Trotter, op. cit., p. 416.

was presumed on both sides of the Irish Sea that changes were to take place in Irish government. Portland presumed that he had sole responsibility for Irish affairs;²⁷ and when the appointments became known in Ireland, the rumours of Fitzwilliam's intentions were endless: Leinster, Gtattan and the Ponsonbys would join the government, Catholics would be eligible for parliament, the Convention Act would be repealed, and there would be an absentee tax on Irish landowners, a commutation of tithes, an Anglo-Irish commercial Bill and parliamentary reform.²⁸ So the Catholic committee in Dublin recommenced its agitation.²⁹ Yet although Pitt was not against Irish Whig participation in Fitzwilliam's administration, he told the future Lord Lieutenant to try and prevent the Catholic agitation and do nothing about further Catholic relief until instructions had been received from London.³⁰

²⁷Burke to Windham, October 16th., 1794, Baring, op. cit., p. 231; Auckland to Beresford, July 27th., 1794, Beresford, op. cit., II, 37; Memorandum of Lord Grenville, Fortescue MSS, III, 35-38.

²⁸The Times, July 24, July 28, September 25, September 29, October 7, 1794.

²⁹Ibid., January 7, 1795.

³⁰Pitt to Buckinghamshire, December 24/25, 1794, Fortescue MSS, II, 653; Memorandum of Lord Grenville, Ibid., 35-38.

The Irish Whigs were somewhat disappointed because Fox was not a member of the coalition; but this was forgotten in January, 1795, when Fitzwilliam arrived in Dublin.³¹ One immediate consolation to the Irish Foxites was the promotion of Fox's friend, the Rev. Newcome, to the Archbishopric of Armagh and hence Primacy of Ireland.³² In fact, all shades of Irish reformers were enthusiastic with Fitzwilliam's arrival, and The Times predicted that the anti-war Foxite opposition in London could not "hope for any friends to the Pacific system" in Dublin.³³ The paper was mistaken as problems soon arose over the new Lord Lieutenant's activities. Fitzwilliam, presuming that he could act as the situation warranted, made no attempt to discourage the renewed Catholic agitation. On the contrary, he declared his support for a relief Bill which Grattan planned to introduce, as he believed that it was necessary to concede to the Catholic demand for membership of parliament, and he had not heard anything to the contrary from London.³⁴ However, Pitt's cabinet then

³¹Hardy, *op. cit.*, II, 339-340; Drennan to McTier, February 28th., 1795, Drennan Letters, pp. 223-224; Tone, *op. cit.*, II, 121.

³²Hardy, *op. cit.*, II, 342; Fox Correspondence, I, 14; Russell, *op. cit.*, I, 6; Charlemont MSS, II, 257.

³³The Times, January 31, February 2, 1795.

³⁴See Robert B. MacDowell, "The Fitzwilliam Episode," Irish Historical Studies, XVI, No. 58 (1966), 115-130.

ordered the Lord Lieutenant to oppose the Bill. In the meantime, the situation had been aggravated by Fitzwilliam's dismissal of Beresford and two under-secretaries of state, who had immediately appealed to Pitt against Fitzwilliam's actions.³⁵ By the end of February, Fitzwilliam had been recalled and replaced by Lord Camden, and Beresford was reinstated as First Commissioner of Revenue.

Charles Fox's immediate reaction to the report of Fitzwilliam's recall was one of disbelief and disappointment. Although he thought that if the report was correct, then the coalition between Portland and Pitt would dissolve, more important to him was the forestalling of any Irish reforms with Fitzwilliam's dismissal.³⁶ Changes in Irish government were more important than party political advantages. When the recall was confirmed, confusion ensued over whether Fitzwilliam had exceeded his instructions. Fitzwilliam claimed that Pitt's cabinet had deceived him, and Fox was immediately convinced that this assertion was correct. Fox fully supported Grattan's Bill, and the right of Catholics to enter parliament:

³⁵Fitzwilliam to Portland, January 15th., 1795, Portescue MSS, III, 9.

³⁶Fox to Holland, February 24th., 1795, Fox Correspondence, III, 99.

as to the Catholic Bill, it is not only right in principle, but after all that was given to the Catholics two years ago, it seems little short of madness to dispute (and at such a time as this) about the very little which remains to be given them. To suppose it possible that now that they are electors they will long submit to be ineligible to Parliament, appears to me to be absurd beyond measure.³⁷

So principle, practicality and plain common sense all pointed to Catholic membership of parliament.

Simultaneously Fox saw Fitzwilliam's dismissal in a party context and hoped that it would make a "great impression" in England, with "the business soon made public in all its parts."³⁸ London opposition newspapers made the most of Fitzwilliam's recall. Over in Dublin, there was tremendous excitement and Henry Grattan, advising the Catholics to persevere in their quest for full emancipation, decided to introduce his Catholic Bill immediately after the Easter recess; and the Dublin Whig Club were solidly behind him.³⁹ Fitzwilliam wrote a public letter of explanation to Carlisle and other Whig aristocrats in which he was very critical of Pitt.⁴⁰ So

³⁷Fox to Holland, March 6th., 1795, Ibid., 100-101.

³⁸Ibid.

³⁹The Times, March 4, March 5, March 21, March 26, 1795.

⁴⁰The Times published both Fitzwilliam's letter to Carlisle and Carlisle's reply.

Fox postponed his motion for a committee on the state of the nation, which he had intended for early March, in order to incorporate the latest Irish developments.⁴¹

The Irish situation was dangerous, and had

awakened the attention of the public, and especially of those who consider that island to be a very valuable and essential part of the British Empire.⁴²

The danger of Irish opposition to British rule, with Fox's encouragement, during wartime had been amply demonstrated during the American conflict; so a vehement debate was expected over Fox's motion.⁴³

Charles Fox was determined to discuss Irish affairs in Westminster. His answer to the government's claim of non-interference with Irish legislative autonomy was simple and direct:

When a British House of Commons is advising the King upon a matter of so much importance as peace or war, they ought to extend their consideration to all the material parts of the empire; and surely it is unnecessary to state that Ireland is a most important part of His Majesty's dominions, as furnishing great resources of men for the army and the navy in time of war.⁴⁴

⁴¹Freemen's Journal, March 24, 1795; The Times, March 16, March 20, 1795.

⁴²The Times, March 19, 1795.

⁴³Ibid., March 23, 1795.

⁴⁴Parl. Hist., XXXI, 1384.

In wartime, then, the House of Commons had to discuss the Irish situation. Yet there was another equally important reason, which Fox had been aware of since 1784. This justification for discussing Irish affairs in Westminster was based on the nature of the 1782 constitution:

The identity of her constitution, and her being under the same executive government, make Ireland a constant object of attention, from which we may derive information with regard to the disposition of the King's Ministers, to which we may look for examples to be imitated or errors to be avoided.⁴⁵

The Irish executive, appointed by the English government, provided lessons and experiences from which English statesmen could profit. Satisfied with this dual justification for debating Irish affairs in Westminster, Fox turned his attention to Fitzwilliam's dismissal.

He claimed that Fitzwilliam had intended to reform radically the Irish administration, and he fully supported this endeavour. Pitt's government had betrayed Fitzwilliam, as the latter would not have given "hopes and promises which he was not authorized to give" to the Irish. This betrayal had left Ireland in a dangerous situation, with an increase in Irish opposition to British rule; and

The blame attaches either on the Ministers in Ireland or on the Ministers here; and if this House does not institute an enquiry and explain clearly and satisfactorily to the

⁴⁵Ibid.

public who has been the cause of this alarming danger, we may be responsible for the dismemberment of the British Empire.⁴⁶

To Charles Fox, the Fitzwilliam episode was an example of the fundamental and necessary accountability of the executive power to the legislature.

Fox went on to emphasise the importance of extensive Irish reform. Both Irish Catholics and Protestants had justified grievances; hence, the cleavage in Irish politics was not so much between Catholics and Protestants but one between the mass of the people on one side and the corrupt, minority Irish government on the other.⁴⁷ The Catholic concessions of 1793, he charged, were being violated, and Catholics were still suffering from discrimination. This was essentially correct. Although Catholics were legally allowed to vote in the municipalities, in practice many were still excluded and corporation privileges remained intact.⁴⁸ He also stressed that the Irish government was much more corrupt than the English. However, he concluded with a return to his major contention, the accountability of the executive power. The guilty ministers, probably those in England,

⁴⁶Ibid., 1386-1387.

⁴⁷Ibid., 1387.

⁴⁸See The Times, April 15, 1793.

had to be discovered and subsequently punished.⁴⁹ Charles Fox was therefore convinced that Pitt's government was responsible for the debacle over Fitzwilliam's Lord Lieutenancy.

Fox's comments were hostilely received. He denied that he had made his motion purely on account of Irish affairs, as he had intended it before Fitzwilliam had been dismissed. This was true; but he had postponed it to incorporate the latest Irish developments. He was also accused of deliberately encouraging Irish discontent and making the Irish situation critical for the British government. By now, Fox was very familiar with this charge, and, as usual, he denied its validity:

... who has put Ireland in danger most? I who have moved for an enquiry into the state of it, or those who, by their mischievous conduct, have made that inquiry necessary?⁵⁰

His greatest censure, however, was directed to the claim that Westminster could not interfere in Irish developments. Fox repeated that this position was invalid, as "what any Minister does in his official situation is fair matter of inquiry in this House, whether it regards this country or Ireland."⁵¹ Irish matters were discussed in the English

⁴⁹Parl. Hist., XXXI, 1387.

⁵⁰Ibid., 1410.

⁵¹Ibid.

cabinet, so ministers could not deny Westminster's right to ascertain their proceedings.

Fox's motion was unsuccessful; and so was that in the upper House, where Lord Gulliford repeated Fox's arguments.⁵² The Times agreed with Pitt's refusal to enquire into Fitzwilliam's recall, and strongly objected to Fox's attempt to establish the public accountability of the executive:

... were it once admitted that the Executive Government ought to give its reasons for advising His Majesty to change any of his servants, the precedents would be dangerous, and dispute unavoidable.⁵³

Fitzwilliam's instructions were a private, not a public concern. And the King had the right to dismiss any of his servants without reason.⁵⁴

The Dublin opposition press assiduously studied Fox's speech. The Freeman's Journal claimed that Fox had been represented in Dublin as the "hero of Parliamentary harangue, without opposition and all the argument to himself." And it repeated Pitt's claims that Fitzwilliam had not been given complete freedom to do as he wished.⁵⁵

⁵²The Times, April 1, 1795.

⁵³Ibid., May 1, 1795.

⁵⁴Ibid., May 2, May 12, 1795.

⁵⁵Freeman's Journal, April 2, April 4, 1795.

Two months later the English Whig opposition demanded a Westminster enquiry specifically into Fitzwilliam's recall. Again Fox was very active in the debates, and his arguments were similar to those of the previous March. Fitzwilliam's dismissal revealed, in an "extraordinary manner," the exercise of the King's prerogative to remove his ministers, and therefore warranted a parliamentary enquiry. Similarly, the exact nature of Fitzwilliam's instructions had to be ascertained as there was confusion over the Lord Lieutenant's claim that he had been deceived by the government.⁵⁶ Fox again indignantly denied that he was exciting Irish animosity; instead, the greatest danger to Irish stability came from ministers uncontrolled by parliament. The only harm in Fitzwilliam's conduct was "to the few individuals whose plan it was to govern Ireland by corruption."⁵⁷ Perhaps, he suggested, in a sweeping reference to eighteenth century English administration of Ireland, Fitzwilliam had been recalled because he had been the only person since 1688 who had managed to unite Irish Catholics and Protestants. He declared his support for Catholic membership of parliament, as this was the unanimous wish of the

⁵⁶Parl. Hist., XXXI, 1538-1539.

⁵⁷Ibid., 1542.

Irish people, and rejected Pitt's repressive Irish policies, which had caused Irishmen to regard the law as oppressive. And since Fitzwilliam's departure, ministers had resorted to their old policy of ruling by corruption. Fox concluded:

He had heard much of the influence of the Crown in this country. He believed it to be as great as it was ever stated to be. But in Ireland, corruption had been publicly avowed and acted upon. Such a government must certainly be in a very decrepid state, and therefore any plan for the relief of the people was highly necessary.⁵⁸

Royal influence, Fox's overriding fear, was more pronounced in Dublin than in London; and this led him to adopt a more radical and popular political stance after 1795. Fitzwilliam's recall proved that the Irish executive was responsible to no person or institution except the wishes of William Pitt. It stood as a defiant confirmation of the necessity to control the executive power by the legislature. Both English and Irish ministers were responsible to Westminster, and both English and Irish developments were now finally and completely incorporated by Fox into one political whole.

Pitt's parliamentary majority ensured that the enquiry was not granted; the Freeman's Journal thought it was unconstitutional anyway.⁵⁹ But the repercussions of

⁵⁸Ibid., 1548.

⁵⁹Freeman's Journal, May 26, 1795.

the episode were felt in both countries. Charles Fox had emphasised the necessity of Irish reform, including Catholic Emancipation, the removal of Dissenter's disabilities and the repeal of repressive legislation. His future articulation of Irish policies always included reference to Fitzwilliam's attempt at reform; and Fitzwilliam himself was pleased that Fox had taken up his cause.⁶⁰ Fundamentally, the Lord Lieutenant's dismissal was determined by the necessity to maintain unity between English and Irish executives. Otherwise, Pitt feared, Ireland would be impossible to govern under the 1782 constitution. Fox's fear, that the government had acted arbitrarily and thereby lost an opportunity for pursuing Irish reform, was soon proved substantially correct.

After Fitzwilliam's departure, the universal demand of Irish reformers was for Catholic Emancipation; but in early May, Grattan's Bill was rejected, 155 votes to 84. One of the Bill's principal supporters was Arthur O'Connor, who became a leading United Irishman in the following year. Indeed, the defeat of reform through constitutional channels, with a corresponding loss of confidence in the Irish government, led to an increase in the United Irish movement; and the Irish Whigs, who had

⁶⁰Holland, op. cit., I, 75.

supported Fitzwilliam, returned to opposition.⁶¹

In fact, Pitt's English and Irish governments were faced with increasing opposition outside parliament in 1795 and 1796. In both countries Pitt's solution was the same: repression.

In England, the two Acts of November, 1795, to secure the King's person and government, and to prevent seditious meetings were vigorously opposed by the Foxites. A wave of popular protest accompanied the passage of the legislation, and Charles Fox led numerous Westminster meetings to address the King and petition parliament against the measures.⁶² Fox's politics had taken a decisively radical shift; and his small party temporarily joined in opposition with the London Corresponding Society and other popular organizations.⁶³ Perhaps an affiliation between the Corresponding Society and the Whig Club was the only means of saving liberty.⁶⁴ Fox's emphasis was on "resistance" to Pitt's measure, and this doctrine

⁶¹Hardy, op. cit., II, 358; Moore, Lord Edward Fitzgerald, I, 262-264; Holland, op. cit., I, 77.

⁶²The Times, November 17, 1795.

⁶³Edward P. Thompson, The Making of the English Working Class (London: Penguin Books, 1968), p. 159.

⁶⁴The Times, December 14, 1795.

has, we fear, taken deeper roots in the breasts of many of his friends out of doors, who by the phrase might understand a resistance by force of arms against any acts of the legislature they may not approve of.⁶⁵

At the Whig Club, Fox successfully recommended the formation of popular associations throughout the country in opposition to the Two Acts.⁶⁶

Fox knew the dangers inherent in his latest political moves. But

There appears to me to be no choice at present but between an absolute surrender of the liberties of the people and a vigorous exertion attended, I admit, with considerable hazard at a time like the present.⁶⁷

And he admitted his doubts to Fitzpatrick: "We talk of measures without doors which I own I think right, but yet go to with a sort of reluctance."⁶⁸ In 1796 Fox reasoned that his party could do little as "the contest must be between the Court and the Democrats." Yet without Foxite assistance, the popular movements would be either too weak to influence the government or too strong, so that without Whig influence they could well go to "greater excesses," which had to be avoided.⁶⁹ This confrontation persuaded

⁶⁵Ibid., December 9, 1795.

⁶⁶Ibid., December 21, 1795.

⁶⁷Fox to Holland, November 15th., 1795, Fox Correspondence, III, 124.

⁶⁸Fox to Fitzpatrick, November 9th., 1795, Ibid., 267-268. See also Fox to Holland, November 17th., 1795, and December 24th., 1795, Ibid., 126, 127-129.

⁶⁹Fox to Holland, 1796, Ibid., 135-136.

Fox to reverse his emphasis which he had held since 1784, that the influence and power of the House of Commons ought to be restored first, and reformed afterwards. Instead, now "Parliament should first be reformed, and then restored to its just influence."⁷⁰ Thus

Mr. Fox, from being the leader of that respectable Opposition which is destined to guard the Constitution against the encroachments of Ministers and the Servants of the Crown, is now become the frontispiece of a Sect alike hostile to the Constitution and the Royal Prerogative.⁷¹

Meanwhile in Ireland, the situation was complicated when religious hostilities were sharpened in the north during the autumn of 1795. The Protestant Peep O Day boys clashed with the Catholic Defenders at the Battle of the Diamond in County Armagh, and after the Protestant victory the Orange Order was established.⁷² During the next few months, Catholics in Armagh and adjacent counties were subjected to increasing persecution, and many sought refuge in Connaught. Simultaneously, Defenders were absorbed into the United Irish movement. This was important as the Catholic Defenders had initially organized themselves to protect their land against Protestant incursions

⁷⁰Ibid.

⁷¹The Times, December 22, 1795.

⁷²Hereward Senior, Orangeism in Ireland and Britain, 1795-1836 (Toronto: Ryerson Press, 1966), p. 16.

and were not, therefore, originally, a revolutionary organization. By early 1796, erstwhile Whig and founder of the United Irishmen, Wolfe Tone, was in Paris, regular negotiations were opened with the French government, and the possibility of a French invasion of Ireland increased.

It was around this time that Lord Edward Fitzgerald and Arthur O'Connor became United Irishmen.⁷³ Of fundamental importance, both were Fox's associates. Fox's friendship with Fitzgerald went back a number of years, whilst at O'Connor's trial at Maidstone in 1796, Fox announced that he had known him for four years.⁷⁴ Fitzgerald and O'Connor soon became leading members of the United Irish movement; and in April, 1796, they went to France to negotiate with the French Directory for a French invasion of Ireland. On their way to the continent they stayed for a few days in London and met with the Foxites. Thomas Moore later wrote that Fitzgerald probably told the Foxites of his intentions.⁷⁵ More generally, a recent

⁷³Moore, Lord Edward Fitzgerald, I, 269; Fitzgerald, op. cit., p. 223.

⁷⁴William Cobbett and Thomas B. Howell, ed., Cobbett's Complete Collection of State Trials and Proceedings for High Treason and other Crimes and Misdemeanours from the Ninth Year of the Reign of King Henry the Second, A.D. 1155 to George IV, A.D. 1820 (33 vols.; London: R. Bagshaw, 1809-1826), XXVII, 41. (Hereinafter referred to as State Trials.)

⁷⁵Moore, Lord Edward Fitzgerald, I, 278.

Irish historian has emphasised Fitzgerald's reckless indiscretion.⁷⁶ It appears, then, that Charles Fox was well aware of United Irish intentions; and although he certainly had no desire for a French invasion, he now became more insistent in his pursuit of Irish reform. He sympathized with some of the United Irish intentions and appreciated the gravity of the Irish situation more than most other English statesmen.

Repression was Lord Lieutenant Camden's answer to the deteriorating state of Irish affairs. The Insurrection Act of February, 1796, made it a capital offence to administer an unlawful oath, a move which was aimed at the United Irishmen; and the executive was given the power to proclaim any district as disturbed. In any such area, local magistrates were given arbitrary powers to search for arms, and were empowered to send suspected traitors without trial to serve in the fleet. This was followed later in the year by the total suspension of Habeas Corpus; and in September, a yeomanry force was organized to give security to Irish property.⁷⁷

Charles Fox's support for more radical and popular politics was determined by both English and Irish

⁷⁶Fitzgerald, op. cit., p. 224.

⁷⁷Beckett, Making of Modern Ireland, p. 258.

developments. In both countries he saw individual liberties, and liberty in general, repressed by William Pitt. The government of both countries fully confirmed all of Fox's worst fears. Thus, in the general election in the summer of 1796, he proclaimed that

A more detestable [Government] never existed in British history... this Government has destroyed more human beings in its foreign wars than Louis XIV, and attempted the lives of more innocent men at home than Henry the Eighth.⁷⁸

His election campaign was based on peace with France and a change of government. These demands were synonymous as he thought that peace could not be attained whilst Pitt was in power. Simultaneously he urged the people to meet and protest the Two Acts, notwithstanding the law.⁷⁹ Fox was successfully elected for Westminster; and the campaign was again covered by the Irish press although the Freeman's Journal found his election speeches the "most inflammatory we ever heard."⁸⁰

In fact it now seemed that Charles Fox was the only shelter not just for English liberties but for Irish liberties as well. The Irish Whigs persisted in their

⁷⁸Thomas Hardy, Memoir of Thomas Hardy (London: James Ridgeway, 1832), p. 116.

⁷⁹The Times, June 10, June 11, June 13, June 22, July 8, August 30, 1796.

⁸⁰Freeman's Journal, June 4, 1796.

attempts at reform, and newspapers frequently compared Grattan with Fox.⁸¹ At a time when Fox's Irish friends were negotiating for a French invasion, when his own views had taken a decisive shift in favour of popular, extra-parliamentary agitation, Irish developments were rapidly becoming critical. It is in this context that one must judge Fox's reaction to the French expedition to Bantry Bay in December, 1796, followed by his crucial motion in the House of Commons on the state of Ireland in March, 1797.

In November, 1796, Fox told the House that there was a distinct possibility of a French invasion of Ireland. To forestall its success, the Irish executive should be instructed to carry through measures which Fitzwilliam had intended. The Irish government's policies had to be radically reformed, the Catholics had to be given their "just rights," that is, eligibility to sit in parliament, and the Irish should be given a "constitution," not a "contemptible monopoly under the name of a parliament."⁸² His meaning here included an extensive parliamentary reform as by comparison with the Irish parliament, Westminster was "almost perfect." Thus, after much deliberation, Charles Fox finally accepted the primary importance of

⁸¹Freeman's Journal, October 15, 1796; The Times, November 7, 1796.

⁸²Parl. Hist., XXXII, 1247-1248.

parliamentary reform. If these changes were implemented, he continued, and if

Irishmen were treated as they ought to be, an invasion in Ireland would be attended with the same destruction to the invaders as it would in England.⁸³

Irish reform, then, was the means to defeat the French.

Equally important, Fox reaffirmed his claim to discuss Irish affairs in Westminster. He now admitted that he had never accepted the doctrine, prevalent since 1782, that English debates on Irish affairs infringed Irish autonomy. Moreover, at a time when Ireland might be invaded, the doctrine was one of "folly and wickedness."⁸⁴

The following month a French fleet, with Wolfe Tone and six thousand troops on board, commanded by Lazare Hoche, one of the few French military leaders who seriously contemplated assisting United Irish agitation, sailed into Bantry Bay. Fortunately for the government, bad weather and disagreement among the French commanders prevented the fleet from landing, and it dispersed and returned to France.

The possibility of an Irish rebellion was now obvious, with or without French assistance, and the Irish

⁸³Ibid.

⁸⁴Ibid., 1250.

government was convinced that the greatest threat would come from the north of Ireland. So, early in 1797, the military repression of Ulster was undertaken. In March, General Lake was sent to Belfast with extraordinary powers and, assisted by the yeomanry and the militia, began a systematic search for arms.⁸⁵ One of the victims was Arthur O'Connor, who was imprisoned in January for an address which he had written to the electors of County Antrim.⁸⁶ If Wolfe Tone in Paris saw O'Connor throwing himself "body and soul into the revolution of his country," it must not be forgotten that Charles Fox in London had already publicly acknowledged his admiration for the Irish rebel, probably after O'Connor's support for Grattan's Catholic Bill in May, 1795.⁸⁷

A motion concerning the French invasion was brought before Westminster on March 3rd., 1797. Fox insisted that the Irish were more dissatisfied now than they had been before the French had entered Bentry Bay. The solution to Irish opposition was not military repression but administrative reform. The government should accept Catholic and Protestant grievances as they were "real,

⁸⁵Beckett, Making of Modern Ireland, p. 260.

⁸⁶Freeman's Journal, February 4, 1797.

⁸⁷Tone, op. cit., II, 345; Grieg, op. cit., I, 187.

deep, well-founded."⁸⁸ However, he had little more to say at this time as he was already arranging, in consultation with Henry Grotton, a more comprehensive motion on Irish developments, which he introduced on March 23rd. This motion, an Address to the King to adopt lenient and healing measures in Ireland, was his most important initiative in the cause of Irish reform in these years.

On this occasion, Charles Fox boldly told the House that he was responsible for Irish autonomy which he had achieved by repealing the Declaratory Act in 1782.⁸⁹ This conception of his personal responsibility for the 1782 constitution helps partially to explain his continuous Irish participation. However, he now accepted that the constitution had not worked as the arrangement had only increased Irish opposition. Hence it was Westminster's duty, "and my own duty in particular," to ascertain the reasons for the failure. The biggest shortcoming of the 1782 arrangement was the influence and power of the Irish executive and the English cabinet. As examples of this, Fox cited the repercussions of the Regency crisis, the Irish government's excessive use of patronage to ensure legislative support and the Catholic

⁸⁸Parl. Hist., XXXIII, 22.

⁸⁹Ibid., 140.

relief proposals which had been rejected by the Irish executive in 1792 but accepted in 1793 because the English cabinet had insisted on it.⁹⁰ Executive power, then, was being used arbitrarily and excessively; and this was directly and fundamentally contrary to Fox's Whig principles.

Fitzwilliam's dismissal, Fox went on, was a clear demonstration of the weakness of the Irish parliament. Not only was the Lord Lieutenant dismissed, notwithstanding his support in the legislature, but further Catholic relief would have been accepted by the legislature if he had remained in Dublin. Under Lord Camden however, who was opposed to the Catholic claims, the Catholic Bill was rejected by a large majority.⁹¹ In other words, the Irish parliament, whose autonomy was supposedly established in 1782, was completely dependent on the whims of the Irish executive. This proved that

the measure of 1782 had been rendered completely inefficacious ... Ireland had gained nothing but was placed in a state of degradation beyond any former period.⁹²

The Irish executive was irresponsible.

⁹⁰Ibid., 143-144.

⁹¹Ibid.

⁹²Ibid., 145.

Turning then to the Catholic question, Fox declared that Irish Catholics should be eligible for both parliament and the higher offices of state. Other concessions were fruitless until the Catholics themselves were given security for their maintenance by participating in all departments of the Irish administration. This lack of security had been revealed by the workings of the Catholic franchise, which had been conceded in 1793:

The animosities which formerly subsisted are anxiously kept up by the executive government, who favour the determination to exclude the Catholics from the corporations so that their privilege is almost entirely evaded.⁹³

Complete Catholic Emancipation, then, was necessary; and so was parliamentary reform. At the moment, Fox claimed, the Irish did not even have a partial representation in their parliament. However, he did not elucidate the details because, as he later pointed out, these should be formulated in Ireland.⁹⁴

Now, he declared, the critical stage in the Irish situation, and the Anglo-Irish relationship, had been reached. The crisis was comparable with the American agitation in 1774, and the question was plain:

⁹³Ibid., 148.

⁹⁴Ibid., 169-170.

whether we are to attempt to retain Ireland by force, instead of endeavouring to gain her by concessions, and to conciliate her by conferring on her the substantial blessings of a free constitution.⁹⁵

Retention by force he ruled out, particularly because of the poor state of England's finances and the probability that in the event of a violent confrontation between England and Ireland, the Irish would receive French support. Besides, even if General Lake's measures were successful and the whole of the north disarmed, it would still be impossible to keep Ulster down by force for any length of time.⁹⁶ Moreover, the people of Ulster had his full support in their demands for Irish reform. They were the men who

rescued the country from the tyranny of Charles I and James II... They are of that leaven which fermented, kneaded the British constitution.⁹⁷

This comparison was a deliberate glorification of Whig mythology and reveals Fox's determination during these critical years of the Anglo-French war to see himself as the true inheritor of 1688 Whiggism in his fight against executive power.

⁹⁵Ibid., 149.

⁹⁶Ibid.

⁹⁷Ibid., 151.

Charles Fox's solution was to concede to the Irish opposition's demands:

I would therefore concede; and if I found I had not conceded enough, I would concede more... And what shall we lose by it? If Ireland is governed by conceding to all her ways and wishes, will she be less useful to Great Britain? What is she now? Little more than a diversion for the enemy.⁹⁸

Repression of Irish agitation had already been attempted but had failed. Now, Fox would have the

whole Irish government regulated by Irish notions and Irish prejudices; and I firmly believe ... the more she is under the Irish government, the more she will be bound to English interests.⁹⁹

Thus the change in Fox's political opinions because of Pitt's English and Irish policies meant that now, in 1797, his solution to the Irish crisis, and the failure of the constitution of 1782, was to give the Irish more freedom. The government's answer to the failure, soon to be revealed, was the opposite: a legislative union. Although Fox's exact meaning is unclear, he was certainly prepared to accept the establishment of an independent Irish government.

⁹⁸Ibid., 153.

⁹⁹Ibid., 154.

Not surprisingly there was immediate and vigorous reaction to his speech. All the government's supporters, led by William Pitt himself, denied Westminster's power to interfere in Irish internal affairs.¹⁰⁰ This was exactly as Fox had anticipated.¹⁰¹ Yet although the Address was rejected, 84 votes were given in its favour which suggests a concerted effort by Fox to get support for his ideas.¹⁰² He had certainly put a lot of preparation into his motion and had used a number of facts and arguments with which Henry Grattan had supplied him.¹⁰³ Indeed, around this time, the Foxites made a special effort to achieve changes in the Irish administration. In the House of Lords two days prior to Fox's motion, the Earl of Moira had moved for a similar address,¹⁰⁴ and the Foxites attempted to persuade the

¹⁰⁰Ibid., 158-169.

¹⁰¹Fox to Grattan, April 7th., 1797, Grattan, op. cit., IV, 314-316.

¹⁰²The Address was rejected, 220-84. Parl. Hist., XXXIII, 171.

¹⁰³Fox to Grattan, April 7th., 1797, Grattan, op. cit., IV, 314-316.

¹⁰⁴Moira's motion was also rejected. The main argument against it was the same as that which Fox had confronted in the Commons: it was an encroachment on Irish autonomy. Parl. Hist., XXXIII, 130-139.

Prince of Wales to go to Dublin as Lord Lieutenant.¹⁰⁵
 The attempt failed. Leinster, Charlemont and other leading
 Irish politicians told the Prince that he would be able to
 do little as Lord Lieutenant while Pitt continued as
 First Minister.¹⁰⁶ Yet Fox was involved in the
 negotiations, and committed his party to an increased
 Irish involvement.¹⁰⁷

In Ireland, Fox's Address met with the familiar
 ambivalent reception. It encouraged the Irish opposition:
 while the Dublin Whig Club expressed its gratitude,
 Camden informed the English government of the "michievous
 effects" of Fox's speech.¹⁰⁸ The Irish government, on the
 other hand, was extremely concerned that its conduct might
 become the subject of enquiry.¹⁰⁹

Dr. Duigenan, staunch supporter of the government
 and the Protestant Ascendancy, took up Fox's speech, as

¹⁰⁵Charlemont MSS, II, 295; Fitzgerald, op. cit.,
 pp. 235-246.

¹⁰⁶Charlemont MSS, 302-303.

¹⁰⁷Ilchester, op. cit., I, 164.

¹⁰⁸Grattan, op. cit., IV, 276-277; Camden to
 Grenville, April 18th., 1797, Fortescue MSS, III, 315.

¹⁰⁹Grattan, op. cit., IV, 276-277.

reported in an English newspaper, in the Irish House of Commons. His accusations were twofold: the report of Fox's speech was a libel on Irish autonomy in direct contradiction to the Renunciation Act, and was an attempt to encourage Irish opposition and promote an Irish union with France.¹¹⁰ He argued that Fox was not responsible for Irish autonomy as he had opposed renunciation in 1782-1783 and was now trying to destroy Irish independence by Westminster's interference. Simultaneously, Fox had tried to excite both Catholics and Presbyterians against the government.¹¹¹ Ogle, supporting Duigenan, claimed that Fox's motion was of crucial importance to the Irish parliament:

Would not its privileges be laughed at if it quietly suffered its dignity to be thus trampled upon; and in consequence, whenever it suited the temper of the English Parliament or the purposes of any particular member of it, would not further interference be pursued or measures, however hostile to Irish independence, be adopted, presuming on its inglorious spirit of forbearance?¹¹²

Fox's intention was malignant, an attempt to increase Anglo-Irish conflict merely to satisfy his own ambitions. Ogle would never allow Irish autonomy to be attacked from any

¹¹⁰ Freeman's Journal, May 4, 1797.

¹¹¹ Ibid.

¹¹² Ibid.

quarter whatsoever.¹¹³ Henry Grattan, however, claimed that Fox was originally responsible for Irish autonomy and understood simple repeal as a recognition of this. Then he contended, as Fox had done, that Westminster had the right to interfere with the conduct of British ministers. The Irish Solicitor-General, however, saw Fox in a "united effort with United Irishmen," and claimed that extracts from his speech were circulating throughout Ulster.¹¹⁴ The "ill-consequences" of Fox's speech in the north of Ireland were "manifold," and its incitement to rebellion "but too successful." The Chief Secretary also appreciated Fox's dangerous influence: he had provided "the people with arguments without doors, not tolerable within." Even so the government would not support the proposal to have the reported speech committed as libelous and seditious as it would only exacerbate Ireland's relationship with England; and so Duigenan's attempt failed.¹¹⁵

Never before had Charles Fox aroused such attention, excitement and animosity in the Dublin parliament; and in keeping with the deliberate maintenance of his Irish

¹¹³ibid.

¹¹⁴ibid.

¹¹⁵Grattan, op. cit., IV, 277.

reputation, he was very perturbed at Duigenan's direct attempt to make him unpopular. Therefore he asked Grattan to ascertain if the Irish Whig minority had supported his actions. This, Fox was careful to stress, was not for his own personal satisfaction but because Anglo-Irish Whig cooperation would be the best way of their getting something done for Irishmen. According to Fox, the best way of achieving something constructive was for the Irish to make public their demands for a change of government in London and Dublin, or, failing that, Pitt's dismissal, through meetings and petitions. Without a change of ministry, he told Grattan, "We cannot have peace; you cannot have reform nor real independence."¹¹⁶ And he emphasised that if the Foxites were supported by public expressions of Irish wishes, then perhaps there would be a chance of achieving Irish reforms. At this critical stage, Fox told the Irishman, "inactivity is nearly criminal."¹¹⁷

Peace with France and a change of government was Fox's platform in England. His suggestion was taken up

¹¹⁶Fox to Grattan, April 7th., 1797, Grattan, op. cit., IV, 314-316.

¹¹⁷Ibid.

across the Irish Sea; and in April there was considerable agitation for peace and for a change of government. Active in this movement was the Rev. James Coigly, whom Fox was to confront at O'Connor's trial in the following year.¹¹⁸ Similarly the Duke of Leinster told the Lord Lieutenant on April 26th., that he intended to call a meeting in County Kildare to petition the King to dismiss his ministers; and the following week he publicly opposed the decision to proclaim part of County Kildare as disturbed.¹¹⁹ Meanwhile Lord Edward Fitzgerald, now organizing the United Irish rebellion, was in London with Charles Fox, with all his movements constantly followed by the government.¹²⁰

The Freeman's Journal watched the growing Irish agitation anxiously:

Is it not incurious to observe how admirably the Opposition of both countries play in concert in order to wriggle themselves into power at this moment? ... The Man of the People harangues the mob at Westminster, here his agents kick up a dust, and nothing will do but parliamentary reform and regicide peace-the plain English of which is, nothing will do but a certain number of gentlemen and their adherents into power and place.¹²¹

¹¹⁸Rev. James Coigly, Life of the Rev. James Coigly. As Written by Himself (Maldstone: 1798).

¹¹⁹Fitzgerald, op. cit., pp. 236-237.

¹²⁰Portland to George III, May 31st., 1797, Aspinall, op. cit., II, 584; Fitzgerald, op. cit., p. 241.

¹²¹Freeman's Journal, April 6, 1797.

The paper argued that involvement in English party politics would always be detrimental to Irish interests. Meanwhile Fox himself addressed Westminster constituency meetings, urged the people to petition the throne and hoped that the whole country would follow Westminster's example.¹²² And meetings were held in Dublin, with petitions for the removal of ministers rapidly followed by petitions in support of Pitt.¹²³

The policy of military repression, applied in Ulster in March, was now gradually extended to the rest of the country, much to Fox's despair.¹²⁴ By the beginning of May, he saw the similarity between the government's Irish policies and the policies adopted towards the American colonies twenty years previously:

I see the same vain hopes are entertained (vain indeed) of preserving dominion over our fellow subjects by force of arms.¹²⁵

Two weeks later he moved for the repeal of the Two Acts. As one of these prohibited meetings over fifty persons without the notification of a magistrate, he attempted to

¹²²Ibid., April 8, 1797.

¹²³Ibid., April 11, 1797.

¹²⁴Fox to Fitzpatrick, May, 1797, Fox Correspondence, III, 270.

¹²⁵House of Commons, May 1st., 1797, Parl. Hist., XXXIII, 470.

strengthen his argument by reference to the Irish Convention Act of 1793, which had prohibited public meetings. If the Irish had been allowed to meet to discuss their grievances, Irish dissatisfaction with British rule would have declined.¹²⁶ Government repression had caused the critical Irish situation; and he wanted the government to learn from the mistakes of the past. When Grey's motion for parliamentary reform was introduced at the end of May, Fox again asked the government to learn from the results of its Irish policies. The refusal of Irish demands for parliamentary reform and Catholic Emancipation had led to the dangerous growth of the United Irish movement. The English situation now was the same as the Irish situation had been in 1791; and the results would be similar if reform was denied.¹²⁷

Reform, however, was denied; and the Foxites announced their intention to secede from Westminster where their opposition was fruitless.¹²⁸ The secession was not originally Fox's idea, but he agreed to it without

¹²⁶Ibid., 621.

¹²⁷Ibid., 705-713.

¹²⁸ Foord, op. cit., p. 419.

much difficulty.¹²⁹ Yet Foxite absence from Westminster was never complete, and Fox himself attended to oppose the Assessed Taxes Bill at the end of the year.¹³⁰ Neither did the parliamentary secession mark the end of Fox's direct participation in Irish affairs either in Westminster or outside. In fact, his greatest victory was yet to come.

The Irish opposition, meanwhile, were pursuing a similar path to their English counterparts. In the same month as Grey's motion for parliamentary reform, William Ponsonby introduced a motion in College Green for Irish representative reform. This parliamentary move by the Irish Whigs was supported by leading United Irishmen, who were anxious over the size of the French forces which had sailed into Bantry Bay in the previous December. Apprehension had spread that the French had intended to conquer Ireland, rather than simply assist the United Irish cause.¹³¹ But the motion was easily defeated and Grattan

¹²⁹Holland, *op. cit.*, I, 84; Ilchester, *op. cit.*, I, 148-149; Russell, *op. cit.*, III, 112, 142.

¹³⁰Holland, *op. cit.*, I, 91, 97, 101.

¹³¹"Memoir of O'Connor, MacNevin and Emmett, 1798" in Marquis of Londonderry, ed., The Memoirs and Correspondence of Viscount Castlereagh (12 vols.; London: Henry Colburn, 1848-1854), I, 355-372. Moore, Lord Edward Fitzgerald, I, 289-292; Grattan, *op. cit.*, IV, 285-287; Drennan to Mrs. McTier, February, 1797, Drennan Letters, p. 251.

and his followers, encouraged by Lord Edward Fitzgerald, seceded from College Green.¹³² Foxite influence here was obvious. By September, the Dublin press was comparing Fox to Barras, member of the French Directorate, and was eager to point out that Fox's proposals for peace were directly contrary to his doctrine of 1787, in the discussions over the Anglo-French treaty, when he had proclaimed France as England's natural enemy.¹³³

Towards the end of the year a dinner was held in London in honour of Fox's birthday. During the celebrations, a toast was given to a United Irishman named Orr, who had been captured and put to death by the government.¹³⁴ An article concerning Foxite sympathy for Orr then appeared in "The Press," a radical Irish paper set up by Arthur O'Connor after his release from prison in August.¹³⁵ Peter Finnerty, the paper's nominal publisheer, was convicted of libel, although he was eloquently defended

¹³²Moore, Lord Edward Fitzgerald, I, 295; Fitzpatrick, op. cit., p. 134; Lord Cloncurry, Personal Recollections of the Life and Times of Valentine, Lord Cloncurry (Dublin: James McGlashan, 1842), p. 54.

¹³³Freeman's Journal, September 19, November 15, 1797.

¹³⁴Grattan, op. cit., IV, 319.

¹³⁵F. MacDermot, "Arthur O'Connor," Irish Historical Studies, XV, No. 57 (1966), 48-69.

by J.P. Curran to Fox's great admiration.¹³⁶ So Fox's public sympathy for the United Irish cause continued.

A more serious problem was posed to the authorities in November, 1797, when the Earl of Moira again brought the Irish situation before Westminster, emphasising particularly the army's misconduct. The government was worried and feared that specific examples of misconduct were to be made public. If this happened, ministers were convinced that their usual defence through refusal to contravene Irish autonomy by discussing Irish affairs in Westminster would be insufficient.¹³⁷ Silence to specific charges could imply guilt; so the Irish executive sent details of the army's conduct to the London administration which could be used in their defence if necessary. However the English government was cautious not to say too much about Irish events as this would set a precedent for Irish debates in Westminster.¹³⁸ Testifying to his own interest in Irish affairs, however, Fox advised his followers in the House of Lords to attend the debate on Moira's motion so that

¹³⁶Gretton, op. cit., IV, 319.

¹³⁷Felham to _____, November 2nd., 1797, and Grenville to Camden, November 17th., 1797, Portesque MSS, III, 385, 394-395.

¹³⁸Camden to Grenville, November 21st., 1797, Ibid., 399.

they could hear an authentic account of Irish developments.¹³⁹

Moir's motion was rejected. In Dublin it was represented as another attack on Irish legislative autonomy.¹⁴⁰ Not surprisingly a similar motion of his in the Irish House of Lords met with the same fate in February, 1798.¹⁴¹ In the interim, however, Fox himself had returned to the House to oppose Pitt's Assessed Taxes Bill; and as with his remarks of the previous May, he could not let the opportunity pass without making references to the administration of Ireland. This demonstrated how completely Fox had incorporated Pitt's Irish policy into his own opposition to the government. Thus in December, he accused the government of "trampling" on Ireland like "the most remote colony of conquered strangers,"¹⁴² whilst in January, his comments were less polemical. Pitt's Irish policy had increased United Irish popularity, and this had been clearly demonstrated in the case of Fitzwilliam's recall in 1795. Fox's answer to Irish dissatisfaction was

¹³⁹Fox to Holland, October/November, 1797, and Fox to Holland, November 19th., 1797, Fox Correspondence, III, 138.

¹⁴⁰Freeman's Journal, November 30, 1797.

¹⁴¹Grattan, op. cit., IV, 329-330; Tone, op. cit., II, 467.

¹⁴²Parl. Hist., XXXIII, 1123.

still the same: conciliation.¹⁴³ Meanwhile, Fox's birthday was celebrated at the Crown and Anchor tavern in London with toasts to the "People of Ireland; and may they be speedily restored to the blessings of law and liberty."¹⁴⁴ The following month Fox wrote to the imprisoned reformer Gilbert Wakefield:

... what has passed in Ireland is a proof that it is not to the moderation of our governors that we shall be indebted for whatever position of ease or liberty may be left us.¹⁴⁵

If Charles Fox had any doubts at all about opposing Pitt during the early years of the French war, they had been quickly dispelled by Pitt's Irish policy. Pitt's governments in both countries had pushed Fox to a radical political position, and he had persistently pursued the cause of Irish reform not merely to oppose William Pitt but also because of his concern for the aspirations of the Irish people. Fox saw Irish liberties repressed through military means in a manner which Pitt had not dared to use to the same extent in England. Simultaneously he saw himself responsible for the Irish constitution and had committed his party to an intense Irish participation in

¹⁴³Ibid., 1255-1256.

¹⁴⁴Annual Register, 1798, Chronicle, p. 6.

¹⁴⁵Fox to Wakefield, February 16th., 1798, Fox Correspondence, IV, 317-318.

1796 and 1797.

Meanwhile at the end of December, 1797, Arthur O'Connor had left Ireland and gone to London on his way to France to arrange another invasion of his native country.¹⁴⁶ In London, through Sir. Francis Burdett, he met John Binns in February, 1798, and also, for the first time, the Rev. Coigly, who had been active in the Irish agitation engendered by Fox in the previous year.¹⁴⁷ O'Connor seems to have sold his Irish property to Burdett as he needed the money for the United Irish cause. Equally important, he also saw Charles Fox.¹⁴⁸ Towards the end of February, Binns, Coigly and O'Connor left London for France but were arrested at Margate on February 28th. From Margate the three prisoners were transferred temporarily to the Tower in London and then for trial at Maidstone, for high treason, on May 21st. and May 22nd., 1798. The charge was the result of a paper found on Coigly addressed to the French

¹⁴⁶John Binns, Recollections of the Life of John Binns (Philadelphia: 1854), p. 84.

¹⁴⁷Coigly, op. cit.; Binns, op. cit., p. 84. John Binns, 1772-1860. Born in Dublin, he went to London in 1794 and joined the London Corresponding Society. He also had United Irish connexions and although he was acquitted at Maidstone in 1798, he was later arrested again and imprisoned until 1801. On his release he went to America and lived there until his death. D.N.B.

¹⁴⁸A.O'Connor to R. O'Connor, February 13th., 1798, State Trials, XXVI, 1349-1350; Fox to Fitzpatrick, March 9th., 1798, Fox Correspondence, III, 277.

Directory, which invited a French invasion of England.¹⁴⁹

When Charles Fox heard of O'Connor's arrest, he was concerned that the trial would take place at Maidstone rather than London as the juries in the capital, by reputation and practice, were more likely to be lenient and impartial.¹⁵⁰ During March, he kept in touch with the proceedings of O'Connor's detention, and when it was apparent that O'Connor was to stand trial for high treason, he immediately turned his attention to the United Irishmen's defence. He persuaded Henry Grattan to go to Maidstone to testify on O'Connor's behalf, and Dr. Drennan acceded to a similar request.¹⁵¹ Fox and O'Connor seem to have been the principal movers behind these defence proceedings.

While these arrangements were underway, however, Fox's hostility to the government was sharpened by his dismissal from the Privy Council. At a dinner in honour of Fox's birthday in January, the Duke of Norfolk had toasted the sovereignty of the people, and was consequently dismissed from the Lord Lieutenancy of the West Riding of

¹⁴⁹State Trials, XXVI, 1250-1252.

¹⁵⁰Fox to Fitzpatrick, March 9th., 1798, Fox Correspondence, III, 277.

¹⁵¹Grattan, op. cit., IV, 378-379; Drennan Letters, pp. 272-273.

Yorkshire. In sympathy with Norfolk, Fox later repeated the toast at the Whig Club.¹⁵² Pitt had no intention of allowing Fox's declaration to pass unnoticed and at one stage contemplated sending him to the Tower for the remainder of the parliamentary session. However, this action could make Fox into a popular martyr, which the government wished to avoid; and in the end, on May 9th., less than two weeks before the Maidstone trial, Fox was dismissed from the Privy Council.¹⁵³ As a protest against this, Grotton and the Irish Whig Club drew up a petition for Fox to present to the King.¹⁵⁴ Then, on May 20th., in the Freemason's Tavern, Fox "condemned ministers in the most pointed manner for the measures adopted in Ireland, and which measures they certainly intended should soon be employed in England."¹⁵⁵ The following day, in this bitter atmosphere with Charles Fox continually publicizing his

¹⁵² Ilchester, op. cit., I, 177; Portescue MSS, IV, 79; Russell, op. cit., III, 168-169.

¹⁵³ Pitt to Grenville, May 5th., 1798, Portescue MSS, IV, 187.

¹⁵⁴ Drennan to Mrs. McTier, about May, 1798, Drennan Letters, pp. 276-277.

¹⁵⁵ Annual Register, 1798, Chronicle, p. 41.

rejection of Pitt's Irish policy, the trial of O'Connor, Binns and Coigly opened at Maidstone.

Many of the prominent Foxite Whigs, led by Fox himself, were at Maidstone to testify on behalf of O'Connor's character and political principles: Sheridan, Grey, Erskine, Taylor, Whitbread, Grattan, Lord Moira, the Earl of Suffolk, the Duke of Norfolk, Lord John Russell, the Earl of Thanet, the Earl of Oxford and Lord Lauderdale. The attendance was impressive, and was no doubt instrumental in the jury's verdict of not guilty.

Most of those who testified for O'Connor dated their acquaintance with him from 1795-1796. They all admitted that they had associated with him in England and claimed that his beliefs and principles were the same as their own. Fox's own testimony was one of admiration. He declared that O'Connor had "lived very much in terms of confidence and esteem" with himself and his followers, and was a "very enlightened man, attached to the principles of the constitution of this country, upon which the present family sit upon the throne and to which we owe all our liberties."¹⁵⁶ This represents another deliberate glorification of Whig mythology. Simultaneously, Fox avowed his respect for Lord Edward Fitzgerald, who had been wanted by the Irish government since March as a United

¹⁵⁶State Trials, XXVII, 41.

Irishman but who, presumably unknown to Fox, had been captured on May 19th. He then turned his attention to the Irish situation. The ground was familiar: the answer to Irish dissatisfaction was conciliation. He fully approved of Fitzwilliam's conduct in the early months of 1795. Catholic Emancipation without parliamentary reform was inadequate, as Protestant and Presbyterian grievances over parliamentary representation were valid.¹⁵⁷ Both religious sects, in fact, Catholics and Protestants, should be united not separated. So Fox expressed his belief in Irish reform and his sympathy with a leading United Irishman in a Maidstone courthouse.

Fox's effort was successful: O'Connor was found innocent, although the Rev. Coigly, who received no support from the Foxites, was found guilty and later executed as a traitor. After the verdict, however, the Home Secretary produced a warrant of another charge of treason against O'Connor, this time from the Irish government; so he was taken back into custody.¹⁵⁸ This "horrible persecution" infuriated the Foxites,¹⁵⁹ but their renewed efforts in

¹⁵⁷Ibid., 41-42.

¹⁵⁸Ibid., 127.

¹⁵⁹Sheridan to his Wife, May 23rd., 1798, Price, op. cit., II, 94-95.

O'Connor's defence seem to have been in vain.¹⁶⁰ Fox himself wondered "whether Robespierre was worse than the present state of things with regard to O'Connor."¹⁶¹ Still, the United Irishman was full of gratitude to the Foxites who immediately decided to pursue his cause in Westminster.¹⁶²

In the end it was decided to try and establish a parliamentary enquiry into O'Connor's arrest although St. John, the sponsor of the motion, was willing to forgo his attempt if either O'Connor was given an immediate trial or if he was permitted to leave the country in which case the Foxites would secure him a passage to America.¹⁶³ The government, however, ignored these approaches and successfully defeated the motion for an enquiry in the House of Commons. Over in Ireland, though, towards the end of the summer, O'Connor and other leading United Irishmen eventually made a bargain with the authorities whereby their lives and the lives of their fellow prisoners were to

¹⁶⁰Grattan, op. cit., IV, 378-379; Tone, op. cit., II, 497; Drennan to Mrs. McTier, 1798, Drennan Letters, p. 275.

¹⁶¹Llchester, op. cit., I, 184.

¹⁶²Sheridan to his wife, May 23rd., 1798, Price, op. cit., II, 94-95.

¹⁶³Wickham to Grenville, May 26th., 1798, Fortescue MSS., IV, 216. Andrew St. John, 1759-1817. Represented Bedfordshire in the Commons from 1780 to 1805. He was Under-Secretary of State for Foreign Affairs in the 1783 coalition and a personal friend of Fox to whom he adhered throughout his political career. History of Parliament, III, 401.

be spared on condition that they would leave the country and tell the government the details of the United Irish conspiracy and its relationship with the French.¹⁶⁴

Charles Fox's defence of Arthur O'Connor was sincere; but O'Connor's public admission of the United Irish conspiracy caused serious misgivings among some of Fox's followers, particularly George Tierney and Fox's nephew, Lord Holland.¹⁶⁵ Already the opposition had suffered heavy criticism for supporting O'Connor at his trial, and the government eagerly used the United Irishman's connexions with the Foxites to discredit them.¹⁶⁶ So some of Fox's associates publicly announced that O'Connor had deceived them. But Fox himself remained loyal: questioned at the Whig Club in December about his feelings for O'Connor, he announced that they shared the same principles against the Irish government.¹⁶⁷

Charles Fox must have known of O'Connor's involvement in the Irish conspiracies, and at the Freemason's Tavern in May, he had rejected all ideas of his support for

¹⁶⁴MacDermott, op. cit., p. 58.

¹⁶⁵Holland, op. cit., I, 121; Ilchester, op. cit., I, 203.

¹⁶⁶Londonderry, op. cit., I, 317; Ilchester, op. cit., I, 203.

¹⁶⁷Ilchester, op. cit., I, 214.

a French invasion.¹⁶⁸ However, he agreed with the twin Irish demands for parliamentary reform and Catholic Emancipation and, by this time, was prepared to accept the necessity of popular agitation to achieve these ends. Similarly his concern for O'Connor cannot be dismissed as political expediency as the Maidstone episode could not bring about the downfall of Pitt's government. Fox's support for O'Connor was genuine enough, and the proceedings at Maidstone must be seen as a further demonstration of his commitment to Irish reform and his sympathy with United Irish aims.

During O'Connor's trial much more serious events were taking place in Ireland. In March, most of the principal United Irish leaders had been arrested in Dublin, and at the end of the month, martial law had been proclaimed over the whole country. However, it was still determined to go ahead with rebellion; and this was fixed for May 23rd.

Unfortunately for the United Irishmen, Fitzgerald, who was to lead the rebellion, was captured on May 19th.; so when the rebellion, which Fox had long predicted, broke out, it was deprived of many of its outstanding leaders. Isolated risings were easily suppressed by the authorities although in Wexford the rebels, led by Father John Murphy,

¹⁶⁸ Annual Register, 1798, Chronicle, p. 41.

made great headway until their defeat towards the end of June. In August a French force of about a thousand landed at Killala; but this was defeated in the following month. Meanwhile the English government was informed that "citizen" John Moore, one of the rebel leaders in Connaught, was a "very active and personal friend of Mr. Fox," a fact which would help the government discredit the Whig leader.¹⁶⁹ In September a fleet consisting of Wolfe Tone and three thousand French troops was intercepted by the British Navy off the Irish coast. Tone was captured and committed suicide whilst awaiting trial. The 1798 rebellion had failed.

On June 4th., Lord Edward Fitzgerald died in a Dublin jail. Fox's acute sorrow over the fact that Pitt's administration of Ireland had terminated in bloody rebellion was intensified by the capture and death of his cousin. Repression had resulted in rebellion and Fox totally rejected Pitt's Irish policies. Indeed, he was so exasperated with Irish developments that his opinions were "neither fit to be spoken in public nor even written in private."¹⁷⁰ Equally important was his affectionate

¹⁶⁹Buckingham to Grenville, September 10th., 1798, Porteus MSS, IV, 305.

¹⁷⁰Holland, op. cit., I, 128; Trotter, op. cit., pp. 26-27.

relationship with Fitzgerald. He had known him for many years and had worked with him in one of the Westminster election campaigns.¹⁷¹ Holland House was particularly aggrieved:

The general want of common humanity both for O'Connor and Lord Edward Fitzgerald is disgusting.¹⁷²

Yet before Fitzgerald's death, the Foxites were determined to defend the United Irish leader at his trial. In repetition of their defence of O'Connor, they intended to go to Dublin to testify on Fitzgerald's behalf.¹⁷³ Perhaps they might have succeeded. Government supporters were already sceptical that Irish juries would convict either O'Connor or Fitzgerald after the Maidstone example; and Holland, Sheridan, Grey and Richmond were all aware of this possibility.¹⁷⁴ Fox, on the other hand, thought that the situation was more complex. He was afraid that his presence in Ireland might be detrimental to Fitzgerald, presumably because of government hostility to his views on

¹⁷¹Holland, op. cit., I, 101, 107; Ilchester, op. cit., I, 185.

¹⁷²Ilchester, op. cit., I, 186.

¹⁷³Ibid.

¹⁷⁴Buckinghamshire to Grenville, May 27th., 1798, Fortescue MSS., IV, 217; Fitzgerald, op. cit., p. 249.

the Irish crisis and Irish independence and his public respect for Arthur O'Connor. Yet he was prepared to go to Dublin if the Leinster family thought it could be beneficial.¹⁷⁵

The visit was not necessary. Lady Holland found the circumstances of Fitzgerald's death "disgustingly cruel",¹⁷⁶ and Fox wrote

When I hear of the fortitude with which he has borne his sufferings, I bear no more than what I expected from him, though from him only could I have looked for so much.¹⁷⁷

But the government was still not satisfied, and In August a Bill of Attainder convicted Fitzgerald of high treason and confiscated his estates. Protests by the Duke of Leinster and Charles Fox were to no avail, in spite of Fox's encouragement of Henry Grattan and the Earl of Charlemont in opposing the Bill in the Irish parliament.¹⁷⁸

Besides their attempts on behalf of O'Connor and Fitzgerald, the Foxites resumed their parliamentary

¹⁷⁵Fitzgerald, op. cit., p. 249.

¹⁷⁶Ilchester, op. cit., I, 187.

¹⁷⁷Fox to Lord Henry Fitzgerald, June 7th., 1798, Moore, Lord Edward Fitzgerald, II, 131.

¹⁷⁸Moore, Lord Edward Fitzgerald, II, 220, 245; Fitzgerald, op. cit., pp. 245-255.

opposition during these dramatic weeks. Sheridan unsuccessfully moved for a committee on the state of Ireland in the Commons on June 14th., and the following day, Leinster's motion in the Lords was similarly defeated.¹⁷⁹ From the division list, it seems that Fox was not present for Sheridan's motion; but it is likely that Leinster's motion was drawn up with Fox's consultation as the Irishman was spending many hours at Holland House during this time.¹⁸⁰ Simultaneously the Prince of Wales was eager to do everything he could to help Ireland and, after discussions with Fox, thought of introducing a motion in the House of Lords. Charles Grey, however, feared the consequences of such a move, one possible result being the Prince's exclusion from the succession.¹⁸¹

However, on June 22nd., Lord Cavendish moved in the Commons for a change in Irish administration; and on this occasion Fox was present. Sheridan seems to have been responsible for Fox's attendance as he had written on June 18th.:

¹⁷⁹Parl. Hist., XXXIII, 1487-1491.

¹⁸⁰Fitzgerald, op. cit., p. 257.

¹⁸¹Ilchester, op. cit., I, 190-191.

I was with Fox ... yesterday, and he agreed to make a last effort and attend the House of Commons next Friday on a motion respecting Ireland ... We expect a very numerous attendance.¹⁸²

After Cavendish's plea for Irish reform had been rejected Charles Fox made his "last effort" and moved for a prohibition of coercion and torture to extort confessions in Ireland. This was rejected, 204 to 62.¹⁸³ Unfortunately the debates were not reported as the galleries had been cleared so that the public would not hear of the various methods of coercion which had been employed.¹⁸⁴ Finally on June 27th., Bessborough's motion in the House of Lords for a change in Irish administration, and Bedford's attempt to replace the Irish executive were both easily defeated.¹⁸⁵ The details of the new system were not spelled out, although the broad limits were those of reform not repression.

The reinvigorated Irish participation by the Foxite Whigs was viciously and severely criticized in Dublin. Again the cry of reckless political expediency was raised:

¹⁸²Sheridan to Edwards, June 18th., 1798, Price, op. cit., II, 96.

¹⁸³Parl. Hist., XXXIII, 1516.

¹⁸⁴Trevelyan, Lord Grey, pp. 113-114.

¹⁸⁵Parl. Hist., XXXIII, 1517-1518.

Ireland seems to be the stalking horse from behind which a British opposition constantly councils the administration of the day ... perfectly indifferent to the ill consequences resulting to us.¹⁸⁶

Fox's Irish participation had been going on for a long time and had "been productive of much evil to the empire in general, but particularly to this portion of it." The government of Ireland had become a matter of contention in English party politics; so Ireland was a

Kind of political Flanders, on which the Opposition party in England take post and light their Parliamentary campaign.¹⁸⁷

Fox's role in Irish affairs was crucial. His "cabellistical" demands for parliamentary reform and Catholic Emancipation had encouraged Irish conspiracies against the government; yet he knew nothing of the state of Irish affairs and the rebels' atrocities.¹⁸⁸ The situation in 1798 was extremely dangerous; so however the manoeuvres of the Foxites "might heretofore have been safe, it is now high time for gentlemen, if they are not in actual and deliberate alliance with the enemies of the empire, to give over the desperate game of party politics."¹⁸⁹ Above all, let

¹⁸⁶Freeman's Journal, June 30, 1798.

¹⁸⁷Ibid.

¹⁸⁸Ibid.

¹⁸⁹Ibid., July 5, 1798.

Charles Fox "not concern himself about Ireland"; then, no Irishman would give him any consideration and he would sink into political oblivion.¹⁹⁰

The Irish rebellion and the Foxite opposition were defeated by Pitt's government. Yet Charles Fox's persistent efforts during these months to have radical changes implemented in the administration of Ireland, including parliamentary reform, Catholic Emancipation and the abolition of military repression must be emphasised alongside his partial secession from Westminster and political life. Even if he was tiring of pursuing a fruitless opposition to William Pitt during the crucible of the Anglo-French war, he was not prepared to remain inactive whilst Irish developments rolled to their inexorable crisis. The result of his commitment to Irish reform was the emergence of a clear and distinct English political party with an Irish platform. Since his entrance into the ranks of the parliamentary opposition in 1774, Charles Fox had never been confronted with such vicious Irish criticism as he met with in the summer of 1798. It was not the first time that he had polarized Irish opinion; but it was the most dangerous.

The summit of Charles Fox's Irish participation had now been reached. He did not attend the debates on

¹⁹⁰Ibid.

Pitt's proposals for legislative union in 1799 and 1800. Under the Union, Ireland and England were merged in the United Kingdom with Irish representation at Westminster. The constitution of 1782 had failed, and before long the nineteenth century "Irish Question" had emerged in its forbidding shape. Yet Charles Fox had managed to incorporate Irish issues into English party politics and one of the last of the traditional 1688 English Whigs had given the "Irish Question" its modern form.

CHAPTER VIII

CONCLUSION

The cause of the Irish natives in seeking their just freedoms ... was the very same with our cause here.

William Walwyn, Leveller, 1649.¹

During the closing decades of the eighteenth century the administration of Ireland was a matter of contention in English politics. The agreement among eighteenth century English ministries over Irish government was broken; and if any one person was responsible for this, it was Charles Fox. Fox's politics were characterized by a continual rejection of the Irish policies of Lord North, Lord Shelburne and, most important of all, of William Pitt. Through Fox the administration of Ireland not only became a subject for altercation during the American war but remained a political

¹Hill, op. cit., p. 132.

issue until the Act of Union in 1800.

Fox's hostility to the government's Irish policies whilst in opposition had its corollary whilst he was in office in 1782 and 1783. In both ministries, notwithstanding their brevity and his distaste for the routine work involved in administration, Charles Fox took a crucial interest in Irish government. He established regular channels of communication with the Irish executive, contacted leading Irish patriots and established the constitution of 1782.

During his many years out of office, Fox deliberately established connexions with Irish opposition groups. He made conscious attempts to become the English spokesman for Irish patriotism and encourage Irish hostility to the government. His alliance had a profound effect on political developments in both countries. The link was forged during the American war and was furthered by Fox's visits to Ireland in 1777 and 1779. He worked hard to establish and maintain a good reputation among leading Irish patriots; and when he was criticized for his lack of support for Irish free trade demands, he took pains to explain his position to the Irish opposition leaders. However, much of the ground he gained in Ireland during the American conflict was lost in 1782 and 1783, a third visit to the country notwithstanding. The connexion foundered

on the rock of repeal: Fox emerged as the advocate of simple repeal which severely tarnished his Irish reputation, as the renunciation movement swept Ireland. Yet within a couple of years he had regained much of his credibility by his opposition to the commercial propositions; and the fortuitous possibility of a Regency consolidated his alliance with Irish opposition groups. The connexion managed to survive the French Revolution and England's counter-revolutionary war with France, and reached a new peak in the years immediately prior to the Union. Indeed, the crucial year of 1797 saw him writing to Henry Grattan to ascertain if his Westminster activities were approved by the Irish opposition.

So Fox was persistently involved in Irish politics throughout his parliamentary career. For an eighteenth century English statesman, this was unique. He continually made references to Irish developments, usually in Westminster but occasionally outside on the hustings and in the Crown and Anchor tavern. The continuity of his Irish participation must be emphasised: it is easy to lose perspective by concentrating on the exciting "crisis" points in the Anglo-Irish relationship, such as the free trade agitation and the establishment of the constitution of 1782, the commercial propositions, the Regency dispute and the Fitzwilliam episode. All these were obviously

significant; but Fox's Irish activities must not be seen as a series of reactions to them. Rather should his participation be seen as a continuous process, as Fox himself saw it, developing all the time not simply in response to what was happening in Ireland but also in accordance with his own politics and ideas.

The pages of the Freeman's Journal would seem to indicate that Charles Fox's influence in Ireland was highest in 1782-1783, 1785 and 1797-1798. At such times, the Irish press tended to polarize round him. Yet although his Irish influence was undoubtedly greater at some times than at others, there can be no doubt that, taken overall, he was more influential in Ireland than any other English politician. Much of this influence was the product of his speeches in the House of Commons. His oratorical ability became apparent early in his parliamentary career, and he persistently excelled in Westminster's debates, simplifying and articulating complex problems. His expositions were clear, lucid, rhetorical; and they were reported in the Irish press. Thus, his criticisms of the Irish Mutiny Act in 1781 immediately led to a pamphlet warfare in Dublin; and there can be no doubt that his Westminster rhetoric against Pitt's commercial arrangement gave tremendous encouragement to Irish opposition to the scheme. In 1797 it was reported that extracts from his

parliamentary speeches were circulating throughout rebellious Ulster. Indeed, the influence of his speeches was demonstrated in the last year of his life, when his reference to the Union as a "most disgraceful" measure immediately led to agitation in Dublin for its repeal.²

Charles Fox's interest in Irish affairs brought Irish issues before the English political public in a powerful way. His high social position and his warm and open personality, with his parliamentary expositions, assured him of a great amount of attention both in parliament and outside; and he was popular in his own constituency and in the country at large among various shades of reformers and Dissenters. People listened to him, whether they agreed with him or not. That it was Charles Fox who took up Irish issues in England meant that these issues received public attention. Here a comparison may be made with Edmund Burke. Like Fox, Burke's political career was characterized by Irish activities; and certainly his willingness to work on the details involved in achieving a better deal for his native country stands in

²February 3rd., 1806, William Cobbett, ed., Cobbett's Parliamentary Debates (London: Cox and Bayliss), VI, 128, 173. For the part played by Irish issues and Irish members in Westminster in the years immediately following the Union see G.D. Sullivan, "Irish Parliamentary Representation, 1800-1830" (unpublished B. Litt. dissertation, University of Dublin, 1949).

marked contrast to the more general nature of Fox's involvement. Yet neither within the Whig party nor among the public at large was Burke able to command the attention which Fox could. In fact, in spite of Burke's concern over Irish developments, it was not through him that the government of Ireland could become a political issue in England. This was left to his more popular leader.

In 1784 the Earl of Mornington wrote from Ireland:

I am more convinced every day that not only the peace of this country but also the peace and eventually the existence of the empire depend upon the government of Ireland.³

This opinion was echoed by many others. Certainly there was a possibility of Irish separation from England during the later stages of the American war and again during the French war. So Fox's encouragement of Irish opposition to British rule had dangerous overtones. He was censured in 1779 for inciting Irish unrest whilst the Protestant Volunteer movement was increasing; but his most severe criticisms came from the Irish Protestant Ascendancy in 1797-1798. Then he was accused of encouraging Irish rebellion. By this time, Fox was refusing to support the Irish ascendancy; but it was through the Protestant minority interest that Britain ruled Ireland. As early as 1789 The Times had declared:

³Mornington to Grenville, October 3rd., 1784, Fortescue MSS, I, 238.

We should be glad to be informed what must the fate be of the Protestant interest in Ireland, if Great Britain withdraws her support from it. The consequences are inevitable. It must become sacrificed to Popery and the dependence of Catholic states.⁴

Fox's rejection of English support for the Irish Protestant Ascendancy as it was constituted in 1797-1798 implied a great relaxation of English control over the subject country.

In fact, his views on the Anglo-Irish relationship had been radically transformed. Originally he had no intention of acquiescing in a separation of the two countries and wished to maintain Westminster's right of external legislation over Ireland. Until the recall of Lord Lieutenant Fitzwilliam in 1795, there is no indication that he wanted a change in the 1782 constitutional relationship. After that, however, he urged a greater degree of Irish autonomy as the 1782 settlement had failed to work. The Anglo-Irish relationship had to be thought out afresh; and Fox's solution, though never specified, included the possibility of complete Irish independence. He was certainly willing to accept such a situation if he thought it was necessary; and he totally rejected the government's solution of legislative union.

⁴The Times, February 23, 1789.

The willingness of an Englishman to accept an independent Ireland was totally foreign to the world of the eighteenth century. Equally important, in the critical situation in 1797, Fox ignored his former advocacy of the maintenance of England's commercial rights over Ireland, which he had been eager to preserve in the 1770's and 1780's. His views on English commercial hegemony demonstrated his eighteenth century Whig traditions. He believed that commercial pursuits were determined by national self-interest and wished to maintain England's commercial supremacy through her control of imperial trade and the Navigation Code. He was not prepared to give the Irish many concessions within this framework. So he had largely ignored genuine Irish commercial grievances during the free trade agitation of 1778-1779, whilst in 1782 he had tacitly understood that England was still to maintain legislative authority over Irish trade. In the following year he rejected suggestions of protective Irish tariffs, and then opposed Pitt's generous commercial concessions, declaring that he had never accepted Irish commercial demands, although he supported their political grievances. But this distinction was unrealistic: the more autonomous the Irish became, presumably the more they would wish to have a commercial policy reflecting their own interests. Thus it was fortunate for Charles Fox's Irish reputation that the Anglo-Irish commercial relationship was largely forgotten

during the 1790's.

Any explanation of Fox's Irish interests has to include a number of factors. For instance, it is now fully appreciated that familial relationships were an inherent part of eighteenth century political behaviour; and Charles Fox was cousin to the powerful Duke of Leinster in Ireland. But rather than providing an explanation, Fox's relationship with the Leinster family gave him a channel of communication in which he could pursue his Irish activities. It was through the Duke of Leinster that he explained his position to the Irish opposition in 1780; and his correspondence with the Irish peer was a feature of the campaign against the commercial propositions. Although the revolutionary activities of Leinster's brother, Lord Edward Fitzgerald, must have enhanced Fox's sympathy with United Irish ideals, to put forward the familial relationship as an explanation of Fox's Irish interests remains jejune. Besides, numerous English statesmen had Irish family networks whilst they did not all show concern for Irish developments.

Another way of avoiding analysis and a search for explanations behind Fox's Irish interests is to dismiss them as exercises in political expediency. This tendency is often apparent when exclusive concentration is made on the "crisis" points of Anglo-Irish relations. Certainly

Fox was determined to oppose Pitt. Thus Lord Harrowby wrote after Fox's death that "it was [now] no longer considered as an unpardonable crime to have been attached to Pitt."⁵ Sometimes it is difficult to separate Fox's Irish participation from 1784 from his determination to criticize William Pitt; but some attempt must be made. To see Fox's alliance with Irish opposition movements simply in terms of political expediency, merely as a means of increasing the scope of his attacks on the government, is not very helpful. It explains neither the continuity of Fox's Irish involvement nor the changes in his views on the Irish situation and the Anglo-Irish relationship.

Irish agitation for Catholic membership of parliament continued after the Union, and in 1805, Fox presented the first Irish Catholic petition to the imperial parliament. This gave him the greatest pleasure:

I could not be dissuaded from doing the public Act which of all others it will give me the greatest satisfaction and pride to perform. No past event in my political life ever did and no future one ever can give me so much pleasure.⁶

Undoubtedly his commitment to religious toleration was one reason for his intense Irish interest. He had indirectly

⁵Historical Manuscripts Commission Report, Manuscripts of Earl Bathurst (London: H.M.S.O., 1923), p. 54.

⁶Fox to Sheridan, May 1805, Charles Fox MSS, Yale University Library.

helped the progress of the Irish Catholic Relief Act of 1778, and when in office, he had urged an increase in the Regium Donum for Dissenters. In 1792 he had supported Irish Catholic agitation for the franchise, and in the succeeding years, he had incessantly demanded Irish Catholic membership of parliament and the removal of the Dissenter's disabilities. His firm commitment to religious freedom was peculiarly relevant to Anglo-Irish relations, as England ruled Ireland largely through the maintenance of religious inequalities and divisions.

Charles Fox also believed that English politicians could learn from the experiences of British rule of Ireland. Indeed,

The people of this country should look with a jealous eye upon the political proceedings of the Ministers in Ireland; that kingdom may be considered a political laboratory, where the State Chymists try their experiments which, when approved of, will be imported into Great Britain.⁷

For this reason Fox often cast a wary eye over the Irish Sea. In his Westminster campaign in 1784, fears were expressed that the English press was going to be restricted in the same manner as the Irish press had been. More important, during the French war, Pitt's measures were more repressive in Ireland than at home; and Fox was very anxious

⁷The Times, March 30, 1786.

that the government's Irish policies were to be repeated in England, with the same results. So in 1797 and 1798 he continually asked Pitt to learn from the effects of his Irish policies: the rejection of Irish demands for parliamentary reform and Catholic Emancipation had resulted in the dangerous growth of the United Irish movement. Hence, to avoid a similar situation in England, reform was necessary, not repression.

However, crucial to any understanding of Charles Fox's Irish participation was his experiences in English politics. Fox became involved in Irish events because of his Whig principles, his fear of executive power and his insistence on the strength of party and the role of the legislative body in the constitution.

Throughout his life Fox showed a marked hostility towards George III and the influence of the Crown; and his political programme was formulated round his pronounced fear of unrestrained executive government. This involved a commitment to party, whose aim was to achieve power, and a determination to strengthen the power of the legislative body. The attempt to restrain and check the power of the executive was the basis of his Irish involvement. By the constitution of 1782, the Irish executive was not responsible to the Irish legislature: it was appointed by the

English government and accountable to London. Although Westminster was able to provide some sort of scrutiny over the activities of the English cabinet, it was forbidden to discuss the Irish government's activities. In practice, then, the Irish executive was not responsible to any legislative body, a situation which was very definitely demonstrated with the recall of Lord Lieutenant Fitzwilliam. It is no coincidence that within a couple of years of Fitzwilliam's deposition, Charles Fox was thinking on the lines of an independent Ireland. His worst possible fear, that of unchecked, arbitrary, repressive executive power had been brought to fruition in Ireland as a consequence of the shortcomings of the constitution of 1782.

Fox's awareness of the inadequacy of the constitutional arrangement of 1782 slowly developed in the years preceding the break-up of the Whig party. Certainly the defeat of his India Bill in December, 1783, and the accession to power of William Pitt without the majority support of the Commons intensified his fear of royal influence and unrestrained executive government; and it was from this standpoint that he began to assess the workings of the Irish machinery of government after 1784. His hostility to the English government's Irish policies gave way to direct attacks on the Irish executive. With the French war, the Irish government's repressive policies and

the recall of Fitzwilliam by the English cabinet, Fox was convinced that the 1782 constitution had not worked. His answer was to make the Irish executive more responsible to the Irish legislature and the Irish nation in general, which would obviously weaken England's control over the country.

Many of his Irish activities were based on his Whig principles. Hence his anxiety over the Volunteers as a military body putting pressure on the legislature, and his objections to the Irish Mutiny Act which gave the Crown power to maintain permanently a standing army. In 1785 he opposed Pitt's proposition which allowed for a contribution from the Irish revenue to the British government without annual supervision by the Irish legislature; and immediately before the outbreak of war with France, he criticized Lord Edward Fitzgerald's dismissal from the army, insisting that the executive power could not arbitrarily dismiss its military commanders. Fox often interpreted Irish demands for reform in a Whig context. During the American war, he saw the Irish patriots as Whigs; and rightly or wrongly, he viewed the radical reformers in rebellious Ulster as Whigs, and United Irishman Arthur O'Connor, he claimed, was a Whig in the 1688 mould. Finally, during his short spells in office, the constructive side of his Irish policy was reflected in his demand for Whig reforms such as the prevention of government revenue officers from voting in elections.

Pitt's denial of Westminster's power to interfere in Irish affairs was the means of maintaining the irresponsibility of the Irish executive. One remedy, perhaps the only remedy, was to increase the importance of party in the English and Irish constitutions; and in England, Charles Fox was the most important originator of the Whig party of the nineteenth century. His commitment to party, together with his Irish interests, had two essential results. First of all, he was largely responsible for bringing party into Irish politics. During the American conflict he identified his beliefs with those of the Irish patriots in bonds of common sympathy and mutual aspirations; and at least ideologically he attempted to create an Irish Whig party. His efforts materialized after the Regency dispute in 1789, when the numerous dismissals from the Irish government polarized Irish politics. Secondly, and for nineteenth century politics this was of fundamental importance, Fox initiated the incorporation of Irish developments into English party politics. By 1793 he stood as the undisputed leader of an opposition party which was persistently involved in Irish developments. The Foxites had an Irish platform and an alternative Irish policy to the government's. In sum, Charles Fox engendered an Irish Foxite party in College Green and an English party with an Irish platform in Westminster. With the Union, of course, the two converged; but before this time, Ireland

had already become an issue in English party politics.

In fact, Fox's struggle against unchecked executive power meant that his politics were increasingly conceived in terms of principle and party. This was a novel phenomenon, and his beliefs and principles were incomprehensible to many English politicians. Not surprisingly, it often proved difficult for Fox to get his principled politics understood across the Irish Sea. The Earl of Charlemont, proud of his independence, was confused by Fox's activities in 1782 whilst few Irishmen were able to understand the Fox-North coalition. As Richard Sheridan wrote to his brother after the coalition's defeat:

you are all so void of principle in Ireland
that you cannot enter into our situation.⁸

In a similar vein, Fox's hostility to the French war could not be fully appreciated by numerous Irish Whigs. The difficulties involved in getting his exact political position understood in Dublin was one of the problems which Fox had to face in trying to maintain his Irish reputation. But if the establishment of an organized opposition party during and after the American war was "one of the most intriguing and yet elusive phenomena in English political history,"⁹ it must not be forgotten that through Charles

⁸Richard Sheridan to Charles Sheridan, February, 1784, Price, op. cit., I, 158.

⁹Ginter, op. cit., p. xlv.

Fox, the administration of Ireland became an inherent part of English party politics.

All the time Fox's experience in English politics affected his Irish activities and his views on the Anglo-Irish relationship. By the time of the patriot agitation of 1782, and the creation of a new Irish constitution, the participation of the people in determining the sort of government they wished to live under had already entered his political creed through his support for the rebellious American colonies. His dismissal from the government in 1783 through royal influence sharpened his determination to establish the accountability of executive power. Then, from 1793, his changing role in English politics influenced his commitment to Irish reform as the disintegration of the English Whig party enabled him to emphasise matters of principle and ideals without paying court to Whig unity. Within a few years he was demanding parliamentary reform in England and Ireland, prior to a restoration of the influence of the legislature. This was a reversal of his beliefs since 1784. Both Pitt's measures at home and in Ireland had convinced Fox of the danger of the government and propelled him to a more extreme political stance. In both countries, Fox saw Pitt's government repressing individual liberties and liberty in general; and his total rejection of this sort of solution meant that he became the shelter

not only of English liberties but of Irish liberties as well.

Fox's support for Irish reform movements and his connexion with leading United Irishmen was part of a new feature of Anglo-Irish politics during the struggles with France. English and Irish reformers and revolutionaries were cooperating in these years, to a degree that has still to be revealed.¹⁰ Irish and English reformers had begun their chain of cooperation which was to have a long history; and Fox's defence of Arthur O'Connor in a Maidstone courthouse stands as a symbol of this. From a connexion between the respective parliamentary oppositions during the constitution of 1782, the nineteenth century was to witness an equally powerful alliance played out in unconstitutional channels confined within the dark walls of less respectable politics. Irishmen were to have a profound influence on the nineteenth century English labour movement.

By rejecting the government's Irish policies, and by bringing the Irish issue into the mainstream of English party politics, Charles Fox stands as the important link in the changing nature of England's "Irish Question" in the closing decades of the eighteenth century. Indeed, his Irish involvement was one of his few legacies to future

¹⁰A.W. Smith, "Irish Rebels and English Radicals, 1798-1820," Past and Present, No. 7 (1955), 78-85.

Whig and Liberal parties. Many of his other ideas and activities quickly became outdated in an England transformed by industrialization. His defence of the Navigation Code soon became anachronistic in the world of laissez-faire economics. Similarly, many English reformers were to lose all faith in him in the years after his death as he had little to offer radical combatants of the government. It proved very difficult to establish how democratic a government Fox had wanted; and his 1688 politics were of little value in the face of English working class consciousness.

However, Charles Fox's Irish activities pointed to the future rather than his glorified Whig past. Daniel O'Connell tried to induce England to relax her grip on the government of Ireland by constitutional agitation, fighting Irish grievances in the English parliament. He failed; but Charles Stewart Parnell almost succeeded. The method remained a characteristic feature of nineteenth century English and Irish politics until the emergence of the Irish Free State; and it was begun by Charles Fox. Besides this, Fox engendered an English party with a policy of Irish reform. Here lies the beginning of the Irish policies of successive Whig and Liberal parties, and the origin of the nineteenth century idea that it was the Whigs and Liberals who were friendly to Ireland.

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