Constitution, Colony and Crisis in the *Dublin University Magazine* 1833-1839

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In 1833 Irish Protestants found themselves unmoored. The ascendency which had defined their role for over a century had begun its long decline. The question of what Ireland was, is and ought to be, was on their minds as was the mounting challenge of Catholic political participation. This essay assess the constitutional thought of Irish Protestants as represented in the *Dublin University Magazine*, a literature and politics magazine which represented the Protestant Irish Tory set. Considered first is the social and political context of 1830s Ireland as well as the history of the magazine itself and its general constitutional positions. This essay then hones in on two moments in the *DUM*'s coverage which exemplify key aspects of its constitutional thought. A study of political coverage from the first two years of the magazine reveals how Irish Toryism tried to reassert itself in the aftermath of two political blows, namely Catholic emancipation and the 1832 reform act. These underline the magazine's fundamental thinking regarding the Act of Union which was naturally the dominant constitutional issue. Addressed second are a series of articles from 1839 on the colonies and empire which reveal how Irish Tories situated Ireland within the empire and what analogies they drew

from abroad regarding their constitutional status.

The political events of the late 1820s and early 1830s had dealt a grievous political wound to the Protestant ascendancy, one whose implications would play out over the coming century as the power and prestige of the Anglo-Irish declined. 'Grievous wound' is not poetic license. It is in line with the *DUM*'s own descriptions. One 1837 article described emancipation as "the first great wound given to Protestantism in Ireland".[1] The 1829 Catholic emancipation and 1832 reform act, although not immediately, unleashed the demographic force of Catholic Ireland. The gate of participation once opened was not to be closed again. The exclusive franchise required for ascendancy was beginning to crumble.[2] It was against this backdrop that the *DUM* was founded. In this respect it can be seen as the first sortie in a doomed rearguard action which lasted till 1921. The topics covered by the *DUM* reflect this purpose. Daniel O'Connell and the repealers are a frequent target of opprobrium. Not surprising considering that the theatrical Catholic nationalism of O'Connell was all Protestant fears of the demographic threat made manifest in one politician.[3] There is an almost millenarian aspect to the editorial line in these early years. The Irish Protestant is seen to be the first domino in a long chain which ends quite dramatically in the fall of Western civilisation.[4] Although the hysteric tone lands strange on the modern ear, knowing the British

[1] *The Dublin University Magazine, a Literary and Political Journal.* (Dublin, W. Curry, jun., and co.; n.d.), Jan. 1837, 124, `https://catalog.hathitrust.org/Record/000529297`.

[2] Wayne E. Hall, *Dialogues in the Margin : A Study of the Dublin University Magazine* (Washington, D.C.: Catholic University of America Press, 1999), 30.

[3] Patrick M. Geoghegan, "The Impact of O'Connell, 1815–1850," ed. James Kelly, in *The Cambridge History of Ireland: Volume 3: 1730–1880*, vol. 3 (Cambridge: Cambridge University Press, 2018), 124.

[4] Wayne E. Hall, "The "Dublin University Magazine" and Isaac Butt, 1834-1838," *Victorian Periodicals Review* 20, no. 2 (1987): 50.

empire was just beginning to reach the heights of its 19th century domination, it needs to be stressed that the empire as *DUM* saw it was in a state of constant and potentially lethal peril and their coverage takes on the immediacy of this view. Their constitutional thought tends to take an emotional tack rather than sober consideration of the issue. It would be unfair, however, to chalk this entirely up to Protestant desperation. Repeal was the instigator of most of the *DUM*'s consideration of constitutional questions and O'Connell's deliberate unwillingness to give repeal a concrete constitutional form may well have necessitated that the *DUM* respond in terms of sentiment rather than dry constitutionalism.[5] There was, after all, no easy foothold from which to criticise repeal as a constitutional idea beyond attacking its lack of a specific constitutional form. It was nevertheless a feeling of dissolution and uncertainty which motived the constitutional thought of the *DUM*.

The history of the magazine and its content reflects these contextual aspects directly. It was from its inception a periodical self-conscious of its historical, political and cultural role.[6] The *DUM* was founded in 1833 by a coterie of young Irish Torys. Although not all students at the time, the core of this group were affiliated with Trinity college, a fact which placed them in a lineage with great Anglo-Irish conservatives like Edmund Burke but also with major figures of the 1798 revolution.[7] These lineages were self-consciously recognised and exploited in

[5]Alvin Jackson, *Ireland, 1798-1998 : Politics and War* (Oxford, UK: Blackwell Publishers, 1999), 39.

[6]Elizabeth Tilley, *The National Journal: The Dublin University Magazine (1833–1877)*, in *The Periodical Press in Nineteenth-Century Ireland* (Cham: Springer International Publishing, 2020), 65.

[7]Joseph Spence, "The Philosophy of Irish Toryism, 1833-52: A Study of Reactions to Liberal Reformism in Ireland in the Generation between the First Reform Act and the Famine" (PhD diss., Birkbeck (University of London), 1991), 32.

the magazine's content.[8] The *DUM* was from the beginning the organ of an embattled Protestant Irish Tory voice. Nevertheless its project in its first decade was not solely defensive. There was a significant constructive element to its early material, with the building of unique national consciousness one of the magazine's legacies.[9] Righteous criticism at the misgovernment of Ireland was a consistent feature of political articles.[10] Their most excoriating words were aimed squarely at the expected foes of Popery, O'Connell and perfidious Catholic clergymen. But neither were Westminster, the Whigs and educated English society spared opprobrium. In fact especially during the tenureship of Isaac Butt as editor, articles directly critiquing the government's Irish policy and English ignorance of Ireland are a common feature. The *DUM*'s literary features are likewise charged with national sentiment. The subjects considered show a strong sense of national selfhood and a desire to forge a separate literary tradition.[11] All of which points to the essential ambiguity which defines the constitutional thought of the *DUM*.

It was at once a Unionist, something made clear by its attacks on Daniel O'Connell which arrived in clockwork fashion, and a nationalist publication. In fact, as Wayne Hall has noted, on some occasions pro-repeal sentiments would be alluded to an article.[12] This was, of course, not an O'Connellite repeal nor the germ of any immediate political program. But it shows the ambiguity held at the core of their position. This was not yet the dogmatic Unionism which would in later decades take shape. There remained a sense that union was a transaction

[8]Hall, *Dialogues in the Margin*, 37.
[9]Spence, "The Philosophy of Irish Toryism, 1833-52," 33.
[10]Spence, "The Philosophy of Irish Toryism, 1833-52," 30.
[11]Hall, *Dialogues in the Margin*, 3.
[12]Hall, "The "Dublin University Magazine" and Isaac Butt, 1834-1838," 44.

made with the Protestant people of Ireland. Should the government renege on any essential dimension of this then continued support was not assured.[13] Grattan's parliament was still a living memory. Although, the *DUM* did not lionise this period as O'Connell did.[14] In fact they were willing to downplay its significance, likely in reaction to O'Connell's paeans to the pre-union glory days.[15] Nevertheless union was not yet a mythical object and still had the feeling of a political fudge. The *DUM*'s constitutional thought then was not a straightforward program: anti-repeal yet unconvinced by union, pro-Empire but disappointed in English rule, in favour of the British connection yet proudly Irish. The animating force was a fear of decline and a need to respond to the Catholic political force now unleashed. The *DUM* was an early attempt to find a stable place culturally and constitutionally for the Protestant people of Ireland.

It is difficult to overstate the sense of apocalypticism which fills the pages of the *DUM* in 1833 and 1834. Destruction and dissolution are imminent and advancing from all quarters. The demographic threat of Catholics, the tithe war against Protestant clergy, Whig government, rural agitation and a general sense of lawlessness all spiral into an encompassing dread. This dread was essentially constitutional in nature. Emancipation precipitated the crisis and repeal was the catastrophe looming overhead. The conflict which played out in these articles, however, was an internal one as well as an external. The enemies of the Protestant ascendency are presented statically and their desires are absolute. Repeal was just "A sham, a pretense, the mere shadow of a stalking horse" as one article put.[16] Its

[13]Hall, "The "Dublin University Magazine" and Isaac Butt, 1834-1838," 46.
[14]Geoghegan, "The Impact of O'Connell, 1815–1850," 104.
[15]Spence, "The Philosophy of Irish Toryism, 1833-52," 58.
[16]*Dublin University Magazine*, Nov. 1833, 587.

real object was taken to be separation under the most horrifying of terms, namely:

> The establishment of Popery, in Ireland [...] which by public and solemn contract, weds the nation to the mother of harlots, drunk with the blood of saints: will, by the same act, sign the death warrant of Great Britain's prosperity and happiness; abandon her to misery and degradation, and, as a nation unfaithful to her vows, divorce her from God.[17]

The slippery slope of Catholic constitutional aspirations are taken as a given. Not so certain is the necessary Protestant response to this challenge. It is on this point that the complexities of their position become apparent. The grandeur with which they, the Protestant ascendency, saw their mission is clear as are their wounded feelings at Whig and more generally British governance:

> And who do the Whig Ministers expect will resist this cry for Repeal of the Union? who can resist it, but the Protestants' of Ireland? Yet these are the men whom the Whig Ministers insult, trample upon, and plunder, that the agitators may be conciliated![18]

It is the twin feelings of loyalty and betrayal which inform the heart of their constitutional thought. There is a desire to recognise and be recognised for their singular contribution to the colonisation, pacification and ruling of Ireland. That is to say the Protestant ascendancy, now under threat, wanted to call in its favours with the English ruling class who had deigned them the local overseer of this troubled land. Theirs is the scorn of a subordinate punished for following orders

[17] *Dublin University Magazine*, Apr. 1833, 401.
[18] *Dublin University Magazine*, Apr. 1833, 463.

by the very body that issued them. Yet on the other hand there is the absolute need for the normality of Ireland to be established. Ireland must be shown as integral to union and empire. This was the dilemma which fuelled the Protestant response to the crisis. Constitutional form and practical reality did not match. This paradox requires no deep against-the-grain reading of the *DUM* to be revealed. In fact, it is stated plainly in a dialogue entitled *Between the Head and Heart of an Irish Protestant*. This article comprises the internal debate of the author over the right of the government to suspend personal liberties to quash unrest.

> The heart rebels against such curtailing of rights but the head responds pragmatically: The only act ever done by the Whigs that can be called a boon to the Irish Protestant, you rebel against as hotly as if it had been catholic emancipation, or an Irish church bill. True; I can see very plainly the illegality of that while it continues in force, we are *de jure* deprived of *magna charta*; but I rest the most secure confidence; the most fearless assurance in my knowledge, that the application of that bill, can never *de facto* place us beyond the pale the constitution.[19]

The *de jure* and *de facto* distinction made here is important. It is an attempt to square the circle of the constitutional contradiction. The constitution was broken but only in a theoretical sense, in spirit it remains intact says the head rationalising the inconsistency. There is something defeatist in this conception. The constitution is reduced to an ideal form rather than a practicable reality. It is a tacit acceptance of the failure of union to escape the quasi-colonial governance of the early union despite numerous attempts.[20] Union, as conceived here, is more a

[19] *Dublin University Magazine*, Nov. 1833, 586.

[20] Alan J. Ward, *The Irish Constitutional Tradition: Responsible Government and Modern*

token of assurance that the ascendancy will not be left behind than a beloved and integral constitutional arrangement.

The writers of the *DUM* were certainly under no illusions regarding their status and purpose in Ireland. When the history of Irish Protestants was considered the colonial aspects are readily and proudly accepted. In fact it is these aspects which form the basis of their claim to allegiance. In an article outlining the dangers of Protestant emigration, it is their role as colonial overseers which is stressed:

> They have ever proved themselves to be by feeling and religion, closely attached to English interests, and English connections, and, as such, are the surest support on which the property or the government can rely with any settled confidence for the continuance of the connection between the sister islands. Such is the true character of that Protestant population, which, like birds of passage at the blasts of winter, is migrating from the strife and treason and misery of this wretched island; there is no use in hiding the broad though unpalatable fact, that the protestant population are an English garrison which is holding this island in its allegiance to England–it is a garrison in a half-conquered and half-resisting country and if it be once withdrawn, or if it deserts its banners, or if it emigrate, there will be neither safety for the property, nor security for the allegiance of this island, and the ascendancy of England is shivered to atoms![21]

In the atmosphere of acute crisis it is not the Act of Union which the *DUM* relies

Ireland; 1782 - 1992 (Washington, D.C: The Catholic Univ. of America Press, 1994), 37.

[21] *Dublin University Magazine*, May. 1833, 472.

on as assurance for the British connection but the constitutionally unrecognised colonial nature of Ireland. And when repeal is addressed, it is rarely considered as an internal constitutional matter but rather as a cloak for violent separatism. This is not to say reactions to repeal were all emotional. There were sober considerations of the constitutional issues posed by repeal particularly those which would be created by equal legislatures under one crown.[22] The constitutional thought of the *DUM* thus straddled the border of centre and periphery in a mirroring of Ireland's semi-colonial status.

Union did not achieve normal governance for Ireland and as such won little allegiance from the Catholic population. Neither, in the immediate context of emancipation and the 1832 reform act, did it feel to the Irish Tory as if it had brought them great benefit. Yet it was nonetheless often the question of union over which the political forces of these two parties fought. An attempt to resolve this ambivalence is visible in the *DUM*'s rhetorical use of empire. Empire unlike union was seen as the unambiguous positive of the British connection. And it is empire which motivates the most impassioned rallying cries. Take for example this call to arms:

> But, when the question is, whether the empire shall or shall not continue united; and when the very continuance of the agitation of that question in such a country as Ireland must eventually necessitate dismemberment, the course which a wise government should pursue can be no longer doubtful, AND ALL THOSE WHO THUS PRESUME TO INFLAME NATIONAL PASSIONS AT THE EXPENSE OF IMPE-

[22] *Dublin University Magazine*, Dec. 1833, 607.

RIAL INTERESTS, SHOULD BE DECLARED BY PARLIAMENT ENEMIES TO THEIR COUNTRY![23]

This is not to say the *DUM* did not explicitly champion union. It did so relatively often. But unlike union which could be criticised or taken to be conditional from time to time, empire was the rock upon which all further argumentation was founded. In summery it can be said that the constitutional thought appearing in the 1833 and 1834 editions of the *DUM* was essentially reactionary and only thinly constitutional. The principle issue at stake was the preservation of some sort of connection to Britain in the face of what was seen to be an existential separatist threat. To this end constitutionality could be sacrificed for tranquillity and the colonial dimensions of Ireland's governance and history were stressed to argue that only through the ascendancy's preservation could empire be held together.

Given the importance of empire in the *DUM*'s conception of Ireland it is worth looking at how reports on empire covered constitutional themes. This line of analysis aside from being revealing in its own right also connects this narrow study of the 1830s to the broad narrative of Irish constitutional history. Analogy was a recurring tool used to explore and explain constitutional possibilities. And the *DUM* contains some early and quite different uses of such analogies. Canada was in 1839 still in the midst of a crisis which would partially resolve in their very own 1840 Act of Union which created the province of Canada. Rather than take Canada as a potential model for Ireland's relations to Britain as many would after Canada's federation in 1867, the *DUM* sees Canada as suffering from the same maladies as Ireland. Namely the shared question of how to deal with the

[23] *Dublin University Magazine*, Dec. 1833, 606.

constitutional demands of a population deemed treasonous. In Canada two small rebellions in 1837 and 1838 had demanded responsible government. The British after quashing the uprisings sought to address the rebels' concerns and bring their sector of society back into the constitutional fold.[24] This approach, of course, went against everything the *DUM* stood for and had troubling implications for Ireland. Not surprisingly articles on Canada decry the conciliatory approach:

> In Canada our whole policy may be described as an ingenious device for fanning discontent into treason; a discontent that may be literally described as having been caused by having given the Franco-Canadian population more of constitutional liberty than they knew well what to do with.[25]

The echoes of Irish politics are clear. The problems mutually faced by Canada and Ireland are taken to be the product of one political root. Giving Catholics more constitutional liberty than they ought to have would bring the empire to weakness and ultimately ruin. The directness of this connection is only confirmed in the magazine's reaction to the decision to rule out an established church in Canada:

> Thus, in what may be called a parenthetical paragraph, in a hastily written document, occasioned by a sudden emergency, this governor abolishes, prospectively, an established church! Thus the good faith of government is, as it were, pledged to all future times, that no public provision shall be made in that colony for the interests of true religion.[26]

[24] Margaret Conrad, *A Concise History of Canada* (Cambridge: Cambridge University Press, 2012), 127.
[25] *Dublin University Magazine*, Jan. 1839, 3.
[26] *Dublin University Magazine*, Jan. 1839, 10.

This was followed by a long rant on the Church in Ireland, the issues are one and the same. As was the case in 1833, when the *DUM* placed Ireland in relation to empire and Britain it was likely to do so in terms of colony.

This stems from their zealous religion as much as anything else. The moral bedrock of empire was the spreading of true religion:

> For this it was, we do believe, that she was raised up by Almighty God, to be a light and an example to surrounding nations. See what a speck she herself occupies in the map of the world! and look to the extent of her conquests, and the widespread ramifications of her colonization! Look at her empire in the east, and in the west -the millions over whom she extends her sway in the East Indies, in the West Indies, in the Canadas, in the Cape of Good Hope, in Malta, in Gibraltar, and the various other dependencies which acknowledge her authority -and then say whether all this has been permitted for her own aggrandisement alone, and not rather ordered, with a view to the diffusion of those moral and religious blessings of which she was the chosen depository.[27]

Ruin brought by Catholicism was a widespread assault on empire:

> Ask the government for money to extend the means of Protestant education, and they will tell you, not one farthing; while they are sending out, at the public expense, popish bishops to Australia, to India, to the Cape of Good Hope. Under their countenance popery is flourishing in Canada; and in all these colonies, government is just sowing among

[27] *Dublin University Magazine*, Jan. 1839, 11.

> the people the seeds of disaffection, which in due time will spring up and prove the destruction of our connection with these colonies.[28]

Unmentioned but impossible to ignore is that Ireland, in their view, toes the same line. This conception is a transparent globalising of the local politics of Ireland. Again, by means of analogy, we find that Ireland is conceived of more in line with a colony than a nation under union.

It is tricky to fit the constitutional thought of the *DUM* in the 1830s into the broader arc of post-famine constitutional history. On the one hand much is familiar; Protestant fear toward Catholic demographic dominance, the use of other territories in the empire as constitutional analogies and a scepticism of Union were all to be features of former *DUM* editor Issac Butt's work on federalism and Home Rule in the 1870s.[29] In fact he even reuses in his 1870 pamphlet on federalism certain phrases which appear in the *DUM*. So too are there the seeds of a constructive Unionism in the *DUM*. There was always a genuine, if garishly orange, care for the proper governance of Ireland and a belief that through good government the British connection could come to be cherished by the whole of the population. And despite an openly sectarian editorial line, the *DUM*'s attempts at creating an Irish identity for the Protestant people address a question which remains pertinent to this very day. On the other hand, however, it is set apart in some critical ways. The acuteness of the Protestant sense of betrayal created an apocalyptic tone which stands out against later texts. Issac Butt's federalist pamphlet, in many ways an evolution of the *DUM*'s thinking, is staid in comparison. But most of all

[28] *Dublin University Magazine*, Jan. 1839, 22.

[29] Isaac Butt and Home Government Association, *Irish Federalism : Its Meaning, Its Objects, and Its Hopes* (Dublin: John Falconer, 1870).

it is the relation to the colonial nature of Ireland and the Protestant role within it which sets the *DUM* apart. After the famine union, albeit a dysfunctional union, was the status quo and the benchmark for constitutional change. The *DUM* in the 1830s, however, was working from rawer, crueller and baser stuff. They accepted union but the basis of their understanding of what Ireland was and what their purpose as a class was remained colonial. Union was the constitutional paper over the reality of domination. The anger would fade over the decades into milder, maturer and more accepting forms but the wound of betrayal remained.

Bibliography

Butt, Isaac, and Home Government Association. *Irish Federalism : Its Meaning, Its Objects, and Its Hopes*. Dublin: John Falconer, 1870.

Conrad, Margaret. *A Concise History of Canada*. Cambridge: Cambridge University Press, 2012.

Geoghegan, Patrick M. "The Impact of O'Connell, 1815–1850." Edited by James Kelly. In *The Cambridge History of Ireland: Volume 3: 1730–1880*. Vol. 3. Cambridge: Cambridge University Press, 2018.

Hall, Wayne E. *Dialogues in the Margin : A Study of the Dublin University Magazine*. Washington, D.C. Catholic University of America Press, 1999.

———. "The "Dublin University Magazine" and Isaac Butt, 1834-1838." *Victorian Periodicals Review* 20, no. 2 (1987): 43–56.

Jackson, Alvin. *Ireland, 1798-1998 : Politics and War*. Oxford, UK: Blackwell Publishers, 1999.

Spence, Joseph. "The Philosophy of Irish Toryism, 1833-52: A Study of Reactions to Liberal Reformism in Ireland in the Generation between the First Reform Act and the Famine." PhD diss., Birkbeck (University of London), 1991.

The Dublin University Magazine, a Literary and Political Journal. Dublin, W. Curry, jun., and co.; n.d. `https://catalog.hathitrust.org/Record/000529297`.

Tilley, Elizabeth. *The National Journal: The Dublin University Magazine (1833–1877).* In *The Periodical Press in Nineteenth-Century Ireland*, 63–90. Cham: Springer International Publishing, 2020.

Ward, Alan J. *The Irish Constitutional Tradition: Responsible Government and Modern Ireland; 1782 - 1992.* Washington, D.C: The Catholic Univ. of America Press, 1994.