



The Limits of Britishness: Reflections on Constitutional Institutions and Ethnic Affiliation in Light of the Irish Experience

**John Hutchinson**

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*При використанні матеріалів статті обов'язковим є посилання на її автора з повним бібліографічним описом видання, у якому опубліковано статтю. Дана електронна копія статті може бути скопійована, роздрукована і передана будь-якій особі без обмежень права користування за обов'язкової наявності першої (даної) сторінки з повним бібліографічним описом статті. При повторному розміщенні статті у мережі Інтернет обов'язковим є посилання на сайт Східного інституту українознавства імені Ковальських.*

**Адреса редакції:**

Східний інститут українознавства імені Ковальських («Схід/Захід»), ауд. 4–87,  
Харківський національний університет імені В. Н. Каразіна,  
пл. Свободи, 6,  
Харків, 61077,  
Україна.

**E-mail:** [siu.kharkiv@gmail.com](mailto:siu.kharkiv@gmail.com)

**Тел.:** +38 057 705 26 30;  
+38 096 1555 136

**Веб-сайт:** <http://keui.univer.kharkov.ua>

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A comparison of Scotland with Ukraine is apt, for the two nationalities are culturally close to the dominant nationality within each Empire to which they belonged. The Ukrainian capital, Kiev, was in Russian historiography the first capital of Russia and Ukrainians shared with Russians the Orthodox faith. Ukrainians formed part of the Imperial elite, something continued under the Soviet state. The Scots too shared core elements with the English, including a common monarchy and Protestant allegiance, and after parliamentary union they were over represented in British state institutions and in Imperial service. Representative institutions and different legal practices also offer a plausible explanation for the differing fates the Scots and Ukrainians. But a focus on insider groups can obscure the limits of legal and constitutional factors in the emergence of modern nations. If we take the Irish case, we can identify also the importance of ethnic affiliations in Imperial stability.

At first sight, the Irish case is very different from the Scottish, but in fact British constitutional traditions have left a deep impress on Irish national life. Modern Ireland represents a peculiar fusion of British parliamentary, legal and administrative traditions with a strong rural populist culture. This reflects the fact that before its annexation by the British state Ireland had no independent state institutions. The Irish 'conquest' occurred through waves of settlement. The first began with the coming of the Anglo-Normans in the 12th century, who established a centre in the area around Dublin. The Anglo-Normans never controlled more than a part of the island. Native Gaelic aristocracies and their institutions remained dominant, and the next significant wave of conquest came during the period of European dynastic-religious wars of the late sixteenth and seventeenth century. Whereas England and Scotland adopted Protestantism, Ireland remained Catholic, and England perceived it as a potential base for enemies. During the seventeenth century in a series of conflicts in which Ireland was enmeshed in English dynastic and religious struggles, the native Gaelic and the Old

English nobility who remained loyal to the Catholic and Jacobite cause were overthrown and supplanted by English and Scottish Protestant colonists. The conquerors used the Irish parliament to pass the Penal Laws, which excluded Catholics from office and landownership.

This period generated the modern nationalist idea of Ireland as martyred Catholic nation, the object of centuries of British persecution. But in as much as the British crown legislated for the whole island through the Irish parliament, it also produced a constitutional tradition within which Irish nationalism would be articulated. By the mid to late eighteenth century a section of the new Protestant minority had declared themselves to be the Irish nation and, like their counterparts in North America, demanded their constitutional rights to self-governance. In their case they attempted to free the Irish parliament from the authority of British parliament at Westminster. Their campaigns ended in failure and general revolt in the late 18th century, that stirred up the ethnocentric passions of the Catholic peasantry against both the British state and the Protestant Ascendancy. In response the British government through the Act of Union of 1801 abolished the Irish parliament and integrated Ireland into Britain. It did so with the support of the bulk of Irish Protestants who, fearing that Irish nationalism had awoken the Catholic majority and now threatened their religious, landed, and political privileges, converted to a fervent British patriotism.

But it was not only Protestants who regarded the British constitution as their protector. The Catholic Church, dreading Jacobin revolution, and much of the Catholic middle class supported the Act of Union. William Pitt, the British Prime Minister, had promised in return for their support Catholic Emancipation (the admission of Catholics to the British parliament). It was his inability to honour this pledge that resulted in the rise of what was to be the major political tradition during the nineteenth and early twentieth centuries: an Irish political nationalism among Catholics. This was directed first at Emancipation, and then (after this was conceded in 1829) the Repeal of the Act of Union and the return of the Irish parliament, this time based on the will of the (Catholic) majority.

The leader of this early nineteenth century nationalism was a Catholic lawyer, Daniel O'Connell. Lawyers and journalists, formed the core of O'Connell's Repeal Association and its late nineteenth century successors. The slogans of these parties focused on English crimes and misdemeanours, and they exploited the millenarian hopes of the peasant masses for a restoration of their land and an overthrow of the Protestant establishment.

The middle class professionals themselves, however, were imbued by a reverence for British liberal traditions, embodied in the English common law and constitutional democracy. They defined membership of the nation in secular territorial terms, allowing for Protestant participation and they rejected revolutionary in favour of electoral strategies. Many had entered politics through participation in British radical movements with whom they shared a hostility to the established Anglican Church and aristocratic privileges. But they were convinced that only through a separate (though not independent) Irish parliament, could Irish Catholics participate on equal terms in the British state and Empire.

The Great Famine of the 1840s destroyed O'Connell's enterprise, and ushered in a fitful period of (relatively weak) revolutionary nationalism. But, by the 1870s, a new generation of Catholic radicals reconstituted this constitutional nationalism, forming the main support for Isaac Butt's Home Government Association that evolved into the Irish Parliamentary Party. One of the notable features of this wave of constitutional nationalism was the prominent role played by Protestants in the leadership, notably Butt and Charles Stewart Parnell. Allying with the British Liberal Party, the Irish party, increasingly dominant electorally because of the progressive democratisation of the franchise, forced a series of concessions from British governments over the next thirty years. The Protestant Church was disestablished, secondary and tertiary education was made available to increasing numbers of Catholics, the Irish, British Home and Imperial services were opened to competitive examinations, Protestant landlordism was gradually dismantled, and extensive powers were devolved to a democratic local government controlled by the Irish party. A Home Rule parliament was still resisted by the British Conservative Party and the House of Lords, which defended the interests of Irish Unionists. But in the early twentieth century it appeared that much of Ireland was in Catholic nationalist hands, and that the alliance between British Liberalism and Irish nationalism would usher in a 'union of hearts' between Irish and British democracies. As we know, in 1914 Ireland was on the verge of Home Rule, but after the outbreak of the First World War, the Home Rule Act was suspended for the course of the war. This left an opening for the revolutionary alternative, which organised first the Easter Rebellion of 1916, and then the war of independence from 1918-21.

The official nationalist historiography of the new Irish nation state after 1921 has discounted the constitutionalist heritage as an historical cul-de-sac in favour of the revolutionary nationalist traditions. In the last twenty years,

however, revisionist historians have challenged the romantic myths of the Easter rebellion, and argued for the viability and, indeed, the moral and political superiority of constitutional nationalism. An Ireland that, like Scotland waited for Home Rule within the British state, would have avoided the sectarian bloodshed during the twentieth century, including the violence in the Unionist North of Ireland which had insisted on the partition of Ireland in 1921.

Although the revisionists have supplied important correctives, the failure of constitutionalism rested on more than the contingency of war. At this point, the historian has to bring into play the role of deep ethno-communal differences based on religion between the British and 'native' Irish in charting an historical trajectory for Ireland, markedly different to that of Scotland. These differences shaped both the popular Irish political vision and also British response to Irish demands for Home Rule.

Although O'Connell and Parnell succeeded in mobilising the peasant masses into constitutional nationalist campaigns, they did so by appealing to their profound feelings of persecution as members of a martyred Catholic nation and their desire for vengeance against an alien landed order. Constitutionalism rested on an insurrectionary sub-culture of local rural communities, which flared into violent collective action in the 'Land war' of the late 1870s and early 1880s. Indeed, educational advance and the extension of the suffrage gave voice to this tradition. By the early twentieth century a new aspiring educated middle class from the rural towns and countryside was attracted to the ethno-communal vision of the Gaelic League. This organisation, inspired by the populist success of the Land League, sought a grass roots regeneration of the Irish nation, based on a forthright rejection of English secular urban culture and a revival of the pre-invasion Irish-speaking early medieval rural and religious civilisation. This organisation was culturally separatist, but it attracted political groups that sought a political separation.

The first decade of the twentieth century presented a paradoxical picture of an Ireland apparently opening up though British reforms to the Catholic majority, yet resounding to the discontents of an educated Catholic lower middle class. Part of this is explained as the Tocquevillian phenomenon of rising expectations outrunning realities, but there was also the reality of 'blocked upward mobility'. Although Ireland was liberalising, the increase in the educationally credentialled outran the available positions in the civil service and the professions. For this

discontented intelligentsia, a measure of political autonomy for Ireland was insufficient, because this would leave Protestant social, cultural and economic dominance intact. What was required was a nationalising of the leading Irish institutions: educational, cultural, administrative, professional, and business . Even so, the ethno-communal alternative remained a minority option, and the bulk of the Gaelic League supporters supported constitutional nationalism. The majority expected the introduction of a Home Rule parliament to offer the native Catholics their rightful place in the sun.

What made an Irish revolutionary nationalism possible was the ingrained anti-Catholicism of British political culture that originated from English (and Scottish) self-definitions as elect Protestant peoples, who historically had been threatened by Catholic powers. This was shared both by English Conservatives who resolutely sought to preserve Anglican and landlord privilege in Ireland, and by non conformist Liberals who viewed with horror Irish demands to give the Catholic Church control of public education. Irish nationalist projects had been achieved in the main only through persistent and often violent campaigns. This came to height during the drive for Home Rule between 1912 and 1914. During this time the Conservatives seemed to prepared to support the Irish Unionists in armed rebellion against enforced Home Rule, while the Liberal government appeared to lack conviction in forcing the issue. The shelving of Home Rule for the duration of the war was perceived to be another betrayal, particularly after Irish Unionist opponents gained strong representation in the war cabinet. The intensity of the war of independence that followed the Easter Rebellion indicates the potency of these popular suspicions.

The experience of Ireland points to several points that have to be built into an analysis of the fate of multinational empires and their successes in integrating populations. First, legal and constitutional frameworks are important in socialising populations. The ethnic similarities between Ukrainians and Russians was negated by the arbitrary repression of the Tsarist state, driving the former towards separatism. The new Irish nation state was threatened almost immediately with civil conflict over the terms of the peace treaty with Britain. After a general election on the issue, the leader of the losing side, Eamon De Valera declared "The majority has no right to do wrong," and appealing to the revolutionary example of the Easter rebellion launched a civil war, in which he was defeated. Part of the reason for that defeat was the strong internalisation of liberal democratic norms and

practices under British rule. Irish parliamentary democracy has never been so threatened since, and this cannot be said of many other new nation states in the twentieth century.

However, this has to be qualified by a recognition of the limits of constitutionalism. British constitutionalism rested on a strong English and Scottish ethno-religious substratum that depicted Catholicism as the enemy of the Protestant tradition of political and civil liberties. The implication was that full participation in the British constitution would come at a severe price: spiritual surrender and acceptance of the legitimacy of Protestant conquest. This contributed to the strange schizoid character of Irish constitutional nationalism, which although culturally assimilationist burned with a sense of profound historical grievance. The Gaelic revival presented a rival vision of the democratic future, of a culturally separate spiritual nation whose political framework arose from a network of revived local rural communities. The resulting character of Irish democracy has been populist and heavily clericalist, contrasting with the class-based party structures of Britain.

Does this not confirm then that nationalism based on ethnicity is separatist whereas that based on a civic constitutionalism is compatible with federation? Not quite: it depends on the content of the ethnicity in question. Stephen Velychenko cites the work of Colin Kidd who makes two important points, firstly, that Scotland because of its ethnic divisions (Highland-Lowland) was unable to construct a coherent national myth that could mobilise a nationalist politics, and secondly, that the dominant Lowlanders regarded themselves as ethnically affiliated to the English. They saw themselves, therefore, as natural partners in a British imperial mission. Ethnicity was unimportant because there was no perceived substantial ethnic difference with the dominant group.

It was of course true that the Lowlanders did adopt cultural emblems of the formerly feared rebellious Highlanders to construct a romantic Scottishness. But this was after the Highlands had been demographically and politically crushed. The national culture had no (and was intended to have no) political bite. There are interesting comparisons with Ireland. A modern Irish cultural nationalism originated with the Protestant Irish who, though Britons in origin, sought to legitimate their claims as rulers of Ireland by reviving aspects of the earlier Gaelic culture. During the nineteenth century an extensive Irish iconography denoting a glorious Celtic past pervaded architecture, the arts, and domestic material culture.

This enterprise rested on assumptions that this culture could be detached from its earlier ethno-religious associations and that the Catholic masses were quiescent or could be domesticated under wise Protestant leadership. But neither assumption was true, and the revival of a proud and heroic Irish past contributed to the mobilising of the majority population into a crusade designed to overthrow the Protestant Ascendancy.

A final point concerns the inevitability of nations. Like Ireland, the Ukraine is a separate nation state, whereas Scotland remains within a British state, for the moment. Should the Scots decide eventually that devolution is not enough, what then is the importance of distinguishing between ethnic and civic paths to nationhood within multinational Empires? Perhaps we have also to address what Gellner characterised as the unevenness of modernisation. In the Irish case ethnic grievances fed off a disjuncture between the expectations of mobility and the inability of an (alien) state to fulfil them. Since this is a general phenomenon one must acknowledge that the potential for nationalism exists within any political community where there are perceived ethnic differences. Perhaps so, but it is likely that within a constitutional state the sense of ethnic closeness (or distance) of the constituent groups is likely to contribute to the intensity of the nationalist discontent and to the range of solutions designed to overcome the problem. In Wales and Scotland class-based parties have been generally the preferred option, whereas in Ireland north and south, such parties have been superseded by nationalist organisations. Equally, as Velychenko argues, ethnic similarities aren't enough. The existence or absence of civic traditions is formative. The final conclusion, then, is that analysts have to tend to both dimensions: ethnic and civic.

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## РЕЗЮМЕ

*Джон Хатчінсон / Межі британськості: рефлексії над конституційними інститутами та етнічними афіліаціями в світлі ірландського досвіду /*

У статті розглядаються дві основні проблеми: як зберегти національні відмінності та ідентичність всередині великих утворень і навпаки, яким чином інтегрувати та контролювати периферії, щоб не спровокувати їхнього опору. Автор погоджується з тим, що конституційні та законотворчі традиції відіграють важливу роль у процесі формування нації, проте зазначає, що приклад Ірландії свідчить про обмеженість конституціоналізму. Британський конституціоналізм спирався на потужний англійський та шотландський етно-релігійний субстрат, що змальовував католицизм ворогом протестантських традицій політичних і громадянських свобод і внаслідок цього прокладав шлях ірландському сепаратизму. Аналітики повинні звертатися як до етнічних, так і до громадянських категорій в справі інтерпретації процесів націотворення та імперської уніфікації.