

# The Confederation of Kilkenny

by Micheál Ó Siochrú

**O**n 22 October 1641 the native Irish of Ulster, led by Sir Phelim O'Neill, captured a number of key towns and fortifications in the province. An alliance was soon forged with the old English Catholics of the Pale and by the end of the year the revolt had spread throughout the country. After an initial period of chaos and confusion, the rebels began to organise themselves, united by their adherence to an oath of confederacy.



Seal of the Catholic Confederation of Kilkenny — 'Pro Deo, rege et patria Hibernia unanimes'.

By this oath the confederate Catholics, as they came to be called, swore to defend the king's prerogatives and their own lives and liberties against a corrupt administration in Dublin and an increasingly aggressive Puritan parliament at Westminster. Irish Catholics' strong sense of national identity was perfectly compatible with personal loyalty to the crown. Charles I was king of Ireland by virtue of an act of the Irish parliament and his authority there functioned independently of his authority in England. The confederate stance was neatly articulated in the motto 'pro Deo, pro rege et patria Hibernia unanimes'.

## Reluctant rebels

With the outbreak of civil war in England during the summer of 1642, government forces in Ireland split into royalist and parliamentary factions, while the Scots covenanters, allies of the English parliament, sent a large army to Ulster to protect their own settler interest. For the next three years, despite the large number of troops in the country, the fighting was confined to minor skirmishes,

sieges and supply raids, with no one side gaining a decisive advantage. This sporadic warfare was accompanied by almost continuous negotiations between the confederates and the royalists, led by the protestant lord lieutenant, James Butler, Earl of Ormond. The confederates, uncomfortable in the role of rebels, were anxious for a reconciliation with the crown and eager to join forces against the king's 'real' enemies, the parliamentarians and the Scots. The contentious issue of religious concessions for Catholics, however, prevented the conclusion of any agreement.

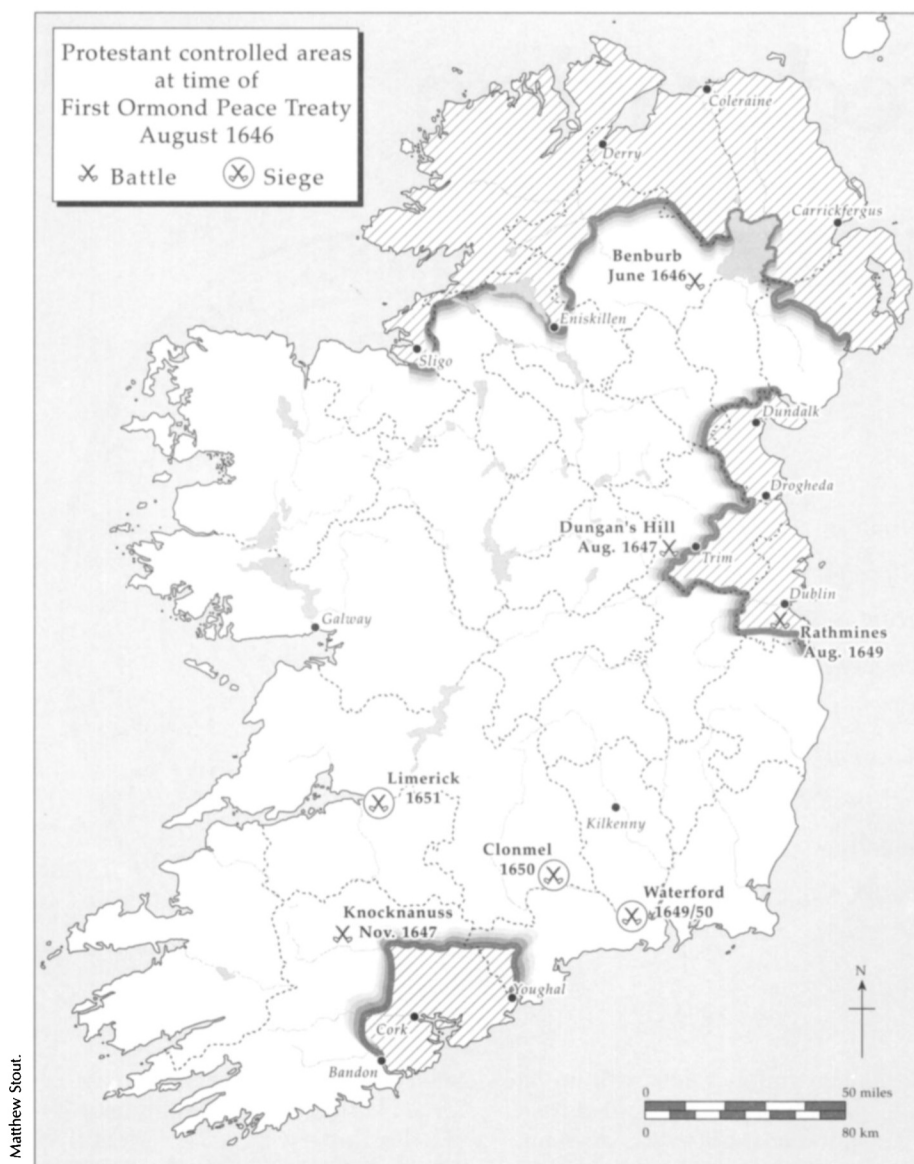
Alienated from the crown and anxious to provide some semblance of law and order, the confederates began to construct alternative power structures, centred in the city of Kilkenny (hence the popular title, 'confederation of Kilkenny'). As a result of these efforts, there emerged a far more sophisticated, dynamic and in many ways progressive political system than has hitherto been recognised. This is particularly true of the General Assembly, which after 1645 developed into a powerful national institution, dominant in con-

federate affairs. The interplay of forces within that assembly and its relationship with the executive Supreme Council played a decisive role in determining the course of events during this crucial decade in Irish history.

## The General Assembly

The General Assembly of the Confederate Catholics of Ireland met nine times between October 1642 and January 1649. A unicameral assembly where lords, clergy and commoners all sat together, it functioned as a central forum where issues of national importance could be discussed. The assembly enjoyed a wide geographical representation, covering all four provinces, but the franchise was restricted to male freeholders of forty shillings a year upwards. According to the confederate 'model of government' developed during 1642, supreme authority resided in the assembly, and its consent was necessary in resolving the major questions of peace and war.

This arrangement was always seen by the confederates as a temporary expedient until they were able to



Matthew Stout.

reach an accommodation with the Stuart monarchy and for this reason the assembly deliberately avoided the title 'parliament'. Nonetheless, in the words of a leading confederate, every effort was made 'to keep us as near to the old government as we might be' and to facilitate the exploitation of existing structures. Writs were issued for elections to the assembly based largely on old constituency boundaries. Royal taxes were diverted to finance confederate troops and administrators, while the judicial system continued to function with minimal changes.

## The Supreme Council

Before dispersing, each General Assembly elected an executive body of twenty four members, called the Supreme Council, which was responsible for the day-to-day administration of confederate-controlled areas. This council sat continuously, though in theory it surrendered authority

whenever an assembly was in session. In practice, however, the Supreme Council, dominated by a small powerful clique of landowners and lawyers, gradually assumed a dominant political role, particularly regarding the crucial negotiations with the royalists. By 1644 the assembly, effectively stripped of power and lacking any clear sense of purpose or identity, became nothing more than a rubber stamp for the council's decisions. Poor attendances and insipid debates were further indications of its diminished role.

## Glamorgan's secret commission

All this began to change from the summer of 1645 onwards. In June of that year the royalist forces in England were crushed at Naseby, a defeat which left Charles I without a standing army. In the desperate search for troops which ensued, accommodation with the confeder-

ates now became an urgent necessity. That same month, Edward Somerset, the Earl of Glamorgan, arrived in Ireland with a secret commission from the king giving him wide and undefined powers to negotiate a settlement. The authenticity of this commission was, and continues to be, the subject of controversy, though crucially it was accepted as legitimate by the confederates. The earl's willingness to offer major religious concessions to the Catholics proved decisive in breaking the deadlock in the peace talks.

A compromise was agreed by which the final settlement was divided into two components — a secret agreement with Glamorgan on religious matters and Ormond's public treaty dealing with political and military affairs. This arrangement was fatally compromised when the English parliament obtained, and published, a copy of the secret treaty. Worried about the political repercussions in England of this disclosure, Charles I quickly repudiated Glamorgan. As a result, serious divisions began to emerge in confederate ranks. One group favoured pushing ahead with Ormond's treaty alone, while another, encouraged by Eoghan Ruadh O'Neill's crushing victory over the Scots at Benburb, argued that without religious concessions, no settlement was acceptable. In August 1646, despite significant opposition, the Supreme Council published the Ormond Peace treaty, precipitating an open breach between the hostile factions.

## Factional conflict

A party or faction in the seventeenth century was not a clearly defined entity with the strict internal discipline we associate with such groups today but a loose coalition of men shading off to the mass of the uncommitted. The destruction of assembly records in 1711 makes individual political allegiance difficult, but not impossible, to ascertain. It appears that the majority of assembly members were not associated with any particular grouping. Few had any political experience at national level. They were spokesmen for their own communities who voted according to personal or local interests. After 1645, however, with the development of factional conflict, it became increasingly difficult to maintain a neutral position.

## The Ormondist (peace) party

This struggle between the Ormondist and clerical factions is the dominant theme of studies on the period. The Ormondists or peace party are a clearly identifiable group of the lord lieutenant's Catholic relations, retainers, tenants and friends, whose remarkable cohesion throughout the turbulent decade gave them a disproportionate influence on confederate affairs. The leading figures in this faction (Viscount Muskerry, Richard Bellings and Doctor Gerald Fennell) are well known and played a major role in the political, military and diplomatic spheres. Not surprisingly, accommodation with Ormond and the royalists was their primary aim and they favoured using 'safe' aristocratic generals, like Viscount Taaffe and the Earl of Castlehaven, who could be guaranteed not to campaign too vigorously. Crucially, the Ormondists were prepared to postpone the question of religious concessions until the king had won the civil war in England.

## The clerical (war) party

The clerical or war party on the other hand was a less coherent body. At its core were the bishops and clergy who, when they spoke with one voice, presented a formidable front. Allied with them at various times, but for different reasons, were counter-reformation Catholics, those dispossessed by the plantations, and a general anti-Butler interest. Edmond Dempsey, bishop of Leighlin and Geoffrey Barron were leading figures in this faction, but unquestionably the dominant personality was the papal nuncio, Rinuccini, who reached Ireland from Rome in November 1645. The war party also favoured an agreement with the royalists, but at a higher price — state recognition for the Catholic church in Ireland and a reversal of the plantation policy, particularly in Ulster. They sought to dictate peace terms following a decisive military victory and their favourite, though by no means always compliant, general was Eoghan Ruadh O'Neill.

This straightforward division of confederates into peace and war factions is unsatisfactory, however, in explaining developments at this time, particularly the crucial events of August 1646. In that month, having published the Ormond treaty, the Supreme Council sent two of its mem-



*Portrait of Owen Roe O'Neill  
by Van Bruggens.*

bers, Nicholas Plunkett and Patrick Darcy to the ecclesiastical congregation meeting in Waterford. Plunkett, chairman of the General Assembly, and Darcy, confederate 'chancellor', were two of the most respected lawyers in Ireland, well versed in the art of persuasion. They were leading proponents of peace and had been intricately involved in drawing up the treaty with Ormond. Their task was to convince Rinuccini and his allies to accept the limited terms on offer from the royalists. Shortly after arriving in Waterford, however, both men suddenly switched sides and denounced the treaty.

## A centrist party?

The conventional explanation for this abrupt turn around has been that Plunkett and Darcy, as devout Catholics, were beguiled by the papal nuncio. A more plausible scenario is that this switch in allegiance was a deliberate move, which signalled the emergence of a centrist position in confederate politics, a middle group. For the next two years the political scene in Kilkenny was divided not

into two, but rather three strands, which corresponded very closely to the peace, war and middle groups in the long parliament at Westminster. This middle group was a joining together of moderate men for specific though limited ends. Their main aim was to preserve confederate unity by encouraging consensus and co-operation. They were anxious for peace, but not an abject one, and for a time their policies prevailed as the most workable compromise between the irreconcilable extremes of peace and war.

It is difficult to pinpoint who belonged to this middle party as they exercised their influence by supporting one of the other two factions, and tended therefore to get lumped in with them. The leaders, however, are clearly identifiable. Apart from Plunkett and Darcy there was Nicholas French, Hugh Rochfort and for a time Randal MacDonnell, Marquis of Antrim. French, the bishop of Ferns played a vital role as ecclesiastical counterbalance to the more extreme papal nuncio.