

# **The Right Justice Captain Rock: Law, Violence, and Policing in an Irish Agrarian Insurgency**

Rowan Bianchi

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Advisors: Guy Beiner, Ph.D., Robert Savage, Ph.D.

**Abstract:** The Rockite insurgency, purportedly led by the mythic Captain Rock, enacted a campaign of intimidation and violence which terrorized much of southern Ireland from 1821 to 1824. While the Rockite movement was not the first agrarian redresser movement in Ireland, it was unique for the intensity of its violence, as informed by the political ideology of the movement's participants, the Rockites. This work argues that the Rockite insurgency was political, as manifested in the Rockites' assertion of an alternative law and their attacks against police as representatives of the state. The intervention into the historiography of agrarian redresser violence is therefore threefold. First, the politics of the Rockites were informed by both the communal morals of rural Irish society and the popular politicization of the 1790s. Second, the violence enacted in the course of the Rockite movement was not due to lawlessness, but rather an allegiance to the 'law of Captain Rock' instead. Lastly, the conflict between the Rockites and the state can be exemplified in their clashes with the police, not only as hostile individuals but also as representatives of the state apparatus. Focusing on County Limerick in the year 1821, this work relies on the little-used State of the Country Papers in the Chief Secretary's Office Registered Papers collection.

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## **Table of Abbreviations**

NAI	National Archives of Ireland
CSO	Chief Secretary's Office
RP	Registered Papers
SC	Chief Secretary's Office Registered Papers, State of the Country Papers
SOC I	State of the Country Papers, Series I

## Introduction

In October of 1821, the name Captain Rock appeared for the first time, signed at the bottom of a threatening notice posted in County Limerick. The mythic figure Captain Rock was the declared leader of the Rockites, agrarian insurgents that enacted a campaign of intimidation and violence throughout southern Ireland between 1821 and 1824. All six of the counties of Munster, as well as County Kilkenny, experienced significant upheaval due to the actions of the Rockites. In the course of their insurgency, the Rockites gained notoriety for posting threatening notices, burning down houses, and murdering their enemies, among many other acts of violence and intimidation. Although this outbreak of unrest was not the first time an agrarian redresser movement had erupted in Ireland, the Rockites were unique for the intensity of violence they enacted and the success they achieved in gaining concessions addressing their grievances.

Another notable feature of the Rockites is the longevity of the use of their purported leader's name. A variety of theories exist surrounding the origin of the name Captain Rock and whether it corresponded with a real individual. According to a contemporary pamphlet called the *Old Bailey Solicitor*, Captain Rock was the moniker given to a blacksmith named Patty Dillane after he threw rocks particularly skillfully during a skirmish against laborers employed by a hated land agent in 1821.<sup>1</sup> In his fictional autobiography of Captain Rock, the author Thomas Moore suggests that Rock could be an acronym for R[oger] O'C[onnor] K[ing of Ireland], referring to a Protestant gentleman and former United Irishman whose family was influential in

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<sup>1</sup> James S. Donnelly, *Captain Rock: The Irish Agrarian Rebellion of 1821-1824* (Madison, WI: University of Wisconsin Press, 2009), 37–38 This anonymous pamphlet is thought to have been written in 1822. While only one known copy exists, the pamphlet was attested to in another work from 1866.

County Cork. Moore's book also suggests that Rock might refer to the Bible, specifically the passage discussing the rock upon which God will build his church, or to the Stone of Jacob, related to the theory that the Irish were descendants of a lost tribe of Israel.<sup>2</sup> All of these theories suggest explanations for the origin of 'Rock,' a new pseudonym in the 1820s, but the use of 'Captain' belongs to a longer history. By adopting a military rank like captain as a *nom de guerre*, popular protest leaders could not only achieve the anonymity granted by an alias, but also assert that they acted as leaders of a quasi-military collective. This served a legitimizing function and clearly indicated who held leadership positions. The prevalence of the title Captain in particular, though, can be explained by a connection to folk traditions like May-boys, mummers, and straw-boys in which groups of young men were led by a captain in communal rituals.<sup>3</sup> Therefore, the name Captain Rock was not a meaningless pseudonym, but rather a name adopted to denote a specific meaning to participants in the movement.

While the name Captain Rock was important, it is debatable whether the pseudonym was actually used by a person. Much of the literature of the time, such as Thomas Moore's fictional *Memoirs of Captain Rock*, depict Captain Rock as a singular person. Yet the profuse number of threatening notices on which Captain Rock appears as signatory makes it nearly impossible for a single individual to have filled the role. One suggestion is that the Rockites of various regions were led by different Captain Rocks; for example, a man named David Nagle was referred to as the Captain Rock of County Cork.<sup>4</sup> In this understanding, the title of Captain Rock was granted

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<sup>2</sup> Thomas Moore, *Memoirs of Captain Rock: The Celebrated Irish Chieftain with Some Account of His Ancestors Written by Himself* (London: Longman, Hurst, Rees, Orme, Brown & Green, 1824), 6–7. Roger O'Connor himself wrote a book similar to Moore's in 1828 called *Letters to His Majesty, King George the Fourth, by Captain Rock*.

<sup>3</sup> Terence Dunne, "The Law of Captain Rock," in *Crime, Violence, and the Irish in the Nineteenth Century*, ed. Kyle Hughes and Donald MacRaild (Liverpool: Liverpool University Press, 2017), 46–47.

<sup>4</sup> Shunsuke Katsuta, *Rockites, Magistrates and Parliamentarians: Governance and Disturbances in Pre-Famine Rural Munster* (New York: Routledge, 2018), 3.

to or adopted by regional leaders to fill the role of Rockite leader in those localities. It is also possible, though, that the name was utilized symbolically in order to express a collective identity and unity of purpose among the participants in the movement.<sup>5</sup> This explanation is supported by the fact that the name Captain Rock continued to be used in threatening notices even after the end of the Rockite insurgency, especially during the early 1830s.<sup>6</sup> Therefore, despite the decline of the Rockite movement, the public image of Captain Rock as a symbolic leader was malleable enough to allow other movements to use the name as a means of expressing collective will and potential efficacy.<sup>7</sup>

Yet the continued relevance of Captain Rock could not have occurred without the movement that took his name. That movement will be the predominant focus of this study. The followers of Captain Rock participated in a movement that inspired the state to reform the administration of rural Ireland and forced the authorities to actually address some of the Rockites' grievances. By challenging and undermining the sovereignty of the British state and its institutions, the Rockites were perceived as a threat not only to the stability of rural Munster, but also to the state apparatus as a whole. This work analyzes the Rockite insurgency as a case study for examining the role of law, policing, and violence in agrarian redresser movements, especially in the context of Ireland after the 1801 Act of Union with Great Britain. The key argument, therefore, is that the Rockite insurgency was a political movement as illustrated by the alternative law proclaimed by the Rockites as well as their violent clashes with state forces, particularly the police. Particular attention will be given to County Limerick for its remarkably

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<sup>5</sup> Terence Dunne, "Captain Rock," in *Studies in Irish Radical Leadership: Lives on the Left*, ed. Emmet O'Connor and John Cunningham (Manchester: Manchester University Press, 2016), 10.

<sup>6</sup> *Ibid.*, 12.

<sup>7</sup> *Ibid.*, 18.

high levels of violence and as the originating location of the Rockite unrest, with a special focus on the movement's first year, 1821.

## Historiography

Scholarship of the Rockites builds on a larger body of historical work which analyzes the phenomenon of rural violence in Ireland more generally. The nationalist interpretation has typically viewed agrarian unrest as a manifestation of a Catholic proto-nationalist resistance against British rule. In the 1970s, though, a significant amount of scholarship began to develop that more closely examined agrarian violence beyond the nationalist interpretation, particularly emphasizing the period between 1760 and the Great Famine. It must, of course, be noted that the work of E.P. Thompson inspired many historians to explore history from below, including some of those who wrote on Irish agrarian violence.<sup>8</sup> In particular, the concept of a “moral economy,” as introduced in “The Moral Economy of the English Crowd in the Eighteenth Century,” provided a new lens through which to analyze popular protest.<sup>9</sup> While the applicability of the moral economy framework to Ireland has undergone extensive discussions by historians, the general theme of Thompson's work provided an impetus for scholarship regarding agrarian unrest more generally.<sup>10</sup>

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<sup>8</sup> History from below is form of scholarship which emphasizes the experiences of the common people rather than ruling elites, thereby opposed to the great man theory of history.

<sup>9</sup> E. P. Thompson, “The Moral Economy of the English Crowd in the Eighteenth Century,” *Past & Present*, no. 50 (1971): 76–136.

<sup>10</sup> For an example of moral economy used to discuss a rupture in the relationship between authorities and the people, see Thomas Bartlett, “An End to Moral Economy: The Irish Militia Disturbances of 1793,” *Past & Present*, no. 99 (1983): 41–64; for an application of the moral economy framework to Irish food rioting, see James Kelly, *Food Rioting in Ireland in the Eighteenth and Nineteenth Centuries: The “Moral Economy” and the Irish Crowd* (Dublin: Four Courts Press, 2017).

One of the first works in this new scholarship was T. Desmond Williams' edited volume *Secret Societies in Ireland*, specifically Joseph Lee's chapter "The Ribbonmen." Lee argues that nineteenth-century agrarian unrest was almost exclusively economically motivated, occurring most intensely during periods of economic depression. He also adds that instances of violence predominantly occurred among those below the landed elite, specifically between middling farmers and poor laborers.<sup>11</sup> Michael Beames concurs with the assessment of solely economic motivations but differs slightly by asserting that most violence was perpetrated by tenants against landlords. Unlike Lee, Beames downplays the impact of economic fluctuations on rural disturbances, instead examining murders between 1837 and 1847 as a case study from which to infer patterns of rural violence.<sup>12</sup> David Fitzpatrick, on the other hand, argues that agrarian violence was typically perpetrated by individuals within the same social strata due to factional feuds or economic disputes, again emphasizing economic motivations without considering economic fluctuations.<sup>13</sup> The theory that faction fighting was responsible for nineteenth-century manifestations of rural violence was expanded upon by Paul Roberts, although he argues that it was not intra-class but inter-class factionalism that was the dominant form of unrest.<sup>14</sup> All four of these interpretations, written within a decade of each other, present economic explanations as the primary lens through which to analyze nineteenth-century rural violence, but this is not the only viable argument.

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<sup>11</sup> Joseph Lee, "The Ribbonmen," in *Secret Societies in Ireland*, ed. T. Desmond Williams (Dublin: Gill and Macmillan, 1973) The use of Ribbonmen here is actually a conflation of Ribbonism and Whiteboyism. Lee is discussing nineteenth-century manifestations of Whiteboyism, not Ribbonism.

<sup>12</sup> Michael Beames, "Rural Conflict in Pre-Famine Ireland: Peasant Assassinations in Tipperary, 1837-1847," *Past & Present* 81 (November 1978): 75-91.

<sup>13</sup> David Fitzpatrick, "Class, Family and Rural Unrest in Nineteenth-Century Ireland," in *Ireland: Land, Politics and People*, ed. P.J. Drudy (Cambridge: Cambridge University Press, 1982), 37-75.

<sup>14</sup> Paul E. W. Roberts, "Caravats and Shanavests: Whiteboyism and Faction Fighting in East Munster," in *Irish Peasants: Violence & Political Unrest, 1780-1914*, ed. Samuel Clark and James S. Donnelly (Madison, WI: University of Wisconsin Press, 1983), 64-101.

James S. Donnelly Jr. is arguably the preeminent scholar of the agrarian redresser movements of the eighteenth and early nineteenth centuries. Throughout the 1970s and early 1980s, Donnelly wrote a series of articles analyzing various eighteenth-century outbreaks of agrarian violence as discrete movements within a larger tradition.<sup>15</sup> His work on Whiteboyism, a particular form of rural disturbance named after a group called the Whiteboys, stimulated a revisitation of the grievances, tactics, and outcomes of agrarian redresser movements in the eighteenth century. Additionally, by examining periods of the most intense upheaval in both the eighteenth and nineteenth centuries, Donnelly argues that macroeconomic factors beyond simply economic depressions played a significant role in the emergence of agrarian violence. This is particularly emphasized in his discussion of the social composition of rural redresser movements. Rather than seeing these movements as solely motivated by class conflict, he argues that the class of the participants in a movement varied depending on the economic conditions. He posits that during periods of economic prosperity and inflation, violence was typically the provenance of the landless or land-poor, aimed at reducing costs for survival. However, during periods of economic depression, the poorest classes were joined in their agitation by the more comfortable classes, forging a solidarity due to collective grievances. In this way, Donnelly argues that analyzing the grievances emphasized by a movement can illustrate the social base from which its participants were drawn.<sup>16</sup>

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<sup>15</sup> These include but are not limited to James S. Donnelly, "The Whiteboy Movement, 1761-5," *Irish Historical Studies* 21, no. 81 (1978): 20–54; James S. Donnelly, "The Rightboy Movement, 1785-8," *Studia Hibernica*, no. 17 (1977): 120–202; James S. Donnelly, "Irish Agrarian Rebellion: The Whiteboys of 1769-76," *Proceedings of the Royal Irish Academy* 83C (1983): 293–331.

<sup>16</sup> James S. Donnelly, "The Social Composition of Agrarian Rebellions in Early Nineteenth-Century Ireland: The Case of the Carders and Caravats, 1813-16," in *Radicals, Rebels and Establishments*, ed. Patrick J. Corish (Belfast: Appletree Press, 1985), 151–69; Donnelly, *Captain Rock*, 15.

Donnelly, therefore, contributed to the scholarship, of which Lee, Beames, Fitzpatrick, and Roberts were also part, that critiqued the nationalist view of a monolithic Irish Catholic population committing violence solely as resistance to British Protestant rule. While the nationalist interpretation has largely been discredited, historians have revisited the sectarian dimensions of agrarian unrest. Much of that scholarship has related to sectarian violence during the late eighteenth century, especially regarding the Defenders, a Catholic group originated in Ulster which was organized around the defense of rural Catholics from militant Protestant groups such as the Orange Order.<sup>17</sup> Yet this sectarian theme has been brought into the nineteenth century with studies of Ribbonism, a nineteenth-century movement of secret Catholic fraternal societies organized around lodges fraternal societies in towns throughout much of Ireland. The Ribbonmen and Ribbon societies have gained scholarly attention for their Catholic proto-nationalist sentiments and the violence attributed to them.<sup>18</sup> Additionally, sectarian undercurrents in nineteenth-century agrarian redresser movements have been explored through the analysis of millenarianism. Donnelly's pivotal book on the Rockites makes the argument that although millenarianism did not provide the motivation for the Rockites' activities, it did significantly inform the ideology and cohesion of the movement; he also suggests that the previous refutation of the existence of millenarianism in Ireland could benefit from revisitation.<sup>19</sup>

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<sup>17</sup> The Orange Order is a fraternal order that was founded in 1795 in Ulster as a means of defending Protestantism and countering to the Catholic Defenders. It is named after William of Orange who is seen as the savior of Protestantism in Ireland. Members are called Orangemen and the militant Protestant ideology of the order is referred to as Orangeism.

<sup>18</sup> For example, see Tom Garvin, "Defenders, Ribbonmen and Others: Underground Political Networks in Pre-Famine Ireland," *Past & Present*, no. 96 (1982): 133–55; Kyle Hughes and Donald MacRaild, eds., *Ribbon Societies in Nineteenth-Century Ireland and Its Diaspora: The Persistence of Tradition* (Liverpool: Liverpool University Press, 2021).

<sup>19</sup> Donnelly, *Captain Rock*, 7–10, chap. 4.

Economic and sectarian explanations for nineteenth-century agrarian violence have in recent years been supplemented with political analyses. While Ribbonism has been one of the dominant focuses of this scholarship, the infusion of popular politics into the population engaging in agrarian redresser movements has also received some attention from scholars such as Maura Cronin.<sup>20</sup> Michael Huggins' work also argues for the political motivation of social conflict in pre-Famine Ireland, but rather than looking toward popular politics, he emphasizes the conflict between different conceptions of justice, that of the peasant and that of the state. Using threatening notices as evidence, he articulates the role that customary rights played in collective action in his case study of County Roscommon.<sup>21</sup> In the last few years, Jay Roszman has contributed to the historiography of the politics of pre-Famine violence with both an article and a book that discuss outrages and their role as crimes to which political motivations were attributed by the state. He argues that agrarian violence responded to the increased incursion of the state during the 'age of reform,' highlighting how outrages were a means of asserting popular sovereignty.<sup>22</sup>

These contributions to the politics of nineteenth-century agrarian unrest are undoubtedly important, but when it comes to the historiography of the Rockites specifically, Donnelly is the preeminent scholar. His seminal book, *Captain Rock: The Irish Agrarian Rebellion of 1821-1824*, explores the trajectory of the movement from its origins to repression, highlighting its

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<sup>20</sup> For example: Maura Cronin, *Agrarian Protest in Ireland, 1750-1960* (Dublin: Economic and Social History Society of Ireland, 2012); Maura Cronin, "Popular Politics, 1815-1845," in *The Cambridge History of Ireland*, ed. James Kelly, vol. III (Cambridge: Cambridge University Press, 2018), 128-50.

<sup>21</sup> Michael Huggins, *Social Conflict in Pre-Famine Ireland: The Case of County Roscommon* (Dublin: Four Courts Press, 2007).

<sup>22</sup> Jay R. Roszman, *Outrage in the Age of Reform: Irish Agrarian Violence, Imperial Insecurity, and British Governing Policy, 1830-1845* (Cambridge: Cambridge University Press, 2022); Jay R. Roszman, "The Curious History of Irish 'Outrages': Irish Agrarian Violence and Collective Insecurity, 1761-1852," *Historical Research* 91, no. 253 (August 2018): 481-504.

social composition as illustrated by grievances, ideology as influenced by politics, and the previously mentioned role of millenarianism. In addition to the breadth and depth of his study, this work tackles many of the questions of agrarian violence, especially regarding the regional and local dimensions of the Rockite movement. By referring to the movement as a rebellion, Donnelly also overtly places the Rockites within the tradition of important upheavals in Irish history.<sup>23</sup> The other major work in the historiography of the Rockites is Shunsuke Katsuta's *Rockites, Magistrates and Parliamentarians: Governance and Disturbances in Pre-Famine Rural Munster*. Katsuta notes that studies of rural disturbances, including Donnelly's, have shown patterns between agrarian movements in the role of mysterious leaders, the disturbers' belief in the legitimacy of their actions, and the defensive or conservative mentality of participants. However, Katsuta distinguishes himself from previous scholarship by emphasizing the political motivation behind the movement, shrinking his geographical focus to just counties Cork and Limerick, and arguing that the Rockite movement originated from the Ribbon societies. He also contextualizes the impact of the Rockite disturbances within British policy more generally, discussing the 1820s as a first age of reform.<sup>24</sup>

The historical intervention presented here is threefold. Firstly, this work highlights the political nature of the Rockite movement, specifically the factors that influenced the political mentality of the Rockites. Although both Donnelly and Katsuta agree that there were political elements of the Rockites, this study argues that the manifestations of that political ideology prove that it was not simply borrowed but had its own unique character. A second intervention analyses the alternative law of Captain Rock that was asserted through the use of threatening

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<sup>23</sup> Donnelly, *Captain Rock*.

<sup>24</sup> Katsuta, *Rockites, Magistrates and Parliamentarians*.

notices. While other scholars have discussed the concept of an alternative law, the analysis presented here goes further, examining alternative law as a symbolic rejection of the state. Lastly, this study pays particular attention to the interactions between Rockites and the police. The relationship of Ireland's police force to agrarian unrest in the first decades of the nineteenth century has not been adequately analyzed. Therefore, this work emphasizes the conflict between the Rockites and the police before the restructuring of the force in 1822. For this reason, the year 1821 will be the predominant focus, along with a prioritization of County Limerick as a site of significant police presence and violence during this period.

### **Terminology**

Historians of agrarian violence have used a variety of terms in discussing rural unrest, including collective terms for both violence and its perpetrators. Donnelly chose the term 'rebellion' when referring to the Rockite disturbances as part of his argument surrounding the importance of the Rockites within the tradition of Irish risings and rebellions. Yet terms like 'rebellion' tend to indicate a level of centralized coordination which is beyond the argument of this work. On the other hand, a term like 'popular protest' does not necessarily denote violence, while 'disturbances' is too broad and lacks intentionality. For this reason, the term 'insurgency' seems most fitting in the case of the Rockites. Not only were Rockites referred to as insurgents by contemporary sources, but this term also denotes a rural militant character that aligns with the tactics and environment of the Rockites. Although insurgency is the most appropriate term, the word 'movement' will also be used when referring to the Rockites. This is not to embrace Katsuta's claim that the Rockites were part of a network of organizations; the term 'organization' implies a coordinating body which is not present in this assessment of the Rockites. Rather,

‘movement’ will be used to indicate that the actions pursued by the Rockites shared a common purpose, even if that purpose was not centrally organized.

In the same vein, the term ‘agrarian redresser movement’ will be used to discuss the movements enacting agrarian violence more generally; for example, the Whiteboys are an example of an agrarian redresser movement. This term is applicable since one of the primary motivations of these movements often centered around the redress of grievances, typically agrarian in nature. This theme will be explored further through a discussion of the Rockite concept of justice. When referring to the specific violent actions of the Rockites, the term ‘outrage’ will be used. This term was applied by contemporary law enforcement to crimes ranging from posting intimidating notices to committing murder to which a subversive motivation was attributed.<sup>25</sup> While ‘outrage’ was sometimes applied to sporadic acts of violence without a connection to a redresser movement, the term encapsulates the breadth of actions perpetrated by the Rockites and the attitude of contemporary authorities.

It is important to note that the term ‘Rockite’ was not a name chosen by those participating in the Rockite insurgency, despite Captain Rock serving as the movement’s eponym. Rather, the term was applied first by contemporary observers and then by historians. Using the term Rockites, though, does not necessarily assert that the Rockites were a unified group, nor does it claim that they were a secret society. That term implies a consistency and coherence of organization throughout the entire movement which doesn’t align with the argument of this work. Although the Rockites used oaths and initiation rituals, the movement

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<sup>25</sup> For more on the historical use of the term outrage, see Roszman, “The Curious History of Irish ‘Outrages.’”

will not be referred to as a secret society due to the disputed definition of that term.<sup>26</sup> It is also important to make a distinction between those who took part in committing outrages, Rockites, and those who did not but sympathized with the cause, Rockite sympathizers. While the Rockite movement was often supported by a significant portion of the population, this has more to do with the Rockites acting within communally held standards of moral conduct than with a universal membership in an organization. This distinction between participants and sympathizers was often lost on the state forces, but clarifying this difference allows a more precise understanding of who the Rockites were as opposed to their popular support. Therefore, when the word ‘Rockites’ is used, it should be understood to refer only to those who participated in the outrages of the movement, not those who sympathized or protected them.

### **Sources and Methodology**

This work relies on the Chief Secretary’s Office Registered Papers, held in the National Archives of Ireland. Specifically, the State of the Country Papers in that collection from the year 1821 will provide the majority of primary source material. These papers include incoming letters sent to the Chief Secretary’s Office related to unrest throughout Ireland. It is unclear why these documents were separated from the larger State of the Country Papers, which exist in two series separate from the Chief Secretary’s Office Registered Papers, but the material is still quite valuable. The Registered Papers have only recently begun to be catalogued and made accessible. Therefore, it is unsurprising that only one other scholar, Shunsuke Katsuta, has been able to make use of the wealth of information present in this source base. Most of the letters in the

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<sup>26</sup> For a discussion about the use of the term “secret society,” see Michael Huggins, “Whiteboys and Ribbonmen: What’s in a Name?,” in *Crime, Violence, and the Irish in the Nineteenth Century*, ed. Kyle Hughes and Donald MacRaild (Liverpool: Liverpool University Press, 2017), 21–37.

collection were written by either local law enforcement officials or respectable men of the upper classes, often magistrates. Sometimes these letters enclosed threatening notices that had been amassed by the sender, meaning that the collection includes many threatening notices which have not previously been analyzed.

Because these primary sources originate from law enforcement or individuals supportive of the state, the methodology of this study requires viewing these letters as hostile accounts. The writers of these letters were almost entirely hostile to the Rockites and their cause. It cannot be assumed that their interpretation of events is without bias and therefore they must not be taken at face value. Another element of the methodological approach used here relates to the analysis of threatening notices. To engage with them is to understand the double messaging that is inherent in publicly posted letters. Not only did these notices include a message for the individual being threatened, but also a secondary message directed at the supporters of the Rockite movement who would see the notice. These Rockite sympathizers would understand the meaning of the rhetoric or symbols in the notice that might be illegible to outsiders. By analyzing this double message, one can appreciate the Rockite motivations, goals, and ideology in their own words. Since many of the participants in the Rockites' movement were illiterate, at least in English, and therefore left limited written material by which scholars can access their perspective, threatening notices are particularly key. Additionally, it is crucial to see the actions of the Rockites as a source, specifically by examining Rockite violence as a manifestation of their beliefs. Exploring how violence was a means of communication is also necessary for the methodology of this work.

## **Outline**

The first chapter of this work begins by giving an overview of the origins of the Rockite insurgency, a description of the Rockites, and a discussion of the grievances that motivated them. It then outlines the political nature of the Rockite movement and the influences which informed its political ideology. The second chapter discusses the concept of legal alterity as a means for understanding not only Irish resistance to the state law, but also the legal rhetoric utilized by the Rockites. Analyzing the symbols and power of the law as expressed in threatening letters, the chapter argues that the Rockites adopted legal forms in order to assert the legitimacy of their own sense of justice. The final chapter closely examines the relationship and conflict between the Rockites and police, arguing that the police were targeted as representatives of the state apparatus. Because the state did not accept the validity of the law of Captain Rock, those affiliated with the state became the enemies of the Rockites and were targeted as such. In its entirety, therefore, this study argues for the political nature of the Rockite insurgency as manifested in its violent clashes with the state, its law, and its law enforcement.

## 1. Redressers of Every Kind of Grievance

The Rockite insurgency was initially precipitated by the actions of Alexander Hoskins, the land agent to the Courtenay Estate. Located near the town of Newcastle in western County Limerick, the Courtney Estate was one of the largest estates in the county and as such was home to a large number of tenants. In 1818, Hoskins had been appointed as land agent to act on behalf of the absent landlord, Viscount Courtenay. He replaced Edward Carte, a well-liked man known to be very lax and generous in the collection of rents. This generosity was especially appreciated by the tenantry due to the economic difficulties of the previous five years. Beginning in 1803, the Napoleonic Wars had created significant demand for provisions, stimulating a huge economic boom in Irish agriculture. As the war began to wane in 1813, the provisions industry began to collapse, leading to a rapid drop in agricultural sale prices between 1813 and 1815. This economic decline was exacerbated by a harvest failure in 1816 which led to a period of high food prices and food scarcity throughout much of Ireland. Although food prices returned to a degree of normalcy between 1817 and 1819, Ireland was hit by a fever epidemic during this period that preyed on many of the rural poor, already weakened by the previous food scarcity.<sup>1</sup>

In this difficult context, Alexander Hoskins took over as land agent on the Courtney Estate. Upon his appointment, he immediately reversed all the lenient policies of his predecessor, angering not only the vulnerable poor but also the middleman class under his stewardship who were feeling the burden of a new economic decline beginning in 1819. As Hoskins struggled to collect rent and arrears of rent accumulated under Carte, he increasingly alienated his tenantry of

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<sup>1</sup> Donnelly, *Captain Rock*, 31–32.

all classes leading to agitation, unrest, and a failed assassination attempt on Hoskins himself in December of 1820. The unrest reached a new peak in July 1821 when Hoskins's son, Thomas, was assassinated, allegedly by a group including Paddy Dillane, the very man who may have originated the title Captain Rock. However, rather than change tactics, Hoskins reacted to his son's death by increasing his exertions, placing the entire region around Newcastle into a state of unrest by August.<sup>2</sup>

This unrest developed into the Rockite insurgency, quickly spreading throughout not only County Limerick but also across the province of Munster and County Kilkenny. While some of this spread occurred naturally, the Rockites also sent emissaries across county lines to build support in other areas. By cultivating support throughout the region, the Rockites were able to expand the base of their movement, absorbing locally specific grievances into the broader agitation against groups seen as enemies of Captain Rock. The movement first reached County Kerry in August 1821, not surprising given the proximity of the Courtenay Estate to the northeastern border of Kerry. County Cork was penetrated in October and from there, the movement spread rapidly to County Tipperary in November.<sup>3</sup> That same month, County Clare began experiencing Rockite disturbances, although the unrest was very well contained to the eastern part of the county which was closest to County Limerick. County Kilkenny had pre-existing local unrest beginning in July due to an unpopular landlord, but by the end of 1821 it too had been brought into the Rockite movement.<sup>4</sup> Although the geographical reach of the Rockites is impressive, the intensity of violence in County Limerick, often noted by contemporary authorities, warrants particular examination.

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<sup>2</sup> Ibid., 42–45.

<sup>3</sup> Ibid., 60–65.

<sup>4</sup> Ibid., 72–75.

Despite regional spread and supra-localism of the Rockite movement, the individuals who participated in the movement tended to be from a similar population throughout the regions affected by the unrest. First of all, it must be stated that the Rockites were exclusively men. While further scholarship is needed for a proper gender analysis of the participants of agrarian redresser movements in general, it is clear that masculinity was a crucial factor in the communal nature of Rockite actions. As well as being exclusively male, the Rockites were also almost entirely Catholic.<sup>5</sup> This can be seen in the sectarianism present in many threatening letters, as well as the millenarian undertones that James S. Donnelly emphasizes. Not only were the Rockites singularly Catholic, but the Rockite insurgency also appealed across class divides within the Catholic community, as evidenced by the broadly applicable grievances emphasized by the movement. As stated in Donnelly's social composition theory, the social base of an agrarian redresser movement will broaden during times of economic decline because the difficulties affected individuals across the economic spectrum.<sup>6</sup> This theory explains why individuals ranging from the poorest laboring to comfortable middling class participated in the Rockite movement which took place during the economic depression of 1819-1823. Additionally, despite increasing divergence between comfortable and poor Catholics, their shared religion provided a cohesive function, presenting a commonality which could be drawn upon in relation to grievances that affected all Catholics.<sup>7</sup> Finally, it must be noted that many Rockites were primarily Irish-language speakers with limited English ability in either speech or

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<sup>5</sup> Ibid., 119–21.

<sup>6</sup> Ibid., 15.

<sup>7</sup> Kevin Whelan, *The Tree of Liberty: Radicalism, Catholicism and the Construction of Irish Identity, 1760-1830* (Cork: Cork University Press, 1996), 54.

writing. The participants in the Rockite insurgency, therefore, were predominantly Catholic men of the lower to middle classes whose first language was Irish.

It must be noted as well that while the Rockite movement was largely rural in nature, many towns like Rathkeale in County Limerick were also affected. Larger urban areas such as Kilkenny City were also influenced by the Rockites, providing locations for Rockites to meet urban trade unionists and Ribbonmen. Therefore, while it is likely that most Rockites were residents of rural areas, there was a diffusion of ideas between urban and rural Catholics.<sup>8</sup> Despite this rural character, not all participants in the Rockite insurgency were agriculturally employed. While farmers, large and small, agricultural laborers, and cottiers were all involved in Rockite movement, there were also artisans, craftsmen, and other professions among those who were arrested for committing outrages.<sup>9</sup> This indicates that the cause of the Rockite insurgency had an appeal beyond the population engaged in agriculture.

The grievances emphasized by the Rockites also give an indication of the nature of the movement and its wider appeal. One of the primary grievances of the Rockite insurgency was the issue of tithes. Although paying about 10% of one's agricultural output to the Church of Ireland was frustrating for many Irish people, it was particularly burdensome for the Catholic population who were also responsible for funding their own clergy. The tithe issue also had the ability to appeal across class divisions due to the exploitation present in the Irish system of tithe valuation and collection.<sup>10</sup> Unlike the eighteenth-century opposition to tithes which typically favored reduction in payment rates, the Rockites also advocated for the abolition of tithe payments entirely, using tactics such as the refusal to pay tithes, attacks on the tithe proctors, and even the

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<sup>8</sup> Donnelly, *Captain Rock*, 76.

<sup>9</sup> Katsuta, *Rockites, Magistrates and Parliamentarians*, 48.

<sup>10</sup> For details on the unique features of the tithe system in Munster, see Donnelly, *Captain Rock*, 15–17.

burning of tithes set out for collection.<sup>11</sup> In addition to tithes, rent was a major source of grievance for the participants in the Rockite insurgency. Regulation of the land in general was a crucial element of the Rockites' aims, but rents and evictions gained particular significance due to the economic difficulties of the period and the complex nature of the Irish land system. The economic depression during the Rockite period affected tenants of every level, but without rents adjusted to account for the depression, many lower tenants were unable to pay, leading to middlemen using increasingly hostile exertions to get rent payments. These tactics included distraint, confiscating tenants' belongings until rent is paid, and if distraint failed, then resorting to eviction. In addition to refusing payment of rents, the Rockites also organized raids to recover distrainted belongings, burned houses of new tenants on the land of evicted tenants, and committed violence against middlemen landlords and land agents, among other acts.<sup>12</sup>

Of course, rents and tithes were not the only grievances which motivated the Rockites, but they are illustrative of the appeal of the movement to those who participated in it. Grievances related to tithes and land usage were key to the applicability of the Rockite insurgency beyond its origins in the west of County Limerick, allowing the regional spread throughout much of southern Ireland. Yet this study emphasizes Limerick as a cite of intense violence, rooted in the specificities of the year 1821. Before continuing any analysis of the Rockite movement at large, it is first crucial to understand the context in Limerick that year. Although Limerick City was by far the largest town in County Limerick, the towns of Newcastle and Rathkeale were the key centers for rural law enforcement in the county. In October 1821, General John Lambert established a military base at Newcastle, the originating location of the unrest, from which he

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<sup>11</sup> Ibid., 194–98.

<sup>12</sup> Ibid., 225–32.

commanded the nearly 5,000 troops stationed in the county to quell the unrest.<sup>13</sup> The police of the county, on the other hand, were based out of Rathkeale, centrally located within the western part of the county, under the command of the chief police magistrate. In 1821, three different men served as chief police magistrate of County Limerick: Richard Going until October 6<sup>th</sup>, William Stewart from October 6<sup>th</sup> to November 12<sup>th</sup>, and Richard Willcocks beginning on November 12<sup>th</sup>.<sup>14</sup> Another change in leadership that occurred in the course of the year was the resignation of Alexander Hoskins as land agent for the Courtenay Estate on October 10<sup>th</sup> and his subsequent replacement by Alfred Furlong.<sup>15</sup> Each of these changes in leadership aimed to bring an end to the Rockite insurgency, but these hopes would be dashed as the unrest continued and intensified throughout the end of the year, the details of which will be discussed in later chapters.

### **Political Framing**

With the basic timeline and background of the Rockite insurgency discussed, it is now possible to introduce the analytical lens through which this work will explore the Rockites. Although Irish forms of agrarian protest have predominantly been analyzed through an economic or class-based lens, as discussed in the introduction, the Rockite insurgency was also demonstrably political in nature. This is not to deny the elements of economic and sectarian ideology within the movement, but rather to highlight popular forms of political ideology as a means of better understanding the complexity of the Rockite movement distinct from broader

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<sup>13</sup> Ibid., 47; Richard Willcocks to William Gregory, 6 October 1821, NAI, CSO/RP/SC/1821/1590. William Gregory was the Under-Secretary for Ireland from 1812-1831, one of the primary recipients of correspondences directed to the Chief Secretary's Office.

<sup>14</sup> William Stewart to William Gregory, 6 October 1821, NAI, CSO/RP/SC/1821/1331; Richard Willcocks to William Gregory, 12 November 1821, NAI, CSO/RP/SC/1821/1627.

<sup>15</sup> W. Furlong to William Gregory, 10 October 1821, NAI, CSO/RP/SC/1821/567; Donnelly, *Captain Rock*, 46.

patterns of agrarian violence. The political ideology of the Rockites was formed in the context of early nineteenth century politics and politicization, preceding Daniel O’Connell’s Catholic political mobilization, though the rural Irish Catholics were not monolithic in their political consciousness. Because the participants in the Rockite insurgency were predominantly rural, Catholic, and lower or middling class, it may be expected that they were less politicized than their urban, Protestant, or upper-class counterparts.<sup>16</sup> By expanding how politics is defined, however, it becomes clear that rural Irish Catholics in the 1820s were, in fact, deeply politicized.

In this chapter, politics will be defined as “concerned with public life and affairs as involving questions of authority and government.”<sup>17</sup> This definition encompasses the broader concept of ‘politics’ as opposed to the electoral or governmental form of ‘Politics,’ thereby allowing the words and actions of those outside of the ruling class to be identified as political when they are related to the state, government, or authority. Using this definition of politics, the Rockites and the movements that influenced them can be analyzed as political. This work asserts that the Rockites were by definition political, and the manifestations of their political ideology will be explored in the following chapters. In order to explore these, it is first necessary to discuss the influences that shaped the Rockites’ politics. This chapter argues that the three most important influences on the Rockites’ ideology were Whiteboyism, the United Irishmen, and Ribbonism, each of which shaped the politics of the Rockite insurgency in a unique way.

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<sup>16</sup> Ibid., 10.

<sup>17</sup> “Political,” in *Oxford English Dictionary Online* (Oxford University Press), accessed February 20, 2023, <https://www.oed.com/view/Entry/146887>.

## Whiteboyism

One of the clearest influences of the Rockite insurgency was the tradition of agrarian redresser movements that developed in the eighteenth century, usually termed Whiteboyism. While it has been argued that Whiteboyism was apolitical, with traditional historiography typically emphasizing either ‘moral economy’ or proto-nationalist explanations, Michael Huggins has argued that groups engaged in Whiteboyism were actually quite politically aware.<sup>18</sup> The debate about the political nature of other redresser movements is beyond the scope of this work, but what should be asserted is that the Whiteboys and subsequent movements in the Whiteboy tradition served as an important source for the Rockites’ tactics, rhetoric, and mentality. Whiteboyism, as it originated in 1761, was a novel form of rural protest. Although the lineage of agrarian redresser movements in Ireland perhaps originated with the Houghers, nocturnal cattle-maimers of the 1710s, the Whiteboys transformed the shape of agrarian protest in Ireland in terms of number of participants, regional extent, and the scale of violence.<sup>19</sup> Unlike the Houghers, who operated in the west of Ireland, Whiteboyism was a predominantly southern phenomenon, taking place in Munster and the southern counties of Leinster and Connacht.

The first series of Whiteboy disturbances occurred from 1761 to 1765, with the first phase taking place in counties Tipperary, Limerick, Cork, and Waterford, and the second phase predominantly in counties Tipperary and Kilkenny. The Whiteboys got their name from the white shirts they wore over their clothes, making the group recognizable for their attire as well as the use of secret oaths, mass gatherings, and nocturnal violence and intimidation. Initially, the

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<sup>18</sup> Huggins, *Social Conflict in Pre-Famine Ireland*, 29.

<sup>19</sup> S. J. Connolly, “The Houghers: Agrarian Protest in Early Eighteenth-Century Connacht,” in *Nationalism and Popular Protest in Ireland*, ed. C. H. E. Philpin (Cambridge: Cambridge University Press, 1987), 139–62; Donnelly, “The Whiteboy Movement, 1761-5,” 54.

Whiteboys acted in response to new tithes and the enclosure of common lands, but soon their grievances also included the price of provisions, tithe rates, access to tillable land, and rent for conacre land.<sup>20</sup> Towards these ends, the Whiteboys destroyed property, attacked hostile individuals, and sent threatening letters signed with pseudonyms. Another notable feature of the movement is the presence of a mythical leader by the name of Sieve Oulagh, perhaps originating in the *aisling* allegory of Ireland as a dispossessed woman.<sup>21</sup> This reference to Gaelic poetry might imply a solely Catholic identity of the Whiteboys, but the movement included Protestants in addition to the Catholics that constituted the majority of its participants. The participants in this Whiteboy agitation were predominantly members of the rural lower classes, mostly landless or land-poor, with some small farmers as well.<sup>22</sup> Although the disturbances declined due to food scarcity in 1766, Whiteboyism became entrenched as a term for the type of agrarian actions that would recur throughout the rest of the eighteenth century.

While a full examination of these recurrent redresser actions is not within the scope of this work, it is important to note a few developments introduced by subsequent Whiteboy groups in order to understand the full influence of Whiteboyism on the Rockites. A second wave of the Whiteboyism erupted from 1769 to 1776, this time spreading east from Tipperary into southern Leinster. Notably, unlike the first outbreak of the agitation, these Whiteboys included members of the middling farmer class, making the social range from which participants were drawn much broader. Additionally, instead of emphasizing the tithe of potatoes or conacre rents, this wave of

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<sup>20</sup> Donnelly, "The Whiteboy Movement, 1761-5," 20–25. Conacre land consisted of small tillage patches leased on a temporary basis, typically to the landless or land-poor for the duration of a crop cycle. Most crops grown on conacre land were used for subsistence, often in the form of potatoes.

<sup>21</sup> *Ibid.*, 27.

<sup>22</sup> *Ibid.*, 34.

Whiteboyism prioritized the tithe of corn, agricultural rents, and evictions.<sup>23</sup> These changes were important in transforming Whiteboyism from a phenomenon only associated with the poorest members of rural society to a tradition of the wider population and concerned with a broader range of grievances. Additionally, the expanded geography of this second wave of Whiteboyism illustrated that these disturbances were not simply local in nature, but rather contained a significant regional dimension, intentionally cultivated through Whiteboy emissaries sent between counties.<sup>24</sup>

The final large-scale appearance of Whiteboyism in the eighteenth century was enacted by individuals calling themselves Rightboys. The Rightboys of 1785 to 1788 further expanded the geography of agrarian redresser movements with Rightboy activity present in eleven counties in southern Ireland.<sup>25</sup> Arguably the most mature iteration of Whiteboyism, the participants in the Rightboy unrest belonged to the widest social range of any previous outbreaks of redresser violence, including every group from cottiers to Protestant gentry.<sup>26</sup> Just as with the second wave of the Whiteboys, this change in social composition corresponded to a different emphasis of grievances, in the case of the Rightboys, focusing on tithes of corn and priests' dues. One of the most notable features of the Rightboys, though, was the significant level of success that they achieved in actually addressing their grievances, especially regarding tithes.<sup>27</sup> Importantly, they achieved this without the use of serious violence, instead relying on daytime mass demonstrations and intimidation. This isn't to say that the Rightboys were not violent, in fact

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<sup>23</sup> Donnelly, "Irish Agrarian Rebellion," 295.

<sup>24</sup> *Ibid.*, 296.

<sup>25</sup> Donnelly, "The Rightboy Movement, 1785-8," 128. The counties with Rightboy activity were Cork, Kerry, Limerick, Tipperary, King's County, Queen's County, Kilkenny, Wexford, Waterford, Clare, and Galway.

<sup>26</sup> *Ibid.*, 143.

<sup>27</sup> *Ibid.*, 162.

they became known for many “staged rituals of violence,” but rather that the bloodbath and spree of murders that many authorities expected from them never came about.<sup>28</sup> In terms of importance for the continuity of the Whiteboy tradition more broadly, the Rightboys were the first group to explicitly articulate certain land usage regulations, such as the three year waste law, which stipulated that land must be unused for three years after a tenant leaves before it could be used again, aimed at preventing land grabbers.<sup>29</sup> The Rightboys also asserted a ban on the practice of auctioning off a lease from underneath the current tenants and challenged landlords’ right to distrain their tenant’s possessions if the tenant defaulted on their arrears.<sup>30</sup> These regulations were an important element of the Rightboy self-image, seeing themselves as “the appointed saviours of a much aggrieved people” with one threatening notice telling the people that “they should appeal to the captain of the Whiteboys and his assistants, ‘THE DETERMINED REDRESSORS OF EVERY KIND OF GRIEVANCE.’”<sup>31</sup>

The tradition of Whiteboyism in southern Ireland, as expressed by the Whiteboys and Rightboys in the second half of the eighteenth century, was a clear influence on the Rockites of the following century. Although these earlier manifestations of Whiteboyism may not have occurred within the lifetimes of the participants in the Rockite insurgency, the tradition of agrarian redresser activity was well cemented in the social memory of rural Irish people. When the Rockite insurgency utilized collective violence, intimidation, oaths, and threatening letters, it is unsurprising that many observers referred to the Rockites as Whiteboys. The Rockites are

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<sup>28</sup> Ibid., 182.

<sup>29</sup> Land grabber, land jobber, and land canter were all terms used to refer to individuals who were seen as wrongfully inhabiting land, often by paying a high price for the lease at an auction or by renting land which a tenant had recently been evicted from.

<sup>30</sup> Donnelly, “The Rightboy Movement, 1785-8,” 179–80.

<sup>31</sup> Ibid., 176.

undoubtedly a recurrence of the Whiteboy tradition of agrarian redresser violence.<sup>32</sup> However, the intensity of their violence sets them apart from their eighteenth-century precedents in a way that can only be adequately explained by understanding the other influences on the Rockites. These other influences will illustrate that the particular politicized nature of the Rockite insurgency distinguishes it from eighteenth-century precedents.

### **United Irishmen**

A key difference between earlier Whiteboyism and the Rockites was that the Rockites occurred after the politically impactful decade of the 1790s. The Society of United Irishmen was founded in 1791, influenced by the principles of the French Revolution as adapted to the context of Irish politics. While they began as reformers, by 1795 the United Irishmen had become committed to revolutionary republicanism, aiming to establish an Irish republic with civil and political liberties for all men, regardless of religion.<sup>33</sup> They aimed to politicize the people of Ireland and in so doing cultivate a base from which to launch a national uprising against British rule, potentially assisted by a French invasion.<sup>34</sup> Inspired by the social radicalism of thinkers like Thomas Paine, the United Irishmen expanded beyond the framework of upper-class high politics, instead addressing the concerns of the poor, especially poor Catholics.<sup>35</sup> The non-sectarian nature of the United Irishmen facilitated their merger with the Catholic Defenders, expanding the

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<sup>32</sup> Donnelly, *Captain Rock*, 5–6.

<sup>33</sup> Tommy Graham, “The Transformation of the Dublin Society of United Irishmen into a Mass-Based Revolutionary Organization, 1791-6,” in *1798: A Bicentenary Perspective*, ed. Thomas Bartlett et al. (Dublin: Four Courts Press, 2003), 137–38.

<sup>34</sup> Thomas Bartlett, “‘The Invasion That Never Was’: Naval and Military Aspects of the French Expedition to Bantry Bay, 1796,” in *The French Are in the Bay: The Expedition to Bantry Bay, 1796*, ed. John A. Murphy (Dublin: Mercier Press, 1997), 50.

<sup>35</sup> Whelan, *The Tree of Liberty*, 71, 79.

United Irishmen's influence into the rural areas in which the Defenders were based: Ulster, north Connacht, and north Leinster.<sup>36</sup>

In addition to politicizing the people of Ireland, the Society of United Irishmen also sent emissaries to court support from the French Republic, which was at war with Britain starting in 1793. Although the French eventually agreed to send troops to Ireland, their attempted invasion in December 1796 was forced to turn back due to inclement weather off the coast of County Cork.<sup>37</sup> After this failure, the United Irishmen refused to wait for a new French force to arrive before beginning a rising in May 1798. The Rebellion of 1798 initially took place predominantly in Leinster and Ulster, with another arena opening in Connacht in August, after the arrival of a French expeditionary force there.<sup>38</sup> Munster was seemingly untouched. Unfortunately for the rebels, the French force in Connacht arrived too late to salvage success; most of the regional uprisings had already been defeated months prior.<sup>39</sup> Not only was the British government's response swift and brutal, but many of the United Irishmen leaders had been arrested prior to the rebellion, leading to a disjointed rising with limited national cohesion. Although the 1798 Rebellion was unsuccessful, the United Irishmen left a strong impression on the popular consciousness of the Irish people. The state's brutal suppression of the rebellion and the resulting reforms, such as the Act of Union of 1801, kept the legacy of the rebellion relevant to the politics of the following decades.<sup>40</sup>

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<sup>36</sup> Graham, "The Transformation of the Dublin Society of United Irishmen," 139–40.

<sup>37</sup> Bartlett, "The Invasion That Never Was": Naval and Military Aspects of the French Expedition to Bantry Bay, 1796," 54–55.

<sup>38</sup> Kevin Whelan, "Introduction to Section II," in *1798: A Bicentenary Perspective*, ed. Thomas Bartlett et al. (Dublin: Four Courts Press, 2003), 98–99.

<sup>39</sup> Harman Murtagh, "General Humbert's Futile Campaign," in *1798: A Bicentenary Perspective*, ed. Thomas Bartlett et al. (Dublin: Four Courts Press, 2003), 178–79.

<sup>40</sup> Whelan, *The Tree of Liberty*, 143–44, 174–75.

One of the strengths of the United Irishmen's politicization effort was their use of colloquial language when discussing political topics. Rather than adopting the formal rhetoric of the urban, educated elite that was typically used in political pamphlets, the United Irishmen mimicked Thomas Paine's informal, vernacular style that was significantly more accessible to a wider audience.<sup>41</sup> Through their writing in newspapers, pamphlets, and handbills, the Society of United Irishmen circulated their ideas in various forms of printed material.<sup>42</sup> This material included re-prints of notable Enlightenment thinkers as well as original material written by United Irishmen, such as Theobald Wolfe Tone's *An Argument on Behalf of the Catholics of Ireland*.<sup>43</sup> Although their primary organizing centers were in Belfast and Dublin, printed material was disseminated along existing publisher networks into distant parts of Ireland. The United Irishmen also printed broadsheets, one-sided sheets that could be posted up in public, making their message available without an individual purchase. Additionally, ballads, toasts, oaths, and catechisms tapped into the Irish oral culture, including overcoming the barrier of illiteracy.<sup>44</sup> All of these innovations in genre and form were adopted with the aim of politicizing every Irishman.

Beyond simply their form of politicization, the ideology expressed in the works of the United Irishmen illustrates the way in which their politics appealed to the Irish people, especially the Catholic population. The politicization of the Catholic population by the United Irishmen has been referred to as a transition from Jacobite to Jacobin.<sup>45</sup> The tradition of Irish Jacobitism dated to the Jacobite-Williamite War of 1689-1691 in which the Catholic Stuart King James II was

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<sup>41</sup> Ibid., 71.

<sup>42</sup> James S. Donnelly, "Propagating the Cause of the United Irishmen," *Studies: An Irish Quarterly Review* 69, no. 273 (1980): 6-7.

<sup>43</sup> Whelan, *The Tree of Liberty*, 63.

<sup>44</sup> Donnelly, "Propagating the Cause of the United Irishmen," 8-10; Whelan, *The Tree of Liberty*, 72-73.

<sup>45</sup> Breandán Ó Buachalla, "From Jacobite to Jacobin," in *1798: A Bicentenary Perspective*, ed. Thomas Bartlett et al. (Dublin: Four Courts Press, 2003).

defeated by the Protestant King William III. Support for the Stuart pretenders was a unifying political force for Irish Catholics throughout much of the eighteenth century, despite the absence of rebellions such as took place in Scotland. While Jacobite political sympathy had largely subsided by the last decades of the eighteenth century, the symbols of Jacobitism remained in the popular culture, especially among the rural lower classes. This is evidenced by the appearance of Jacobite symbols in threatening notices written by the Whiteboys.<sup>46</sup> Even in the 1790s, the United Irishmen were utilizing Jacobite motifs, easing the shift from the existing Jacobite political sentiment to the French Revolution inspired Jacobin ideology.<sup>47</sup> Kevin Whelan argues that while the United Irishmen did not adopt Jacobitism, they did adopt parts of the Catholic popular culture, of which Jacobitism was part. This was one of the primary methods by which they hoped to convert the people to their goal: politicize them through popular culture.<sup>48</sup> By addressing the feelings of exclusion that were present in the Catholic community, the United Irishmen were able to politicize existing grievances, including those of groups like the Defenders. According to Whelan, “the radicalisation project created the establishment nightmare of the eighteenth century – the jacobinising of the secret societies, leading to an educated Whiteboyism. For the first time the grievances of the secret societies were joined to an effective national programme for sweeping political change.”<sup>49</sup> In this way, the rural Catholic poor of Ireland were introduced to the political ideology of the United Irishmen.

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<sup>46</sup> Vincent Morley, “Irish Jacobitism, 1691–1790,” in *The Cambridge History of Ireland*, ed. James Kelly, vol. III (Cambridge: Cambridge University Press, 2018), 45.

<sup>47</sup> Éamonn Ó Ciardha, *Ireland and the Jacobite Cause, 1685-1766: A Fatal Attachment* (Dublin: Four Courts Press, 2002), 374.

<sup>48</sup> Whelan, *The Tree of Liberty*, 61.

<sup>49</sup> *Ibid.*, 75.

It should be noted that the diffusion of the United Irishmen political ideology was not even throughout Ireland. The northeastern part of the country, due to proximity to the organizing centers in Dublin and Belfast, was the core region of United Irishmen support. Additionally, because the majority of violence during the 1798 Rebellion occurred in the north and middle of the country, Munster may appear as an area largely untouched by the politics of the 1790s and the United Irishmen.<sup>50</sup> Scholars have put forward different interpretations of the extent of politicization in Munster, and County Limerick specifically, during the 1790s. Whelan has argued that the United Irishmen were unable to penetrate predominantly Irish-speaking counties, including County Limerick, due to their exclusive use of the English language, leaving many counties in the south of Ireland unaffected by the new political ideology.<sup>51</sup> On the other hand, Ruan O'Donnell argues that many prominent United Irishmen were from the north Munster region and that, as early as 1792, a local branch of the United Irishmen had been founded in Limerick City.<sup>52</sup> O'Donnell also points to outbreaks of violence in 1793 as an indication of the spread of Defenderism into northern Munster, laying the groundwork for a United Irish presence there.<sup>53</sup> This assertion has been disputed by David Dickson who argues that the 1793 unrest was a form of anti-militia riots modeled on the tradition of Rightboys from the previous decade, not a manifestation of Defenderism which barely existed in Munster.<sup>54</sup> Additionally, it has been suggested by James Patterson that the tithe unrest in County Cork during the winter of 1798 to 1799 was an expression of United Irishmen politics overlaid onto an existing Whiteboy

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<sup>50</sup> Donnelly, *Captain Rock*, 5.

<sup>51</sup> Whelan, *The Tree of Liberty*, 95.

<sup>52</sup> Ruan O'Donnell, "The United Irishmen in Limerick, 1791-8," in *Limerick: History and Society*, ed. Liam Irwin and Gearóid Ó Tuathaigh (Dublin: Geography Publications, 2009), 185–87.

<sup>53</sup> *Ibid.*, 189.

<sup>54</sup> David Dickson, "Smoke without Fire? Munster and the 1798 Rebellion," in *1798: A Bicentenary Perspective*, ed. Thomas Bartlett et al. (Dublin: Four Courts Press, 2003), 152–53.

tradition.<sup>55</sup> Despite these competing interpretations of precisely where and how much Munster was politicized, which are beyond the scope of this work, what is clear is that Munster was neither tranquil nor apolitical during the 1790s, leaving a memory of violence that would last beyond the eighteenth century.

Kevin Whelan states that “the rebellion never passed into history, because it never passed out of politics.” Because the 1798 Rebellion remained within the popular consciousness of Ireland into the 1820s, the Rockites would have been significantly influenced by the memory of the rebellion, especially since the Rockites themselves were mostly young men, and therefore likely only one generation separated from 1798. It is not surprising that memories of that period, as well as resentments, influenced those involved in the Rockite movement. One example of the continuation or revival of 1790s animosities is the murder of a man named John Walsh who was beaten to death in Adare, County Limerick on October 15<sup>th</sup>, 1821. A policeman reporting the incident stated that “the only cause I understand that can be assign’d for this atrocious deed is that he was a drummer in the year of 1798, and in that charade, had flogged some rebels.”<sup>56</sup> John Walsh, therefore, may have been killed for his involvement in suppressing the 1798 Rebellion, despite those actions taking place more than two decades prior. Even if this particular murder was not perpetrated by Rockites, this act of revenge illustrates that the tensions of the 1790s remained in the consciousness of the population from which the Rockites were drawn. This influence can also be seen in the Rockites “call[ing] on the people to assert their right as in 1798”

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<sup>55</sup> James G. Patterson, “‘Educated Whiteboyism’: The Cork Tithe War, 1798-9,” *History Ireland* 12, no. 4 (2004): 25–29.

<sup>56</sup> William Stewart to William Gregory, 17 October 1821, NAI, CSO/RP/SC/1821/1334.

in a notice posted on December 30<sup>th</sup>, 1821 in Cratloe, a County Clare town near Limerick City.<sup>57</sup> Both through actions and words, the Rockites connected their movement to the 1798 Rebellion.

As well as directly referencing 1798, the Rockite movement also utilized many of the symbols, forms, and motifs of the United Irishmen. Perhaps the most obvious example of this is the identification with the United Irishmen presented in notice signatures, such as one from County Cork in April of 1822 which was signed “John Rock Commander in Chief of the United Irishmen.”<sup>58</sup> Beyond explicit references like this, the Rockites also utilized oaths either modeled on or directly borrowed from the United Irishmen. Catechisms, based in the question-and-answer format of Catholic Church catechisms but secular in nature, were one of the most recognizable tools used by the United Irishmen. One of the most prominent of these catechisms originated in County Cork in 1797. The catechism read as follows: “What is that in your hand? It is a branch. Of what? Of the Tree of Liberty. Where did it first grow? In America. Where does it bloom? In France. Where did the seeds fall? In Ireland.”<sup>59</sup> A Rockite oath attested to in County Limerick in 1821 was almost identical in form: “what is that in your hand[?] an olive branch[.] where did it grow[?] it grew in America blossomed in France and took in Ireland.”<sup>60</sup> The only real difference between this oath and the United Irishman catechism is that the Rockites substituted an olive branch for the branch of the Tree of Liberty. The similarities between these catechisms illustrates the ways in which the Rockite movement was influenced by the political ideology of the United Irishmen. The references to the American and French Revolutions should not necessarily be

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<sup>57</sup> George Warburton to William Gregory, 31 December 1821, NAI, CSO/RP/SC/1821/1739.

<sup>58</sup> Threatening notice, 29 March 1822, enclosed in Lord Doneraile to William Gregory, 2 April 1822, NAI, SOC I, 2345/52 cited in Stephen Gibbons, *Captain Rock, Night Errant: The Threatening Letters of Pre-Famine Ireland, 1801-1845* (Dublin: Four Courts Press, 2004), 152.

<sup>59</sup> Whelan, *The Tree of Liberty*, 57.

<sup>60</sup> James Delmage to William Gregory, 29 November 1821, NAI, CSO/RP/SC/1821/503.

taken as proof of republican ideology among the Rockites, but rather of the influences of the United Irishmen's political ideas more broadly.

It has been argued that these types of oaths were simply "ritualistic carryovers from the 1790s" that lacked any real meaning for those using them in the nineteenth century, but this argument ignores the practical importance placed on them by the Rockites.<sup>61</sup> It is evident that not only was the memory of 1798 clearly still relevant to the participants in the Rockite movement, but also the specific rhetoric and politics of the United Irishmen continued to contain meaning for them. Therefore, acknowledging that the politics of the 1790s influenced the Rockites is crucial to understanding how the Rockites were a distinct form of agrarian redresser movement, able to draw on that legacy of politicization which had not yet occurred for earlier manifestations of Whiteboyism. In the wake of such a disruptive decade, it is unsurprising that the Rockites would look to and be influenced by the politics of that period.

### **Ribbonism**

The legacy of the 1790s influenced more nineteenth-century groups than just the Rockites, the Ribbonmen notable among them. The Ribbon Society appeared for the first time in 1810, although in reality, Ribbonism was a collection of fraternal societies rather than a single, unified organization.<sup>62</sup> The system referred to as Ribbonism emerged out of the Defenders, whose own Catholic anti-Orangeism fused with the republican, nationalist ideology of the United Irishmen, leading to a Catholic nationalist organization with a presence predominantly in Ulster, north Leinster, and north Connacht.<sup>63</sup> Because of the major organizing center in Dublin, it has

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<sup>61</sup> Donnelly, *Captain Rock*, 98.

<sup>62</sup> Hughes and MacRaild, *Ribbon Societies in Nineteenth-Century Ireland and Its Diaspora*, 2.

<sup>63</sup> Garvin, "Defenders, Ribbonmen and Others," 138.

been argued that Ribbonism also extended inland along the Royal Canal and Grand Canal, establishing lodges as organizing units along those routes.<sup>64</sup> The Ribbonmen used initiation rituals, oaths, passwords, and catechisms as part of their organization, which may have contained a well-developed pyramid membership structure.

While Ribbonism existed throughout the first half of the nineteenth century, the Ribbon tradition was not consistent throughout the whole period. For example, Daniel O’Connell’s Catholic political mobilization in the later 1820s influenced the manifestations of Ribbonism during that period.<sup>65</sup> Nonetheless, some key similarities exist which justify the unifying label Ribbonism. The lodges of the Ribbonmen were predominantly established in towns where Catholic laborers, tradesmen, and wage-earners crossed paths; therefore, most Ribbonmen were Catholic men of the lower classes who were “engaged in factional disputes, local economic protectionism, agrarian issues, labour struggles, and anti-Orange or anti-Protestant violence.” While Ribbonism was nationalist and sectarian in nature, Ribbon societies did not resist the state in significant ways or create large-scale agitation.<sup>66</sup> Ribbonism did, nonetheless, develop regional political networks that were consistent with eighteenth-century forms of political mobilization.<sup>67</sup>

A historical debate exists surrounding the geographic extent of Ribbonism, especially regarding the presence of Ribbonism in Munster. One interpretation argues that because Defenderism was predominantly a northern phenomenon and Ribbonism descended from Defenderism, Ribbonism was likely absent from Munster.<sup>68</sup> However, recent scholarship has

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<sup>64</sup> Hughes and MacRaild, *Ribbon Societies in Nineteenth-Century Ireland and Its Diaspora*, 4.

<sup>65</sup> Huggins, “Whiteboys and Ribbonmen: What’s in a Name?,” 27–28.

<sup>66</sup> Hughes and MacRaild, *Ribbon Societies in Nineteenth-Century Ireland and Its Diaspora*, 8.

<sup>67</sup> Garvin, “Defenders, Ribbonmen and Others,” 134.

<sup>68</sup> Hughes and MacRaild, *Ribbon Societies in Nineteenth-Century Ireland and Its Diaspora*, 85–86.

argued for the presence of Ribbon lodges in the cities of Munster, such as Limerick City, connected to Dublin along the canal system. This new scholarship, especially that of Shunsuke Katsuta, also links Ribbonism to the Rockite movement. Katsuta utilizes the diary of Major Henry Charles Sirr, a police magistrate in Dublin during the 1820s, to argue that “the true origin of the Rockite organisation lay in that of the Ribbonmen.”<sup>69</sup> This argument expands on James Donnelly’s discussion of the influence of Ribbonism on Rockite forms of organization and oaths.<sup>70</sup> Donnelly acknowledges the presence of Ribbon lodges in many Munster counties, but he only discusses the potential intermixing of Rockite and Ribbon ideology and forms, not claiming that one group originated from the other. The debate about the role of Ribbonism in the Rockite movement is beyond the scope of this work, but it is important to note that while Ribbonism clearly had an impact on the Rockites, the two movements were not the same. Contact between Rockites and Ribbonmen, typically when rural Catholics came into towns with Ribbon lodges, created a mutual exchange of ideas and forms of protest that shaped both movements.<sup>71</sup>

## Conclusion

Although the Rockite movement has often been seen as an apolitical outbreak of rural violence, the influence of Whiteboyism, the United Irishmen, and Ribbonism infused the Rockites with a distinct political ideology. Many of the tactics and grievances of the Rockites had clear precedents in the eighteenth-century agrarian redresser movements, yet the Rockite insurgency was significantly more violent in terms of instances of murder and attempted murder. It has been argued that this shift in violence was due to the decline of a ‘moral economy’

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<sup>69</sup> Katsuta, *Rockites, Magistrates and Parliamentarians*, 48.

<sup>70</sup> Donnelly, *Captain Rock*, 102.

<sup>71</sup> *Ibid.*, 21.

regulating the relationship between the people and the authorities, including forms of resistance and social control, during the 1790s.<sup>72</sup> Beyond solely a transformation of social dynamics, which facilitated a new range of actions for redresser movements, it must be noted that there was also a significant change in the rhetoric used during the 1820s. By analyzing the Rockite ideology as a synthesis of Whiteboyism, United Irish politics, and Ribbonism, a fuller picture of the Rockite insurgency can be achieved, a picture which acknowledges the significance of the movement's political ideology in informing its motives and actions.

It is not only historians who can perceive political motivations in the Rockite insurgency. Contemporary authorities, both local and national, often discussed the actions and rhetoric of the Rockites as deeply political. The term 'outrage' was developed by authorities in order to describe crimes that were recognized as having a greater significance and posing a greater threat than a typical crime. Jay Roszman's analysis of the term 'outrage' reveals that outrages were seen as a distinctly Irish problem, inherently subversive, and contesting the sovereignty of the state and the authority of the Protestant British order.<sup>73</sup> Agrarian redresser movements committing 'outrages' were therefore not only seen as a clear threat to the state, its legitimacy, and its power, but also as fundamentally political. This was especially true after the Act of Union joined Great Britain and Ireland since "the agrarian violence endemic to Ireland's countryside created a chasm between the countries that underscored the fragility of their union."<sup>74</sup> During the Rockite insurgency, authorities interpreted the violence and rhetoric of the Rockites as signs of an impending rebellion in the style of 1798 aimed at Irish independence. In letters sent to the administration in

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<sup>72</sup> For one example of this argument, see Bartlett, "An End to Moral Economy."

<sup>73</sup> Roszman, *Outrage in the Age of Reform*, 14. See Roszman's entire work for a useful analysis of state perceptions of agrarian violence more generally.

<sup>74</sup> Roszman, "The Curious History of Irish 'Outrages,'" 491.

Dublin, policemen often referred to Rockites as insurgents or conspirators, discussing fears of a conspiracy to overthrow the state.<sup>75</sup> Even if this was not an accurate description of the Rockites' aims, it is clear that the state authorities perceived the Rockites as a political threat in a similar way to the United Irishmen. The Rockites may not have aspired to a full-scale upheaval of the state, but they were still a political threat to the state's stability, credibility, and efficacy in rural Ireland.

When the concept of politics is expanded to encompass informal methods of political engagement, popular politicization, and perceptions of political motivations, there is no doubt that the Rockites were political. This will be further illustrated in the following chapters which detail specific ways in which the Rockites both co-opted and resisted the sovereignty of the state. Although the movement might not have been intending to encourage a national rebellion as was feared by authorities, the Rockites still represented a political threat to the state and the establishment order. Rejecting the law of the state is an inherently political act as is violence against the state and state law enforcement. Both of these themes will be explored in the following chapters about law and law enforcement, illustrating two ways by which the Rockites manifested their unique political ideology.

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<sup>75</sup> For example: Richard Willcocks to William Gregory, 23 October 1821, NAI, CSO/RP/SC/1821/1604; Richard Willcocks to William Gregory, 20 October 1821, NAI, CSO/RP/SC/1821/1602.

## 2. The Right Justice Captain Rock

The Rockites' political ideology as influenced by Whiteboyism, the United Irishmen, and Ribbonism informed the insurgency's relationship to the state and its law, including its rejection of the state law. Yet this was not the first time that the law had been contested in Ireland. Contradiction and ambiguity within the legal system of Ireland had begun as a result of the Norman conquest. In the subsequent centuries, the native Irish Brehon law was slowly and sporadically replaced by English law. A wealth of literature during this transition period described the Irish as lawless due to the difficulty of imposing the English law in Ireland. However, the long-established Irish adherence to Brehon law and its legal tradition shows that this so-called lawlessness was to a greater extent a rejection of a new legal system being imposed upon the Irish. Into the nineteenth century, the Irish continued to be referred to as lawless, a claim resulting from the proliferation of agrarian disturbances beginning in the eighteenth century. However, what the British perceived as lawlessness among the Rockites, and earlier redresser movements, was actually an assertion of an alternative law. The Rockite movement did not reject law in favor of lawlessness but rather rejected the British state's law in favor of their own alternative law. This legal alterity not only illustrates the political nature of the Rockite insurgency, but also provides a lens through which to view the Rockites as part of a movement engaged in more than irrational violence.

### **Legal Pluralism and Legal Alterity**

The existence of two systems of law within a single territory can occur in two distinct forms: legal pluralism or legal alterity (also known as legal parallelism). Legal pluralism applies

to circumstances in which two legal systems co-exist, not always without contradiction but typically without direct conflict between the two. This often occurs in “colonial and postcolonial societies where it is common for an imposed legal system to co-exist and interconnect with customary, indigenous and/or religious laws.”<sup>1</sup> Especially in the highly bureaucratized empires of the late-nineteenth century, the existence of overlapping jurisdictions, contradictory laws, and divergent legal customs proved a constant challenge for the establishment of legal consistency within an empire. Colonized populations learned to navigate these plural systems with strategies ranging from “litigation to outright challenges to the legitimacy of imperial courts to violent rebellion.”<sup>2</sup> While the two systems under legal pluralism can theoretically co-exist peacefully, in a colonial framework, the imperial state often tries to eliminate the indigenous law in favor of imperial law.

Legal pluralism can also apply to circumstances of conquest rather than modern colonization. After the Norman conquest of Ireland, for example, Brehon law and English law both existed throughout the island of Ireland. While English law was only in force in areas of English control, Brehon law did not immediately disappear in those regions. The English attempted to eliminate this legal pluralism through the medieval and early modern period by not only asserting the primacy of their law, but also by denying the validity of Brehon law. By the mid-seventeenth century, the absence of the Gaelic nobility facilitated the application of English law throughout the whole of Ireland. As England began its colonial ventures in the Americas, it simultaneously attempted to remove legal pluralism by consolidating its monopoly over law in

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<sup>1</sup> Margaret Davies, “Legal Pluralism,” in *The Oxford Handbook of Empirical Legal Research*, ed. Peter Cane and Herbert M. Kritzer (Oxford: Oxford University Press, 2010), 805–6.

<sup>2</sup> Lauren Benton and Lisa Ford, “Empires and the Rule of Law: Arbitrary Justice and Imperial Legal Ordering,” in *The Cambridge Companion to the Rule of Law*, ed. Jens Meierhenrich and Martin Loughlin (Cambridge: Cambridge University Press, 2021), 101.

Ireland. Although the Irish plural system was subsequently extinguished in the seventeenth century, “the cultural memory of a native legal tradition lingered and re-emerged from the late 18<sup>th</sup> century in a variety of antiquarian and scholarly projects as well as, less specifically, the splintering of constituted legal authority by the Whiteboys and their successors.”<sup>3</sup> While antiquarians were revisiting Brehon law from a scholarly perspective, the participants in Whiteboyism were not looking backwards to Brehon law, but rather asserted their own law.

Legal alterity is the other manner in which two legal systems can occur in a single territory. Unlike legal pluralism, though, the two legal systems are inherently in conflict from the start. Each legal system views the other as illegitimate, thereby making co-existence impossible. The trend of modern states to impose a centralized system universally throughout their territory necessitates conflict and for that reason, legal alterity is more common in the modern era than legal pluralism. Legal alterity typically occurs during periods of insurgency or rebellion, during which law becomes an arena for insurgency and conflict. In discussing legal alterity, Terence Dunne argues that insurgents represent themselves as “agents of an alternative law.”<sup>4</sup> During an insurgency that proclaims its own law, the law of the state and the law of the insurgent fight for a monopoly on legitimate violence and judicial sovereignty.<sup>5</sup> According to Max Weber’s definition, a state is a “political organization with continuous operations” whose “administrative staff successfully upholds the claim to the *monopoly* of the *legitimate* use of physical force in the enforcement of its order.”<sup>6</sup> By legitimizing their own use of physical force as a means of

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<sup>3</sup> Sinéad Sturgeon, “‘Law of Their Own’: Notes on Legal Alterity in Early 19th-century Ireland,” *Journal of Postcolonial Writing* 46, no. 5 (November 2010): 472.

<sup>4</sup> Dunne, “The Law of Captain Rock,” 38.

<sup>5</sup> *Ibid.*, 45.

<sup>6</sup> Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, ed. Guenther Roth and Claus Wittich (Berkeley: University of California Press, 1978), 54. Italics in original.

enforcement, the insurgent defies the state's monopoly on violence and thereby its sovereignty. Within legal alterity, the insurgent goes beyond just legitimizing their violence and instead asserts that their violence is actually the enforcement of an alternative law. Therefore, the enforcers of one law innately view the enforcers of the other as illegitimate. State officials in roles outside of enforcement are also delegitimized by either side, as are judicial verdicts and punitive measures.

While the framework of legal alterity is common in revolutionary contexts wherein an alternative legal system is only one part of "establishing an alternative political order," the assertion of an alternative law does not only apply to the circumstances of a revolution.<sup>7</sup> Of course legal alterity is inherently political by rejecting the law of the state, but just as rebellions can reject the state's sovereignty without using the tool of law, so too can movements asserting an alternative law use the law as a tool without rejecting the entire political order. When considering pre-industrial rural insurgents or insurgencies, like the Rockites for example, the law was envisioned as an expression of justice and the enforcement of social norms rather than as a function solely of a centralized state's power and sovereignty.<sup>8</sup> Legal alterity, therefore, allows the insurgent to reject the state's law without necessarily rejecting the state itself. In this way, the insurgent becomes an outlaw to the state, but not necessarily a rebel. Though the difference may seem semantic, a rebel rises against the government itself, but an outlaw simply operates outside of the official state law.

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<sup>7</sup> Benedetta Berti, "Rebel Justice? Rule of Law and Law Enforcement by Non-State Armed Groups," in *Rule of Law and Areas of Limited Statehood: Domestic and International Dimensions*, ed. Linda Hamid and Jan Wouters (Northampton, MA: Edward Elgar Publishing, 2021), 127.

<sup>8</sup> Dunne, "The Law of Captain Rock," 43–44.

## Social Banditry

A productive framework for understanding the Rockites' relationship with the law, and specifically the ways in which legal alterity does not necessarily constitute political rebellion, is Eric Hobsbawm's theory of social banditry. According to Hobsbawm, social bandits are "peasant outlaws whom the lord and state regard as criminals, but who remain within peasant society, and are considered by their people as heroes, as champions, avengers, fighters for justice, perhaps even leaders of liberation, and in any case as men to be admired, helped and supported."<sup>9</sup> The discrepancy between the perception of criminality by the state and by the social bandits themselves echoes the opposition between the state and the insurgent in legal alterity. Yet Hobsbawm stresses that it is not only the bandits themselves that perceive their actions as non-criminal since they are also supported by their people. This is what distinguishes the social bandit from a common criminal. Hobsbawm's use of the phrase "their people" is quite vague, but in this context, the people are the local rural community from which the social bandit originates. The emphasis on localism in the social bandit framework is of paramount importance to understanding the relationship between the social bandit and the people, which gives the concept of social banditry its significance.

The primary reason that local people accept the actions of the social bandits as legitimate rather than criminal is because unlike a common criminal, social bandits "share the value-system of ordinary peasants."<sup>10</sup> This value-system legitimates even brutal acts of violence if they are seen as righting wrongs, avenging injustice, or restoring the traditional order of things.<sup>11</sup> Additionally, the values of social bandits also reflect the localist ethic of their community,

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<sup>9</sup> Eric Hobsbawm, *Bandits*, 4th ed. (New York: New Press, 2000), 20.

<sup>10</sup> *Ibid.*, 43.

<sup>11</sup> *Ibid.*, 30–31.

opposed to all outsiders, from foreigners to villagers of the next town over.<sup>12</sup> Therefore, social banditry is intensely local in nature, bound up in the value-system of a particular region. That is not to say that there are not values shared among rural lower-class communities on a wider scale, but social bandits necessarily navigate the local specificities of these values in order to regulate the morality of their actions. Regardless of local specificities, the fact that social bandits are social, and therefore morally accepted by their community, means that the community will support and protect bandits even if they suffer state repression. This is because social bandits “only become outlaws, and punishable as such, where they are judged by a criterion of public law and order which is not theirs.”<sup>13</sup> By acting within their own laws but against those of the outsider, usually the state, social bandits conform to the concept of legal alterity while also emphasizing the local and moral nature of this dynamic.

This chapter draws on the concept of the social bandit as a broad theoretical framework with which to analyze the Rockite movement’s relationship with law, the state, and the residents of areas in which the movement operated.<sup>14</sup> Many of the characteristics of social banditry as described by Hobsbawm can be directly attributed to the Rockites. Remote and inaccessible regions, such as mountains, with few modern roads and inefficient methods of administration are particularly common areas for social banditry to develop and take hold.<sup>15</sup> The mountainous regions of Munster in the early nineteenth century fit this description well. Additionally, many social bandits were young unmarried men, which aligns well with James S. Donnelly’s

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<sup>12</sup> Ibid., 20–21.

<sup>13</sup> Ibid., 8.

<sup>14</sup> This work does not aim to apply Hobsbawm’s framework directly onto the Rockites. Hobsbawm’s social bandit theory relies heavily on a variety of assumptions about class dynamics and the absence of ideology among bandits which would require an analysis beyond the scope of this work to critique, adjust, and apply properly.

<sup>15</sup> Hobsbawm, *Bandits*, 24–25.

description of the background of most Rockites.<sup>16</sup> Despite these similarities, social bandit theory is most useful to this analysis as an illustration of the ways in which the actions of a group outside of the official law, thereby outlaws, can be viewed as legal and legitimate behaviors within a locally specific, customary value-system. Thus, analyzing social banditry reinforces the argument that Rockites were acting not out of lawlessness but in compliance with their own alternative law as informed by their community's values.

### **State Law**

Before analyzing the law of the Rockites, it is important to examine the legal system which they were rejecting. The imposition of English law in Ireland progressed haltingly throughout the medieval and early modern periods. Although Brehon law had been thoroughly eliminated from the legal functioning of Irish society by the mid-seventeenth century, resistance to English, and later, British, state law continued.<sup>17</sup> Therefore, to understand how the law operated during the early nineteenth century, it is crucial to first discuss how the Irish justice system developed to enforce and administer the state law in the years before the Rockite insurgency. Because the Rockites responded to the local substantive impact of the state law rather than the political dimensions of it, the political legislative process of law is not of import for this chapter.<sup>18</sup> Rather, this chapter discusses the local manifestations of the justice system, while the next chapter examines the role of state law enforcement within this system. With this

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<sup>16</sup> Ibid., 36; Donnelly, *Captain Rock*, 116–17.

<sup>17</sup> David Edwards, "Political Change and Social Transformation, 1603–1641," in *The Cambridge History of Ireland*, ed. Jane Ohlmeyer, vol. II (Cambridge: Cambridge University Press, 2018), 56–58.

<sup>18</sup> A great deal of historical scholarship exists about the process of law-making in Ireland. For information about the pre-Union period, see James Kelly, "The Privy Council of Ireland and the Making of Irish Law, 1692–1800," in *The Laws and Other Legalities of Ireland, 1689–1850*, ed. Michael Brown and Seán Patrick Donlan (Farnham, UK: Ashgate Publishing Limited, 2013), 47–74; for the post-Union period, see K. Theodore Hoppen, *Governing Hibernia: British Politicians and Ireland 1800–1921* (Oxford: Oxford University Press, 2016).

background, it will be clear that the Rockites' alternative law both rejected and mimicked the justice system of the state.

Ireland in the nineteenth century was governed, adjudicated, and policed at a local level by a small group of landed elites who often filled all three of these roles simultaneously. The justices of the peace, also referred to as magistrates, were the key figures in local administration of the law in Ireland beginning in the medieval period. Magistrates were originally solely a peace-keeping force, but by the seventeenth century, they also held a significant role in the judicial and administrative apparatus of Ireland, especially in rural regions. They were predominantly commissioned from among the gentry or landed elites, therefore constituting a major power in the lives of Irish people, both economically and governmentally.<sup>19</sup> Magistrates served as judges at petty sessions, where lesser crimes were tried without needing a jury.<sup>20</sup> For more significant crimes, magistrates oversaw indictments which were sent to the quarter sessions, a county court that met four times a year adjudicated by a jury of magistrates, while the most severe crimes, such as capital offences, were tried at assizes, bi-annual county courts presided over by a judge from the high court in Dublin. These were the aspects of the judicial system with which the rural people of Ireland interacted throughout the nineteenth century.

### **The Law of Captain Rock**

The Rockite insurgency rejected the law of the state in favor of the 'law of Captain Rock,' a variety of legal regulations proclaimed by Rockites which incorporated the language of judicial authority and methods of law enforcement. The legal alterity used by the Rockites was

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<sup>19</sup> Magistrates were commissioned on the recommendation of the *custos rotulorum*, the keeper of the rolls, of the county. The *custos rotulorum* was in turn appointed by the Crown.

<sup>20</sup> R. B. McDowell, "The Irish Courts of Law, 1801-1914," *Irish Historical Studies* 10, no. 40 (1957): 371.

not without precedent in Ireland, having earlier roots in eighteenth-century Ireland, including redresser movements such as the Whiteboys.<sup>21</sup> While the law of Captain Rock was based on many customs and morals shared by earlier groups, the Rockite movement also proclaimed unique tenets that informed the ways in which this legal alterity operated.<sup>22</sup> This law relied on an understanding of justice that the Rockites articulated through both words and actions. In their threatening notices, they directly stated their law and adopted the language of the state's judicial system. Additionally, Rockite violence and intimidation served as a means of enforcement that inherently re-asserted the law of Captain Rock.

Before analyzing the ways in which this law was asserted and enforced, it is first necessary to discuss the primary topics addressed by Rockite regulations: land usage, rents, and tithes. One of the key customary beliefs of rural lower classes in Ireland, including the Rockites, was that people had a right to live off the land.<sup>23</sup> The belief in this right influenced many of the Rockites' regulations, including that rent should be affordable, tillable land should be available for conacre, and evictions should be avoided. Land agents or middling farmers, tenants who themselves rented out land to sub-tenants, were the usual target of rent and eviction related ire. The large landlords, like the gentry, were either absentee or too inaccessible to be targeted themselves. In the event of an eviction, not only was the landlord blamed, but the new tenant was as well, being perceived as a land grabber. If they remained on the land, these new tenants typically faced severe intimidation and violence. This antagonism often stretched back for a

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<sup>21</sup> Whelan, *The Tree of Liberty*, 92.

<sup>22</sup> Donnelly, *Captain Rock*, 85.

<sup>23</sup> Huggins, *Social Conflict in Pre-Famine Ireland*, 172.

number of years, sometimes applying to tenants who had been on the land of a previously evicted tenant for more than five years.<sup>24</sup>

This localism applied not only to tenants, but also to laborers. Both the employer and the laborers could be sanctioned by the Rockites if outsiders were hired to do labor in an area not their own. This prejudice against outsiders has been referred to as “economically motivated xenophobia” by Donnelly.<sup>25</sup> Animosity towards outsiders was, in fact, one of the primary causes of the initial hostility that precipitated the Rockite insurgency; Alexander Hoskins, the land agent of the Courtenay Estate, had hired outsider laborers to complete road repairs instead of locals, inspiring significant local backlash.<sup>26</sup> Other land-related regulations included the access to conacre land. While the Rockites were less intent on restricting the use of land for livestock than groups like the Whiteboys, they still often demanded that enough land be converted into conacre to provide for local people’s subsistence needs.<sup>27</sup> In times of food scarcity, the Rockites also opposed the export of foodstuffs to other localities, using tactics of the food protests that were common in urban settings.<sup>28</sup>

In addition to these food and labor related grievances, the issue of tithes was also of the utmost importance to the Rockites. In fact, the Rockites were one of the only redresser movements in Ireland to achieve legislative reform related to one of their grievances; the Composition for Tithes Act of 1823 was passed in direct response to the Rockites’ tithe-related agitation.<sup>29</sup> The undue burden on rural Catholics caused by tithes inspired significant anti-tithe

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<sup>24</sup> Donnelly, *Captain Rock*, 92.

<sup>25</sup> Donnelly, “Irish Agrarian Rebellion,” 303.

<sup>26</sup> Donnelly, *Captain Rock*, 38.

<sup>27</sup> *Ibid.*, 91.

<sup>28</sup> *Ibid.*, 89; Kelly, *Food Rioting in Ireland in the Eighteenth and Nineteenth Centuries*, 112.

<sup>29</sup> Donnelly, *Captain Rock*, 59.

agitation throughout the eighteenth and nineteenth centuries. It is therefore unsurprising that the Rockites advocated the lowering or abolition of tithes. Throughout their insurgency, the Rockites attempted to regulate both tithes and rents, including demanding solidarity throughout a region if they declared a boycott of a tithe or rent payment. For example, if the Rockites instructed the tenants of a particular landlord not to pay rent, it was at times proclaimed that all tenants in the barony must also refuse to pay rent in solidarity.<sup>30</sup>

This use of the word ‘solidarity’ is not meant to evoke a modern concept of class solidarity, but it is useful to think of the Rockites’ law as enforcing solidarity among the rural Catholic community. While many aspects of the law of Captain Rock were based in locally specific custom, the regional dimension of the insurgency is also important. The fact that the Rockites of County Limerick sent emissaries throughout Munster to expand their movement is illustrative of the regional goals of the Rockites.<sup>31</sup> There is an element of collective identity evoked by the Rockites that extends beyond the localism inherent in many of the movement’s grievances. Acknowledging that there was no unified Rockite leadership or legal code does not negate the far-reaching connections between Rockites throughout the south of Ireland. Just as the Rockite insurgency absorbed the locally specific grievances of counties as distant from Limerick as Kilkenny, the rhetorical use of the law of Captain Rock symbolically unified these local insurgents into a regional framework. This collective identity, Dunne has argued, is crucial for inspiring those who feel helpless to action. The symbol of Captain Rock and his law inspired many, particularly in areas with limited formal organizational links by emphasizing a common cause that expressed a collective will, collective identity, and the impetus for collective action.<sup>32</sup>

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<sup>30</sup> Edward Carte to [CSO], 1 November 1821, NAI, CSO/RP/SC/1821/267.

<sup>31</sup> Donnelly, *Captain Rock*, 59.

<sup>32</sup> Dunne, “Captain Rock,” 16–17.

In this way, the law of Captain Rock could regulate according to both regional and local customs and grievances without contradiction, depending on the context.

The legitimacy of the law of Captain Rock was based on a concept of collective will, with the Rockites believing they were acting on the morals of the community. Dunne argued that this tradition of communal law relates to folk traditions of social regulation, predominantly of domestic issues, but in the case of the Rockites, the social regulation expanded beyond the domestic sphere into the sectarian, economic, and political realms.<sup>33</sup> This social regulation, also used by the Whiteboys, has been compared to forms seen in other regions such as *ceffyl pren*, *charivari*, or rough music.<sup>34</sup> While a full exploration of this topic is beyond the scope of this project, it is notable that this tradition of social regulation in Ireland would provide a precedent and form of legitimization for the Rockites who claimed a collective acceptance of their law.

It is clear that the Rockites explicitly rejected the law of the state by enacting violence outside of the sanctions of the state and denying the legitimacy of the state justice system. It was well known that the Rockites broke the law as descriptions of their “lawless attacks” made clear.<sup>35</sup> Obviously, any act of violence or intimidation was a breach of the state’s law, but breaking the law and rejecting the law and its authority are distinct phenomena. Beyond just breaking the law, the Rockites were seen as organizing themselves “against the laws of the country,” as described by fellow rural Catholics.<sup>36</sup> A policeman in County Limerick also emphasized the comprehensive nature of their lawlessness, claiming that “the object of the

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<sup>33</sup> Dunne, “The Law of Captain Rock,” 46.

<sup>34</sup> Kate Chadbourne, “Rough Music and Folkloric Elements in the Whiteboy Movements,” *Proceedings of the Harvard Celtic Colloquium* 16/17 (1996): 176–77; Dunne, “The Law of Captain Rock,” 45–46.

<sup>35</sup> Stephen Goggin to Darcy Mahon, 4 December 1821, enclosed in Darcy Mahon to [CSO], 6 December 1821, NAI, CSO/RP/SC/1821/1010.

<sup>36</sup> Resolutions from a meeting of Roman Catholic inhabitants, 11 November 1821, enclosed in Michael O’Sullivan to Charles Grant, 11 November 1821, CSO/RP/SC/1821/1141. Charles Grant was the Chief Secretary for Ireland from 1818–1821, one of the primary recipients of correspondences directed to the Chief Secretary’s Office.

conspirators is to resist all the lawful authorities of the state.”<sup>37</sup> The universality of these statements claimed that the aim of the Rockites was not to oppose a single law, but to oppose the entire legal system, including the justice system.

It was not only the legal system of the state which was rejected by the Rockites. The alternative law of the Rockites also relied on a subversion of the judicial system, the authority by which the state enacted the punitive enforcement of its laws. In so doing, the Rockites spurned not only the state’s conception of justice, but also the authority by which it adjudicated. The state often struggled to convict Rockites because juries refused to return guilty verdicts even in the face of evidence of guilt. Because jurors were drawn from the same community as the Rockites, it is very likely that many juries contained Rockite sympathizers who held the same customary beliefs as the Rockite movement. In this way, the Rockites concept of justice can be seen in official court proceedings, influencing the state’s justice system and its ability to enforce its law.<sup>38</sup> Even when a Rockite was found guilty, the Rockites and their sympathizers often denied the legitimacy of those verdicts. This distrust occurred especially when the convicted person faced punishment such as transportation or execution.

Beyond solely cases against Rockites, court cases in general were also questioned by the Rockite movement and its sympathizers. For example, when an inquiry in 1821 found no wrongdoing on the part of a police officer accused of misconduct relating to the burial of a Rockite who was shot, the verdict was not accepted and “the general report of the people was that the police buried the man alive.”<sup>39</sup> The state’s inquiry into the matter was clearly not seen as

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<sup>37</sup> Richard Willcocks to William Gregory, 20 October 1821, NAI, CSO/RP/SC/1821/1602.

<sup>38</sup> Donnelly, *Captain Rock*, 301. For example: Richard Willcocks to William Gregory, 18 December 1821, NAI, CSO/RP/SC/1821/1711.

<sup>39</sup> Richard Willcocks & George Warburton to [CSO], 21 October 1821, NAI, CSO/RP/SC/1821/31.

sufficient to placate those who believed the man to be buried alive and the officer was eventually forced to leave the county due to the threats on his life. This is a clear illustration that the people near Rathkeale, the town in which the inquiry took place, did not grant confidence, allegiance, or legitimacy to the state's judicial system. Legal alterity, however, involves more than a rejection of the state's legal system; it involves the proclamation of an alternative law.

### **Mimicry**

The words of the Rockites through threatening notices directly proclaimed the law of Captain Rock, while their actions in the form of violence served as a means of law enforcement. Beginning first with threatening notices, it is important to emphasize how crucial these notices are as a source with which scholars can examine the Rockites through their own words, while also acknowledging that the largely illiterate Rockites likely had literate collaborators who facilitated the written expression of the movement's aims. Additionally, threatening notices provide the most coherent articulation of the Rockite law. Notices could take the form of either a letter delivered to an individual or a publicly posted notice, directed toward an individual or a collective. While both forms are interesting for different reasons, it is the latter form which plays a public role and therefore merits more attention. Historians can view the posted notices "as a medium with an intended audience beyond just whoever the threats were aimed at. They had then to speak to wider concerns, meanings, and understandings."<sup>40</sup> This dual messaging means that threatening notices performed a propaganda function, and the public nature of the notices allowed a widespread propagation of the law of Captain Rock beyond the participants in the

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<sup>40</sup> Dunne, "The Law of Captain Rock," 40–41.

movement. Furthermore, an alternative law, especially as expressed in public notices, can have a symbolic value that serves as a “response to the cultural weight of the state’s legal system.”<sup>41</sup>

The Rockites not only utilized the public arena, but also adopted the symbols, forms, and language of the state’s legal system as a means of mimicking and subverting the legitimacy of the state in favor of their own law and form of justice.

Although the threatening notices of the Rockites were not a unified legal code written by a single leader, they can still be analyzed collectively due to the commonalities between them. Most of the Rockite threatening notices asserted a law or regulation even if they did not use the term law. Notices directed at individuals were perhaps less direct but most still made their demands within the framework of a law, explicitly or implicitly. A very explicit example of legal framing is from a notice posted a few miles from Lough Gur in County Limerick in 1821 which states:

According to the Canonical Sanction of the Law Established by General Rock & Whereas a General Meeting Have taken place at his council table at the West this 30<sup>th</sup> day of Nov in the first year of his republican Reign Wherein it is Enacted and decreed the following Resolutions unanimously Viz.<sup>42</sup>

This notice utilizes the framing of a law such as clauses beginning with “whereas” and “wherein,” as well as directly stating that it had the “sanction of the law.” After the quoted portion, the notice lists four laws regulating rents and conacre rents, all of which are clauses beginning with “that” which is the phrasing used in legal resolutions. Other notices adopted a more royal style such as this notice from November in County Limerick: “By Order of his

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<sup>41</sup> Ibid., 38.

<sup>42</sup> Threatening notice, [1821], enclosed in Charles Broke to [CSO], November 1821, NAI, SOC I, 2293/36, cited in Gibbons, *Captain Rock, Night Errant*, 111.

Excellency the Commander in Chief of the Western District & County at large ... Rock.”<sup>43</sup> The military title “commander in chief” used in this notice is accompanied with the phrasing of an executive order, thereby claiming the authority that the military holds.

Threatening notices also proclaimed the Rockite law and its legitimacy through the form in which they were written. As George Cornwall Lewis, an author and politician commenting on the state of Ireland in the 1830s, wrote, “in their threatening letters they affect the form and phraseology of legal notices ... thereby intimating that they administer a law subsidiary to, or rather substituted for, the law of the state.”<sup>44</sup> The mimicked form and phraseology that Lewis refers to can be ascertained in the very concept of a posted notice. Giving notice was the form by which landlords informed their tenants of matters such as eviction or distraint of belongings. While landlords were not acting on behalf of the state, most of them were also members of the local government and therefore it is likely these landlord notices were perceived as having the full weight of the law behind them. The typical form of notice from a landlord began with the words “take notice” or “notice” which were frequently utilized by the Rockites in their notices as well.<sup>45</sup> A notice titled “Concerning Tythes and Proctors” was posted in County Tipperary on December 1<sup>st</sup>, 1821. It began: “Notic[e] is hereby given to the proctors and those concerned in collecting or rather enforcing the tythes of the union of Ballymackey.”<sup>46</sup> This form was not only used in publicly posted notices, but also in those sent to individuals such as the notice sent to a tenant of Lord Arden in County Cork on October 29<sup>th</sup>, 1821, which began “Worthy Sir [?] Take

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<sup>43</sup> Threatening notice, [1821], enclosed in Unknown to [CSO], 15 November 1821, NAI, SOC I, 2295/18-19-20, cited in *ibid.*, 115.

<sup>44</sup> George Cornwall Lewis, *On Local Disturbances in Ireland; and on the Irish Church Question* (London: B. Fellowes, 1836), 102.

<sup>45</sup> Dunne, “The Law of Captain Rock,” 49–50.

<sup>46</sup> Threatening notice, 1 December 1821, enclosed in Darcy Mahon to [CSO], 6 December 1821, NAI, CSO/RP/SC/1821/1010.

notice that I am informing you.”<sup>47</sup> Other notices simply state “notice” at the top of the paper or incorporate the phrase “take notice” into their stated demands.<sup>48</sup> All of these examples directly mimic the form of landlord notices, thereby asserting an authority from which the Rockites had previously been excluded.

In addition to claiming the authority that “take notice” expressed, this legal mimicry also co-opted the symbolic power that written notices conveyed. The act of writing these demands on paper signified something that could not be expressed if the threats were made verbally, thus conveying a sense of authority. Of course, part of the benefit of a written notice is that it could be posted anonymously, but even if notices were delivered in person instead of posted anonymously, the written word contains a symbolic power that a spoken threat might not. Because the “iconography of law and the issuing of notices would be recognised by the audience as ways of expressing authority,” the Rockites gained access to the symbolic power embedded in this form.<sup>49</sup> At the same time, by attaining the symbolic power of notices, the Rockites also removed the monopoly of that power from the landed or state elites, thereby rejecting their authority in favor of that of the Rockite movement. What Dunne calls the “discursive genre of sovereignty” was thereby appropriated by the Rockites and “fused with the more plebian discursive genre of customary right” to be used in relation to their own law, their own sovereignty, or their own authority.<sup>50</sup>

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<sup>47</sup> Threatening notice, 29 October 1821, enclosed in George Purcell to [CSO], 6 November 1821, NAI, CSO/RP/SC/1821/1206.

<sup>48</sup> For example: Threatening notice, [1821], enclosed in Richard Willcocks & George Warburton to William Gregory, 13 October 1821, NAI, CSO/RP/SC/1821/1596.

<sup>49</sup> Dunne, “The Law of Captain Rock,” 51.

<sup>50</sup> *Ibid.*

In addition to mimicking the phrasing and forms of the legal system as a genre of sovereignty, the Rockites also frequently adopted the language and practices of the judicial system, specifically the courtroom. Jay Roszman notes that “Captain Rock seemingly travelled across Ireland to adjudicate” similar to “a judge on his quarterly circuit listening to cases at the various assizes.”<sup>51</sup> Of course, since Captain Rock was not a single individual, this idea of Captain Rock as a travelling judge was not the reality of the situation. Nonetheless, creating the impression that the leader of the Rockites oversaw judicial proceedings throughout the country was a significant means by which the Rockites claimed judicial sovereignty. The appropriation of judicial language is present in many threatening notices, in both the Rockite notices of the 1820s and the later notices of the 1830s which Roszman analyzes. This phrasing could take the form of a judicial pronouncement from the bench, a proclamation of a death sentence, a reference to previous murders, or a reward offered for the death of an enemy. Perhaps the clearest example of the appropriation of judicial authority is from a notice posted in County Limerick in November of 1821 which was signed “Right Justice Captain Rock.”<sup>52</sup> The use of the term Right Justice here is a coherent articulation of the alternative judicial authority of the Rockites, positioning Captain Rock as not only a military leader, but also as a judge. By mimicking state judicial forms, Captain Rock is shown as a leader capable of adjudicating for the region, thereby denying the legitimacy of the state’s justice system.<sup>53</sup>

Less frequently, but no less notably, the threatening notices of the Rockites also appropriated the terminology of a legislature, implying that Captain Rock was only one figure in

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<sup>51</sup> Roszman, *Outrage in the Age of Reform*, 121.

<sup>52</sup> Threatening notice, 2 November 1821, enclosed in William Stewart to William Gregory, 6 November 1821, NAI, CSO/RP/SC/1821/1345.

<sup>53</sup> Roszman, *Outrage in the Age of Reform*, 121.

a legislative body that proclaimed the alternative law of the movement. This is one of the reasons that the Rockites, and earlier redresser movements, gained a reputation as “midnight legislators.”<sup>54</sup> In addition, many notices evoke council chambers or other such legislative bodies which showed their authority as popularly bestowed, rather than tyrannical, which was the term often used to denounce the state, its laws, and its enforcers.<sup>55</sup> The Rockites, therefore, appropriated legal and judicial phrases, forms, and symbols as a means of legitimizing their law, claiming sovereignty, and revoking the state’s monopoly on the power vested in these symbols.

### **Enforcement**

In addition to subverting the state’s law through the use of threatening notices, the Rockites also asserted the primacy of their own law through enforcement, typically through violence.<sup>56</sup> Enforcement is a form of what Dunne refers to as “rules about rules,” or rules about enforcing the law.<sup>57</sup> While the declaration of the laws themselves was a key part of the Rockite alternative law, regulations regarding the enforcement of the law were also significant. Lewis claimed that the Rockites:

give their opinion the weight of the state, by arming it with sanctions as painful as those employed by the criminal law: viz., death, corporal punishment, and loss of property. The outrages in question are committed by the offenders as administrators of a law of opinion, generally prevalent among the class to which they belong.<sup>58</sup>

The description of this law as a “law of opinion” illustrates the way in which the Rockites used communal values to constitute their own law. While this particular phrasing may be somewhat

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<sup>54</sup> John Flood to [CSO], 12 April 1811, NAI, SCOP 1, 2369/27, cited in Donnelly, *Captain Rock*, 152.

<sup>55</sup> For an example which references council chambers: Threatening notice, 2 November 1821, enclosed in William Stewart to William Gregory, 6 November 1821, NAI, CSO/RP/SC/1821/1345.

<sup>56</sup> Donnelly, *Captain Rock*, 93–96.

<sup>57</sup> Dunne, “The Law of Captain Rock,” 44.

<sup>58</sup> Lewis, *On Local Disturbances in Ireland*, 95.

condescending, Lewis expressed through it the means by which the Rockites legitimized and enforced their law. The violent sanctions mentioned were a form of law enforcement, legitimate because their law was based in customary morals and supported by the communal will. By asserting the legitimacy of their use of physical force, the Rockites also prevented the state from monopolizing legitimate violence, thereby denying the sovereignty of the state itself, per Max Weber's definition. Yet the Rockites were not simply legitimizing their own violence, but rather legitimizing their violence by framing it as the enforcement of their own alternative law, challenging the state's monopoly on law as well.

Because the Rockites believed their law was legitimate, and the only legitimate law, they saw individuals who tried to resist their law as criminals. This included land agents and tithe proctors who resisted their rent and tithe regulations, as well as the state's law enforcement who resisted the law of Captain Rock. By enforcing the law of the state, a law seen as illegitimate by the Rockites, the police, magistrates, and other state law enforcement were viewed as criminals. When these forces of the state stopped Rockite outrages or prosecuted them for their actions, they were preventing the Rockites' justice from being carried out. Preventing the violence that the Rockites used to enforce their own law was seen as preventing the execution of the Rockite law. Therefore, the Rockites viewed those individuals engaged in the suppression of Rockite actions as enemies. Beyond just the individuals, though, the Rockites saw the entire state legal system as opposing their movement's goals, threatening the alternative law of Captain Rock and its authority. This conflict between the state and the Rockites was exacerbated by the fact that violence, a key method of law enforcement, was seen by the state as solely within its purview.

However, that monopoly on violence was strongly contested by the Rockites who aspired to hold the monopoly on legitimate violence.<sup>59</sup>

Rather than seeing Rockite violence as a manifestation of a malicious spirit or mob bloodlust, the framework of legal alterity allows the violence of the insurgent to be seen as a method of law enforcement. Many threatening notices served as warnings about impending enforcement by drawing comparisons between the target and others who had been previously punished by the Rockites. For example, a short notice posted a few miles outside of Rathkeale in October 1821 reads as follows: “From recent circumstances which have occurred I tell you be quit of your present pretensions otherwise Sparling’s fate awaits you. See your doom.”<sup>60</sup> This notice demands that the recipient leave their home or else they will receive Sparling’s fate, a reference to the murder of a Protestant Palatine named Christopher Sparling, killed in October 1821, not long after becoming a tenant on the Courtenay Estate under Alexander Hoskins.<sup>61</sup> The reference in the notice uses the fact that Sparling was murdered for occupying land many believed didn’t belong to him as a means of indicating that the Rockites had recently prosecuted the offence of land grabbing successfully. Whether or not the recipient of that particular letter left the land or suffered punishment is unknown, but real violence did often occur, both to persons and property.

Within the social bandit framework, the Rockites would not have committed violence against their own community, yet the Rockites frequently punished the people they purported to

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<sup>59</sup> Dunne, “The Law of Captain Rock,” 45.

<sup>60</sup> Threatening notice, [1821], enclosed in William Stewart to William Gregory, 21 October 1821, NAI, CSO/RP/SC/1821/1335.

<sup>61</sup> Donnelly, *Captain Rock*, 48. Donnelly notes that Sparling’s murder could have been prompted by his religion since Hoskins aimed to establish a Protestant colony within the Courtenay Estate. Alternatively, he suggests that the murder could be related to the fact that Sparling had previously shot some Rockites that were attacking his house.

represent for a variety of transgressions, including informing against the movement to the state.<sup>62</sup> In December 1821, a servant named Patrick Murphy was shot and killed near Rathkeale due to a rumor that “he had, or was about to give information against” the men who had attacked the house of his employer in search of weapons.<sup>63</sup> A few weeks later, a man named Collin Gorman’s house was attacked and his son, Michael, was killed, possibly because he and his son “knew persons who stole some of [their turf], and that they would give information against them.”<sup>64</sup> Elites at the time argued that violence like these two cases indicate that the aim of the Rockites was “the extermination of every man in this county whom they consider unfavorable to their purposes,” but this would misunderstand the causes of these murders.<sup>65</sup> These men were not murdered for opposing the Rockites, but specifically for collaborating with the state as informers. While the social taboo against informers exists in cultures throughout the world, the popular Irish Catholic alienation from the authorities created an additional reason for informers to be shunned and targeted for violence. The act of informing defied existing social norms and could be seen as a legitimate cause for murder.<sup>66</sup> In this way, the murders of Patrick Murphy and Michael Gorman as potential informers were justified to the Rockites. In addition to being informers, though, these men also rejected the judicial authority of the Rockites by informing to the state. Therefore, the murder of these men reinforced the legitimacy of the Rockite law, rejected the punitive authority of the state, and punished the transgression of the social norm of informing.

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<sup>62</sup> Hobsbawm, *Bandits*, 20.

<sup>63</sup> Richard Willcocks to Charles Grant, 2 December 1821, NAI, CSO/RP/SC/1821/1671.

<sup>64</sup> Richard Willcocks to William Gregory, 31 December 1821, NAI, CSO/RP/SC/1821/1737.

<sup>65</sup> Stephen Goggin to Darcy Mahon, 4 December 1821, enclosed in Darcy Mahon to [CSO], 6 December 1821, NAI, CSO/RP/SC/1821/1010.

<sup>66</sup> Hobsbawm, *Bandits*, 155–56.

The full range of violence as enforcement enacted by the Rockite insurgents goes well beyond the murders in these few examples. In fact, murder was not the most common method of violence against a person, but it gives an indication of the ways that a member of the rural lower classes could be adjudicated by the Rockites and their law. Violence against property, especially using arson, was a more common method of enforcing the Rockite law. County Limerick in particular was a hotbed for arson during the Rockite insurgency, not only against the homes of those who had transgressed their law, but also against Protestant churches, places affiliated with tithe collection, and the houses of evicted tenants to prevent land grabbers from living there.<sup>67</sup> Gemma Clark has detailed the symbolic power of fire as a destructive and cleansing force, especially when used against those seen as enemies of the Rockite cause.<sup>68</sup>

While arson is only one of the tools of property destruction used by the Rockites, its extensive use against locations associated with tithes can be seen as a form of law enforcement. Not all cases of arson have easily attributed causes that indicate an enforcement action, though, and perhaps some cases of arson that were attributed to the Rockite insurgency were completely unaffiliated. Nonetheless, the many instances wherein neighbors and other locals refused to assist in the extinguishing of a fire indicate a popular complicity in the arson.<sup>69</sup> In instances where the fires were non-lethal and only harmed property, the inactivity of nearby people clearly implies sympathy towards the cause for which the property was burned, if not agreement with it. While the general act of arson may have been seen as a crime, that same action could be understood as legitimate when used in accordance with customary social regulation, on which the Rockites

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<sup>67</sup> Gemma Clark, "Arson in Modern Ireland: Fire and Protest before the Famine," in *Crime, Violence, and the Irish in the Nineteenth Century*, ed. Kyle Hughes and Donald MacRaild (Liverpool: Liverpool University Press, 2017), 220.

<sup>68</sup> *Ibid.*, 215.

<sup>69</sup> *Ibid.*, 217.

based their laws.<sup>70</sup> The popular acceptance of acts of arson targeting individuals that transgressed social norms indicates that the actions of the Rockites were accepted, and therefore these sanctions were seen as legitimate forms of law enforcement.

## **Conclusion**

Applying the framework of legal alterity to the Rockite insurgency allows a more nuanced understanding of the participants of the movement. Rather than seeing the violence of the Rockites as devoid of intention and purpose, this chapter has argued that the assertion of an alternative law denotes a worldview based in customary rights and morals which informed their actions. The Rockites therefore represent not lawlessness but loyalty to a law different from that of the state. The laws proclaimed by the Rockites aimed to regulate the methods of land usage, rents, and tithes in order to ensure the right to survival of rural people. In opposing the state's law, the Rockites adopted many of its forms and phrases as a means of granting themselves authority, as can be seen in their threatening notices. Additionally, their acts of violence can be seen as the enforcement of their law, therefore also rejecting the law of the state and the legitimacy of its enforcers.

It is important to note, however, that while the Rockites rejected the state and its law, specifically the systems of justice and law and order, it did not outright reject the political manifestations of the state. The Parliament in London and the king were rarely, if ever, mentioned unless in a sectarian manner referring to the death of all Protestants and the Protestant order.<sup>71</sup> Rather, the Rockites were focused on the locally present forms of the state's governance,

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<sup>70</sup> Hobsbawm, *Bandits*, 178–79.

<sup>71</sup> Donnelly, *Captain Rock*, 86.

justice, and law enforcement. While the Rockites were inherently political, their rejection of the state's law is distinct from other forms of resistance in Ireland that utilized the establishment of an alternative legislature. This is not to say that Rockite references to their own legislative bodies was entirely symbolic or rhetorical, but rather that the sovereignty that the Rockites challenged was not that of the Parliament as a representative body, but of the state's system on so far as it was tangible in the lives of rural people. This can be seen particularly in the relationship between the Rockites and police which is discussed in the following chapter.

### 3. Five Pounds for the Head of a Policeman

While the law was a key arena for conflict between the Rockites and the state, the conflict between state law and the Rockites' alternative law was not the only cause for hostility between the two groups. Of course, the Rockite movement was hostile to the state because it asserted a law that they believed was illegitimate, but it was the locally present manifestations of the state that became the primary targets for Rockite violence. The Rockites' animosity towards the British state was motivated by a variety of factors beyond legal alterity: the state's history of anti-Catholic prejudice, its increasing intrusion into rural life, and the violence perpetrated by state forces against the Rockites and their allies. Therefore, the state's law, sectarianism, interventionism, and violence inspired significant hostility and expanded the arenas for conflict between the state and the Rockite insurgency beyond the realm of law into everyday interactions. Although the Rockites had this animosity toward the state, it was not the abstract concept of the state but rather the local manifestations of the state such as law enforcement which became the primary targets of violence by the Rockites.

This chapter explores how law enforcement in rural Ireland embodied the state's law, sectarianism, interventionism, and violence, thereby making these forces, especially the police, targets for Rockite attacks. This argument does not deny that the actions of individual members of law enforcement exacerbated the conflict with the Rockites and created personal animosities, but rather it emphasizes that law enforcement served as the embodiment of the state in general. Therefore, all violence against them was also violence against the state. By examining the police in particular, it will become clear that the Rockites deliberately committed violence against the state's local representatives as a rejection of the state's authority and increased state intervention

into rural life. To illustrate the conflict between Rockites and law enforcement, this chapter focuses on Rockite violence and threats against police during the autumn of 1821 in County Limerick.

## **Law Enforcement**

In order to understand the conflict between the Rockites and the state, it is necessary to first explain the system of law enforcement in Ireland, especially the ways in which that system changed in the decades preceding the Rockite insurgency. As discussed in the previous chapter, the magistrates were the key figures of local governance in rural Ireland, holding a variety of roles, including law enforcement.<sup>1</sup> Magistrates had the power to enlist local forces to quell unrest, exemplifying the communal responsibility for local policing functions.<sup>2</sup> By the eighteenth century, though, this system of local peacekeeping was increasingly confronted with agrarian disturbances beyond the magistrates' ability to combat. In County Limerick for example, there were 99 magistrates serving in the 1760s, but they still proved unable to address the Whiteboy disturbances of that decade.<sup>3</sup> During these periods of unrest beyond the magistrates' abilities to quell, local forces relied on the involvement of the military to aid in the suppression of disturbances.

The standing army in Ireland was established in the early eighteenth century with the goal of protecting against both internal rebellion and foreign invasion. Yet, the military was forced to take on civil peacekeeping duties as well, far more frequently in Ireland than in the rest of

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<sup>1</sup> Virginia Crossman, *Local Government in Nineteenth-Century Ireland* (Belfast: The Institute of Irish Studies & Ulster Society of Irish Historical Studies, 1994), 2.

<sup>2</sup> Kevin Boyle, "Police in Ireland Before the Union: I," *Irish Jurist* 7, no. 1 (1972): 122.

<sup>3</sup> O'Donnell, "The United Irishmen in Limerick, 1791-8," 184.

Britain.<sup>4</sup> In particular, the Whiteboy disturbances of the 1760s led to the intervention of military forces in disturbed regions throughout the south of Ireland. Throughout the second half of the eighteenth century, the frequency of unrest throughout the country “increasingly brought the military into the front line of law enforcement,” leading to a reliance on the military for maintaining civil order.<sup>5</sup> During the American Revolutionary War and French Revolutionary Wars, however, a great deal of the army was deployed abroad and Britain’s desperation for more troops even necessitated the inclusion of Catholics in the army.<sup>6</sup> With the army occupied with military rather than civil affairs, magistrates’ calls for military intervention were increasingly criticized. British and Irish politicians had taken issue with the magistrates’ frequent recourse to military involvement previously, but with war looming, politicians emphasized that the army’s primary obligation was to protect Ireland from invasion, not engage in policing duties. Magistrates were increasingly blamed for the flaws in the law enforcement system and their inability to suppress rural disorder.

By the end of the eighteenth century, the system of magistrates was widely considered to be flawed, ineffective, and even corrupt. Many of these issues were blamed on the “supiness [*sic*] & misconduct of the magistrates.”<sup>7</sup> Not only were the magistrates perceived as unwilling to do their duties, but also as contributing to the causes of rural unrest. One of the reasons for this was that although magistrates’ local knowledge could be an asset in law enforcement, they were selected entirely from the landed class. Therefore, the enforcers of both civil and criminal law,

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<sup>4</sup> Virginia Crossman, “Army and Law and Order in the Nineteenth Century,” in *A Military History of Ireland*, ed. Thomas Bartlett and Keith Jeffery (Cambridge: Cambridge University Press, 1996), 358.

<sup>5</sup> S. J. Connolly, “The Defence of Protestant Ireland, 1660-1760,” in *A Military History of Ireland*, ed. Thomas Bartlett and Keith Jeffery (Cambridge: Cambridge University Press, 1996), 246.

<sup>6</sup> Thomas Bartlett, “Defence, Counter-Insurgency and Rebellion: Ireland, 1793-1803,” in *A Military History of Ireland*, ed. Thomas Bartlett and Keith Jeffery (Cambridge: Cambridge University Press, 1996), 247.

<sup>7</sup> Abraham Allen to [CSO], 8 October 1821, NAI, CSO/RP/SC/1821/26.

between which little distinction existed before the nineteenth century, were largely members of the Protestant gentry, already perceived as oppressors by much of the Catholic peasantry.<sup>8</sup> Whether due simply to negligence or fear of reprisal, the reluctance of the magistrates to exert themselves against agrarian disturbances gave the state little faith in the magistrates and the landed class from which they were drawn. It was also said that magistrates were corrupt, often enlisting unpaid labor from locals and therefore they could not be “the dispensers of impartial justice nor administer the laws without favor or prejudice” because “one good turn deserves another.”<sup>9</sup> In order to combat the flaws of the magistracy, and the frequent recourse to the military, the Irish administration attempted reforms both through legislation and through the introduction of new forms of law enforcement, even before the introduction of the police.

Throughout the second half of the eighteenth century, laws were passed to empower both magistrates and the military to be able to better tackle the problem of agrarian disturbances. Perhaps the most significant of this legislation was the so-called ‘Whiteboy Acts,’ a series of acts passed between 1765 and 1787 aimed at quelling unrest by giving magistrates special powers.<sup>10</sup> Under these acts, magistrates could force suspected witnesses to give evidence or face prison time, require inhabitants of a disturbed area to compensate victims unless they informed on offenders, and seize arms and ammunition from any Catholic.<sup>11</sup> Additionally, these coercive acts converted many lesser crimes into capital felonies and banned gatherings of twelve or more

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<sup>8</sup> Crossman, *Local Government in Nineteenth-Century Ireland*, 21.

<sup>9</sup> Abraham Allen to [CSO], 8 October 1821, NAI, CSO/RP/SC/1821/26.

<sup>10</sup> The acts referred to as ‘Whiteboy Acts’ were: Whiteboy Act, 1765, 5 & 6 Geo. III, c. 8; Tumultuous Risings Act, 1775, 15 & 16 Geo. III, c. 21; Riot Act, 1787, 27 Geo. III, c. 15.

<sup>11</sup> Donnelly, “The Whiteboy Movement, 1761-5,” 52; Donnelly, “Irish Agrarian Rebellion,” 328–29.

people.<sup>12</sup> While these acts were initially temporary, they were repeatedly extended into the nineteenth century, as well as supplemented by the provisions of the infamous Insurrection Act.

First passed in 1796, the Insurrection Act was enacted many times throughout the first half of the nineteenth century to grant law enforcement emergency powers targeting individuals involved in disturbances. Similar to the Whiteboys Acts, the Insurrection Act banned large gatherings and treated many less severe crimes as felonies, as well as establishing a nightly curfew. In early iterations, the penalty for simply administering unlawful oaths was death, although this was revised to transportation for life in 1807. The initially temporary Insurrection Act was frequently re-enacted and extended by Parliament, meaning that it was in force in Ireland from 1796 to 1802, 1807 to 1810, and 1814 to 1818.<sup>13</sup> The act was also often accompanied by the suspension of habeas corpus throughout Ireland, such as from 1797 to 1802 and 1803 to 1806. The use of special powers in Ireland was not new, as demonstrated by the earlier Whiteboy Acts, but the Insurrection Act was a particularly powerful and threatening tool. During periods of rural unrest, many local magistrates petitioned for the act to be revived, including during the Rockite insurgency.<sup>14</sup>

In addition to these attempted legislative reforms, the government tried to solve Ireland's law enforcement problem by establishing new military auxiliary forces: the militia and the yeomanry.<sup>15</sup> In the last decade of the eighteenth century, during a period of intense fear of

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<sup>12</sup> Neal Garnham, "Riot Acts, Popular Protest, and Protestant Mentalities in Eighteenth-Century Ireland," *The Historical Journal* 49, no. 2 (2006): 418.

<sup>13</sup> Virginia Crossman, "Emergency Legislation and Agrarian Disorder in Ireland, 1821-41," *Irish Historical Studies* 27, no. 108 (1991): 314.

<sup>14</sup> For example: Resolutions passed by nobility and gentry of County Limerick, 28 November 1821, NAI, CSO/RP/1821/1844.

<sup>15</sup> The Volunteers, who acted as a voluntary militia throughout the 1770s and 1780s, were not controlled by the state and therefore are not included here, although their revival in the 1790s partly inspired the establishment of a state militia, as shown by Neal Garnham, *The Militia in Eighteenth-Century Ireland: In Defence of the Protestant Interest* (Woodbridge, UK: Boydell & Brewer, 2012), 152.

foreign invasion, a state-controlled militia was implemented with the Militia Bill of 1793. While a militia had existed in Ireland previously, it had been predominantly local and had gradually fallen into decline by the mid-eighteenth century.<sup>16</sup> To prevent this problem from happening again, the Militia Bill of 1793 included the provision of a ballot, making service in the militia mandatory for those drafted.<sup>17</sup> Unlike prior forms of law enforcement, though, this new militia allowed the inclusion of Catholics who had recently been granted the right to bear arms following the Catholic Relief Act of 1793. Because of this change, Catholics made up more than half of the militia forces in some counties.<sup>18</sup> However, as Thomas Bartlett has argued, the mandatory nature of the militia infuriated many people, Catholics especially, who felt the collection of names by state forces was an unacceptable incursion into their lives.<sup>19</sup> Nationwide riots against this mandatory provision proved ultimately successful, leading to a predominantly volunteer-based militia.<sup>20</sup>

Soon after the riots ended, the militia was successfully raised in every county and county borough. In order to alleviate the Protestant fears of an armed Catholic force, militias were deployed outside of their home county as a means of preventing local ties from disrupting the militia's role.<sup>21</sup> After their service during the 1798 Rebellion, however, the Irish militia was essentially absorbed into the army, no longer serving as law enforcement, but rather focused on countering invasion.<sup>22</sup> The militia was eventually disbanded in 1816 when the threat of a French invasion had passed. While there was no active militia during the Rockite insurgency, the term

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<sup>16</sup> Ivan Nelson, *The Irish Militia, 1793-1802: Ireland's Forgotten Army* (Dublin: Four Courts Press, 2007), 14.

<sup>17</sup> Bartlett, "An End to Moral Economy," 49n42.

<sup>18</sup> Nelson, *The Irish Militia, 1793-1802*, 42-43.

<sup>19</sup> Bartlett, "An End to Moral Economy," 49.

<sup>20</sup> *Ibid.*, 41-42.

<sup>21</sup> Ciarán McDonnell, "'Zeal and Patriotism': Forging Identity in the Irish Militia, 1793-1802," *Journal for Eighteenth-Century Studies* 42, no. 2 (2019): 214.

<sup>22</sup> Nelson, *The Irish Militia, 1793-1802*, 246.

‘militia’ remained within the popular vocabulary to describe state forces.<sup>23</sup> Meanwhile, the militia’s role in Ireland’s defense as a semi-military, semi-civil force would be increasingly replaced by the yeomanry in the nineteenth century.<sup>24</sup>

While the militia was largely Catholic at its inception, the yeomanry was decidedly Protestant by design and in practice. The yeomanry was officially founded in 1796 at the behest of Ulster loyalists and Orangemen aiming to combat the United Irishmen.<sup>25</sup> Because of the significant involvement of Orangemen, the yeomanry was clearly aligned with the Protestant interest and population from the start, even being referred to as an “Ascendancy army” by scholar Allan Blackstock. This sectarian reputation made the yeomanry unpopular among Catholics, a sentiment that was exacerbated by the yeomanry’s frequent involvement in policing beyond their military peacekeeping role.<sup>26</sup> In the 1820s, the yeomen in Munster numbered only 2,400, a far smaller number than in Ulster or Leinster. Because of their small numbers, and reputation of sectarianism, the yeomen were seen by many government officials as an unsavory long-term solution for rural law enforcement.<sup>27</sup> Therefore, despite the attempts to make military auxiliary forces an acceptable alternative to the magistracy in rural Ireland, the government had to look beyond the use of the military to compensate for the flaws of the magistrate system.

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<sup>23</sup> Ibid., 12.

<sup>24</sup> Bartlett, “Defence, Counter-Insurgency and Rebellion: Ireland, 1793-1803,” 290.

<sup>25</sup> For a more detailed description of the formation of the yeomanry, see Allan Blackstock, *An Ascendancy Army: The Irish Yeomanry, 1796-1834* (Dublin: Four Courts Press, 1998), chap. 3.

<sup>26</sup> Ibid., 233–34.

<sup>27</sup> Donnelly, *Captain Rock*, 138–39.

## Policing

The first civil law enforcement in Ireland distinct from the magistracy was established in Dublin in 1786 with the Dublin Police Act.<sup>28</sup> Introducing a police force into rural Ireland, however, was a very slow process, which began with the Preservation of Peace Act of 1787. This act allowed the Dublin administration to create a full-time policing force in disturbed baronial districts, first appointing a chief constable for the district followed by sixteen Protestant sub-constables being appointed by the local grand jury.<sup>29</sup> Only the four counties that had recently experienced significant Rightboy disturbances were designated for the introduction of the baronial police force, but the perceived success of the police led to the extension of the force into other counties following the Constable Act of 1792.<sup>30</sup> As required by the act, the baronial police or ‘barnies’ were comprised entirely of Protestants, leading to a significant division between the Protestant police and Catholics policed. Even after a reform in 1796 aimed at expanding the geography of these forces, the barnies were only present in a portion of Ireland’s counties.<sup>31</sup> By the time of the Rockite insurgency, the barnies were seen as an inefficient and unreliable force, largely ignored by the government in its attempts to police rural Ireland.<sup>32</sup>

It was not until the early nineteenth century that the impetus for a large-scale transformation of rural law enforcement would present itself. In the decades following the Act of Union of 1801, the British government perceived rural unrest as a threat to the new, fragile union between Great Britain and Ireland. This feeling of fragility was exacerbated by the wartime

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<sup>28</sup> For more on the Dublin Police Act of 1786, see Stanley H. Palmer, “The Irish Police Experiment: The Beginnings of Modern Police in the British Isles, 1785-1795,” *Social Science Quarterly* 56, no. 3 (1975): 410–24.

<sup>29</sup> Kevin Boyle, “Police in Ireland Before the Union: II,” *Irish Jurist* 8, no. 1 (1973): 106.

<sup>30</sup> *Ibid.*, 110–13 The four counties were Cork, Kerry, Kilkenny, and Tipperary.

<sup>31</sup> *Ibid.*, 116.

<sup>32</sup> Galen Broeker, *Rural Disorder and Police Reform in Ireland, 1812-36* (London: Routledge and Kegan Paul, 1970), 29.

anxiety brought about by the Napoleonic Wars as well as the clear deficiencies of the yeomanry and barnies in preventing outrages in rural Ireland. The 1812 appointment of a new Chief Secretary of Ireland, Robert Peel, followed a period of particularly notable violence in the south of Ireland. The quelling of that kind of violence through law enforcement reforms became a key priority of Peel's tenure. In 1814, Peel introduced the Peace Preservation Bill to establish the Peace Preservation Force, or PPF, a semi-military police organization to address rural agitation.<sup>33</sup> This timing was particularly necessary because the legislation governing the barnies was due to expire that year.<sup>34</sup> The PPF differed from other forms of law enforcement in the use of stipendiary magistrates and its method of financing. Unlike the traditional local magistrates, stipendiary magistrates were paid employees of the state selected by merit rather than solely by social status. This meant that these magistrates were chosen for their ability to do the job and, at the level of chief police magistrate, were often not local to the area they were assigned to, rather being brought in due to their skill in putting down outrages.<sup>35</sup> The new form of selection was based on the model of assistant barristers, individuals appointed and paid by the government to assist local magistrates, which had been introduced in the 1787 baronial police legislation.<sup>36</sup>

The other innovation of the PPF was the method of funding the force. Instead of the government providing the entire financial backing for this law enforcement, as was the case with the involvement of the military, the PPF and its magistrates were funded partially by the population of the disturbed area in which they were deployed.<sup>37</sup> By requiring that the people of

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<sup>33</sup> Galen Broeker, "Robert Peel and the Peace Preservation Force," *The Journal of Modern History* 33, no. 4 (1961): 366.

<sup>34</sup> Broeker, *Rural Disorder and Police Reform in Ireland*, 55.

<sup>35</sup> Broeker, "Robert Peel and the Peace Preservation Force," 370.

<sup>36</sup> Boyle, "Police in Ireland Before the Union: II," 106.

<sup>37</sup> Broeker, *Rural Disorder and Police Reform in Ireland*, 57–58.

the disturbed area contribute to the financial burden of law enforcement, the government hoped to incentivize the local magistrates to assist in the rapid suppression of any unrest, if for no other reason than to more quickly reduce the financial cost to themselves. Because of this, the PPF was envisioned as a temporary force, only introduced into an area when local magistrates requested such assistance.<sup>38</sup>

By 1818, though, PPF police presence had been made permanent in five counties and continued to be extended into other districts. When the Insurrection Act lapsed later that year, “the idea of a civil solution to the problems of law and order, although not yet fully implemented, was firmly established in Ireland.”<sup>39</sup> The police, therefore, were increasingly looked to as a force for crime prevention in rural Ireland. In the early months of 1820, the whole of County Limerick was proclaimed as disturbed and a police force was created while similar extensions of the police occurred throughout Munster and Connacht in that period.<sup>40</sup> Despite these extensions, a permanent rural police force would not be applied to the entire island until the passage of the Irish Constabulary Act of 1822, later revised and consolidated by the Irish Constabulary Act of 1836. Prior to these acts, rural Ireland was left with a patchwork system of law enforcement, including at the start of the Rockite insurgency. Therefore, although the police force had been established in County Limerick by this time, it had only existed for a few years and was as such still new in the minds of the people it policed, as well as suffering from the perception that it was a predominantly Protestant force.<sup>41</sup> The introduction of this new form of

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<sup>38</sup> Broeker, “Robert Peel and the Peace Preservation Force,” 371.

<sup>39</sup> Broeker, *Rural Disorder and Police Reform in Ireland*, 102. The five counties with permanent police forces were Tipperary, Louth, Cavan, Clare, and Donegal.

<sup>40</sup> *Ibid.*, 116–17.

<sup>41</sup> Donnelly, *Captain Rock*, 140.

law enforcement to the existing system of magistrates, yeomanry, and often present military demonstrated the British state's increasing presence in rural Ireland.

### **Police as State Symbols**

Reforms to law enforcement were not the only arena of transformation occurring in Ireland during the period of the Rockite insurgency. To understand how the police represented Britain's increased state intervention, police and police reforms must be seen within the context of structural changes to Britain's approach to governing in the first decades after the Act of Union. As Virginia Crossman has stated, "responsibility was increasingly vested in the state and delegated to local officials," due to the interventionist policies of the state, transforming the administration and institutions of Ireland.<sup>42</sup> Building on eighteenth-century reforms, the state became dramatically more present in the lives of its citizens than ever before, especially in rural areas which had been traditionally more detached from any centralized state apparatus. While these reforms were wide-reaching and diverse in scope, they commonly either created a centralized oversight into local matters or established publicly funded facilities.<sup>43</sup> Centralized control aimed to standardize practices throughout the country in places such as prisons, schools, and hospitals, while public funding supported projects like building asylums, canals, and roads.<sup>44</sup> The construction of infrastructure like roads was particularly relevant in rural areas, making them more accessible to state forces and, therefore, less locally insular. It is unsurprising, therefore, that Britain's impositions on Ireland's rural peripheries have been seen as a form of social

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<sup>42</sup> Virginia Crossman, "The Growth of the State in the Nineteenth Century," in *The Cambridge History of Ireland*, ed. James Kelly, vol. III (Cambridge: Cambridge University Press, 2018), 542.

<sup>43</sup> *Ibid.*, 549–50.

<sup>44</sup> *Ibid.*, 550; R. B. McDowell, "Administration and the Public Services, 1800–1870," in *A New History of Ireland*, ed. W. E. Vaughan, vol. V (Oxford: Clarendon Press, 2010), 547–48.

laboratory, introducing diverse and innovative reforms in Ireland, that would often be applied later to the rest of Britain or to other colonial projects.<sup>45</sup>

This increasingly present state inevitably came into conflict with the rural alternative law discussed in the previous chapter. However, this conflict stemmed not only from contradictory systems of law, but also from the Irish resistance to the end of a ‘moral economy,’ as Thomas Bartlett has argued. Applying E.P. Thompson’s concept of a moral economy to instances of resistance to increased state intervention, Bartlett examined the Irish militia riots of 1793, stating that “they were protests against the introduction into certain areas of rural Ireland of demands or practices that were held to be non-customary or excessive or both.”<sup>46</sup> Looking to the 1820s, this same hostility to new impositions by the state can be detected. As the administration in Dublin took more control of local law enforcement in rural Ireland, new practices were introduced to the population there, contradictory to the customary role of the state. Therefore, the state was perceived as encroaching on the lives of rural people, thereby creating hostility towards it. All of the grievances people had against the state were echoed in their views of the police force, increasing the hostility to law enforcement: the police intervened into customary rural existence, enforced an unaccepted system of law, perpetrated violence through the enforcement of the law, and were associated with sectarian oppression. The actions and rhetoric of the Rockites show that the conflict between the Rockites and the state increasingly focused on the police as representatives of the state apparatus. This is not to say that other figures like landlords or tithe-proctors were not also vilified by the Rockites for other grievances, but rather that the most

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<sup>45</sup> Jennifer Ridden, “Irish Reform between the 1798 Rebellion and the Great Famine,” in *Rethinking the Age of Reform: Britain 1780-1850*, ed. Arthur Burns and Joanna Innes (Cambridge: Cambridge University Press, 2003), 271.

<sup>46</sup> Bartlett, “An End to Moral Economy,” 42; cf. Thompson, “The Moral Economy of the English Crowd in the Eighteenth Century.”

visible manifestation of the state, increasingly opposed by rural Catholics, was typically the police establishment. Therefore, hostility to the state led to the targeting of police by the Rockites.

## **Hostility**

While the initial violence of the Rockites in County Limerick related to the conflict with the land agent Alexander Hoskins, the insurgency soon gathered momentum and strength. Violence, against both police and others, increased as the movement expanded throughout the region. By examining specifically threats and acts of violence against the police force, it becomes clear that clashes between the police and Rockites did not occur solely during moments of active enforcement of the law. While some violence did happen when police attempted to stop crimes from being committed and were met with resistance, many times violence occurred as clearly intentional and pre-meditated attacks against members of the police establishment, viewed as the enemy of the Rockites due to its association with the state. Of course, police were not only attacked due to their association with the state. Vengeance or retribution for previous violence by the police was often a key motivating factor for these attacks, but that does not deny the fact that violence was also targeted against the institution of the police establishment, not individual officers. Examples of both individuals and the collective being targeted will be analyzed, but it is important to note that when individuals were targeted, it was for their role in law enforcement and for acts perpetrated on behalf of the state in that role, not for their character outside of the state system.

Soon after the Rockite insurgency began in 1821, police became targets and victims of Rockite violence, both during and distinct from their confrontations aimed at stopping the

perpetration of outrages. As unrest intensified in October, the chief police magistrate of County Limerick, Richard Going, was replaced by William Stewart. The Dublin administration also sent chief police magistrates from adjacent counties to report on the disturbances in Limerick: George Warburton of County Clare and Richard Willcocks of County Tipperary.<sup>47</sup> Both Clare and Tippetary had also been proclaimed as disturbed and had police establishments but were seen as lower priorities than Limerick at that time. In the first week of their inquiry in Limerick, Warburton and Willcocks compiled a report on the outrages that had occurred from October 7<sup>th</sup> to October 11<sup>th</sup>. Within the span of four days, two separate attacks on police occurred: a half pay officer was robbed and a chief constable was attacked by armed men on horses. In the second instance, the Rockite attackers retreated quickly when met with police confrontation, leaving one insurgent wounded and two captured.<sup>48</sup> The second event in particular shows that an attack on police by Rockites was an objective in itself, not solely an outcome of police targeting Rockites.

Although the police establishment was already a potential target for the Rockites, events throughout 1821 further exacerbated animosity between the police and the rural population of County Limerick. That August, a skirmish broke out between Rockites and police during an attempted raid on a tithe-proctor's house, leading to the death of two insurgents and the arrest of many others. Richard Going ordered some of the captured men to dig graves for their dead compatriots who were then buried in quicklime, added to hasten the decomposition of the bodies.<sup>49</sup> While these measures were considered unjust by locals for preventing the families of the deceased from burying their bodies properly, it was the rumored actions of the chief clerk of police, Thomas Howard, that caused significant uproar. Howard was accused by a surgeon, Dr.

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<sup>47</sup> George Warburton to William Gregory, 7 October 1821, NAI, CSO/RP/SC/1821/1592.

<sup>48</sup> Richard Willcocks & George Warburton to William Gregory, 11 October 1821, NAI, CSO/RP/SC/1821/1595.

<sup>49</sup> Donnelly, *Captain Rock*, 49.

Robert Allen, of burying one of the insurgents while he was still warm. This accusation transformed into a rumor, widely believed by a large swath of the population around Rathkeale, that the man was buried alive.<sup>50</sup> Unrest around Rathkeale increased dramatically due to this rumor. This burial conduct reminded some locals of the treatment of rebels during the 1798 Rebellion, which Richard Going had also been involved with during his time in the army. While the killing of two Rockites in a skirmish obviously increased the Rockite insurgents' animosity towards the police, the treatment of their bodies was the cause of the popular disapproval because it contradicted customary burial practices as well as indicating a particular cruelty on the part of the police. Burying the men in quicklime, as well as allegedly burying one of them alive, would have been seen as intimidatory tactics that only further inflamed Rockites and Rockite sympathizers against the police.

### **Assassination**

In October 1821, Richard Going, recently removed from his position as chief police magistrate of County Limerick, was murdered two miles outside of Rathkeale. In a letter written that day, George Warburton described the reaction of the residents of Rathkeale who had flooded the streets: "it was horrible to see the exultation manifested by the fellows in the streets here on the account coming in."<sup>51</sup> This popular approval of the death of Going attests to the disaffection that the people of County Limerick felt from this individual and the police force he had led. Warburton added that "rebellion is the only term now applicable to the state of the country."<sup>52</sup> The description of the response to Going's death as a rebellion indicates just how intense the

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<sup>50</sup> Ibid., 51.

<sup>51</sup> George Warburton to William Gregory, 14 October 1821, NAI, CSO/RP/SC/1821/1597.

<sup>52</sup> Ibid.

local reaction was. Because of how widespread the exultation was, Warburton urged the government to take more extreme measures such as using the military to occupy and search every farmhouse in the region for weapons. This illustrates that the police suspected any local resident could be a Rockite or Rockite sympathizer in light of the mass approval of Going's murder.

A few days after Going's death, Richard Willcocks stated that his funeral "was attended by several magistrates and gentlemen from the neighborhood of Rathkeale" after which his body was escorted to its burial spot in County Tipperary by "six dragoons and a party of the mounted police ... which we deemed necessary from the disturbed state of the country."<sup>53</sup> Seemingly, even deceased, Going could have been a target for an attack, requiring armed protection during transportation. Willcocks also stated that "not one of the lower classes attended the funeral from Rathkeale, nor was there a shop shut from the time of his murder until his remains left the town, a custom which is much attended to upon the death of the meanest shopkeeper in those kind of towns or villages through the south of Ireland."<sup>54</sup> The distinction between the "lower classes" who did not attend the funeral and the magistrates and gentlemen who did shows that Willcocks perceived a class-based difference in who gave respect to the murdered police magistrate. This demonstrates that the police assumed that the Rockites and their supporters were predominantly lower class, but this underestimates the extent of Rockite support. The fact that no shops were closed in the wake of Going's murder indicates that the shopkeepers of Rathkeale, who were likely members of the middling classes, were apathetic towards Going's death as well, and perhaps sympathetic to the throngs of people in the streets celebrating his assassination. The

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<sup>53</sup> Richard Willcocks to William Gregory, 18 October 1821, NAI, CSO/RP/SC/1821/1600.

<sup>54</sup> *Ibid.*

widespread lack of respect for Going illustrates the extent to which Rockite sympathy permeated from rural communities into more urban towns like Rathkeale, especially noteworthy as the town from which the chief police magistrate oversaw the entire county of Limerick.

The exultation and absence of customary respect for the dead in Rathkeale illustrates that Going was not well liked by the local people. Not only had he been involved in the quicklime burial of the men killed in August, but he was also known to be sectarian and very aggressive during his time as chief police magistrate. This personalized animosity, in addition to the fact that Going had been removed from office a week prior to the murder, could be seen as proof that his murder was primarily a form of vengeance against him as an individual, but that interpretation ignores two notable facts. First, it is very possible that the people of County Limerick were uninformed about the recent transition of power in the police establishment, especially since Going was still present within the county. Second, the Chief Secretary's Office referred to Going's murder as an assassination in their internal notes relating to his death.<sup>55</sup> Assassination implies a political or ideological motivation beyond what is attributed to a common murder.<sup>56</sup> Therefore, even if Going's murder was not a resistance to the police establishment as a symbol of the state, the interpretation by the state of broader motivations lends credence to the idea that the reaction of the lower classes of Rathkeale signified the rejection of a man who represented the sectarianism and cruelty already associated with the police force which he had led.

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<sup>55</sup> George Warburton to William Gregory, 14 October 1821, NAI, CSO/RP/SC/1821/1597.

<sup>56</sup> "Assassination," in *OED Online* (Oxford University Press), accessed April 6, 2023, <https://www.oed.com/view/Entry/11735>.

## Threats

A month after the assassination of Going, the recently appointed William Stewart was replaced as the chief police magistrate of County Limerick by Richard Willcocks. Despite the spread of Rockite disturbances to other counties, including Willcocks's home county of Tipperary, Limerick was still a high priority for law enforcement as the origin of the insurgency.<sup>57</sup> Willcocks had a reputation for not only effective leadership, but also for fairness in his treatment of both Catholics and Protestants. Nonetheless, his appointment did nothing to quell the unrest that continued throughout the region. Willcocks did succeed in capturing a good number of Rockites, however, and in mid-December he orchestrated a special commission in Limerick City to put the arrested men on trial quickly and publicly. Because of this commission, a number of Rockites were convicted and transported or executed. These executions caused a significant response by the Rockites, as seen by Willcocks's report that "It is now say'd that Major Warburton and I have been the cause of bringing down this bloody commission and that there are 20 of those rascals, selected, and sworn to shoot us the first opportunity."<sup>58</sup> Even though Willcocks previously had a reputation as a fair member of the police establishment, he and Warburton were still targeted by the Rockites due to their involvement in the commission and the police more generally. This re-affirms that the character of a person, positive or negative, was not the primary reason that they might be targeted. Rather, it was their involvement in the commission that made Willcocks and Warburton into enemies of the Rockites. Through their suppression of the Rockite movement, especially through the use of the judicial system, the two men became targets as representatives of state and its legal system.

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<sup>57</sup> Richard Willcocks to Charles Grant, 12 November 1821, NAI, CSO/RP/SC/1821/1627.

<sup>58</sup> Richard Willcocks to William Gregory, 19 December 1821, NAI, CSO/RP/SC/1821/1714.

Not only was the commission in direct conflict with the Rockites' alternative system of law and therefore punishing Rockites for acts they did not view as crimes, but it was also a further incursion by the state into rural customary practice. By organizing judicial proceedings beyond the typical seasonal assizes, the state's legal apparatus was enacting the same type of increased interventionism that was familiar regarding the police establishment. Because both the enforcement and the judicial arms of the law were challenging customary expectations, the state and its entire legal system were reviled. This interventionist approach by the state, in addition to the successful arrest, prosecution, and execution of Rockites by the police under Willcocks, provoked the threats against Willcocks and Warburton. Willcocks was a representative of the state apparatus to the Rockites and therefore a target for violence, despite his prior reputation for fairness. His part in the execution of Rockites only expanded the target on his back.

Threats of violence through threatening notices were one of the most common actions used by the Rockites and unlike the perceptions of law enforcement or rumors from informers, these notices expressed the sentiments of the Rockites directly. One very lengthy threatening letter was sent to the owner of the publication the *Limerick Chronicle* in the town of Askeaton. The letter, signed Captain Rock, requested that the owner of the paper, Henry Watson, publish a notice demanding landlords forgive a year of rent. What is termed by the author as "Captain Rock's speech in favor of the poor of the County of Limerick" seems on the surface largely economic, advocating for rent relief, but it also included direct threats to the police establishment and state as a whole.<sup>59</sup> For example, the letter stated that "Government [Imagine] that I [meant] to have their doing overthrown. I never will attempt doing, but will always follow overthrowing

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<sup>59</sup> 'Captain Rock' to Henry Watson, [1821], enclosed in Unknown to [CSO], [1821], NAI, CSO/RP/SC/1821/87.

and shooting tyrants.”<sup>60</sup> The author here distinguished between the government in general and the government behaving tyrannically, although this could still be seen as a threat. If the state did not change its actions to better help the economic conditions of the rural poor, the author stated that they would be seen as tyrants and could be overthrown and shot.

While the letter’s reference to the government is rather vague, it included a threat directed at a specific local magistrate with clear anti-police sentiment: “Tommy Peeler Vokes that if he Christmases at home he will not Easter.”<sup>61</sup> This message is telling a magistrate named Thomas Philips Vokes that if he spends Christmas at his home in County Limerick, he will not survive until Easter. The use of the word ‘Peeler’ replacing Vokes’s middle name is interesting because it directly connects Vokes to the police, as Peeler was a nickname for a policeman.<sup>62</sup> Vokes was a local magistrate at the time of this letter, but he later became employed as the chief police magistrate of County Limerick, making this nickname even more fitting. The use of the nickname clearly demonstrates that association with the police was a primary reason for the threat against Vokes. He was likely seen as an accomplice to the police not only for his position as a magistrate, but also for actively aiding in the arrest and prosecution of Rockites.<sup>63</sup>

A further noteworthy element in this letter is the mention of the Insurrection Act, not in effect at the time the letter was written: “you all think if this Insurrection Act took place that would be no Shooting of Tyrants and that is the line I will commence if I do not get the Settlement I ask.”<sup>64</sup> As mentioned previously, the Insurrection Act was a powerful weapon in the

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<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> This name originates from the surname of Robert Peel who established the PPF.

<sup>63</sup> Richard Willcocks to Charles Grant, 24 November, NAI, CSO/RP/SC/1821/1643; Richard Willcocks to William Gregory, 17 December 1821, NAI, CSO/RP/SC/1821/1705.

<sup>64</sup> ‘Captain Rock’ to Henry Watson, [1821], enclosed in Unknown to [CSO], [1821], NAI, CSO/RP/SC/1821/87.

arsenal of the state that had often been used to try to quell rural unrest. However, the author, purportedly ‘Captain Rock,’ indicates here that the imposition of the Insurrection Act would in fact cause him to begin a system of shooting tyrants, likely referring to law enforcement and other state forces. The author also emphasizes economic grievances, threatening that if no economic changes are made, he will also begin that same program of assassinations. While it is not known which month in 1821 this letter was written, it was certainly written after the assassination of Richard Going since it threatens to lay some men “as low as I ever had Going laid.”<sup>65</sup> Captain Rock claims that he has not yet begun the system of shooting tyrants, thereby threatening that the Rockites could begin an assassination campaign. Of course, since there was no single Captain Rock with sway over the entire movement, this was not a realistic threat, but the fear which even a localized assassination spree could inspire would have been significant. The threatening letter, therefore, includes many examples of ways in which the police and state could be threatened in a letter otherwise largely related to economic concerns.

Thomas Vokes was also threatened in a notice from November 1821 posted in the outskirts of Limerick City. This publicly posted notice offered a reward of 100 guineas “to any person or persons that shall within the space of 3 calendar months give in the heads of Samuel Lake Richard Parsons or Thomas Vokes.”<sup>66</sup> Here again Thomas Vokes was threatened, this time with a substantial bounty on his head. He was described as “a persidious magistrate of this county who is the chief instigator of all the misfortune that happened in this county of late.”<sup>67</sup> This message refers to how vigorously Vokes participated in the suppression of the Rockite

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<sup>65</sup> Ibid.

<sup>66</sup> Threatening notice, 2 November 1821, enclosed in William Stewart to William Gregory, 6 November 1821, NAI, CSO/RP/SC/1821/1345.

<sup>67</sup> Ibid.

movement by arresting and prosecuting Rockites, more vigorously undertaking his law enforcement duties than most other magistrates. The notice also illustrates the Rockites' hostility towards the police more generally: "a further reward of [£]5 will be given for the head of a policeman out of his barrack."<sup>68</sup> This open threat towards any police officer is perhaps the clearest articulation of anti-police hostility by Rockites and the firmest proof that all policemen were seen as enemies of the Rockite movement due to the Rockite hostility towards the state system which the police represented. While individual actions against the Rockites were also a source of animosity, these acts only reinforced the sentiments that the Rockites already felt towards the police. Unlike the threats against Vokes as a hostile individual, a threat against any and every policeman illustrates that it was the system of the police as a collective representative of the state, more so than the individual detached from the system, that was a target for Rockite violence. The grievances against the system outweighed any redeeming quality of the individual and thereby marked any policeman for death.

A later threatening letter sent to George Warburton in December 1821 emphasized the Rockites' hostility toward the system over the individual. After lauding their success in spreading their movement into neighboring counties and expressing hope for the impending success of the insurgency due to widespread enthusiasm for the Rockite cause, the author then addressed Warburton:

My motive Sir for addressing myself to you particularly is to assure you that on your moderation in the approaching struggle depends the length of your days. By being less sanguine in the cause of your infamous masters you might be suffered to remain for some time, but I caution you against building any hopes on this assurance, as amongst many others your death warrant has already been signed by Rock.<sup>69</sup>

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<sup>68</sup> Ibid.

<sup>69</sup> Threatening notice, 7 December 1821, enclosed in George Warburton to William Gregory, 10 December 1821, NAI, CSO/RP/SC/1821/1685.

In this letter, the author directly threatened the life of Warburton based on how intensely he prosecutes the laws of his masters, meaning the state. This is another example of how police magistrates were targeted for their connection to the state apparatus, specifically highlighting the contradiction between the British law and the Rockite law. While the author stated that Warburton's life could be spared if he were less brutal in his policing, he emphasized that his actions might not matter as his death warrant had already been signed. If the death warrant had been signed regardless of his actions, it is implied that Warburton's life was threatened primarily due to his employment in the police force, rather than due to any particular conduct. In this understanding, while a person's actions on behalf the system matter, it is their association with the institution of the police that constitutes the greatest cause of hostility.

## **Conclusion**

As this chapter has demonstrated, the conflict between law enforcement and the Rockites in the early months of the Rockite insurgency was caused by factors beyond simply clashes with police attempting to stop individual crimes. The recently centralized police establishment symbolized the increased interventionism of the British state and therefore was subject to the hostility already directed toward the state. While the actions of individual police officers exacerbated the antagonism of the Rockites, it was the system of the police and its association with the state, that was targeted for violence. By enforcing what was seen as an illegitimate law of the British state, as well as opposing the locally specific and customarily accepted forms of law enforcement, the police establishment became the most visible institution against which the Rockites could target their violence. By preventing the Rockites from enforcing their own law, the police posed a powerful threat to the Rockite movement's aims, economic and otherwise.

Violence against the police also illustrates the methods by which Rockite violence can be seen as a manifestation of a distinct political ideology. As representatives of the state, the police filled a symbolic role in addition to their assigned role as local law enforcement. The extension of an effective, long-term police force into rural Ireland, not to mention that the leaders of said police were centrally appointed by the Dublin administration, was a significant breach of the customary forms of law enforcement and social regulation in rural Ireland. Individual police constables may have been drawn from local populations, but the system they served was intrinsically not local. Therefore, violence against these individuals was more than just an attack on a person; it was an attack on the police system and the state that it represented.

## Conclusion

The argument of this work has centered around the idea that the individuals participating in the Rockite insurgency were acting in rational, intentional ways that they believed would further the goals of their movement. Many of the Rockites' actions were bound up in their political ideology, especially the fusion of customary morals and the legacy of eighteenth-century politics, as detailed in the first chapter. To argue for the political nature of agrarian redresser movements is not new, but the emphasis in this work on the role of law, policing, and violence in that political framework has hopefully provided a new lens through which to view the Rockite insurgency. By analyzing the influences of Whiteboyism, the United Irishmen, and Ribbonism on the Rockites, it is clear that they were inspired by a distinct political ideology. While the Rockite movement shared similarities with the longer tradition of agrarian redresser movements, it was unique in the intensity of its violence, influenced by the politics of the 1790s and subsequent decades.

Yet the Rockites were not violent for the sake of violence. As the second chapter argued, violence was enacted as a means of enforcing the law of Captain Rock. It was not lawlessness that the Rockites exhibited but rather allegiance to their own alternative law. It is known that the Rockites posted public threatening notices which aimed to regulate land usage, rents, and tithes, but by analyzing threatening notices, it becomes clear that the Rockites adopted the forms and rhetoric of the state's legal and judicial systems in order to assert their own authority. In addition to threatening notices, the law of Captain Rock can be analyzed in the actions of the Rockites, specifically the violence and intimidation that was used as a means of law enforcement. The alternative law of the Rockites was based on the communal morals and social norms of the rural

Catholic community from which they originated, making it legitimized in the eyes of their people. This engagement with community illustrates further the ways that the Rockites' actions were informed by a value-system and rationality that justified violence as a means of enforcing the law of Captain Rock.

Unsurprisingly, the Rockites' law enforcement came directly into conflict with state forces such as the police, as illustrated in the third chapter. The police not only inherently denied the legitimacy of the Rockites' law, but also became representative of an increasingly interventionist state apparatus whose sovereignty was rejected by the Rockites. In their attacks on the police, the Rockites were not solely enacting vengeance against individuals, but rather were committing violence against the system of the police in general. Because the state was seen by the Rockites and their sympathizers as sectarian, interventionist, and violent, the police force, as a locally present manifestation of that state, bore the brunt of that hostility. In this way, the individuality of police officers was subsumed by the animosity toward the system in which they were employed. The actions of individual police officers in suppressing the Rockite movement only served to further alienate the Rockites from the state and its increasing interventionist approach in rural Ireland. Therefore, conflict between the Rockites and the police reflected the inherently political nature of violence against the state, further asserting that the violence of the Rockites was not purposeless, but rather intensely tied up in the goal of resisting the state's sovereignty both in law and law enforcement.

### **Legacy of the Rockites**

While this study has focused on the first year of the Rockite insurgency, and particularly County Limerick, the Rockites continued their activities beyond 1821 throughout much of

southern Ireland. The winter of 1821 into 1822 witnessed the height of the insurgency, with a rapid regional spread, significant acts of violence, and a short-lived open insurrection in County Cork. In February of 1822, the government responded by reintroducing the infamous Insurrection Act, accompanied by the suspension of habeas corpus.<sup>1</sup> As outrages began to subside that spring, the authorities tried to claim this was the outcome of harsh suppression, but this decline was predominantly due to the subsistence crisis that occurred from April to August, forcing many of those participating in the Rockite movement to prioritize survival over collective action.<sup>2</sup> Nonetheless, when the famine conditions abated in autumn, the Rockites renewed their agitation. This renewed unrest prompted further suppressive acts by the government. In addition to renewing the Insurrection Act, Parliament also passed a law that would alter rural law enforcement significantly. In August, the Constabulary Act of 1822 established a police force in every county under the leadership of a provincial inspector-general who reported to the Dublin administration.<sup>3</sup> This legislation was the first that aimed to create a nationwide Irish police force, the Royal Irish Constabulary. The Rockite insurgency, therefore, prompted a significant reform of the system of law enforcement in Ireland.

Though police reform may have been a response in opposition to the Rockites, other legislation passed actually addressed the Rockite grievances regarding tithes. This is significant because it is one of the few times in Irish history in which agrarian redresser movements gained legislative rather than local concessions. The Tithe Composition Act of 1823, passed in July of that year, was of course a testament to the unpopularity of the tithe system in Ireland, across both

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<sup>1</sup> Crossman, "Emergency Legislation and Agrarian Disorder in Ireland," 316. By the end of the year, counties Cork, Kerry, Kilkenny, Limerick, and Tipperary had all been proclaimed under the Insurrection Act.

<sup>2</sup> Donnelly, *Captain Rock*, 80.

<sup>3</sup> Crossman, "Emergency Legislation and Agrarian Disorder in Ireland," 312. It is worth noting that Richard Willcocks became the first inspector-general for Munster.

sectarian and class divides, but this reform also directly responded to the agitation in Munster led by the Rockites. The understanding by the Lord Lieutenant, the Marquis Wellesley, that repression must be tempered with conciliation in order to end agrarian disturbances played a significant role in putting tithe commutation and reform on the legislative agenda. One of the most significant components of this act was the provision to allow the tithe of pastureland, thereby greatly reducing the tithe burden on tillage farmers, including the poorest agricultural laborers. Even though the practical effects of the act were somewhat limited due to the requirement for voluntary adoption parish by parish, this legislation laid the groundwork for future tithe agitation and reform.<sup>4</sup> By illustrating that legislative concessions could be granted in response to agrarian unrest, the Rockites created a powerful precedent that would be remembered by those active in the tithe disturbances of the following decade.

The Tithe Composition Act had an unintended consequence as well for the longevity of the Rockite movement. It further drove a wedge into the cross-class collaboration that had been a key element of the widespread nature of the insurgency. Although issues had arisen as early as 1822 about certain agricultural practices which the lower classes opposed but middling farmers supported, the proposed tithe of land used for pastoral farming created a further split. Pastoral farmers were stringently against the introduction of the new act as it would raise their tithe burden significantly, regardless of the beneficial impact it would have upon the poorest members of rural society. This opposition led to further fractures in the cohesion of those participating in Rockite outrages.<sup>5</sup> After 1823, therefore, tithes were no longer the unifying grievance they had been previously. Another shift in 1823 was the gradual improvement of the economy throughout

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<sup>4</sup> Donnelly, *Captain Rock*, 206–10.

<sup>5</sup> *Ibid.*, 165.

much of Ireland. In support of Donnelly's social composition theory, a better economy led to improved circumstances among middling farmers who were therefore less willing to participate in outrages. As agricultural sale prices increased, these farmers were able to pay their rents again, making the grievances of rent and eviction much less pressing.<sup>6</sup> Without tithes or rents as unifying grievances, the cooperation between classes began to collapse in earnest.

By the spring of 1824, the frequency of disturbances had significantly decreased, making the state confident enough to begin relieving repressive measures in certain areas; the Insurrection Act was repealed in all but a few baronies by the end of the year. Although the state took credit for much of the decline in outrages, economic improvement and the subsequent abandonment of the cause by many former Rockites played a more important role. This is not to discount the extent of state repression though. The number of executions and transportations during the Rockite insurgency was unprecedented, especially in relation to the low rates of conviction that occurred during the period. In the end, the last sputterings of the Rockite insurgency involved the poorest members of rural society engaging in acts more similar to theft than an agrarian redresser movement.<sup>7</sup>

However, the legacy of Captain Rock continued far beyond 1824. Not only had the movement forced concessionary legislation regarding tithes, but the Rockites had also reduced the burden of rents and tithes during the period of the insurgency. While the non-payment of rents and tithes was not continued after the collapse of the movement, it did give a reprieve to many people struggling during the economic decline between 1819 and 1823. Additionally, references to Captain Rock and his law appear in threatening notices up to the Famine, especially

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<sup>6</sup> Ibid., 244–45.

<sup>7</sup> Crossman, "Emergency Legislation and Agrarian Disorder in Ireland," 316; Donnelly, *Captain Rock*, 352–54.

throughout the 1830s.<sup>8</sup> The possibility of a revival of agitation similar to the Rockite insurgency also motivated fears among the British state and Ireland's landed elites. Outrages in the 1830s can be seen as one of the primary motivations for the 'age of reform,' as well as a powerful tool in the toolbelt of Daniel O'Connell and his mass political mobilization.<sup>9</sup> Although the Rockite insurgency did not succeed in many of its goals, the Rockites used violence against the state as a means of asserting their own law as a legitimate alternative, leaving a legacy of collective action that should not be ignored by scholars of pre-Famine Ireland.

### **Further Research**

Although this work has hopefully provided a new lens through which to see the Rockites and the Rockite insurgency in general, there are many more projects that could come out of research on this topic. One of the most pressing of these would be a gender analysis of the use of cross-dressing in agrarian disturbances, including the Rockite movement. Lady Rock was a name used to refer to Rockites who dressed as women to commit outrages, becoming a frequent enough occurrence that many cartoons of Lady Rock exist. Some discussion of the phenomenon of cross-dressing in agrarian movements has occurred, but it largely lacks a closer exploration of this form of behavior as a manifestation of subversive masculinity, especially within a broader European tradition.<sup>10</sup> Another potential project would analyze the relationship of poor, rural Catholics, especially those who had limited English-speaking ability, to the law and the justice system. It is clear that the Rockites were aware of the language and symbols of the law in order

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<sup>8</sup> Dunne, "Captain Rock," 12.

<sup>9</sup> For more on this, see Roszman, *Outrage in the Age of Reform*, chap. 2.

<sup>10</sup> For one analysis of this phenomenon in Ireland, see James S. Donnelly, "The Terry Alt Movement 1829-31," *History Ireland* 2, no. 4 (1994): 30-35.

to mimic them, but what is less clear is how that familiarity developed and also how people interacted with the law beyond law enforcement. By examining court records and reports on court proceedings, one could access more of the dynamics between the people and the state. A final potential research project would explore the social memory aspects of the name Captain Rock. It is evident that Captain Rock was invoked past the end of the Rockite insurgency, appearing in threatening notices as well as contemporary literature. Yet the mythic nature of this figure, and other pseudonymed mythic leaders of agrarian movements, remains largely unexplored. An exploration of the folklore of Captain Rock beyond the 1820s would be a meaningful addition to the scholarship of nineteenth century folklore.

All of these research ideas would be fruitful arenas for the continued exploration of the themes put forward in this work, building on the analysis of the Rockite insurgency. Importantly, each of these research projects relies on the basic assumption of the value in recovering the lives of those who leave limited evidence in the historical archive. Hopefully, projects like this one and those suggested above can recover the experiences, motivations, and sentiments of rural Catholics in the pre-Famine period of Irish history. It is particularly important to examine these people without flattening their experience through the focus on only economic conditions or sectarian concerns. By including a political analysis of people like the Rockites, scholars can gain an understanding of politics in Ireland between the United Irishmen and Daniel O'Connell, perhaps therefore better understanding how political action existed in the everyday lives of Irish people. By expanding the definition of political to encompass the Rockites, this work has aimed to illuminate the lives of the people of rural County Limerick in the 1820s, particularly by understanding how they interacted with the state's law and law enforcement. These interactions

were not passive but rather included a great deal of conflict which asserted the agency and political nature behind any interaction between the people and the state.

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