

Parliaments, Nations and Identities in Britain and Ireland, 1660-1850

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This collection of essays arises out of the 2001 Neale lecture at University College, London by Joanna Innes and the colloquium that followed it. Although the Neale lecture is in British history, this book is very much a work of parliamentary history, catholic enough to extend its deliberations to consideration of the activity of the parliaments of Scotland and Ireland that voted themselves out of existence in 1707 and 1800. The book focuses on what parliaments did. Julian Hoppit points out in his introduction that the History of Parliament Trust volumes for the period 1660-1820 are now complete, with work in progress for 1820-32 and a further set projected on the House of Lords from 1660-1832.(p. 3) We now know who was in Parliament and why they were there during this period. This book is very much built on the work Hoppit has done to complement and extend the achievements of the History of Parliament, first in his publication of *Failed Legislation, 1660-1800: Extracted from the Commons and Lords Journals* (London; Hambledon, 1997) (with an introduction co-authored with Joanna Innes); and also in the compilation of databases of acts of the Westminster, Edinburgh and Dublin parliaments to 1830, which provide much of the source material for Innes's lecture.

Hoppit has taken recent work by Colin Kidd to heart, in accepting the problematic aspects of British identity in the eighteenth century, although he restates his own interest in the 'highly active common parliament' (p. 3) that had emerged by the end of the eighteenth century with responsibility for Britain, Ireland and the British empire beyond. How far did Parliament become 'a site of national deliberation'?(p.10) Hoppit points out that 'parliament was concerned not with identities but with interests', and this implies that within the period covered by this collection Parliament could be said to be the site of special pleading, as were the Scots and Irish parliaments while they still existed. Investing their existence and actions with national

significance for the period before 1832 is a problematic exercise, whether in reference to Dublin, Edinburgh, or especially Westminster. Hoppit is right when he points out that 'there is nothing inherently superior about a British and Irish perspective over, say, English, European, Atlantic or imperial questions. Given appropriate questions all are valid.'(p. 11, n.9) Perhaps this is a particularly salutary observation after the recent boom in re-examining British identity in the light of Welsh and Scottish devolution at the end of the twentieth century.

Hoppit sees the collection he has edited as taking 'state formation as its starting point', but it has the legislature rather than the executive or judiciary at its centre. Joanna Innes's text of her lecture is at the centre of the book (entitled 'Legislating for three kingdoms: how the Westminster Parliament legislated for England, Scotland and Ireland, 1707-1830'), with Julian Hoppit's contribution ('The landed interest and the national interest, 1660-1800') close behind it. Much of what concerns her in her essay is the impact of Scottish and Irish union on what had become a self-styled imperial Parliament by 1801. It is interesting that Lindsay Paterson's book, *The Autonomy of Modern Scotland* (Edinburgh: Edinburgh University Press, 1994), appears as *The Anatomy of Modern Scotland* when cited (p. 41 note 4). This almost suggests that autonomy could not be part of the anatomy of Scottish public life! Yet Innes also makes the important point, as does Hoppit, that much parliamentary business was local, including local Scottish and Irish legislation, a theme followed up in an interesting contribution by Rosemary Sweet ('Local identities and a national Parliament, c. 1688-1835'). Perhaps as one might expect, more integral legislative activity occurred after 1801, although Innes has some fascinating points to make about the contrasting experience and use of the Westminster Parliament by the Scots and the Irish.

Of course, the Scottish and Irish unions occurred at very different points in the history of the Westminster Parliament. Legislation relating to Scotland after the union of 1707 fell to almost negligible levels at Westminster after the heyday of the last Scottish Parliaments elected in 1689 and 1703, but Innes points out that 'the output of general legislation concerned with English domestic matters was declining too.'(p. 23) Why? It could have been the effect of the war, or as Innes suggests, it could have been the rise of greater levels of 'management' of Parliament by the government. Yet she also acknowledges that, as the union had been secured to neutralise the capacity for independent action by the Scottish Parliament, rather than stimulated by a desire for intervention in Scotland itself by the English government, there was no impetus for parliamentary legislation affecting Scotland from England.

Moreover, as an excellent essay in the volume by Bob Harris ('The Scots, the Westminster Parliament and the British state in the eighteenth century') further demonstrates, the Scots did not see Parliament at Westminster as the forum through which they could take action on what were perceived to be national issues. There were other institutions within Scotland that provided that opportunity, such as the Court of Session, the Faculty of Advocates, and the General Assembly of the Church of Scotland. In this respect it is interesting to note Julian Hoppit's observation in his essay on the landed interest that Scotland provided the best case for identifying such an interest in the British Isles.(p.95) The idea of a powerful landed minority wielding great power over the rest of Scotland through monopoly of native Scottish institutions would have an explosive impact on the politics of the country by the time Westminster agreed to union with the Irish Parliament in 1801.

Despite the legislation passed in the aftermath of each of the substantial Jacobite rebellions in Scotland in the first half of the eighteenth century, government at Westminster left Scotland to the attention of the people above in Scottish public life, its native elites who only turned to Westminster for highly specific legislation such as that which consolidated the Scottish banking system in 1765. The Scots banks were institutions that developed after parliamentary union with Westminster, and with the exception of legislation such as that of 1765, it developed outwith the attention of the Westminster Parliament.

The experience of Ireland was somewhat different after the Union of 1801, although there was a fall in legislation compared with the activity of the Irish Parliament in its last eighteen years, following the Declaratory Act of 1782. Union with Ireland had been prompted more by fear that the political elite represented in the Irish Parliament would lose control of Ireland, rather than by fear of independent action by

that parliament; although of course if the Irish rebellion of 1798 had succeeded, independent political action on a scale not seen since 1689 would have been just what the British government would have faced.

Nevertheless, as Innes notes (p. 29), Irish institutions were already similar to those of England, given the colonial nature of English involvement in Ireland; the union had stipulated the merger of the episcopalian Church of Ireland with the Church of England, whereas church and religion had deliberately been left out entirely from the parliamentary union with Scotland. One of the '*objects of union*', Innes states, was 'the assimilation of English and Irish laws', whereas she quite tellingly points out that 'few Scottish MPs, then or since, have taken this view'. (p. 29) Did any Irish MPs after 1801? Apparently they did. In contrast to Scotland, Innes finds that there was increasing Irish pressure for Westminster to legislate for Ireland, much of it driven by pressure to create some kind of Irish Poor Law legislation, in an environment of rapidly increasing rural poverty in the decades before the famine. Just as the Bengal famine could be said to mark the inevitable end of British rule in India, so the Irish famine, if it did not immediately cause the break-up of the United Kingdom, was the catastrophe that demonstrated the futility of the pious hope that union with Britain would solve the demographic problems of Ireland.

The famine did bring the land issue to the centre of parliamentary politics relating to Ireland, and it is fascinating to note Hoppit's discussion (pp.91-93) of the very different national parliamentary approaches to the idea of publicly registering land ownership. In England it never happened, and although Hoppit cites worries about the logistics of the exercise by contemporaries, his reference to Evelyn's doubts that a parliament dominated by lawyers would ever favour a measure which would simplify a major part of their business, and thus affect their income, carries much conviction. Yet on a highly regional or local basis, five registries were established in England: for Bedford Level in 1663, the West Riding in 1704, the East Riding in 1708, Middlesex in 1709 and, finally, the North Riding in 1736.(p. 91) Why such a strong establishment in Yorkshire? Hoppit suggests that interest in Parliament prevented the establishment of something that would make land more secure than other forms of property. In contrast, the Registry of Sasines is at the centre of the Scottish documentary tradition. Was it a monument to the extent of the anarchy caused by Charles I's attempt to call title to land into question in Scotland, before his reign spiralled into chaos and the Scottish landed class collectively was overcome by utter defeat and humiliation?

In Ireland the land registry became the instrument of Protestant land monopoly, 'explicitly stated in its foundation', as Hoppit puts it, to secure the transfer of land ownership into Protestant hands after it was established in 1708. Was this a concession to the Irish Protestant interest following their disappointment in their failure to emulate Scotland and secure parliamentary union under Queen Anne? David Hayton's splendid essay on the Irish Parliament to 1740 ('Patriots and legislators: Irishmen and their Parliaments, c. 1689 - c. 1740') argues that Irishmen secured more by retaining their parliament than the Scots did by incorporating union; but he also argues that the inadequacies of the Irish parliamentary system's subservient operation in relation to Poynings' Law and the 1720 Declaratory Act of the Westminster Parliament crippled it, just when more legislation was needed to support Irish economic development. Peter Jupp's essay ('Government, Parliament and politics in Ireland, 1801-1841') neatly complements Hayton's by considering the impact of union on Irish government and politics from 1801 to 1841, and finds that an expanding 'public sphere' fostered some sense of civic identity with the actions of the Westminster Parliament. On the other hand, issues such as Catholic emancipation emphasised to many Irishmen how different Ireland was from the rest of the United Kingdom represented at Westminster.

The remaining essays in the volume provide valuable additional perspectives on the issues that Hoppit and Innes have tried to raise in this book. G. M. Ditchfield writes on 'Church, Parliament and national identity, c. 1770 - c. 1830' and points out in conclusion, that the increasing diversity of denominational loyalties amongst Members of Parliament led not to a more tolerant pluralism, but to increased conflict over education in particular as an issue. Enlightenment confidence gave way to religious divisiveness and culminated in Catholic emancipation, conceded through fear of renewed revolution in Ireland rather than achieved by consensus. Yet from a Scottish perspective, at least, Thomas Chalmers of the Church of Scotland argued for Catholic emancipation on the basis that it would strengthen institutional christianity, as it came under increasing threat from the economic and social dislocation caused by early industrialisation.

From at least one perspective then, rural Ireland had some degree of stability to offer industrialising Britain.

Joshua Civin, in his chapter 'Slaves, sati and sugar: constructing imperial identity through Liverpool petition struggles', examines Liverpool petitions to Parliament - some 825 of them - between 1775 and 1835. In 1829-31, 'Liverpool submitted twenty anti-sati petitions compared to fifteen against slavery' (p. 192), which Civin analyses in terms of commercial rivalry between West and East Indian mercantile interests in the city, with each seeking the moral high ground. Equally they could be read as evidence of how the debate over Catholic emancipation and the reform of Parliament extended to the morality of empire in a city which originally was created by it. If Catholic emancipation did not concern the civic class of Liverpool as much as *sati* and slavery in 1829-31, it would have a major impact on the demographic development of the city in the future.

David Armitage and Miles Taylor bring a welcome breadth of perspective to the collection. Armitage ('Parliament and international law in the eighteenth century') begins by citing Taylor as well as Catherine Hall, to the effect that 'domestic settings alone cannot explain the course of parliamentary history'.(p. 169) Yet he also points out that while Parliament could be presented as absolute in domestic affairs, in foreign affairs 'its authority depended on the prerogative of the crown'.(p. 172) He endeavours to trace engagement with international law in Parliament 'in a century of imperial rivalry, global war and republican revolution' (p. 182), noting that the suppression of the slave-trade 'of course' was 'the most spectacular evidence of parliament's desire to enforce norms of international law - by treating slave-traders as enemies of humankind'.(p. 181)

Miles Taylor contributes an essay on 'Colonial representation at Westminster, c.1800-65', appropriately beginning with the creation of what he terms 'the new "imperial parliament" of Great Britain and Ireland' in 1801, yet concluding that 'within thirty years of its formation, the imperial parliament had become a resolutely English affair'.(p. 206) He points out that informal representation of colonial interests was not really replaced after 1832, although he claims that such representation was more than 'an incidental footnote' in the life of the reformed Parliament. Ironically, after 1832 the House of Lords became more receptive than the Commons in considering petitions relating to colonial affairs. 'The explanation', Taylor speculates, might be 'that the House of Commons was now deemed to be a predominantly insular Chamber: penny-pinching, anti-imperial and lacking MPs with colonial expertise'.(p. 215)

This is a rich and coherent collection of essays which opens up a variety of new perspectives on a history of Parliament that still has much to tell us. If the House of Commons had become insular after 1832, this book embodies metropolitan scholarship in dialogue with the world beyond itself, both in parliamentary and British history. It represents a welcome willingness to engage with the important advances in our understanding of early modern British history over the past two decades, and to build upon that scholarship in new and challenging ways.

Nota Bene: Reviewer's note (January 2004)

I have been asked to point out clearly that the databases of acts of the Westminster, Edinburgh and Dublin parliaments to 1800 compiled by Professor Hoppit that form the basis of much of what is discussed in *Parliaments, Nations and Identities* was extended to 1830 for Westminster by a research project carried out by Andrew Hann and Joanna Innes funded by the British Academy and Oxford University, and that there was also additional work carried out on the geographical classification of the Westminster database to 1800. All this work taken together is a valuable addition to the work of the History of Parliament project.

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