

Mathew Carey, Catholic Identity, and the Penal Laws

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The career of Mathew Carey in Philadelphia, as a political pamphleteer, philanthropist, and the first prominent Catholic bookseller in the early Republic, has received a good deal of attention from historians.¹ His early life and career in Ireland have however, in comparison, been relatively neglected.² In 1833, Carey published the first installment of his autobiography in the *New England Magazine*. It recounted his youth in Dublin, growing up as the son of prosperous Catholic baker, his apprenticeship to Catholic printer and bookseller Thomas McDonnell, and his growing political engagement, concluding with his ultimate exile to Philadelphia in 1784 at the age of 24. Chief among the events he recorded was the controversy in 1781 surrounding the advertisement for his first pamphlet, *The Urgent Necessity of an Immediate Repeal of the Whole Penal Code Candidly Considered*.³

Carey's pamphlet was a contribution to debates over the penal laws and the 'Catholic Question,' the issue of the extension of civil and political rights to Catholics. These topics have

¹ For recent examples, see M. S. Carter, "'Under the Benign Sun of Toleration': Mathew Carey, the Douai Bible, and Catholic Print Culture, 1789–1791," *Journal of the Early Republic* 27, no. 3 (2007): 437–469; S. D. Kimmel, "Sentimental Police: Struggles for 'Sound Policy and Economy' Amidst the Torpor of Philanthropy in Mathew Carey's Philadelphia," *Early American Studies: An Interdisciplinary Journal* 3, no. 1 (2007): 164–226; M. H. McAleer, "In Defense of Civil Society: Irish Radicals in Philadelphia during the 1790s," *Early American Studies: An Interdisciplinary Journal* 1, no. 1 (2007): 176–197. For an attempt to examine Carey in a transatlantic perspective see M. J. Bric, *Ireland, Philadelphia and the Re-Invention of America, 1760–1800* (Four Courts Press, 2008).

² For an exception see E. C. Carter II, "Mathew Carey in Ireland, 1760–1784," *The Catholic Historical Review* 51, no. 4 (Jan., 1966): 503–527.

³ In his autobiography, Carey claimed that he had announced his plan to publish the pamphlet in 1779, at the height of the Volunteer's agitation for free trade. Many historians have followed him in this, however, internal evidence in the pamphlet, as well as the actual advertisement in the Dublin newspapers shows that the controversy actually took place in November 1781, when the pamphlet was advertised and the handbill distributed.

long been central to the historiography of eighteenth-century Ireland.⁴ Throughout the 1760s and 1770s the Catholic Committee, through the writings of men such as John Curry and Charles O'Connor, worked to overturn traditional Protestant representations of the 1641 rebellion, to undermine accusations of Catholic Jacobitism, and to emphasize the loyalty of the Catholic population to the Hanoverian regime. Ian McBride has noted that at this time Catholic writers also mysteriously introduced the language of whig constitutionalism into their political discourse.⁵ The emergence of Catholics into the public sphere in 1783-1784, with such figures as John Keogh, and other middle-class Catholic merchants, acting as counterweight to the traditionally cautious policies of the leaders of the Catholic Committee, followed by the brief and unsuccessful alliance between radical Catholics and the movement for parliamentary reform has received a great deal of attention from historians of the period.⁶ This period has often been depicted as part of a story of the thawing of relations between Catholics and Protestants, though the work of James Kelly has substantively revised this picture, noting the “limits of liberal

⁴ T. Bartlett, *The Fall and Rise of the Irish Nation: The Catholic Question 1690-1830* (Gill and Macmillan, 1992).

For recent renewed interest see J. Bergin, E. Magennis, L. Ni Mhunghaile (eds.), *New Perspectives on the Penal Laws* (Dublin: Eighteenth-Century Ireland Society, 2011).

⁵ I. McBride, *Scripture Politics: Ulster Presbyterians and Irish Radicalism in the Late Eighteenth Century* (Oxford University Press, 1998), 25. For an alternative view of this process that focusses on the importance of Catholic moral theology and Jacobite thought for this transformation, see J. Livesey, *Civil Society and Empire: Ireland and Scotland in the Eighteenth-Century Atlantic World* (Yale University Press, 2009), 90-127. On the role of Gallicanism see C. D. A Leighton, *Catholicism in a Protestant Kingdom: A Study of the Irish Ancien Régime* (St. Martin's Press, 1994), 145-56.

⁶ J. Kelly, “Parliamentary reform in Irish politics, 1760-1790,” in D. Dickson; D. Keogh; K. Whelan (eds.), *The United Irishmen: Republicanism, Radicalism and Rebellion* (Dublin: Lilliput, 1993), 74-87.

Protestantism,” even at this moment of apparent détente.⁷ The political maneuverings of the Catholic hierarchy around the removal of many of the penal laws between 1778 and 1782 have been carefully reconstructed by Eamon O’Flaherty.⁸ Popular Catholic attitudes to the events during the same period have received some attention, particularly with regard to Irish language sources.⁹ However, the way in which this shift occurred, from the cautiousness and overt loyalty of Catholic Committee in the 1770s to the radical call by Catholics for voting rights in such newspapers as Carey’s *Volunteer’s Journal*, has only been hazily discerned.¹⁰

In the early 1780s, middle class Catholics, young men such as Carey and more established figures, such as Keogh, had been radicalized by the war in America, the politics of patriotism and the Volunteers and were already conceiving a new form of citizenship for Catholics based on rights rather than limited forms of toleration. Catholic political identity during this period has often been characterized as in transition from Jacobitism to Jacobinism; the discourse of patriotism served as a key moment in the shift between these two languages. Catholic patriot identity culminated in the radicalism of Carey’s *Volunteer’s Journal* with its call for political reform, Catholic relief, violence against the political elite and a severing of the tie with Britain. From 1779 onwards Catholics had begun to participate in the Volunteers, joining

⁷ J. Kelly, "The Parliamentary Reform Movement of the 1780s and the Catholic Question," *Archivium Hibernicum* 43, (1988): 95-111; J. Kelly, "Inter-Denominational Relations and Religious Toleration in Late Eighteenth-Century Ireland: The 'Paper War' of 1786-88," *Eighteenth-Century Ireland* (1988): 39-67.

⁸ E. O’Flaherty, "Ecclesiastical Politics and the Dismantling of the Penal Laws in Ireland, 1774-82," *Irish Historical Studies* 26, no. 101 (1988): 33-50.

⁹ V. Morley, *Irish Opinion and the American Revolution, 1760-1783* (Cambridge University Press, 2002), 225-230.

¹⁰ Leighton, *Catholicism*.

existing companies, and, by 1784, even establishing their own exclusively Catholic companies, such as the Dublin Irish Brigade. This activity was a sign that at least some middle-class Catholics were becoming less reticent than the leaders of the Catholic Committee about making common cause with the patriot movement. Catholic participation in the Volunteers was not uncontroversial and sparked fierce debate in the press regarding the legality of Catholics acquiring arms. In 1779 ‘Manlius reminded readers of the *Hibernian Journal* of “the Smithfield fires, Bloody Mary” and “the butchers of 1641” in order to convince readers that Catholics should not be allowed to take up arms as Volunteers.¹¹ ‘Juvenus’ wrote from Kilkenny in 1781 to supporting Catholic Volunteering insisting “Let the opinions of Papists be, religiously, what they may, they are still men, and men of feeling, they love their country and respect their fellow subjects....”¹² Carey’s pamphlet was written in the context of this patriotic fervor and conflicts over the limits of patriot identity and citizenship. This paper will focus on events in 1781: the proposal by a young Mathew Carey to publish a pamphlet calling for the removal of all remaining penal laws, the controversy stirred up by this announcement, the successful efforts to suppress the publication and, finally, it will examine what survives of this little studied pamphlet. It argues that the language of patriotism allowed Catholics like Carey to articulate a new type of Irish identity based on notion of rights and citizenship.

Carey and Catholic Print Culture

Carey’s career in Dublin, before the establishment of his radical newspaper, has been mostly

¹¹ *Hibernian Journal* December 20, 1779.

¹² *Dublin Evening Post*, June 7, 1781; For other letters on the exclusion of Catholics from the Volunteers in Meath and Wexford see *DEP*, July 17, 1781; *Freeman’s Journal*, Jan. 23, 1781.

ignored by scholars.¹³ Much of the evidence for Carey's early years in Dublin relies on his autobiography, first published in 1833. The autobiography is a valuable source for, among other things, Catholic artisan and print culture in eighteenth century Dublin.¹⁴ Carey has been apprenticed at fifteen, probably answering a call made by McDonnell in the press in January 1775.¹⁵ During the 1770s McDonnell had addresses in Meath Street, Pill Lane, and Mountrath Streets, all within the area of the city that was home to a dense concentration of Catholic printers and booksellers. Many of the printers in this part of the city survived by printing popular devotional works (often associating themselves with particular local chapels) or by reprinting classic Catholic works by subscription.¹⁶ McDonnell, described by James Phillips as among the middle range of master printer booksellers, published a variety of literature, including sermons, plays, almanacs, and histories, as well as taking on some work printing for the Catholic Committee, and publishing the *Hibernian Journal* in partnership with Michael Mills.¹⁷ During Carey's apprenticeship, he was responsible for publishing some of the writings of Arthur

¹³ B. Inglis, *The Freedom of the Press in Ireland, 1784-1841* (London, 1954)

¹⁴ V. Kinane, "Printers' Apprentices in 18th-and 19th-Century Dublin." *The Linen Hall Review* 10, no. 1 (1993): 11-14; J. W. Phillips, *A Bibliographical Inquiry into Printing and Bookselling in Dublin, from 1670 to 1800* (Dublin, 1962), 59.

¹⁵ M. Pollard, *A Dictionary of Members of the Dublin Book Trade, 1550-1800* (Dublin Oxford University Press, 2000), 383.

¹⁶ T. Wall, *The Sign of Doctor Hay's Head: Being some Account of the Hazards and Fortunes of Catholic Printers and Publishers in Dublin from the Later Penal Times to the Present Day* (Dublin, MH Gill, 1958), 8-9. On the vibrant Catholic print trade during this period, see C. Begadon, "The renewal of Catholic religious culture in eighteenth-century Dublin," in Bergin et al, *New Perspectives*, 229-239.

¹⁷ Phillips, *A Bibliographical Inquiry*.

O’Leary, including a pamphlet promoting the oath of allegiance in 1775 and another urging the Catholic populace to remain loyal and quiescent in the face of a French invasion.¹⁸ McDonnell was later a member of the United Irishmen and Richard Sher suggests that Carey might have “acquired his outspoken commitment to Roman Catholic activism and radical politics” from his master, though Carey had few positive memories of his apprenticeship.¹⁹

McDonnell also undertook some print work for one of the most prominent Catholic printers in the city, Patrick Wogan, of Old Bridge Street. Wogan was not only a promoter of the Catholic interest and closely associated with the Catholic Committee, as Sher demonstrates, he was a significant figure in the reprinting of Scottish Enlightenment books in Dublin.²⁰ Whether or not Carey was influenced by this Enlightenment print culture is difficult to determine. Apart from David Hume’s *History of England*, the texts referenced in his notorious pamphlet do not suggest he was immersed in Enlightenment readings. Wogan certainly published a number of pamphlets addressing the penal laws.²¹ He also reprinted several pamphlets relating anti-Catholic riots in England and Scotland as well as reprinting more politically contentious pamphlets opposing the penal laws in Britain. Carey claimed that he “had read every book and pamphlet I could procure, respecting the tyranny exercised on [Catholics]”

¹⁸ McDonnell had taken this oath following the Catholic Relief Act of 1778. M. Wall, “The Catholic merchants, manufacturers and traders of Dublin 1778-82,” *Reportorium Novum*, 2:2, 298-232.

¹⁹ R. B. Sher, *The Enlightenment & the Book: Scottish Authors & their Publishers in Eighteenth-Century Britain, Ireland, & America* (University of Chicago Press, 2006), 542; Carey, “Autobiography,” 406.

²⁰ Sher, *The Enlightenment*, 542.

Wogan and McDonnell seem to have been involved in one substantial publication of this nature during this period, an edition of the Abbé Raynal’s *The Revolution of America* (Dublin, 1781).

²¹ *Some Reflections on the Operation of the Popery Laws in Ireland* (Dublin, 1777).

and many of these publications were published by Wogan, such as *A Roman Catholic's Address to the Parliament*, which adopted the language of rights for Catholics and which Carey quoted from extensively in his own critique of the penal laws.²² Carey also had connections with more radical and enlightened printers. In particular he later claimed that John Chambers, a printer and bookseller with an address on Capel Street, just across the river from McDaniel's shop on Thomas Street, had printed Carey's pamphlet in 1781.²³ Chambers, a Protestant and later United Irishman, had married a Catholic in 1780, and was sympathetic to the Catholic cause. He later went on to publish an edition of William Guthrie's *Geography* that offered a self-consciously patriotic version of the history of the Volunteers. As with Carey's pamphlet, Chambers' work also attempted to challenge traditional, stereotypical British representations of Irish national character.²⁴

²² M. Carey, "Autobiography of Mathew Carey," *The New-England Magazine*, Volume 5, (Boston, 1833), 404-412, at 407. For example see *A Roman Catholic's address to Parliament. With an appendix, containing, the address of the Roman Catholics of Great Britain, to His Majesty; and the act lately passed in the British Parliament for the relief of the Roman Catholics of England* (Dublin, 1778); *A Faithful account of the late proceedings and outrages of the people at Edinburgh and Glasgow, in consequence of an intention of relaxing the Popery laws of Scotland* (Dublin, 1780); *A defence of the act of Parliament lately passed for the relief of Roman Catholics; containing a true state of the laws now in force against popery: in answer to a pamphlet entitled, An appeal from the Protestant Association to the people of Great Britain* (Dublin, 1780).

²³ M. Carey, *Miscellaneous Essays* (Philadelphia, 1830), 452. Carey had slammed English attempts "to stamp the Irish with the character of blunderer, bull-maker, teague, savage; and as a blundering savage has doomed him to slavery." *The Urgent Necessity of an Immediate Repeal of the Whole Penal Code Candidly Considered*, 62.

²⁴ Sher, *The Enlightenment*, 492-493.

“the seditious scribbler Carey”

Carey’s pamphlet was first advertised in the Dublin press on November 10, 1781. Carey recalled that he had been motivated to write the pamphlet by “the horrible oppression of the Irish Catholics.” The advertisement was followed by the distribution of a strongly-worded handbill throughout the city. Addressed to the “Roman Catholics of Ireland,” Carey observed that America had “by a desperate effort” almost “emancipated herself from slavery.” They had achieved this, surprisingly, by “laying aside ancient prejudices” and allying with a Catholic king, Louis XVI, who was now the “avowed patron of Protestant freeman.” In Ireland too, liberty was on the rise, so much so that “the tyranny of a British Parliament over Ireland, has been annihilated by the intrepid spirit of Irishmen.” Yet, he continued, for Irish Catholics, “it is a most afflicting reflection, that you my countrymen, the majority of the nation, which has shaken off an unjust English yoke, remain still enchained by one infinitely more galling...” This was a tyranny exercised by their fellow countrymen in the shape of the penal laws. In the face of this “slavery” it was the purpose of Carey’s tract to show “what are your Rights, as Men and Citizens” and to forge “a REAL, durable peace, unattainable between TYRANTS and SLAVES.”²⁵ In his autobiography, Carey noted, with some understatement, that “[t]he publication excited a considerable alarm....”²⁶

The response to Carey’s advertisement was swift. Patrick Wogan, who Carey had named as the seller of the pamphlet, published a notice stating that he had been unaware it was “an inflammatory seditious publication” and when the nature of the pamphlet had been brought to his

²⁵ “Advertisement to the Roman Catholics of Ireland,” Library Company of Philadelphia.

²⁶ Carey, “Autobiography,” 408.

attention he had withdrawn his name.²⁷ On November 11, members of the Catholic Committee gathered at the Globe coffeehouse to discuss the suppression of the planned publication. They quickly published a condemnation of it in the press, signed by fifty-seven prominent members of the Catholic Committee. A handbill, printed by Carey's master McDonnell, was also distributed throughout the city:

Whereas an advertisement of a very alarming nature, respecting a pamphlet to be published tomorrow, concerning the Roman Catholics of this kingdom—— calculated as we apprehend by some enemy of the interests of the people—— appeared in *Faulkner's Journal*, and the Dublin Evening Post of yesterday: and whereas handbills of a still more alarming nature were this day dispersed throughout the city. We the undersigned Roman Catholics on behalf of ourselves and the rest of our brethren think it incumbent on us in this public manner to express our detestation and abhorrence of the disloyal and seditious tendency of said advertisements; it being our most anxious desire to continue and cultivate that harmony and good understanding which happily subsist between us and every denomination of people of this kingdom. And we declare that we will to the utmost of our power co-operate in any measure that shall be found necessary for the discovery and prosecution of the inflammatory author.²⁸

Carey had a low opinion of the Catholic Committee which he later described as “the most servile body in Europe.”²⁹ By November 15, the Committee had hired an attorney to look into prosecuting the author and printers of the pamphlet and established a sub-committee for that purpose and, according to Carey, offered a 40 pound reward for the discovery of the author. It does not seem to have taken long to uncover the author's identity and Carey seems to have been well-known amongst Catholics at the time at the time of the controversy, with the bishop of Cashel noting that his writing “had some wit and more folly” while the bishop of Meath referred

²⁷ *Hibernian Journal*, 19 Nov. 1781.

²⁸ Handbill, NLI, LO 9/54; R. D. Edwards, "Minute Book of the Catholic Committee, 1773-92." *Archivium Hibernicum* 9, (1942), 62-63; *Dublin Evening Post*, Nov. 17, 1781.

²⁹ Carey, “Autobiography,” 408.

to him as “the seditious scribbler Carey.”³⁰ Carey’s father was shocked at his son’s actions and destroyed those parts of the pamphlet that had not yet been printed and offered to burn the rest of the pamphlet to appease the Catholic Committee. To ensure that he remained safe from prosecution, in December 1781 Carey was spirited off on the Holyhead packet by his father, where he proceeded to Paris, with a letter of introduction to a priest in that city. He was soon introduced to Ben Franklin, and worked for some months in Franklin’s printing office at Passy, before eventually returning to Dublin, sometime in 1782.

What caused such a reaction against Carey’s announcement of his pamphlet? While the Irish government was hostile to seditious publications, there was no general policy of suppressing all Catholic voices, and they do not seem to have intervened in this instance.³¹ Some Irish historians have noted the controversy caused by Carey’s planned publication of the *Urgent Necessity*. Maureen Wall provided an overview of controversy in her ground-breaking work on the Catholic middle-class. Wall claims that Carey had in fact converted to Protestant, yet remained sympathetic to the Catholic cause. She also suggests that it was not implausible (as the Catholic Committee indeed claimed) that, prompted by enemies of Catholic relief, Carey had

³⁰ A. Cogan, *The Diocese of Meath: Ancient and Modern* (Dublin, 1870), 3: 62; E. O’Flaherty, “The Catholic question in Ireland 1774–1793,” (M.A. thesis, UCD, 1981), 55.

³¹ Leighton, *Catholicism*, 10-11 notes that merely advocating the relaxation of the penal laws would not bring prosecution. See also I. McBride, *Eighteenth-Century Ireland* (Gill and Macmillan, 2009), 301. Carey is not always a reliable narrator of events. Not only was Carey mistaken about the year of the pamphlet controversy, but some of his claims about the controversy caused by the affair are difficult to substantiate. For example, while records of parliamentary debates are incomplete for this period, there is no evidence to support his contention that the handbill was brought before the House of Lord and House of Commons as evidence of Catholic seditiousness. Carey, “Autobiography,” 408.

written the pamphlet to discredit the Catholic relief. While it was not unusual for Protestants to ventriloquize Catholic voices in pamphlets, there is no evidence to support Wall's claim.³² Her suggestion that Carey had dragged an unwitting Patrick Wogan into the controversy to embarrass him by giving him a share in publishing the pamphlet seems more plausible.³³ Eamon O'Flaherty suggests that, for Catholics, this was the "first contribution to radical politics and his handbill was the first example of the catholic question being linked to other areas of contemporary radicalism."³⁴ Vincent Morley notes that this was perhaps the first political work primarily intended for a Catholic audience.³⁵ These historians did not have access to, or were more likely not aware of the existence of the pamphlet itself, a copy of which survives amongst Carey's papers in the Library Company of Philadelphia.³⁶

The timing of the Carey's announcement is important for placing the controversy in its political context. In the first instance, it explains why the Catholic Committee responded so aggressively to his advertisement. Parliament had been in session for a month when the handbill

³² T. O'Sullivan, "Between Toleration and Preservation: The Popery Laws and Irish Anglicanism, 1782-1808," in Bergin et al., *New Perspectives*, 249-274, at 254.

³³ M. MacGeehin, "The activities and personnel of the General Committee of the Catholics of Ireland, 1767-84," (M.A. thesis, UCD, 1952), 135-140.

³⁴ E. O'Flaherty, "The Catholic question in Ireland 1774 – 1793," (M.A. thesis, UCD, 1981), 55.

³⁵ V. Morley, *Irish Opinion*, 237.

³⁶ The only account of the contents of this pamphlet seems to be in a recent study of Carey's American career. M. S. Carter, *Mathew Carey and the Public Emergence of Catholicism in the Early Republic* (Ph.D. thesis, USC, 2006), 60-103. Carey later noted that the preface and the four final pages of the pamphlet, though ready for the press, were never printed off due to the controversy, so no complete copy of the pamphlet survives. Carey, *Miscellaneous Essays*, 452.

appeared and behind the scenes the Catholic gentry and church hierarchy were negotiating to influence the shape of the heads of a new Catholic relief bill to be introduced by Luke Gardiner in the coming months.³⁷ In order to emphasize Catholic loyalty, the church hierarchy had made every effort to ensure the moderation of their flock. In the wake of the Gordon riots in London the previous year (which were a popular Protestant response to Catholic relief bills in England), the clergy preached and distributed handbills to calm the Dublin crowd and discourage retaliation against Irish Protestants.³⁸ Carey's proposed pamphlet threatened these delicate negotiations. At the same time international and national politics framed Carey's pamphlet and the reactions it received. On October 19, Cornwallis had surrendered at Yorktown, marking the effective defeat of Britain in the war.³⁹ A few weeks later, the Volunteers marked King William's birthday with a show of strength and a push for legislative independence. On November 4th, they had assembled at the statue of William in College Green and draped it with placards 'The Volunteers of Ireland,' 'Expect a Real Free Trade,' 'A Declaration of Rights,' 'A Repeal of the Mutiny Bill or Else, 'A Glorious Revolution'.⁴⁰ Carey would adopt the rhetoric of patriotism, Irish independence and anti-Britishness to make his argument for Catholic rights.

History and the "gross absurdities" of 1641

³⁷ O'Flaherty, "Ecclesiastical Politics."

³⁸ J. Brady, *Catholics and Catholicism in the Eighteenth-Century Press* (Catholic Record Society of Ireland, St. Patrick's College, 1965), 207.

³⁹ For Irish reactions to the defeat (which was not announced in Irish newspapers until December 4th), see Morley, *Irish Opinion*, 279-285.

⁴⁰ J. R. Hill, *From Patriots to Unionists: Dublin Civic Politics and Irish Protestant Patriotism, 1660-1840* (Oxford University Press, 1997), 151.

In order to make the argument that Catholics could be patriots and virtuous citizens, Carey first had to address the historical rehabilitation of Irish Catholics. Carey believed the reaction to his pamphlet was disproportionate, given that, as he put it “the body of the pamphlet was wholly inoffensive, as it consisted principally of extracts recriminating the charges made against the Roman Catholics, with interlocutory matter.”⁴¹ Indeed, much of the pamphlet was concerned with such historical material. As with most revisionists of the time, this required him to engage with the 1641 rebellion and in particular with Protestant historiography of the massacres of that year. As Hill notes, the persistence of the traditional Protestant interpretation of 1641 can be seen in Carey’s efforts even in the 1810s to compile a detailed refutation of this view.⁴² From the 1750s, many of these works by Catholics such as John Curry and Charles O’Conor had to contend with David Hume’s successful *History of England*, which, to the horror of Irish Enlightenment historians, restated much of the traditional view regarding the massacre. After largely unsuccessful efforts by O’Connor and others to pressure Hume into revising the most offensive parts of his history, Hume remained a *bete noire* for Irish Catholic historians. Carey’s engagement with Hume differs in many respects from his contemporaries. While others attempted a careful refutation of Hume’s arguments and evidence, Carey used Hume’s *History* as the basis for an alternative history of Protestant England. He attempted to demonstrate that the religious enthusiasm, superstition, persecution and massacre attributed historically to Irish Catholics in order to justify the penal laws could just as easily be attributed to English Protestants and were central to English history. In the handbill advertising the pamphlet, he noted that in his attempt to uncover the “injustice of the prejudices” held against Catholics he

⁴¹ Carey, “Autobiography,” 408.

⁴² Hill, “1641,” 159-161.

would “confine himself to the English History alone, in which... he has more than equalled the Charges Protestants make against your Body; and has given Extracts verbatim from Protestant Historians, to put the Matter beyond Possibility of Doubt.”⁴³

Carey used Hume’s skeptical *History*, quoting extensively from a 1773 London edition, to demonstrate Protestant intolerance, and first retold seventeenth century English history as series of paranoid and hysterical reactions against imagined popish plots and conspiracies, noting that the English “had been thus kept in perpetual dread of popery” so that their prejudices, while imagined, were hardly surprising. Secondly, addressing the claims that popes had traditionally attempted to depose Protestant kings, he suggested that English Protestants in recent years had not been adverse to such actions, asking “Who brought to the scaffold Charles of England?” While Catholics had long been accused of persecution and inquisition, Carey again scoured Hume for examples of what he describes as the “real inquisition” of the English state from Elizabeth through the seventeenth century, outlining the various persecutions of Catholics committed by Protestant monarchs.⁴⁴ Similarly, Protestants were just as likely as Catholics to be guilty of “Violations of faith,” with Carey again relying on Hume and others to reinterpret the seventeenth century as a series of Protestant betrayals of trust, even mischievously noting that if Irish Catholics at Limerick in 1691 had waited for support from France and had not “foolishly relied on their enemies’ word” that “government would, at this day, wear a different aspect.” Indeed for Carey, it was the Treaty of Limerick that best illustrated Protestant perfidiousness, with the subsequent penal laws encompassing an “abominable infraction of faith” where

⁴³ “Advertisement to the Roman Catholics of Ireland.”

⁴⁴ *The Urgent Necessity*, 25, 29, 30.

“catholics are reduced to the necessity of imploring leave of existence from their countrymen.”⁴⁵

As in his later work, *Vindiciae Hibernicae; Or, Ireland Vindicated* (1819), though at less length, Carey also attempted to revise the causes of the 1641 rebellion and refute Protestant accusations of an unprovoked massacre.⁴⁶ Again, Carey’s work was a revisionist attempt to demonstrate that Irish Catholics “received every provocation” before the Rising. He offered a reading of English writers such as Edmund Spenser, John Davies and Temple’s notorious *Irish Rebellion*, against the grain, noting that “partial as they were to their country [they] could not avoid giving us” these alternative readings. After a detailed account of the provocations offered to Irish Catholics under the Earl of Strafford and others, he asked the Protestant reader if, under similar circumstances, “would he not forwardly plunge into rebellion?”⁴⁷ In a markedly unwhiggish moment, Carey claimed that the English in 1688 had much less cause to rebel than the Irish of 1641: “Yet, the English attempt to redress grievances (because chiefly conducted by protestants), is dignified with the title of “the glorious revolution”: whilst the Irish one, because undertaken by catholics, is branded with the disgraceful epithets of rebellion, general butchery, massacre....”⁴⁸ In 1641, Catholics were faced with the choice of “absolute destruction, or a manly resistance.” Indeed, Carey went further than many Catholics historians attempting to defend the actions of the rebels. He attempted to rehabilitate the rising as a part of a tradition of

⁴⁵ *The Urgent Necessity*, 41, 42.

⁴⁶ On this work, see M. J. Burke, “The politics and poetics of nationalist historiography: Mathew Carey and the *Vindiciae Hibernicae*,” in J. Leerssen (ed.), *Forging in the Smithy: National identity and representation in Anglo-Irish literary history* (Amsterdam, 1995), 183-94.

⁴⁷ *The Urgent Necessity*, 52.

⁴⁸ *The Urgent Necessity*, 52-54.

a struggle for liberty:

I glory in the war of 1641!: and hope the day will soon arrive, when all Irishmen will look up, with equal veneration, to its victims as the English to a Hampden, or a Sidney. They will then be esteemed, as IRISH HEROES, martyrs to their COUNTRY's FREEDOM, against the tyranny of Britain; and not as papistical rebels, deserving the vengeance of the law.⁴⁹

Carey's also provided a brief revisionist account of Temple's *Irish Rebellion* (1646), attacking his reliance on the depositions which he argued include "the greatest incongruities, gross absurdities and even more absolute impossibilities."⁵⁰

"tyranizing bigots": the Symbols of Protestant Power

While much of Carey's pamphlet was concerned with history and the refutation of Protestant calumnies against Irish Catholics, he also concentrated on contemporary displays of Protestant dominance. Interpretations of the past, and of the 1641 rebellion in particular, were not purely a matter of historiographical concern for Carey. Not only was Protestant memory of the massacre of 1641 used to justify the penal laws, but Carey believed that the commemoration of that event was responsible for sowing seeds of division among Irishmen. He criticized the "incendiary pamphleters and anniversary-sermon-preachers" who annually dredged up the memory of 1641. Preachers, he believed, were particularly divisive as listeners were "more susceptible of lasting impressions from the pulpit, when the preacher happens to coincide with their earlier prejudices...."⁵¹ October 23, the day of the planned outbreak of the 1641 rebellion had become part of the official state calendar, with magistrates and other officials processing through the

⁴⁹ *The Urgent Necessity*, 56.

⁵⁰ *The Urgent Necessity*, 58. Carey's rebuttal of Temple in 1781 is rather brief, compared to his point-by-point attack on Temple, Hume and others in his 1819 volume.

⁵¹ *The Urgent Necessity*, 21.

streets of Dublin to a service of thanksgivings to hear an anniversary sermon celebrating protestant deliverance and rehearsing catholic perfidy and cruelty. This practice had continued up to Carey's day and remained a strong mark of protestant dominance throughout his youth in the 1760s and 1770s. Like many Catholics, he found these commemorations distasteful.⁵² For Carey, the commemoration of 1641 was an effort by the state and established church to ally and "to divide, and govern by division." While Carey was relatively privileged, it did not stop him using the language of slavery and oppression to describe his condition; as Ian McBride observes of his brother William Paulet Carey, "his sense of alienation was representative of the younger Catholic middling sorts."⁵³ Public demonstrations of Protestant dominance and Catholic exclusion from citizenship proved particularly galling to the young apprentice as symbols of this 'slavery.'

Carey's pamphlet was not only inspired by a desire to engage with the symbols of Protestant dominance. He was also concerned with the practical inconveniences of the penal laws and their place in contemporary politics so that, in attacking the penal laws, unusually for a catholic author, he engaged with events of the day to make his argument. Indeed, for Carey it was public rebukes that emphasized the second-class status of Catholics and questioned their

⁵² C. O'Halloran, *Golden Ages and Barbarous Nations: Antiquarian Debate and Cultural Politics in Ireland, c. 1750-1800* (Cork University Press, 2004), 144; J. Gibney, "'Facts Newly Stated': John Curry, the 1641 Rebellion, and Catholic Revisionism in Eighteenth-Century Ireland, 1747-80," *Éire-Ireland* 44: 3-4 (2010), 248-277.

⁵³ I. McBride, *Eighteenth Century Ireland*, 277. For more on W. P. Carey see J. Smyth, "The Irish middle class and republican radicalism in the 1790s," in F. Lane (ed.), *Politics, Society and the Middle Class in Modern Ireland* (Palgrave, 2010), 7-20.

patriotic virtue. To those who dismissed the laws against Catholics as “ideal grievances” because seldom enforced, Carey pointed to recent examples of zealous enforcement, particularly of the law against Catholics bearing arms.⁵⁴ In Limerick, he noted, a man had recently been jailed “merely for carrying arms.” In the handbill announcing the pamphlet, he observed that Catholics, who as part of the patriot movement had “shaken off an English yoke” still had to suffer being “daily insulted by impudent menacing advertisements from insignificant part of the kingdom” and that “a few tyrannizing bigots in Meath and Wexford... with a dictatorial power prescribe laws to their fellow subjects.”⁵⁵

Here, Carey was referring to disputes in both Wexford and Meath over the arming of Catholics and their participation in the Volunteers. By 1779, Catholics were enrolling in some Volunteer corps, while by 1781 companies composed predominantly of Catholics had emerged in some areas.⁵⁶ Attempts to prevent the arming of ‘respectable’ Catholics as part of a defensive force had been controversial and provoked a spirited debate in the press in 1781. Yet Carey seemed to have been the only explicitly Catholic voice against such laws. In Wexford, the “Roman Catholic Gentlemen” of the county responded to Protestant opposition to Catholic corps by taking a notice in the press assuring them that they had no knowledge of such plans and that they remained loyal and eager to avoid offending their Protestant counterparts.⁵⁷ A General Association against Whiteboyism had been established in Wexford at this time by George Ogle, a leading Volunteer in that county. The association had focused on raiding Catholic homes and

⁵⁴ *The Urgent Necessity*, 78.

⁵⁵ “Advertisement to the Roman Catholics of Ireland.”

⁵⁶ Morley, *Irish Opinion*, 235-236.

⁵⁷ *Dublin Evening Post*, Nov. 6, 1781,

prosecuting those, in violation of the penal laws, in possession of arms. Ogle had also been involved in resisting the admittance of Catholics to local Volunteer companies, again emphasizing their legal exclusion from owning or carrying arms.⁵⁸ Likewise, a meeting in Meath had reiterated this legal exclusion and urged Volunteers not to attend reviews with those of the “Popish persuasion” while the Grand Jury of Meath had adopted resolutions against Catholics bearing arms. Carey noted that in Ireland “such is the liberality of some protestants and presbyterians, they do not suffer catholics to arms themselves, for the defence of their country.” In Meath, he claimed, “catholics are scarcely permitted to appear in reviews. Some corps, even in this city, admit not catholic members, Fie on such illiberality! It would disgrace the darkest ages of bigotry.”⁵⁹ This legal prohibition against the possession of arms was particularly galling. The law determined that “for want of arms” a Catholic could be “exposed to the mercy of every lawless ruffian.”⁶⁰

The actions of Catholics during recent invasion scares had not only demonstrated their patriotism but also the contradictory effects of the penal laws. Carey recounted an invasion scare off the coast of Cork, where a Catholic merchants, a Mr. Goold had offered to loan 600 pounds for payment of the army there under General Urwin. The offer was refused, though publicly lauded. This show of loyalism had been followed by similar offers of loans by other local Catholic merchants. Yet, Carey opined, “such subjects cannot, for fear of endangering the state,

⁵⁸ P. Higgins, *A Nation of Politicians: Gender, Patriotism and Political Culture in late Eighteenth Century Ireland* (University of Wisconsin Press, 2010), 147.

⁵⁹ *The Urgent Necessity*, 64.

⁶⁰ *The Urgent Necessity*, 78, 81.

fill the offices of wardens, common council-men, sheriffs, mayors!!!”⁶¹

‘What would Catholics have?’: Rights and the Penal Code

Carey’s pamphlet had called for the repeal of the “whole penal code.” How unusual was Catholic protest against the laws? By the 1760s, Catholics (usually posing as Protestants) had begun to publicly question the penal laws and call for greater toleration. Catholic spokesmen however, did not present their arguments in terms of rights but rather noted the economic effects of preventing Catholics from buying and selling land, as well as the loss of those Catholics who emigrated rather than suffering the effects of the laws.⁶² The Catholic Committee in particular pursued a cautious policy in their attempts to gain a relaxation of the laws and focused mainly on economic and ecclesiastical aspects of the laws. Writers such as Charles O’Connor and John Curry were also eager to emphasize the loyalty of Catholics to the current dynasty and the constitution. Edmund Burke, while adopting some of these arguments, adopted a new approach in his *Tracts on Popery* (published posthumously) where he suggested the popery laws were bad laws because they were “destructive of the harmonious community” of ruler and ruled, essential for natural justice and legitimate rule.⁶³

Such debates were not confined to Ireland. From the 1770s onwards, states across Europe witnessed renewed debates over the limits of religious toleration, while in the 1780s some degree of religious toleration was introduced in France and in the Habsburg territories of

⁶¹ *The Urgent Necessity*, 77. For the episode, see Morley, *Irish Opinion*, 270-272.

⁶² Hill, “1641,” 166.

⁶³ E. O’Flaherty, “Burke and the Catholic Question.” *Eighteenth-Century Ireland*, 12 (1997), 7-27 at 13.

Joseph II.⁶⁴ It was a commonplace, as Carey described it in the *Volunteer's Journal*, that “the spirit of toleration... distinguishes this enlightened age.”⁶⁵ A letter to the *Dublin Evening Post* in 1780 noted that this was an age of toleration throughout Europe and that a bill before parliament to naturalize foreigners would “cast a veil over religious differences, promote general benevolence between Jews, Musselmen and Christians.” Yet, the author noted, Catholics were still excluded from full civil rights.⁶⁶ Luke Gardiner, in proposing the easing of the penal laws in February 1782 noted the rise of toleration in Holland, Switzerland and the Austrian Empire.⁶⁷ Carey also offered a comparative account of the spread of toleration, particularly in Catholic countries, such as the Austrian Netherlands.⁶⁸ Yet, as historians of Ireland and of the broader European context have stressed, this cannot be explained by a straightforward appeal to whiggish notions of the rise of Enlightenment notions of toleration. Concessions of toleration, where they did come, were “modest, late and resisted” and were often granted as the fiat of rulers, which made them revocable.⁶⁹ As events in England and Scotland demonstrated in 1780, even modest reform of penal laws against Catholics could provoke outrage and riot. Debates over the toleration of Catholics in Ireland, as elsewhere, turned on whether they still owed their ultimate allegiance to the papacy who, some argued, claimed the right to depose heretic princes. At the

⁶⁴ O. P. Grell and R. Porter (eds.), *Toleration in Enlightenment Europe* (Cambridge University Press, 2000), 13-14.

⁶⁵ *Volunteer's Journal*, Nov. 10, 1783.

⁶⁶ *DEP*, April 25, 1780.

⁶⁷ M. Wall, *Catholic Ireland in the Eighteenth Century* (Dublin, 1989), 138; *The Parliamentary Register* (Dublin, 1784), I: 249.

⁶⁸ *The Urgent Necessity*, 63.

⁶⁹ R. H. Popkin and M. Goldie, “Scepticism, Priestcraft, and Toleration,” in M. Goldie and R. Wokler, (eds.), *The Cambridge History of Eighteenth-Century Political Thought* (Cambridge University Press, 2006), 93-94.

same, others argued that Catholics were not bound to keep faith with heretics, and hence could not be relied on to keep oaths or even honor contracts.⁷⁰ From the 1760s onwards, arguments in favor of forms of toleration for Catholics turned on these issues.⁷¹ As discussed above, much of the first portion of Carey's pamphlet was concerned with refuting such notions, focusing mainly on the deposing power, the violation of faith, as well as the events of 1641.

Arthur O'Leary made the strongest and perhaps most influential appeal for toleration of Catholics in *An Essay on Toleration* (1780). While O'Leary is traditionally seen as a loyalist in his politics, James Kelly describes this pamphlet as "one of the most radical statements in favour of religious and political forbearance published in eighteenth century Ireland."⁷² O'Leary addressed parliament "in whose power it is to ease the necks of their inoffensive subjects from the galling yoke of oppression" which, for O'Leary included not only restrictions on the clergy and freedom of worship, but also encompassed prohibitions on Catholics carrying arms, the remaining restrictions on property ownership, and the ability of Catholics to join the armed forces.⁷³ Yet O'Leary's call for civil rights for Catholics only went so far; like most commentators at the time, O'Leary was realistic enough to acknowledge that a broader toleration

⁷⁰ For an expression of these ideas by see *Freeman's Journal*, Aug 6, 1778. For a refutation of such charges see FJ, Jun 27, 1778.

⁷¹ For earlier discussions of toleration in Ireland in the 1720s see McBride, *Eighteenth Century Ireland*, 208-213.

⁷² J. Kelly, "A Wild Capuchin of Cork": Arthur O'Leary (1729-1802)," in G. Moran (ed.), *Radical Irish priests 1660-1970* (Dublin: Four Courts, 1998), 46. For a response to O'Leary see *Freeman's Journal*, April 6, 1780. For other calls for toleration, see letter from 'Toleration' *Freeman's Journal*, Feb. 3, 1778; *Freeman's Journal*, Mar. 28, 1778; *Freeman's Journal*, June 13, 1780.

⁷³ Arthur O'Leary, "An Essay on Toleration," in *Miscellaneous Tracts* (Dublin, 1781), 77.

of Catholics would still necessitate their exclusion from the franchise, high office and parliament.⁷⁴ He was well aware of the “inveterate hostility” of most protestants at this time to political rights for Catholics.⁷⁵

Carey’s arguments went further than this in a number of respects. In particular, the culture of patriotism that flourished in Ireland from the 1770s, along with the language of rights used by the American colonists, allowed Catholics like Carey to articulate a new type of identity based on the notion of citizenship. The languages of patriotism and citizenship were increasingly important throughout Europe during the 1770s and 1780s as a way of justifying both toleration and a greater role in the political nation for those outside the established church, or those dissenters within it. In France, Jansenists used arguments based on citizenship and patriotism to justify their participation in the affairs of the state. Similar arguments were made in favor of Catholic rights in the Dutch Republic in the 1770s and 1780s.⁷⁶ In Ireland, patriotism was closely associated with Protestantism, with Catholics seen as largely incapable of the virtue required for true patriotic action. Even many radical patriots viewed Catholics as essentially “passive partners in reform.”⁷⁷ While there were a number of calls in 1783-84 by both Catholics

⁷⁴ Ibid. 79.

⁷⁵ Kelly, “Religious Toleration,” 42.

⁷⁶ M. Linton, “Citizenship and Religious Toleration in France,” in Grell, and Porter (eds.), *Toleration*, 157-174. For the Dutch Republic, see W. P. Te Brake, *Regents and Rebels: The Revolutionary World of an Eighteenth-Century Dutch City* (Blackwell, 1989).

⁷⁷ S. Small, “The Twisted Roots of Irish Patriotism: Anglo-Irish Political Thought in the Late-Eighteenth Century,” *Eire-Ireland* 35: 3-4 (2001), 187-216, at 206.

and Protestants to grant some form of political rights to Catholics, in 1781 Carey seems to have been the first to offer such an argument.

In making his argument for Catholic rights, Carey cast Catholics as central to the patriot campaign against restrictions on Irish trade and Irish legislative independence noting that British control over Irish trade had been “annihilated by the intrepid spirit of Irishmen.” Addressing catholic readers as “my countrymen” he reflected that as “the majority of that nation” it was particularly galling not to share in the fruits of that victory. Given the degree of patriot fervor in the wake of the free trade campaign and the rise of arguments in favor of legislative independence, Carey shrewdly made comparisons between the penal laws against Catholics and English restrictions on Ireland. While the Declaratory Act was now dormant, he observed, Irish patriots could not “esteem their liberty secure until it shall have been repealed.”⁷⁸ England had, he claimed “assumed a power of binding Ireland by her laws, equally [as awful as] the enactment of the penal code, which so happily affords government a most desirable opportunity of displaying lenity.” Adopting the language of the American colonists, Carey warned that Catholics might have every reason to turn away from patriotism and the campaign for legislative independence:” Why should it concern them, devoted, as they are, to be taxed and governed without representation, whether their taxers and tyrants be English or Irish.”⁷⁹

For Carey, such restrictions were the main obstacle preventing Catholics from fully embracing the patriot cause, though a solution was at hand: “Here a question very naturally arises, What would the catholic have? ... What are the rights of natural born Irishmen, who

⁷⁸ *The Urgent Necessity*, 80.

⁷⁹ *The Urgent Necessity* 80, 86.

swear allegiance to government? What power on earth can deprive the catholics of a single benefit of the constitution, where they swear to defend it?” If Catholics were to be trusted to keep oaths, how could they be excluded from full citizenship? Carey argued that this, at the very least, require a return to the status of Catholics created by the Treaty of Limerick in 1691. At that time, he argued, “catholics were equally eligible with protestants, to every place honourary and lucrative. They carried arms; they had seats in parliament; they were possessed of estates and dignities; they were, in fact, freemen. Now they are slaves indeed.”⁸⁰

Carey noted that the penal laws were ostensibly concerned with preventing the growth of popery; but the real concern of the laws was not religious conversion. The code was “merely a political device” and, following the contemporary writings of Arthur Young and Edmund Burke, served as an instrument of oppression.⁸¹ The penal laws were not created to control a disaffected people, rather “disaffection arises from the penal laws.”⁸² In an argument that echoed the language of Burke, he contended that “When the collective body shall feel an interest in the state, by a participation of its advantages; when they shall no longer be aliens, by law, in their native land... then they shall be well-affected towards the government.” While Burke and O’Connor had used the language of natural rights, like others at the time, natural rights and civil rights were often used on opposition. Natural rights for O’Connor, and even for Burke, referred to property. Carey, on other hand brought questions of numbers and natural justice into play with regard to the whole code. Relief was sought as a matter of justice rather than utility.⁸³ Carey’s arguments

⁸⁰ *The Urgent Necessity*, 90-91.

⁸¹ *The Urgent Necessity*, 64.

⁸² *The Urgent Necessity*, 73.

⁸³ Leighton, *Catholicism*, 138.

for the repeal of the penal laws relied in part on traditional arguments regarding the economic consequences of the laws, as well as an appeal to natural rights, but went further: “But what are catholics thus to submit to shackles they have never merited? Are they not MEN, like other subjects of the realm?” Are Catholics, he asks, to be excluded “from the enjoyment of the inalienable rights of human nature?”⁸⁴ Or, as he argued adopting the language of patriotism, were Catholics to be denied the “rights of natural-born Irishmen.”⁸⁵

Carey concluded by attempting to redefine understandings of the nation, appealing to catholic strength in numbers, warning that if protestants would not give up their ‘iron sway’ for the sake of justice, “perhaps they should think of the presence of 2 1/2 million (nay the nation if a vast majority deserve that title) in their present state.” The assertive vocabulary of justice, patriotism, and liberty had replaced the language of loyalty and supplication. Noting events in America, the role of the French in the war, and the disaffection of the people, Carey warned protestants that “all the exhortations of clergy, all the influence of gentry, all the power of government, and all the fears of punishment, might be found ineffectual to hinder a harassed body of people from embracing liberty when offered them.”⁸⁶

Conclusion

Was Carey’s pamphlet, as he later contended, “quite puerile” and “wholly inoffensive”? Or was it as seditious and dangerous as the Catholic Committee believed? Certainly, from the vantage

⁸⁴ *The Urgent Necessity*, 87.

⁸⁵ *The Urgent Necessity*, 90.

⁸⁶ *The Urgent Necessity*, 91-92. While the final four pages of the pamphlet are missing, it appears it is this concluding section that he turns to discuss events in America in detail.

point of the 1830s it may have seemed rather tame. And, indeed, we might ask, given that the pamphlet was never published, does it matter? Certainly, beyond the stir his handbill had created, nobody read Carey's call for the complete abolition of the penal code and its radical conception of Catholic rights. The introduction of proposals for further Catholic relief by Luke Gardiner a few months after the Carey controversy was met with a mixed reaction from Protestant patriots. Fear of popery and the dilution of the Protestant interest remained among patriots such as Henry Flood. Henry Grattan, and other elements within the Volunteers were, up to a point, more supportive of Catholic relief.⁸⁷ Yet, by the time the Volunteers issued their famous call for toleration of Catholics at the Dungannon convention of February 1782, Catholics such as Carey had moved beyond this position to embrace a more active conception of citizenship, rather than the passive role envisioned for them even by liberal Protestants such as William Drennan. Carey was to return to Dublin after his brief interlude in Paris, becoming first editor of the *Freeman's Journal* and then founder of the radical and influential *Volunteers Journal* which became a strong proponent of political rights for Catholics. Carey's pamphlet helps us to discern an embryonic Catholic political language that was neither Jacobite nor Jacobin, but that had also moved beyond the whiggish language of the Catholic Committee. An examination of the controversy surrounding *The Urgent Necessity* and the contents of this neglected source give an insight into Catholic artisan attitudes to the penal laws and suggests that Catholic political language in the 1780s deserves further examination on its own terms, rather than as an interlude between a 'hidden Ireland' and the turmoil of the 1790s.

⁸⁷ Morley, *Irish Opinion*, 308-311.