

Erskine May, Vol. III, Chapter XIV, pp. 255-274

Religious Affairs in Ireland

Weakness of the Irish Establishment

[255] Let us now turn, once more, to the history of the church in Ireland. Originally the church of a minority, she had never extended her fold. On the contrary, the rapid multiplication of the Catholic peasantry had increased the disproportion between the members of her communion, and a populous nation. At the Union, indeed, she had been united to her powerful sister church in England;(1) and the weakness of one gained support from the strength of the other. The law had joined them together; and constitutionally they became one church. But no law could change the essential character of the Irish Establishment, or its relations to the people of that country. In vain were English Protestants reckoned among its members. No theory could disturb the proportion of Protestants and Catholics in Ireland. While the great body of the people were denied the rights of British subjects, on account of their religion, that grievance had caused the loudest complaints. But in the midst of the sufferings and discontents of that unhappy land, jealousy of the Protestant church, aversion to her endowed clergy, and repugnance to contribute to the maintenance of the established religion, were ever proclaimed as prominent causes of disaffection and outrage.

Tithes

[256] Foremost among the evils by which the church and the people were afflicted, was the law of tithes. However impolitic in England,(2) its policy was aggravated by the peculiar condition of Ireland. In the one country, tithes were collected from a few thriving farmers,—generally members of the church: in the other, they were levied upon vast numbers of cottier tenants,—miserably poor, and generally Catholics.(3) Hence, the levy of tithes, in kind, provoked painful conflicts between the clergy and the peasantry. Statesmen had long viewed the law of tithes with anxiety. So far back as 1786, Mr. Pitt had suggested the propriety of a general commutation, as a measure calculated to remove grievances and strengthen the interests of the church. In 1807, the Duke of Bedford, attributing most of the disorders of the country to the rigid exaction of tithes, had recommended their conversion into a land tax, and ultimately into land. Repeated discussions in Parliament had revealed the magnitude of the evils incident to the law. Sir John Newport, in 1822, and Sir Henry Parnell, in 1823, had exposed them. In 1824, Lord Althorp [257] and Mr. Hume had given them a prominent place among the grievances of Ireland. The evils were notorious, and remaining without correction, grew chronic and incurable. The peasants were taught by their own priesthood, and by a long course of political agitation, to resent the demands of the clergy as unjust: their poverty aggravated the burden; and their numbers rendered the collection of tithes not only difficult, but dangerous. It could only be attempted by tithe-proctors,—men of desperate character and fortunes, whose hazardous services hardened their hearts against the people,—and whose rigorous execution of the law increased its unpopularity. To mitigate these disorders, an Act was passed, in 1824, for the voluntary composition of tithes: but the remedy was partial; and resistance and conflicts continued to increase with the bitterness of the strife, that raged between Protestants and Catholics. At length, in 1831, the collection of tithes in many parishes became impracticable. The clergy received the aid of the police, and even of the military: but in vain. Tithe-proctors were murdered; and many lives were lost, in collisions between the police and the peasantry. Men, not unwilling to pay what they knew to be lawful, were intimidated and coerced by the more violent enemies of the church. Tithes could only be

collected at the point of the bayonet; and a civil war seemed impending over a country, which for centuries had been wasted by conquests, rebellions, and internecine strife. The clergy shrank from the [258] shedding of blood in their service; and abandoned their claims upon a refractory and desperate people.

The law was at fault; and the clergy, deprived of their legal maintenance, were starving, or dependent upon private charity. That the law must be reviewed, was manifest: but in the meantime, immediate provision was needed for the clergy. The state, unable to protect them in the enforcement of their rights, deemed itself responsible for their sufferings, and extended its helping hand. In 1832, the Lord-lieutenant was empowered to advance £60,000 to the clergy who had been unable to collect the tithes of the previous year; and the government rashly undertook to levy the arrears of that year, in repayment of the advance. Their attempt was vain and hopeless. They went forth, with an array of tithe-proctors, police, and military: but the people resisted. Desperate conflicts ensued: many lives were lost: the executive became as hateful as the clergy: but the arrears were not collected. Of £100,000, no more than £12,000 were recovered, at the cost of tumults and bloodshed. The people were in revolt against the law, and triumphed. The government, confessing their failure, abandoned their fruitless efforts; and in 1833, obtained from Parliament the advance of a million, to maintain the destitute clergy, and cover the arrears of tithes, for that and the two previous years. Indemnity [259] for this advance, however, was sought in the form of a land tax, which, it needed little foresight to conjecture, would meet with the same resistance as tithes. These were temporary expedients, to meet the immediate exigencies of the Irish clergy; and hitherto the only general measure which the legislature had sanctioned, was one for making the voluntary tithe compositions compulsory and permanent.

Irish Church Reform

Meanwhile, the difficulties of the tithe question were bringing into bold relief the anomalous condition of the Irish Church. Resistance to the payment of tithes was accompanied by fierce vituperation of the clergy, and denunciations of a large Protestant establishment, in the midst of a Catholic people. The Catholic priests and agitators would have trampled upon the church as an usurper: the Protestants and Orangemen were prepared to defend her rights with the sword. Earl Grey's government, leaning to neither extreme, recognised the necessity of extensive reforms and reductions in the establishment. Notwithstanding the spoliations of Henry VIII. and Elizabeth, its endowments were on the ambitious scale of a national church. With fewer members than a moderate diocese in England, it was governed by no less than four archbishops and eighteen bishops. Other dignitaries enjoyed its temporalities in the same proportion; and many sinecure benefices were even without Protestant flocks.

Church Temporalities (Ireland) Bill 1833

Such an establishment could not be defended; and in 1833, ministers introduced an extensive measure of reform. It suppressed, after the interests of existing incumbents, two archbishoprics, and eight separate sees; and reduced the incomes of some of the remaining bishops. All sinecure stalls in cathedrals were abolished, or associated with effective duties. Livings, in which no duties had been performed for three years, were not to be filled up. First fruits were abolished. Church cess,—an unpopular impost, similar to church rates in England, —levied upon Catholics, but managed by Protestant vestries, was discontinued; and the repair of churches provided for out of a graduated tax upon the clergy. Provision was made for the improvement of church lands; for the augmentation of small livings, and for the building of churches and glebe houses, under the superintendence of a commission, by whom the surplus revenues of the church were to be administered.

So bold were these reforms, that even Mr. O'Connell at first expressed his satisfaction: yet while they discontinued the most prominent abuses of the establishment, they increased its

general efficiency. In the opinion of some extreme Tories, indeed, the measure was a violation of the coronation oath, and the stipulations of the Union with Ireland: it was an act of spoliation: its principles were revolutionary. But by men of more moderate views, [261] its justice and necessity were generally recognised.

Principle of Lay Appropriation

One principle, however, involved in the scheme became the ground of painful controversy; and long interfered with the progress of other measures conceived in the interests of the church. A considerable sum was expected to be derived from the grant of perpetual leases of church lands; and the question was naturally raised, how was it to be disposed of? Admitting the first claims of the church,—what was to become of any surplus, after satisfying the needs of the establishment? On one side, it was maintained that the property of the church was inalienable; and that nothing but its redistribution, for ecclesiastical purposes, could be suffered. On the other, it was contended that the church had no claim to the increased value given to her lands by an Act of Parliament; and that, in any case, the legislature was free to dispose of church revenues, for the public benefit. The bill provided that the monies accruing from the grant of these perpetuities should be applied, in the first instance, in redemption of charges upon parishes, for building churches; and any surplus, to such purposes as Parliament might hereafter direct. Ministers, fearing that the recognition of this principle of appropriation, even in so vague a form, would endanger their measure in the House of Lords, abandoned it in committee,—to the disgust of Mr. O'Connell and his followers, and of [262] many members of the liberal party. Mr. O'Connell asked what benefit the Irish people could now hope to derive from the measure, beyond the remission of the church cess? The church establishment would indeed be reduced; but the people would not save a single shilling by the reduction. In truth, however, the clause had not expressly declared that the revenues of the church were applicable to state purposes. Its retention would not have affirmed the principle: its omission did not surrender any rights which the legislature might, hereafter, think fit to exercise. Whenever the surplus should actually arise, Parliament might determine its appropriation. Yet both parties otherwise interpreted its significance; and it became the main question at issue between the friends and opponents of the church, who each foresaw, in the recognition of an abstract principle, the ultimate alienation of the revenues of the Irish establishment. For the present, a concession being made to the fears of the church party, the bill was agreed to by both Houses.(4) But the conflict of parties, upon the controverted principle, was by no means averted.

In the next session, Mr. Ward, in a speech of singular ability, called upon the House of Commons to affirm a resolution that the church establishment in Ireland exceeded the spiritual wants of the Protestant population; and that it being the right of the state to [263] regulate the distribution of church property, the temporal possessions of the church in Ireland ought to be reduced. This resolution not only asserted the principle of appropriation: but disturbed the recent settlement of the ecclesiastical establishment in Ireland. It was fraught with political difficulties. The cabinet had already been divided upon the principles involved in this motion; and the discussion was interrupted for some days by the resignation of Mr. Stanley, Sir James Graham, the Duke of Richmond, and the Earl of Ripon. The embarrassment of ministers was increased by a personal declaration of the King against innovations in the church, in reply to an address of the Irish bishops and clergy. The motion, however, was successfully met by the appointment of a commission to inquire into the revenues and duties of the church, and the general state of religious instruction in Ireland. Hitherto there had been no certain information either as to the revenues of the church, or the numbers of different religious communions in the country; and ministers argued that, until these facts had been ascertained, it could not with propriety be affirmed that the establishment was excessive. At the same time, the appointment of the commission implied that Parliament would be prepared to deal with any surplus which might be proved to exist, after providing for

the wants of the Protestant population. [264] On these grounds the previous question was moved, and carried by a large majority.

A few days afterwards, the propriety of issuing this commission, and the rights of the state over the distribution of church property, were warmly debated in the House of Lords. While one party foresaw spoliation as the necessary result of the proposed inquiry, and the other disclaimed any intentions hostile to the church, it was agreed on all sides that such an inquiry assumed a discretionary power in the state, over the appropriation of church property. Earl Grey boldly avowed, that if it should appear that there was a considerable excess of revenue, beyond what was required for the efficiency of the church and the propagation of divine truth, 'the state would have a right to deal with it with a view to the exigencies of the state and the general interests of the country.'

Failure to Legislate on Tithes

Meanwhile, the difficulties of the question of Irish tithes were pressing. Ministers had introduced a bill, early in the session, for converting tithes into a land tax, payable to the government by the landlords, and subject to redemption. When redeemed, the proceeds were to be invested in land for the benefit of the church. The merits of this measure were repeatedly discussed, and the scheme itself materially modified in its [265] progress: but the question of appropriation bore a foremost place in the discussions. Mr. O'Connell viewed with alarm a plan securing to the church a perpetual vested interest in tithes, which could no longer be collected; and threatened the landlords with a resistance to rent, when it embraced a covert charge for the maintenance of the Protestant church. Having opposed the measure itself, on its own merits, he endeavoured to pledge the House to a resolution, that any surplus of the funds to be raised in lieu of tithes, after providing for vested interests and the spiritual wants of the church, should be appropriated to objects of public utility. Disclaiming any desire to appropriate these funds for Catholic or other religious uses, he proposed that they should be applied to purposes of charity and education. On the part of ministers, Lord Althorp and Lord John Russell again upheld the right of the state to review the distribution of church property, and apply any surplus according to its discretion. Nor did they withhold their opinion, that the proper appropriation would be to kindred purposes, connected with the moral and religious instruction of the people. But they successfully resisted the motion as an abstract proposition, prematurely offered.⁽⁵⁾ Soon afterwards, Lord Grey's administration was suddenly dissolved: but the Tithe Bill was continued by Lord Melbourne. Many amendments, however, were made,—including one [266] forced upon ministers by Mr. O'Connell, by which the tithe-payer was immediately relieved to the extent of forty per cent. After all these changes, the bill was rejected, on the second reading, by the House of Lords. Again the clergy were left to collect their tithes, under increased difficulties and discouragement.

Sir Robert Peel's Bill, 1835

In the next session, Sir Robert Peel had succeeded to the embarrassments of Irish tithes and the appropriation question. As to the first, he offered a practical measure for the commutation of tithes into a rent-charge upon the land, with a deduction of twenty-five per cent. Provision was also made for its redemption, and the investment of the value in land, for the benefit of the church. He further proposed to make up the arrears of tithes in 1834, out of the million already advanced to the clergy. But the commutation of tithes was not yet destined to be treated as a practical measure. It had been associated, in the late session, with the controverted principle of appropriation, which now became the rallying point of parties. It had severed from Lord Grey some of his ablest colleagues, and allied them with the opposite party.

Sir Robert Peel, on accepting office, took an early opportunity of stating that he would not give his 'consent to the alienation of church property, in any part of the United Kingdom, from strictly ecclesiastical purposes.' On the other hand, in the first discussion upon [267] Irish

tithes, Lord John Russell expressed his doubts whether any advantage would result from the abolition of tithes, without a prior decision of the appropriation question: and Mr. O'Connell proclaimed that the word 'appropriation would exert a magical influence in Ireland.' The Whigs, exasperated by their sudden dismissal,(6) were burning to recover their ground: but the liberal measures of the new ministry afforded few assailable points. Sir Robert Peel, however, had taken his stand upon the inviolability of church property; and the assertion of the contrary doctrine served to unite the various sections of the opposition. The Whigs, indeed, were embarrassed by the fact that they had themselves deprecated the adoption of any resolution, until the commission had made its report; and this report was not yet forthcoming. But the exigencies of party demanded a prompt and decisive trial of strength. Lord John Russell, therefore, pressed forward with resolutions affirming that any surplus revenues of the church of Ireland, not required for the spiritual care of its members, should be applied to the moral and religious education of all classes of the people; and that no measure on the subject of tithes would be satisfactory which did not embody that principle. These resolutions were affirmed by small majorities; and Sir Robert Peel was driven from power.

[268] It was an untoward victory. The Whigs had pledged themselves to connect the settlement of tithes with the appropriation of the surplus revenues of the church of Ireland. The Conservatives were determined to resist that principle; and having a large majority in the House of Lords, their resistance was not to be overcome.

Meanwhile, the position of ministers was strengthened by the disclosure of the true state of the church. Out of a population of 7,943,940 persons, there were 862,064 members of the establishment; 6,427,712 Roman Catholics, 642,366 Presbyterians; and 21,808 Protestant dissenters of other denominations. The state church embraced little more than a tenth of the people. Her revenues amounted to £865,525. In 161 parishes there was not a single Protestant: in 194 there were less than ten: in 198 less than twenty: and in 860 parishes there were less than fifty.

Appropriation Abandoned

These facts were dwelt upon in support of appropriation, which formed part of every bill for the commutation of tithes. But the Lords had taken their stand upon a principle; and were not to be shaken. Tithes were still withheld from the clergy; and the feelings of the people [269] were embittered by continual discussions relating to the church; while bill after bill was sacrificed to clauses of appropriation. This mischievous contest between the two Houses was brought to a close in 1838, by the abandonment of the appropriation clause by ministers themselves. It was, indeed, bitter and humiliating: but it was unavoidable. The settlement of tithes could no longer be deferred; and any concession from the Lords was hopeless. But the retirement of the Whigs from a position, which they had chosen as their own battlefield, was a grievous shock to their influence and reputation. They lost the confidence of many of their own party,—forfeited public esteem,—and yielded to the opposition an exultant triumph which went far to restore them to popular favour, and ultimately to power.

But if ruin awaited the Whigs, salvation was at hand for the church of Ireland. Tithes were at length commuted into a permanent rent-charge upon the land; and the clergy amply indemnified for a sacrifice of one-fourth the amount, by unaccustomed security and the peaceable enjoyment of their rights. They were further compensated for the loss of arrears, out of the balance of the million, advanced by Parliament as a loan in 1838, and eventually surrendered as a free gift. The church had passed through a period of trials and danger; and was again at peace. The grosser abuses of her establishment were gradually corrected, [270] under the supervision of the ecclesiastical commissioners: but its diminished revenues were devoted exclusively to the promotion of its spiritual efficiency.

Education in Ireland

While the state protected the Protestant church, it had not been unmindful of the interests of the great body of the people, who derived no benefit from her ministrations. In 1831 a national system of education was established, embracing the children of persons of all religious denominations.(7) It spread and flourished, until, in 1860, 803,364 pupils received instruction,—of whom 663,145 were Catholics,—at an annual cost to the state of £270,000.(8)

The Maynooth Grant

In 1846, Sir Robert Peel adventured on a bold measure for promoting the education of Catholic priests in Ireland. Prior to 1795, the laws forbade the endowment of any college or seminary for the education of Roman Catholics in Ireland; and young men in training for the priesthood were obliged to resort to colleges on the continent, and chiefly to France, to prepare themselves for holy orders. But the French revolutionary war having nearly closed Europe against them, the government were induced to found the Roman Catholic College of Maynooth.(9) It was a friendly [271] concession to the Catholics; and promised well for the future loyalty of the priesthood. The college was supported by annual grants of the Parliament of Ireland, which were continued by the United Parliament, after the Union. The connection of the state with this college had been sanctioned in the days of Protestant ascendancy in Ireland; and was continued without objection by George III.,—the most Protestant of kings,—and by the most Protestant of his ministers, at a time when prejudices against the Catholics had been fomented to the utmost. But when more liberal sentiments prevailed concerning the civil rights of the Catholics, a considerable number of earnest men, both in the church and in other religious bodies, took exceptions to the endowment of an institution, by the state, for teaching the doctrines of the church of Rome. 'Let us extend to Catholics,' they said, 'the amplest toleration: let us give them every encouragement to found colleges for themselves: but let not a Protestant state promote errors and superstitions: ask not a Protestant people to contribute to an object abhorrent to their feelings and consciences.' On these grounds the annual grant had been for some time opposed, while the college,—the unfortunate object of discussion,—was neglected and falling into decay. In these circumstances, Sir Robert Peel proposed to grant £30,000 for buildings and improvements,—to allow the trustees of the college to hold lands to the value of £3,000 a year,—and to augment the endowment from less than £9,000 a year to £26,360. To give permanence to this endowment, and to avoid [272] irritating discussions, year after year, it was charged upon the Consolidated Fund.(10)

Having successfully defended the revenues of the Protestant church, he now met the claims of the Catholic clergy in a liberal and friendly spirit. The concession infringed no principle which the more niggardly votes of former years had not equally infringed: but it was designed at once to render the college worthy of the patronage of the state, and to conciliate the Catholic body. He was supported by the first statesmen of all parties, and by large majorities in both Houses: but the virulence with which his conciliatory policy was assailed, and the doctrines of the church of Rome denounced, deprived a beneficent act of its grace and courtesy.

State Aid to Other Religions

If the consciences of Protestants were outraged by contributing, however little, to the support of the Catholic faith, what must have been the feelings of Catholic Ireland towards a Protestant church, maintained for the use of a tenth of the people! It would have been well to avoid so painful a controversy: but it was raised; and the Act of 1845, so far from being accepted as the settlement of a vexed question, appeared for several years to aggravate the bitterness of the strife. But the state, superior to sectarian animosities, calmly acknowledged the claims of Catholic subjects upon its justice and liberality. Governing a vast empire, and ruling over men of different races and religions, it had already aided the [273] propagation of doctrines which it disowned. In Ireland itself, the state has provided for the maintenance of

Roman Catholic chaplains in prisons and workhouses. A different policy would have deprived the inmates of those establishments, of all the offices and consolations of religion. It has provided for the religious instruction of Catholic soldiers; and since the reign of William III. the Presbyterians of Ireland received aid from the state, known as the *Regium Donum*. In Canada, Malta, Gibraltar, the Mauritius and other possessions of the crown, the state has assisted Catholic worship. Its policy has been imperial and secular,—not religious.

Queen's Colleges in Ireland

In the same enlarged spirit of equity, Sir Robert Peel secured, in 1845, the foundation of three new colleges in Ireland, for the improvement of academical education, without religious distinctions. These liberal endowments were mainly designed for Catholics, as composing the great body of the people: but they who had readily availed themselves of the benefits of national education,—founded on the principle of a combined literary and separate religious instruction,—repudiated these new institutions. Being for the use of all religious denominations, the peculiar tenets of no particular sect could be allowed to form part of the ordinary course of instruction: but lecture-rooms were assigned for the purpose of religious teaching, according to the creed of every student. The Catholics, however, withheld their confidence from a system in which their own faith was not recognised [274] as predominant, and denounced the new colleges as 'godless.' The Roman Catholic Synod of Thurles prohibited the clergy of their communion from, being concerned in the administration of these establishments; and their decrees were sanctioned by a rescript of the Pope.(11) The colleges were everywhere discountenanced as seminaries for the sons of Catholic parents. The liberal designs of Parliament were so far thwarted; yet, even under these discouragements, the colleges enjoyed a fair measure of success. A steady increase of pupils of all denominations has been maintained;(12) the education is excellent; and the best friends of Ireland are still hopeful that a people of rare aptitude for learning will not be induced, by religious jealousies, to repudiate the means of intellectual cultivation, which the state has invited them to accept. (13)

Footnotes.

1. Act of Union, Art. 5.
2. Supra, p. 218.
3. In one parish £200 were contributed by 1,600 persons; in another £700, by no less than 2,000.—Second Report of Commons Committee, 1832. In a parish in the county of Carlow, out of 446 tithe-payers 221 paid sums under 9d.; and out of a body of 7,005, in several parishes, one-third paid less than 9d. each.—Mr.Littleton's Speech, Feb. 20th, 1834.
4. Church Temporalities (Ireland) Act, 3 and 4 Will. IV. c. 37.
5. It was negatived by a majority of 261, Ayes, 99; Noes, 360.—Hans. Deb., 3rd Ser., xxiv. 805.
6. Supra, Vol I. p. 145.
7. On Sept. 9th, 1831, £30,000 were first voted for this purpose. Hans. Deb., 3rd Ser., vi. 1249. Commissioners were appointed by the Lord-lieutenant to administer the system in 1832, and incorporated by letters patent in 1845.
8. The sum voted in 1860 was £270,722.
9. Irish Act, 35 Geo. III. c. 21; Cornwallis Corr., iii. 366-375; Lord Stanhope's Life of Pitt, ii. 311.
10. April 3rd, 1845. Hans. Deb., 3rd Ser., lxxix. 18. See also Supplementary Chapter.
11. May 23rd, 1851.
12. In 1858 the commissioners of inquiry reported:—'The colleges cannot be regarded otherwise than as successful.'—Report of Commissioners, 1858, No. 2413. In 1860, the entrances had increased from 168 to 309; and the numbers attending lectures, from

454 to 752. Of the latter number, 207 were members of the Established Church; 204, Roman Catholics; 247, Presbyterians; and 94 of other persuasions.—Report of President for 1860-61, 1862, No. 2999.

13. As to recent legislation concerning religious establishments in Ireland, see Supplementary Chapter.

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