

THE CROWNED HARP

Policing Northern Ireland

Graham Ellison and Jim Smyth

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For our parents

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Preface

This book was written at a time when the immobility of politics in Northern Ireland seemed to be shifting in reaction to both internal and external pressures. For many participants and commentators, the political negotiations were about building trust between the parties involved and understanding the fears, concerns and aspirations of the other. While the two communities have constructed, over the years, a pragmatic system for dealing with everyday social intercourse, this same *modus vivendi* was based upon a pact of silence as far as cultural, national and political issues were concerned. The failure to address the roots of division between the two communities was constitutive of the nature of state and society in Northern Ireland. Thirty years of internal war intensified already deeply etched fissures and suspicions – those institutions and agencies designed to manage the conflict reinforced and ‘normalised’ the idea that the conflict could be simply reduced to one of defeating terrorism.

The focus of this book is one such institution: the Royal Ulster Constabulary (RUC). The policing of Ireland has been a preoccupation of the British state since the beginning of the nineteenth century and the methods, organisation and practice of policing reflect and refract the changing focus of policy towards Ireland. The RUC has been the main agent of state control since the establishment of Northern Ireland in 1922 and is seen by many Protestants as an essential bulwark against the threat posed by Irish nationalism. To understand the central importance of the RUC, one must confront both the particular nature of policing in Ireland and the way in which the police embodied the fears and aspirations of Protestants as well as confirming the worst suspicions of Catholics. Irish society has always been divided on ethnic lines and division has historically coalesced around questions of identity and nationality. The traditional role of the police in Ireland, embracing the country as a whole from the early nineteenth century until Partition and then the new state of Northern Ireland, has been to police division and enforce the domination of one ethnic

group over another. This book attempts to trace the central role of policing as a means of social control and the policing of division. We do not see Northern Ireland as a unique society but one which, with all its historical and social idiosyncrasies, exemplifies the problems facing societies which are, apart from the perennial problems of class differences, also divided on lines of culture, ethnicity and nationality. Our approach combines a number of methodologies, as we are convinced that no single approach can appreciate the complexities of a divided society. The social sciences are particularly susceptible to theoretical tunnel vision and we have tried to avoid this by a theoretical and methodological pluralism that hopefully does not come to grief on the reefs of eclecticism.

There is no such thing as a neutral book on Northern Ireland. Whether overtly or covertly, a position must be taken on the central constitutional and national questions that embody division. While we reject the notion that Northern Ireland, prior to the outbreak of serious unrest in 1969, was a 'normal' society in any sense of the word, particular criticism must be directed at the policies of successive British administrations since 1969. By presenting the problem as law and order, the British state deployed vast resources to convince the world that the problem was simply a security one and cynically invoked paranoid fears of a global terrorist threat. The militarisation of the conflict invoked a scenario where victory for one party could only mean total defeat for the other. In particular, the use of the RUC as the frontline force against republicanism deepened division. Thirty years of direct British involvement in Northern Ireland are an object lesson in how *not* to deal with the problems of a divided society and we hope lessons can be learned that will be of use elsewhere.

Our sources for this book have been eclectic and manifold. We have made extensive use of historical sources and have, when such sources have been found wanting, carried out our own research. Graham Ellison's interviews with serving and retired police officers give an unrivalled insight into the mindset of RUC officers and this research is deployed throughout the book. While we have not had any special access to official sources or documents, conversations with serving and former members of the security forces sometimes pointed us in interesting directions. The same is true of contacts and conversations with members of loyalist and republican organisations. Both authors come from a social science background

but whether this was a hindrance or a help we will leave the reader to decide.

Without the many people who talked to us this book would never have seen the light of day. Some, such as members and ex-members of the RUC and USC, republicans and loyalists have strongly held opinions on policing. Listening to many ordinary people, some unwittingly caught up in the maelstrom of violence, confronted us with some of the human tragedies of the last thirty years. Most would not wish to be named but we are grateful to them all. Ciaran Acton, Aogan Mulcahy and Mike Brogden read parts of the work in progress. Graham Ellison would like to thank Tony Jefferson and his colleagues at Keele University for their help and support. The staffs of the National Library in Dublin, the Linenhall Library and the Central Library in Belfast were generous with their time and assistance.

We apologise to all those who suffered from our bouts of ill humour during the book's production.

Introduction

The idea that the conflict in Northern Ireland is an atavistic throwback to the religious wars of the seventeenth century no longer dominates interpretations of the problem. From being viewed as an anachronistic society out of step with the rest of Europe, Northern Ireland is increasingly attracting attention as an example of a conflict situation in which culture and ethnicity play a significant role. Dealing with the question of cultural and ethnic diversity is becoming a global problem and one that is increasingly preoccupying the countries of the European Community. The murderous conflict in the former Yugoslavia and the ongoing war in Chechnya have global implications and consequences. The flow of refugees and displaced populations lapping at the door of Fortress Europe, is adding new ethnic groups to those, like the Turks and North Africans, who helped reconstruct the continent after the Second World War.

Much has changed since the conflict in Northern Ireland ignited over thirty years ago. The empires of the nineteenth century have finally departed the stage of history and globalisation has eroded the economic, cultural and political power of nation states. The collapse of old certainties has fuelled the rise of right-wing political parties in many European countries and this virulent and unfortunate trend has latterly spread to Austria, Switzerland and Sweden. Set against these developments is an increasing emphasis on diversity, minority rights and the implementation of human rights legislation and a recognition that the traditional homogeneity of the nation state is no longer viable. If there is one lesson to be learned from the conflict in Northern Ireland, it is that the suppression of identity and the denial of rights to minorities is not a solution. A more complex lesson is that minorities must also respect the rights of majorities and not turn themselves into mirror images of their putative oppressors.

Successive British administrations, often held in thrall to Unionism, have obstinately confused consequence with cause, and dismissed legitimate demands and aspirations with the

conflations of the rhetoric of terrorism. In pursuit of a military solution to a political problem, the British state drew on a tradition of policing in Ireland which has its roots in the early nineteenth century. This tradition, embodied in the RUC after 1922, has been militaristic, unaccountable and divisive. Prior to 1969, the RUC was deployed to uphold the rule of an exclusive ethnic regime without regard for the inevitable consequences. Perhaps confused by the experience of the long retreat from empire, the response of the British state to escalating conflict slid into a familiar groove as the conflict was increasingly militarised. The deployment of a professional army, hardened in colonial wars, was a terrible mistake and confirmed the worst suspicions of nationalists. Both sides to the conflict became consumed by the dream of a military victory over the other and, as the dream turned to nightmare, war became for many a way of life. As with all modern wars, the victims have been the innocent, the children, women and men who happened to be in the wrong place at the wrong time. As far as the Stormont state was concerned, and after 1971 the British state, the solution lay in repression and the agents of repression: first the British Army, and after 1974 the RUC and the locally recruited Ulster Defence Regiment, were deployed not just against the IRA but against the Catholic population as a whole.

If those who forget history are condemned to repeat it, the amnesia of those who made policy in Northern Ireland for over twenty years is frightening. The legacy of policing and repression in nineteenth-century Ireland was there for all to see: when eventually confronted by the armed movement it helped to create, the Royal Irish Constabulary melted away like snow on a ditch, unable to stem the tide of Irish nationalism.

Multiethnic empires and states tend to be ramshackle rather than efficient, careful to consolidate the power of the centre with judicious concessions to minorities. Few states insisted on such ethnic exclusivity as Northern Ireland after 1922 and the deployment of such a comprehensive apparatus of repression and control of political, cultural and economic life was unique to any so called democracy. Of course, the Unionist regime could never have achieved this without the sanction of its erstwhile masters in London. When Stormont was eventually forced to cede its authority to a reluctant British government, the latter showed no inclination to learn from

history but instead embarked upon a long war in a not-so-distant province. The poverty of ideas was a characteristic of both parties to the conflict and it sometimes appeared as if the pursuit of war was a way of waiting for history to catch up.

Perhaps history has now, at last, caught up. The collapse of empires and the erosion of the nation state are two sides of the same coin. Unionists can no longer depend on the unswerving loyalty of British governments and the dream of a united Ireland makes little sense as the Irish Republic transforms itself into an offshore platform for multinational capital and picks at the scabs of endemic corruption. Wars have their own logic: easy to start and hard to stop. The tenacious belief that there could be a security solution to a society as deeply divided as Northern Ireland was sustained by the activities of a massive security apparatus blind to the futility of its own perverse logic. It is perhaps to the credit of the IRA that they were the first to realise that a military victory was a dangerous chimera which, even if it were possible, offered no solution.

The focus of this book is the policing of Northern Ireland after partition in 1922. The first chapter looks at the emergence of a dense apparatus of control in nineteenth-century Ireland that set the parameters for the next century. Without the extensive apparatus of coercion and control constructed after 1922, the Stormont regime could not have survived: policing was central to the very existence of the state and Protestant hegemony. If there were peaceful years during the early decades of the state's existence, it was the peace of a graveyard, where expressions of minority culture and identity were seen as a threat and ruthlessly suppressed. The decision to replace the British Army by the predominantly Protestant RUC after 1974 was a fateful one further compounded by the transformation of the police into a fully-fledged counter-insurgency force.

This decision confirmed, in the eyes of nationalists, that the police were simply the agent of British policy and a proxy for continued Unionist domination. For Protestants, the RUC was 'their' police, protecting them from the depredations of the IRA. The police themselves took to their task with a will, safe in the belief that their activities would not be seriously questioned and that they would not be called to account for their actions. The book traces the twists and turns of security policy as the RUC and their political masters fruitlessly sought *the* tactic that would eventually crush the IRA. When internment

without trial failed to stem the violence, an elaborate policy of 'Ulsterisation' was embarked upon giving the RUC the lead role in the counter-insurgency campaign. The use of special non-jury courts was intended to reinforce the image of normality and sustain the myth that the conflict was caused by a small band of ruthless terrorists who enjoyed little or no support.

In the two decades after 1969, political initiatives were subordinated to increasingly desperate attempts to crush the IRA: internment was followed by normalisation and criminalisation; interrogation centres were opened to feed the new Diplock courts with confessions extracted from suspects. Special units were deployed in undercover operations, initially by the British Army and later by the RUC. The introduction of computers allowed the development of a unprecedented level of surveillance of whole populations who were gradually corralled into electronic prisons. The priority given to security policy was not simply a response to IRA violence. It was a policy which failed to confront the nature of the society created under nearly seventy years of Unionist rule, a society which was politically, culturally and economically exclusionist not only on class lines, but on grounds of religion and culture.

The conflict in Northern Ireland is, broadly speaking, about ethnicity, identity and culture. Although deeply differentiated and fractured on class lines, with widespread inequalities in education, employment and wealth distribution, socio-economic inequalities are refracted through the prism of ethnicity. Indeed, the policies pursued by successive Unionist regimes after partition tended to reverse the (partially successful) attempts of Britain in the late nineteenth century to integrate Ireland more firmly in the orbit of empire. Paradoxically, the exclusion and marginalisation of the Catholic population forced the development of a particular sense of identity and cultural distinctiveness, while failing to unify the Protestant community in more than a superficial manner. When the question of reforming the Unionist state was posed by the Civil Rights Movement in the 1960s, it was Unionism that began the long process of disintegration. The primary role of the RUC, in the period prior to 1969, was to police cultural and ethnic practices and to suppress any concrete expression of Catholic grievance. It is a further paradox that the very practice of policing during this period – discussed in Chapters Two and Three – helped produce communities that were self-contained and

cohesive in the face of a hostile state. In many ways it was Unionism which created the particular identity of the Catholic community in Northern Ireland, a community that showed extraordinary resilience in the face of a counter-insurgency campaign that was directed as much against ordinary people as the IRA. Although religion remains the main criterion of differentiation between the two communities, Catholicism is no longer a strategic component in the identity of Northern Catholics.

The inability of the state to deal with the demands of the Civil Rights Movement – discussed in Chapter Four – was a result of an inability to understand the changing social composition of the Catholic bloc and the novelty of its demands. Of all the institutions of the state, the RUC had the least comprehension of what was going on. Its advice to the Unionist and British governments was predicated on the reduction of everything to a republican conspiracy to destroy the state, a mindset that soon came to be shared by the British Army. The opportunity to grasp the nettle of policing was passed over in favour of an intensification of repression and the placing of the RUC in the forefront of this misguided policy. Chapters Five and Six examine the development and consolidation of the security apparatus from the mid-1970s onwards. Once again, the single-mindedness of security policy was to have unintended consequences. The attempt to impose a normal prison regime on republican prisoners led directly to the hunger strikes of 1980–81 and had the effect of forcing Sinn Féin to try its hand at electoral politics and abandon the dogma of abstentionism. The electoral success of Sinn Féin had two important consequences: it shook the Dublin government out of its political torpor regarding the North, and it gave the lie to the assertion that republicanism had no significant support. The hunger strikes led to the deployment of the RUC in a front-line role in nationalist areas. An index of the turmoil of the period is that over 30,000 plastic bullets were fired, and the alienation of a new generation of Catholics from the police was assured.

The retreat from communal conflict remained painfully slow despite the insertion of politics into the equation. A security solution remained the first priority of the Conservative government during the 1980s, and although the conflict may have been contained during that decade it was at a terrible cost in human suffering. Tactics were deployed that discredited both

sides of the conflict. Chapters Seven and Eight look at two of the most controversial tactics deployed by the security forces during this decade: undercover operations and collusion with loyalist death squads.

By the end of the 1980s, the RUC had become what amounted to a third community in Northern Ireland. Police officers were startlingly well-paid, equipped with a vast panoply of powers and equipment and seemingly accountable to no one. Officers lived in comfortable middle-class ghettos around Belfast and few had any contact with many of the areas they policed except through the gun ports of armoured jeeps. There is at least a probable connection between the social isolation and elitism of the RUC and their apparent willingness to use whatever means they saw as necessary to defeat the IRA.

The cessation of the IRA campaign after the cease-fire in 1994 put the RUC in the awkward position of having to justify its practices in new terms. In Chapter Nine, the use of survey evidence to demonstrate the acceptability of the RUC to the Catholic community in particular is examined in the context of the publication of the Patten report on policing (Patten Report, 1999). Both the Police Authority for Northern Ireland (PANI) and the Chief Constable continue to make use of the results of public attitude surveys to dilute calls for a transformation of policing in Northern Ireland. We argue that such survey evidence is at best ambiguous and at worst misleading and in itself should not be used for the basis of policy decisions.

Unionist and RUC opposition to reform, since the publication of the Patten Report, has tended to focus on recommendations that the symbols of policing be changed. Suggestions that the insignia, name and other trappings be depoliticised have ignited a furious reaction and tell us much about the importance of symbols in a divided society. All societies use the power of symbols to express the reality of power and powerlessness, but most can do so in a relatively non-contentious manner. A monopoly over the public use of symbols has been a feature of Unionist rule and has been a component part of the creation and maintenance of division (Cairns, 1999).

The Patten Report is the most comprehensive analysis of policing ever undertaken in Ireland or the UK. Drawing on the results of extensive consultation, and an examination of

policing in other countries, the report offers a model of policing which aims to transcend the inherent difficulties of policing a divided society. Whether intentionally or otherwise, the report has repercussions and implications far beyond the narrow confines of Northern Ireland. In societies that are increasingly diverse and differentiated on grounds of colour, ethnicity, religion and a multitude of other characteristics, policing has become a much more sensitive and contentious issue. No longer can the police attempt to subjugate the lower orders to the manners and ways of their social betters; they must operate with consent and be made accountable. This is the precise thrust of the Patten document: policing can only operate properly by consent allied with strong structures to ensure accountability. The practice of policing in Northern Ireland has been lacking in both these areas and if the last eighty years are an example of how things should not be done, the opportunity is now available to show the rest of the world how they should be done.

1 Policing Nineteenth-century Ireland: Setting the Parameters

Policing Class Society

Modern police forces emerged as institutions essentially dedicated to the surveillance of target populations. To use Ignatieff's phrase, capitalism created a 'society of strangers' (Ignatieff, 1978), where traditional mechanisms of social control no longer worked, leading the state to embark on a long process of the bureaucratisation and centralisation of social control. Yet the system of penalty into which the police are embedded is not simply about repression, but also has the function of shaping, constructing and legitimising cultural meanings and practices (Garland, 1990). Many institutions of nineteenth-century Europe had a didactic role in the transformation from a pre-capitalist to an industrial economy: the churches, the education system and the ever denser institutional control of deviant populations through the agency of hospitals, orphanages, workhouses and asylums. The police, although formally part of the system of penalty, performed a broader function as an adjunct to other institutions of social control in attempting to transform and remould moral and political understandings. In the last analysis, of course, the police had recourse to legitimate coercion when all else failed.

Pre-capitalist societies depended on a process of indirect control of populations mediated by the patronage of local elites and local customs. This was consolidated by what Foucault (1979) terms 'exemplary punishments' conducted in the full public gaze. The English 'Bloody Code' of capital punishment, for instance, contained over two hundred offences which brought a sentence of public execution, although most such offences were so narrowly defined that prosecutions were rare and pardons common (Emsley, 1997, p. 251). There were an astonishing number of trivial capital crimes. People could be hanged for damaging Westminster Bridge, for damaging trees, for stealing five shillings and for 'taking away a maid or a widow

for the sake of her fortune' (Reith, 1938, p. 231) Between the last quarter of the seventeenth century and the middle of the nineteenth century, the criminal law was extensively reformed in England and elsewhere in Europe to the extent that, with the exception of murder and treason, transportation and prison sentences replaced capital punishment. The public symbolism of execution as a spectacle that manifested itself in England through the procession of the condemned through the streets of London to Tyburn (Foucault, 1979; Lindbaugh, 1975) was discontinued in 1783 and public executions were abolished in the 1860s. Similarly, physical punishment as a public ritual had all but disappeared by this time.

Behind these changes in the nature of punishment lay profound shifts in the nature of social and economic relations. Bourgeois society rests upon twin pillars: formal and legal equality on one hand, and deep-seated economic and social inequalities on the other. This essentially contradictory reality brought with it new conflicts and locations of resistance. In the mobile and increasingly urbanised society of industrial capitalism, new definitions and categories of crime were introduced to protect and consolidate the new order. An expanding nexus of social relations based upon possessive individualism (Macpherson, 1964) had, by the beginning of the nineteenth century, successfully infiltrated the fabric of English society bringing with it a new matrix of criminal offences. The destruction of rural custom and the enclosure of common land criminalised many aspects of traditional rural life and the new urban working class was the subject of extensive new legislation to curb their militancy and consolidate the factory system.

Foucault's analysis of the changing nature of punishment and power vividly charts this shift in the *modus operandi* of social control, of which policing is a central part. Social control becomes increasingly bureaucratised. Dandeker (1990, p. 111) for instance, points to four important changes central to this process:

- 1 A revolution in punishment took place, with prisons replacing public physical punishment.
- 2 New bureaucratic structures were created for the processing of deviant populations.
- 3 The police became the agent of the rational discipline of society.

4 Supervision, surveillance and control became the watchword of the new professions.

The consolidation of the modern state developed an apparatus of surveillance and control, which reached deeper than ever before into society. The police became the agent for the rational disciplining of society. Supervision, surveillance and control became the watchword of the new professions. But the new structure of power was never as ubiquitous and total as commentators such as Foucault and Dandeker seem to imply. The stability of bourgeois society may rest ultimately on the threat of repression, but its everyday existence depends upon legitimacy and complicity. The legitimacy of the modern state rests on a number of pillars but central is the acceptance of a set of property relations. By the early nineteenth century, the precepts of possessive individualism were well entrenched as the basis of the power of the bourgeoisie and formed the basis of cultural and economic stability. This precarious stability was not achieved without struggle, as E.P. Thompson so often reminded us (Thompson, 1963, 1975, 1980). Complicity is a more elusive and slippery concept but without it no state or powerful institution can survive (Donzelot, 1980). The Catholic Church in nineteenth-century Ireland could only impose its brand of repressive sexual politics because a predominantly peasant society survived on late marriages and the strict control of women's bodies to ensure that illegitimacy would not upset the smooth workings of inheritance (Smyth, 1995). Equally, the police depend upon complicity for their very survival. A significant section of the population, embracing all sections of the class structure, are generally united in their condemnation of certain crimes and willing to assist the police in their efforts to apprehend perpetrators.

Moral sanctions condemning crimes such as rape, murder and personal assault pre-dated capitalist society and cut across class lines. The reality of a more mobile and impersonal society made such offences more difficult to sanction without the presence of a uniformed and bureaucratic police force. The state, via the agency of the police, took over the role of policing and punishing those already beyond the pale. The respectable working class clearly demarcated itself from the criminal class, particularly as the working class was, and still is, the main victim of property crime. The police

depended upon both the legitimacy of the new economic and political order and the complicity of the population in the control of the criminal classes. In general, the penal system reinforced both the power and authority of the state as well as propagating a particular version of morality and legitimate social relations. The police, during the nineteenth century, became part of an institutional discourse aimed at the reorganisation of society.

A certain ambiguity characterised the attitude of many working people towards the new system of policing. While they resented the strict enforcement of property rights on the part of landowners and others, they were also prepared to invoke the law to enforce their own meagre property rights. E.P. Thompson writes in a similar vein: 'What was often at issue was not property, supported by law, against no-property; it was alternative definitions of property rights: for the landowner, enclosure; for the cottager, common rights; for the forest officialdom, "preserved grounds" for the deer; for the forester, the right to take turfs' (Thompson, 1975, p. 261).

The introduction of the 'policed society' in the nineteenth century had complex roots. At one level, the new urban propertied classes felt a need to protect themselves from the threat of revolution and the reality of riot, and at a more prosaic level there was a need to consolidate and police new property and class relations. As the historian of London, William Robson, has pointed out, the preservation of property counted for more than 'any other aspect of local government whatsoever' (Robson 1939, p. 50).

The police also played a significant part in suppressing what were seen as anti-social forms of behaviour and recreation among the working classes. Popular 'rough' sports and recreations were suppressed in an attempt to undermine collective forms of association as well as altering patterns of behaviour (Phillips 1983; Storch 1975, 1976). The police were one of the agencies who transmitted the message that certain cultural practices would no longer be tolerated. Opposition to new forms of policing did not only come from below. The rural gentry were opposed to the erosion of their traditional powers consolidated under the eighteenth-century system of law which suited them in so far as it granted informal control over their own semi-autonomous areas (Hay, 1975).

Was Ireland Different?

The question arises, in what way was Ireland different, if at all, from other countries in Europe in the way in which the police, in particular, were used both as an agent of social control and an arbiter of cultural change? By the middle of the eighteenth century, Ireland was a relatively peaceful society if only because the wars of the previous century had destroyed and driven into exile the leadership of the old Gaelic order. Levels of crime were lower than in countries such as France and England, and travellers in seventeenth- and eighteenth-century Ireland were quick to note this: ‘... yet the robberies, felonies, burglaries etc. usually committed in this Kingdom are not so numerous but there are commonly sentenced to die in a monthly session at the Old Bailey more than in a half year’s circuit of Ireland’ (quoted in Connolly 1992, p. 218).

Agrarian unrest – after the Hougher disturbances of 1711–12,¹ when the extension of large-scale stock raising in the western counties led to the slaughter of thousands of cattle by discontented cottiers – was sporadic and low-key in a country which was enjoying an unprecedented level of prosperity, particularly after the middle of the century. Although this stability was a precarious one – based as it was on the monopoly of power and privilege in the hands of a small Protestant class – a temporary balance between rulers and ruled had been reached whereby conflict was contained and to some extent controlled by custom and compromise.

Rural unrest in Ireland began to re-emerge after 1760 but the actions of the multifarious groups, such as Whiteboys, Oakboys, Hearts of Steel and other rural secret societies (see Clark and Donnelly, 1983), were not aimed at the destruction of landlordism, nor did the secret societies make demands of an overtly political nature. Rural secret societies during this period were concerned with changes that eroded traditional practices and challenged customary rights and in this sense appear little different to the rural agitation in England described by E.P. Thompson. The increasing intrusion of commodity relations into rural life and the introduction of new agricultural practices led to protest. The enclosure of common land, speculation on leases, the extension of rents and tithes were the most common causes for complaint as impersonal economic forces inserted themselves into a society based upon patronage and deference. Such popular and widespread protest was

novel even if it did not, as in later decades, lead to widespread bloodshed. But it was clear that the moral economy (Bartlett, 1983) of seventeenth-century Ireland was disintegrating, and not just because of impersonal economic forces such as the undeniable effect of a rapidly rising population which was putting pressure on the system of rents and leases. External events, such as the revolutionary struggles in France and America, had an influence in Ireland greater than in other non-involved countries. The Whig historian, W.E.H. Lecky, in his *History of Ireland in the Eighteenth Century*, writes of the influence of the French Revolution on Ireland:

The ideas of an English country peasant seldom extended beyond his country town, and the continent to him was almost as unknown as the world beyond the grave. But tens of thousands of young Irishmen had passed from the wretched cabins of the South and the West to the great armies of the Continent where the Catholic was not looked upon as a slave, and where Irish talent found a welcome and a home – of the abolition of tithes, of the revolution in landed property, of the offer of French assistance to all suffering nations – soon began to penetrate the cottier's cabin and mingle with the cottier's dreams (Lecky, 1972, p. 272).

It is perhaps here that the crucial distinguishing feature of protest in Ireland can be seen. Historical grievances, buried but not forgotten, offered an inadequate framework for protest given the destruction of the old Irish order, but the grievances remained, ready to be reformulated and emerge once more onto the stage of history.

The rapid collapse of the moral order which had held Ireland together in the first part of the eighteenth century was also accelerated by suggestions that Catholics be granted greater rights – a suggestion that was not immediately rejected by the British government (Connolly 1992, p. 249) – but which increased the paranoia and fears of conservative Protestants, already unsettled by the emergence of rural unrest. Another component in the new constellation of social forces was the expansion of a new, increasingly self-confident and prosperous Catholic middle class irritated at their continued exclusion from political power and their subjection to repressive legislation.

Literacy levels were rising in the population, and radical texts and newspapers were challenging the basis of the Protestant

ascendancy in Ireland. Newspapers such as the *Northern Star* brought mainstream radical European thinking to a wide, if English-speaking audience (Elliott, 1989, pp. 168–9). However, as Lecky pointed out, radical ideas in Ireland were not confined to the English-speaking urban middle classes, but had also infected the Irish rural poor, who were showing a new ability to combine grievances with the formation of politically motivated organisations. The Protestant establishment, ever fearful because of its numeric inferiority, became increasingly twitchy and frightened.

Thomas Bartlett sees the events surrounding the attempted introduction of the Militia Act in 1793 as a turning point in the collapse of the moral economy of eighteenth-century Ireland (Bartlett, 1984). Dublin Castle, the nerve-centre of the British administration in Ireland, viewed the establishment of a militia as essential to policing, particularly if the British Army units normally garrisoned there were to be used abroad in the war against France. Despite reassurances to the contrary, the militia raised during the American war had been sent overseas, which was one cause of discontent. Men were compulsorily selected for Militia service by ballot in local areas and parishes – the complex informal practices of deferment, and evasion of service, also fuelled the subsequent unrest. The initial focus of resistance rapidly expanded to include demands for liberty and equality and the issuing of death threats to men of landed property (Elliott, 1989, p. 221). The failure of the British government to gain the support of the Catholic gentry by instituting reforms was crucial and, as Elliott notes: ‘The government had been within easy reach of gaining the support of the Catholic leaders and with them their considerable powers of control over the lower orders. Instead they were unable to deliver on promises and their influence disintegrated’ (Elliott, 1989, p. 222).

With the collapse of the traditional order and the inability of either the Catholic or Protestant gentry to control the Catholic rural poor, the stage was set for a direct confrontation between the populace and the British Army as a new spiral of secret crime, organised outrage and military repression emerged (Bartlett, 1983, p. 218). The rebellion of 1798 shocked the British government for a number of reasons: its egalitarian republican ideology, the participation of Presbyterians on the side of the United Irishmen and the intervention of France. More lives were lost in the course of the rebellion –

about 30,000 – than during the French Revolution. The British government, after the slaughter of 1798 and the Act of Union, directed its attention to establishing law and order in Ireland. The old order was irretrievably lost and with it the culture of deference and compromise, leaving the military as the blunt weapon of social control. The lessons of Ireland were not lost on the future leaders of imperial expansion, such as General Sir Charles James Napier, who conquered the Scinde (now Pakistan): ‘Rendering the civil power dependent upon the military for protection in ordinary cases is of all evils the greatest. I speak from nearly 50 years experience. I saw it in Ireland in 1798, and again in 1803. I saw it in the Ionian Islands. I saw it in the Northern District. I saw it in Scinde’ (cited in Palmer, 1988, p. 534).

The lessons of 1798 were twofold: Ireland could not be allowed to go its own way and threaten the ideological cohesion of the burgeoning British Empire, and, more subtle forms of control and cultural transformation must be found.

Order and Control: the Policing Solution

Any analysis of the development of policing in Ireland immediately confronts a number of apparent anomalies. The absence of an industrial revolution and the widespread survival of a rural and pre-capitalist economy seem difficult to reconcile with the early development of a centralised, armed and bureaucratic police force. It was this type of force that was proposed for Ireland in the mid-eighteenth century, and by 1786, the Dublin Metropolitan Police was in existence (it was not until 1829 that a similar force was established in London). The first serious attempt to rationalise policing in rural Ireland was made in 1814 when Robert Peel pushed an Act through Parliament to allow the appointment of paid magistrates and officers (the ‘Peace Preservation Force’) in designated ‘disturbed’ areas.

Peel, whose long career in British politics was inextricably linked to the Irish question, saw the problem of order as a first priority when he came to Ireland in 1806. He was aware that the disturbed state of Ireland was in large measure attributable to its economic and political circumstances, but he showed little inclination to try and rectify this other than by opting for a security solution. The rationale for a law and order approach

was, in the words of Peel: “‘The Irishman’s natural predilection for outrage and a lawless life which I believe nothing can control”, combined with the very nature of the Irish character: “you have no idea of the moral deprivation of the lower orders”” (cited in Foster, 1988, p. 294).

But apart from this, rather familiar, assessment of the Irish psyche, Peel faced other problems. The great upheaval of 1798 had been suppressed only with great difficulty and a measure of luck. The central problem of the country, that is, disaffection with the political and economic order, remained, and at times of agricultural depression and falling agricultural prices, opposition to the given order was not restricted to the rural poor, but moved up the social scale to involve larger farmers. Opposition, as in the rural disturbances of 1813–16, 1821–24 and the 1830s, focused on issues that had distinct political resonance: the question of tithes, eviction and land tenure (Clark and Donnelly, 1983). In contrast, levels of ‘normal’ crime were low. Foreign visitors were still wont to comment on the ability of travellers to move unmolested through disturbed areas. Lewis comments that, ‘the object of crime in Ireland is not personal gain, but are preventative and exemplary crimes intended to influence the conduct of persons in respect of some future action’ (Lewis 1836, p. 54). A contemporary commentator, Charles Townshend, agrees: ‘Much of Irish violence and intimidation in the 19th century was directed not by “extremists” in any useful sense of the term, but by representatives of the community whose object was to maintain, not destroy, social order’ (Townshend, 1983, p. 9).

The rationale for the introduction of bureaucratic policing in Ireland arose from the lack of legitimacy of the colonial order, and the inability of informal methods of social control to master the situation. If legitimacy was a problem, complicity was equally absent. The authorities were totally mystified by the activities of rural secret societies. Even when arrested and charged, people maintained a wall of silence. The authorities depended, almost exclusively, on the reports from the Anglo-Irish gentry that flooded into the castle and drove Peel to despair. Ignorance, indifference and paranoia dictated the attitudes of the Anglo-Irish.

Both the Catholic poor and the middle classes were alienated from the state. The emergence of agrarian secret societies in the early nineteenth century reflected both the weakness of the central state and the legacy of 1798. The state in the

early nineteenth century had little effective power, apart from the use of the army, outside the few urban centres. The Dublin Castle administration was, however, convinced that no uprising could take place without outside help. The Irish peasant bands, which sporadically dominated large areas of the south and west of the country in the first three decades of the nineteenth century, lacked both discipline and arms, rendering them incapable of winning set-piece battles against regular forces.

The use of the military to impose internal order was a far from ideal solution and beset with problems. The military establishment was against the use of soldiers in a policing role and the London government was intent, for internal political and financial reasons, to reduce the numbers of soldiers garrisoned in Ireland. It was also recognised that the military was, at best, a blunt instrument. Both the military establishment and Dublin Castle officials were acutely aware of the problem of using the army in a public order role. Apart from anything else was the prosaic problem succinctly described by Norman Gash: 'The problem of obtaining an adequate military force was one that exercised the minds of Irish officers. In time of war the troops were wanted elsewhere, in peace the taxpayer did not want them at all' (Gash, 1961, p. 186).

Apart from the regular army, the main agent of repression was the Yeomanry. This was an exclusively Protestant and 'Orange' force, used to terrorise the Catholic population with a deserved reputation for 'ill discipline and brutality' (Crossman, 1996, p. 51). Incidents of beatings, burnings and murder were common, as in Shercock, Co. Cavan, in 1814, where a force of Yeomanry killed 13 people and wounded scores of others in an unprovoked attack (Clark and Donnelly, 1983, pp. 129–35). The attitude of the Castle towards the Yeomanry was ambiguous. Though he was not prepared to countenance their disbandment, Peel was privately critical of them, as in a letter of 1815:

Admitting that the Yeomanry are generally speaking unfit for those very duties in the performance of which their main utility would consist, namely in relieving the army from the maintenance of internal order and the collection of revenue, I am not quite prepared to come to your conclusion that it would be the wisest measure to disband the whole force. (cited in Parker, 1891, p. 174)