

Robert Peel's Views of the Peelers

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Some years ago, a man of my acquaintance who collects old books and papers, handed me a document and said: "You may like to add this to your collection of historical items." The document proved to be a fifteen-page letter written in 1821 by no less a personage than Robert Peel, one time Chief Secretary for Ireland, and twice Prime Minister of Britain. Peel wrote a good hand, and except in a few places his penmanship offers no difficulty to the reader.

The letter was addressed to "My dear Foster," the Foster in question being John Leslie Foster, eldest son of William Foster, Bishop of Clogher, and it was marked "Most Private." John Leslie Foster was admitted to T.C.D. in 1797, and was called to the Bar in 1803. He became M.P. in 1807, in the Tory interest. In 1816 he was appointed Advocate General for Ireland; and two years later he was made Counsel to the Commissioners of Revenue in Ireland.

At the general election of 1818 he was returned M.P. for Armagh, and continued as member until 1820. He was returned for Co. Louth in a by-election in 1824, and again at the general election in 1826. He was appointed King's Counsel, and a Commissioner of the Board of Education in Ireland. In 1825 he gave evidence before a select committee of the House of Lords appointed to enquire into the state of Ireland. He was appointed a baron of the Court of Exchequer in Ireland, by patent dated 13 July 1830.¹

He was a very close friend of Peel, and exerted considerable influence on the conduct of Irish affairs. We find frequent mention of him in Norman Gash's *Mr. Secretary Peel* (London 1961).

Robert Peel had been Chief Secretary for Ireland from 1812 to 1818. As Chief Secretary he vigorously opposed the corruption and patronage that had been so much a feature of the Irish administration, and took a rather poor view of the part played by the Ascendancy class, including the magistracy, in the affairs of the country.

Things were very disturbed in Ireland during his term of office—he makes special reference in the letter to the disturbances then taking place in Co. Limerick. There was want and misery among the teeming population of the countryside; there was inhumanity and oppression by landlords and tithe collectors; and, spurred by desperation, the *Buachaillí Bána*—the Whiteboys—dispensed their own brand of rough and ready, and frequently frightful, justice. The kind of police force that then existed was totally incompetent and inadequate to deal with the situation. In the circum-

¹ *Dictionary of National Biography*, vol. 7, 2nd edition, Oxford 1908.



stances, the magistracy used the militia and the regular military forces to quell the disorders.

In 1814 Peel succeeded in having the Insurrection Act of 1807-10 re-enacted for a period of three years. He also managed to get on the statute book the Peace Preservation Act, which was in reality a police measure. Under this Act the Lord Lieutenant was given power when disturbances existed in any part of Ireland, to proclaim the disturbed district, and to appoint to it a salaried superintendent magistrate in charge of a body of up to fifty constables, composed of ex-army and ex-militia men. They were to be a kind of flying column who would be dispatched to the disaffected district; and the district would have to pay for their services in restoring the peace.

This system of policing apparently did not prove a great success, partly owing to the non-co-operation of the existing magistrates, who felt that they were being passed over for the new salaried magistrates. With the passage of time it was clear that Peel had in mind the ultimate introduction of a general and permanent body of police in Ireland, with fixed stations in every county.²

In passing one might mention that in the early part of 1803 the magistrates, landowners and farmers ('strong' farmers) of various baronies in Co. Limerick met and resolved to form from among themselves—as we learn from the *Limerick Chronicle* of the time—a constabulary force to prevent a repetition of the "disorderly proceedings" which had lately occurred in the baronies.

Coshma (*Cois Máighe*) was the most disturbed of the Limerick baronies, and forty constables were appointed to police the four districts into which it was divided, Adare, Croom, Athlacca, Bruff, there being ten constables for each district. Their duties were: To attend the petty sessions in their respective districts, to report on the state of the districts, give information of the offences committed, receive orders for apprehending offenders, and specify their exertions for such purposes since the last adjournment.³

In 1821, when Peel wrote to Foster, he was M.P. for Oxford University, and was relaxing, free for the moment from the strains of office, in Lulworth Castle, Dorset, which he had rented that year. We note from the letter his anxiety to show the castle to Foster.

The creation of a permanent police establishment throughout the country came the year after Peel had written to Foster, when the Irish Constables Act was passed, an Act which provided for the setting up of a force to be known as the County Constabulary. In 1835 the force was somewhat reshaped, and remained unchanged in form until its disbandment on the establishment of the Irish Free State. When the County Constabulary was set up in 1822 Peel was at the Home Office; and "... the term 'Peelers' by which the Irish Constabulary rapidly became known was a fitting popular recognition of their original begetter."⁴

These prefatory remarks will, it is hoped, prove a sufficient introduction to the long-forgotten letter of Peel's that now follows.

² N. Gash, *Mr. Secretary Peel*, London 1961, p. 184.

³ These barony police came to be widely known as 'Barneys,' from the word 'barony.'

⁴ N. Gash, *op. cit.*, p. 186.

Most Private

Lulworth Castle, Wareham,

Dec. 22nd 1821.

My dear Foster,

It gave me very great satisfaction to receive your Letter. I considered it a strong proof both of your regard & esteem for me, and perhaps a part of my gratification may be traced to the circumstance that your views with respect to the present state of Ireland, and the remedies to be applied are very much in conformity with those, which without any recent information, but with a tolerably correct knowledge of Irish Character and Localities, and a vivid recollection of the past, had presented themselves to me.

I shall fancy you sitting opposite to me. It is a very stormy day. I am in the South West Turret of this Romantic Castle which I hope to shew you. There is a tremendous sea running about half a mile from the window, and in such very appropriate weather I will have some friendly converse with you on the moral Tempests of your Country.

All must agree that the first thing to be done is to put down, as effectually as possible the present disturbances, and to punish as vigorously as is consistent with the real objects of Justice, and Judicial Punishments, the disturbers.

Even if absolute distress were one of the main incitements to disorder, of course it is evident that Pity for the distress must not induce us to connive at Robbery & murder.

Let us take for granted that we have put down the marauders, that we have established by dint of force a sort of hollow Truce, and that we can without the risk of the imputation of weakness or fear, consider calmly & dispassionately the preventives of future disorders.

You think much may be effected by the reformation of the magistracy & by the amendment of the system of Police. I am writing to you in perfect confidence, without reserve or caution, and therefore I do not hesitate to say to you, that I lamented that the Chancellor did not take the opportunity which the present King's accession fairly afforded, of completely revising the magistracy.

Much might have been done I think by actual improvement in the general Commission of the Peace, as much perhaps in the way of caution to those who were permitted to retain the Commission, and by the practical Proof which it would have afforded of a disposition to redress alleged Grievances, and to do something more, than try & punish Offenders. But I confess to you that I think the Benefit that would result from such a revision, (which at the same time I admit to be wise & necessary), is greatly overrated⁵ by many.

Your work must very much depend upon the Tools, you have to work with, and take the best you can, in many parts of Ireland they will be very bad ones. I fear the worst would be those, that you cannot reject. With such men as Mr. Longfield O'Connor of the County of Cork, with the occasional (if I may use such a Phrase) magistrates of 1798, you might dispense, but what are you to do with Lord Kingston, what are you to do with all those who are worse than absentees, men who have large properties, partly reside, and think of nothing connected with Ireland but Electioneering Influence?

The more you limit the number of magistrates, the more you increase the power of those who are left, & the greater excuse you afford for negligence and for everything but flagrant abuse.

My belief is this, that the Laws of England presuppose in every man whom they Trust, a greater degree of Trustworthiness, than, generally speaking, is to be found in Ireland. The disinterested administration of Local Justice is the forte of English Gentlemen. It is not that of their Irish Brethren, and do what you will with the magistracy of Ireland, you will never mould it into a resemblance of the magistracy of this country.

*Quid vanae sine moribus
Leges efficient?*⁶

I need not repeat that I am not arguing against an improvement of the magistracy. I am only doubting whether any improvement can be made that will be very effectual. I have a reason for

⁵ The word 'overrated' here is a change made by Peel for 'exaggerated.'

⁶ This is a deliberate alteration by Peel on the *Quid leges sine moribus, Vanae proficiunt* of Horace.

revising the magistracy to which I attach some weight. I think a very strong Government, that is a Government that dare do & sustain strong acts, & thus create an impression of its vigour & firmness, essential for Ireland, and I believe it would have a good effect to day. The magistracy has not done its duty, and we can & will try to reform it.

Let me have your thoughts with respect to the mode of revising—*there* seems to me the difficulty.

Now with respect to Police. I cannot see how any permanent improvement is to be effected in Ireland, excepting by the agency of a Police.

I would rather have existing Laws, really carried into effect, uniformly & steadily, than have 50 new ones. Nay I would part with some strong Laws on the statute book, if I could have an efficient Police executing the remainder.

What makes Dublin—the resort of so many strangers—the residence of so many Turbulent spirits—so particularly peaceable, so free from even trifling crimes—what but a good Police?

I recollect a year passed, & the most serious crime committed in Dublin was the Robbery of a Stable. Yet there must be very unpolished inmates of Lord Meath's Liberty, there was in the very year of which I speak great distress. The Trade of Moral Poison as you justly call it was carried on extensively enough, but there was a Police not only to detect but to prevent crime, and I firmly believe the best regulated metropolis in Europe, was and I dare say is, Dublin.

Is not the Police the chief cause of this?

But the mode of forming the Police, a general police I mean for Ireland is again the difficulty. How will you prevent it from degenerating into abuse & job. I hear that my Peelers, the Wilcox's⁷ [word indecipherable], required, when they had been in office a year or two, constant looking after. They began to hunt, nay to keep hounds, and in short to imitate very closely, County Magistrates.

Now can you Trust to a Constable Establishment with no responsible persons to superintend them, and thus dispense with the stipendiary magistrates? but I will postpone more questions until I see the Bill to which you refer, and have the specific measure before me.

I will now mention to you something which occurred to me, which I recommended to Goulburn's serious consideration, but on which I own to you I have not formed any very decided opinion.

I anticipate the probability that he will have to propose the reenactment of the Insurrection act. If this is to be reenacted, I would advise notice to be given the first day of the Session & the bill to be passed as speedily as possible. I would have no previous inquiry. I would act, as James's Parliament acted in a worse cause "on common fame." The evil is too notorious to be denied, & the necessity too urgent to admit of delay.

But I doubt whether it would not be politic for the Proposer of this Law, himself to suggest & thus to anticipate that suggestion which would infallibly be made, of subsequent full & deliberate inquiry into the causes of the present disorders.

The question is not merely whether the Government will propose such an inquiry, but whether they will resist the proposition when made by their opponents.

Now I will fairly own I do not expect much direct benefit, or even much very useful information from a Committee on Irish disturbances, but could such a Committee do any harm? If there are abuses on the part of the magistracy, if there is oppression on the part of the Landlord, or exaction on the part of the Clergy, is it consistent with either sound Policy or strict justice to defend or conceal these Things? What is there that a Committee could discover, that ought not to be known?

If they discover nothing, is it not wise to promulgate to the world that there is nothing latent? and thus to silence the disaffected scribbler, who converts the ignotum into the magnificum.

The misgovernment of Ireland is in every man's mouth, the disorders in Limerick are attributed to that misgovernment. You and I know that the recent conduct of Irish Governments at any rate, is not the cause, & surely it would be beneficial to have this error, if error it be, corrected.

Observe I am not proposing to devolve on a Committee that which is the Duty of the Executive. This is not a part of my Policy. I propose that the Executive should take the responsibility of the vigorous measure, but I should entrust to Parliament the Task of inquiry—& recollect that I

⁷ Richard Wilcox was one of the salaried Chief Magistrates appointed to superintend the special constabulary formed under the Peace Preservation Act of 1814. This reference is particularly interesting in that in it Peel himself uses the term 'Peelers.'

propose this, rather because I deprecate in the present Temper & feeling of England, the *resistance* to Inquiry, than that I expect any great benefit from the inquiry itself.

I will now close my conference with you hoping it will not be the last. There is only one point which I have to allude to. You observe that Provisions are very cheap. Other accounts that I have seen represent the failure of the Potato Crop, & the consequent Distress of the Poorer classes, and attribute the present disturbances in a great degree to want & misery.

I send this under cover to Goulburn.⁸ He came to me on his way to Ireland, & I strongly recommended him to cultivate your acquaintance & Friendship.

Ever my dear Foster,
Most faithfully yours
Robert Peel.

⁸ Goulburn, a close friend of Peel, was Chief Secretary in 1822 when the County Constabulary was established.