

Clare in the 17th Century.

The Story

Of

An Irish Sept

Their Character and Struggle

To Maintain Their Lands

In Clare

By

A Member Of The Sept.

[1896]

Religious, political, and social life of people living to the west of the Shannon during the first half of the seventeenth century—Opinion of the Pope's Nuncio in A.D. 1658 concerning the state of the Church in Ireland—Sir W. Petty, and Edmund Spenser on this subject—Education—Payne and Champion's description of, A.D. 1589—Political state of the people changed but little for many centuries—Description of—Brehon laws still in force—Payne's account of how they worked—State of judicial proceedings under English rule—Social condition of the people of Clare—Land all in all to them—The family system still in force—Freehold and leasehold understood—Relations between the lord and landholder—Forest lands, and wolves—Agriculture—Dwellings—Furniture—Dress—Military system—Old customs prevailing in Clare—Description of country by Payne—Injustice of forcing English common law on the Irish—Treatment of women by the Irish—Relations of master and servant—Physical explanation of love of Irish for their lands and homes.

In the preceding chapter I have endeavoured from a study of the history of our sept to describe the individual character of its members, and we may now consider the religious, political, and social system which these people had developed before their final dispersion by Cromwell in 1654.

Religion.—With reference to the condition of the Church in Ireland during the latter part of the sixteenth, and the first half of the seventeenth century, we have the opinion on this subject of the highest authority, the Pope's Nuncio, Rinuccini. Writing from Ireland in the year 1658, he states "that the Catholics of Ireland, have from time immemorial been divided into two adverse Actions; one under the name of the old Irish," who, the Nuncio observes, "were tall, simple-minded, and unrefined in manner and living, and unskilled in negotiations"; [1] this party consisted of the Irish Celts, and included among its number the members of our sept, for they adhered to that form of Church discipline and order, which St Patrick and his followers had founded throughout Ireland. Archbishop Lanfranc, has left us a brief sketch of the Celtic Church as it existed in the eleventh century, and we know that subsequently the Supreme Pontiff handed Ireland over to Henry II., in order that he might "root out from among them their foul sinnes and wickednesse, as also to yeeld and pay yeelyly out of every house a pension of one penny to Saint Peter." (p. 95),

The Irish Church in matters of discipline was ruled by its own authorities, largely under the tribal system. This "old Church" party were in matters of doctrine in accord with Roman Catholics throughout the world; but as in Henry II's time, so in that of Charles I., although they by no means declined the authority of the Roman Pontiff they nevertheless adhered to their own ecclesiastical authorities and customs. On the other hand, the "new party" in the

Irish Church, who met with the Nuncio's approval, consisted principally of English and French priests, who, as a rule, had been educated on the Continent and had returned to Ireland to minister to the Anglo-Normans, and the English settled in that country ; they were directly under the orders of the Pope of Rome. The Nuncio was of opinion, that the " greatest obstacle to the progress of religion was the division between the old and new Irish parties in the Church," and adds that " with sorrow he found the bishops of the old party abhorring any form of dress or ceremonial, even administering some of the sacraments in secular dress." From a passage already quoted from contemporary history, it appears that a Bishop of Killaloe at the end of the sixteenth century, is referred to as having a large and turbulent family of bastard sons ; and from Rinuccini we learn that the bishops of the old party, " for the most part were lukewarm, but the regulars are without comparison much more so ; accustomed to live out of their convents, and acting as chaplains, with good stipends, to the barons of the island, not constrained by discipline to wear religious habit, they dare to preach almost seditious doctrines from the pulpit, some to prove that it is unnecessary to the support of faith to have churches, since in the Old Testament we are told the Hebrews were for centuries without a Temple; and that Christ instituted the Eucharist in a private house. To our scandal, on the very table from which the altar-cloth has been but just removed, playing cards, or glasses of beer, together with food for dinner, are at once laid." This account of the Church in Ireland by Rinuccini differs in no respect from that given by Archbishop Lanfranc, in A.D. 1070 ; and very much coincides with Edmund Spenser's observations made on this subject in 1596. He states that the Irish clergy were guilty of " gross simony, greedy covetousness, fleshly incontinency, careless slouth—saving that they have taken holy orders, they doe goe and live like lay-men, follow all kinds of husbandry and other worldly affairs as other Irishmen doe." Sir W. Petty, writing in 1658, states that the poorer classes in the West of Ireland " adhered to their religion from custom rather than dogma ; they seemed to obey the old lords and heads of septs rather than God." However the fact is to be explained, it remains true that the Church in Clare, and generally throughout the West of Ireland, from the earliest time until it was suppressed by England, was such as is described by the Pope's Nuncio, and by Edmund Spenser.

It is difficult to form an opinion as to what effect the Christian religion may have had upon the lives of individual members of our sept. The invasion of Ireland by the Danes and Anglo-Normans, together with the subsequent war and turmoil going on in Thomond during the twelfth, thirteenth, and fourteenth centuries, must have turned the minds of men towards self-preservation rather than to the practice of religion. Even in important ceremonies, such as the inauguration of the Kings of Thomond on Magh Adhair, no reference is made to ecclesiastics or to any religious observances ; the head of our sept officiated on these occasions, and the function of making the king was a civil procedure. The Macnamaras built Quin Abbey, and other churches on their estates, but they never held Church preferments, as did some of the O'Briens, O'Carrolls, and other Dalcasian families ; nevertheless, in the time of persecution which fell upon the Irish Church in the seventeenth, and eighteenth centuries, by far the greater number of the sept remained staunch to their Church ; some of them, as, for instance, Roger Macnamara of Quin, rather than renounce their religion willingly yielded up their lives. [2]

Education.—Sir J. Davis, writing of the Irish inhabitants of Clare in the early part of the seventeenth century, describes them as being well educated, and as both writmg and speaking English with fluency. From the original letter written by J. Macnamara to Lord Burghley, in March 1588, we find that not only was his handwriting and phraseology good, but his style is independent and even dignified ; nevertheless, this individual had probably never been east of the Shannon, unless on some military expedition. He had learnt English as it was commonly taught in the schools of the West of Ireland, long before Clare passed into the hands of Englishmen. Robert Payne, writing in the year 1589, remarks, that he had visited " a grammar school at Limerick in which a hundred and three score scholars were assembled, most of them speaking good and perfect English, for that they had been used to construe the Latin

language into English.” Schools of a similar character existed at Killaloe, and in various other parts of Clare ; it was here that the Macnamaras learnt to read the Classics, and gained a good knowledge of English, and frequently of the French language. Champion, writing in the second half of the sixteenth century, states : “ Without either precepts or observation of congruity, they speak Latin like a vulgar language, learned in their common schools of *Leechcraft* and *Law*, whereat they begin as children, and hold on sixteen or twenty years, conning Groate, the ‘ Aphorisms of Hypocrates,’ and the Civil Institutions, and a few other parings of those two faculties.” [3] Champion continues : “ I have seen them where they kept schoole, ten in some one chamber, upon couches of straw, their books at their noses, themselves lying flatte prostrate, and so chaunte out their lessons by peecemeale, being for the most part lustie young fellows.” Such were the students of medicine and law in the West of Ireland in the year 1571. A system of secular education had existed there from the earliest times ; beyond this up to the period of the Reformation the clergy had excellent schools all over the country, and we have noticed that no sooner had the Confederate Government granted them freedom of religious worship, than they reopened their college at Quin Abbey, which we are told by one who studied there in A.D. 1646, was soon crowded with scholars.

The political condition of the people up to the middle of the sixteenth century was governed by their relation to the head of the sept, and through him with the chief of the tribe, and the provincial king; it was very much what it had been from the earliest historical times. The Irish had never had a central government or established themselves as a united people ; their nearest approach to it was during Brian Boru’s life, but then the provincial kings made war and peace without reference to any central authority ; all that they were expected to do in token of submission was to pay tribute to Brian. As we have seen from the history of our sept, they asserted their right to elect their own chief as late as the year 1557, and they did so on the understanding that he was “ the most experienced, noblest, and most popular” leader they could secure ; in like manner they elected his tanist, so that they still held to their old customs in this respect. [4]

The provincial king was in the habit, up to the reign of Henry VIII. , of meeting the chief landowners of his province in council, in order that they might consider changes in the distribution of the tribal lands, and probably also to revise, or add to the test cases contained in the Brehon code, so as to mould the laws to the wants of society. Other matters were dealt with by the heads of septs assembled in the house of the public hospitaller ; it must have been in some such meeting that Sioda Macnamara, and the other freeholders of Tulla, in the year 1554, came to an agreement, as to the terms upon which to consign their lands to Henry VIII., a voluntary act on their part, for one and all of them were weary of the strife and misrule which the province suffered under the nominal rule of England There is no reason to suppose that the Brehon laws had failed to meet the wants of the people in the sixteenth century, but England had then assumed the responsibility of rulers without the means of enforcing the authority of the law ; this, together with the quarrels of the Irish among themselves, led to great trouble and misery. The O’Briens being of the new party, probably despised their old supporters of Clancuilem, who were “ unskilled in negotiations,” and were therefore considered to be fit subjects to be plundered

Sir J. Davis informs us that in his official tour through Ireland in James I.'s time, the Brehon laws still flourished. He states that : “ After arriving at any place he called the Brehons or scholars of the district before him, for they knew all the septs and families, and all their branches, and the dignity of one sept above another, and above what families or persons were chief of every sept, and next, and third, and fourth in rank, till they descended to the most inferior man in all the baronies.” Moreover, Sir John continues, “ we looked to the Brehons to tell us what quantity of land every man ought to have by the customs of the country, which is of the nature of gavelkind.” If we compare this account of the work of a Brehon in the seventeenth century with that given in the *Senchus Moir*, we shall find that his duties in 1615, were precisely similar to that which they had been a thousand years before ;

and Robert Payne, an Englishman living in the West of Ireland, writing in 1589, has left us an account of his experience of the working of the Brehon code. Payne states, that the law was ordered “ with such wisdom and justice, as demanded worthy commendation. For I myself divers times have seen in several places within this jurisdiction, well near twenty cases decided at one sitting, with such justice that for the most part, both plaintiff and defendant hath departed contented.” One fails to understand why a system of this kind should have been suddenly swept away by English lawyers, ignorant of the language and customs of the people of Ireland ; and in its place laws imposed on these people, many of which were foreign to their nature, and at variance with much they dung to with the deepest affection. Edmund Spenser, writing at the time referred to, clearly comprehended the evils incident on a sudden, and radical change in the laws governing the Irish people. He observes : “ The condition of Ireland, how farre it differeth from England is apparent to the very least judgment ; but to transferre the same lawes for the government of the realme of Ireland, was much more inconvenient and unmeete. Now then, if these laws (the common law of England) bee not likewise applied and fitted for Ireland, they sure for that country are very unjust.” With reference to the criminal law the case was still stronger. However faulty the system of fines administered by the Brehons had been, it was so utterly different from that of imprisonment, and death as punishment for crime, that for many generations the newly introduced laws must have been deeply repugnant to the people; especially in a case such as that to which reference has been made, in which an English official of small importance, took upon himself to hang two men one Sunday morning, because they were loitering about the place in which he resided.

The social condition of the people of Clare at the end of the sixteenth century was determined, as it had been from the time they settled in that part of Ireland, upon the amount of land which a family held. The original Ui-Caisin lands had become the freehold property of some three hundred members of our sept. They paid tribute for these lands to the head of the sept, and he in like manner to the chief of the tribe. Doubtless, the landowners made allotments to them : kinsmen or friends of such lands as they did not require for their own purposes, and these lands were held in consideration of a tribute paid in kind and cesses, which were levied by the landlord on the landowner. But in all this there was nothing like the existing system of landlord and tenant. The tenure of land had doubtless altered from its primitive condition, but to this extent only, that the landlords, who originally held their land from the tribe, had come into permanent possession of these lands ; it had been converted into freehold. The conjoint members of the sept, however, had considerable control over the old tribal and common lands ; they could neither be bought, sold, or willed to an heir until after Henry VIII.'s time. The Brehons knew what lands belonged to each individual, and that was sufficient for the purposes of the community ; any disputes on the subject were referred to the Brehons, and, as a rule, easily and amicably settled. These people did not know the amount of their rent, but they held possession of the land and gave tribute to their lord in the shape of stock, the amount being settled, if necessary, by the Brehon, and under these conditions the holding passed from father to tanist ; but there was nothing approaching to tenant right or dual ownership in the soil, although in some few instances lands, especially ecclesiastic, were let on lease for terms of sixty, and even one hundred years. [5] Under the old System, however, the landholder received compensation for improvements he had effected on the land ; if allowed to build a house, it became his property ; land manured could not be changed until the crop on it had been worked off by the landholder, and so on. [6]

There can be no question, therefore, that the nature of freehold and of leasehold property was thoroughly understood by the Irish of the sixteenth century, but it is equally certain that in Clare the larger portion of the soil which was not cultivated by the landlord for his own domestic purposes was made over to other persons, generally members of his family, who employed it in like manner for their own use, and anything it yielded beyond this was virtually returned, directly or indirectly, to the landlord. The produce of the land was consumed by those who cultivated the soil, although doubtless, from the thirteenth century on-

wards, the export of cattle, and of horses from Galway, Limerick, and other parts had been effected in exchange for wine, silks, and other commodities from France and Spain.

Sir J. Davis made much of the hardship inflicted by cesses such as “coin and livery,” imposed by landowner on the occupier of his soil. Doubtless, in the Pale, great wrong was done in this way ; [7] but we have original documents bearing on this subject, one of which has been referred to, as it concerns the members of our sept, and there we find that the landlord’s visits to his landholders were times of rejoicing, and strictly limited as to season and duration. Beyond this these visits were only allowed when the lord accompanied his servants to the house of the individual who had to entertain them. What is more to the purpose, this practice was the result of mutual obligations, for the landowner kept open house, not only for his immediate relations and friends, who were ever welcome, but also for those who occupied his lands, and, in effect, every one in the least degree dependent upon him. This generous, almost boundless, hospitality clung to the descendants of these landowners, and ruined not a few of them ; nor has it as yet forsaken their sons and daughters, a survival, and that not the least pleasant, of those qualities which have made, and we trust will continue to make. Irishmen many friends, especially among their own countrymen.

Early in the seventeenth century much of the land in Clare was still covered with forest which abounded in game of all kinds, and was infested with wolves. As late as the reign of James I. we are informed that the king “ understanding the great loss and hindrance which arose in Ireland by reason of the multitude of wolves in all parts of the country, did, by letters patent dated from Newmarket, 26th November, 1614, direct a grant to be made by patent to H. Tuttesham, who by petition hath made offer to repair to Ireland, and there use his best endeavours to destroy the said wolves, providing at his own charge men, dogs, traps, engines, and requiring no other allowance save only four nobles sterling for the head of every wolf young or old, out of any county, and to be authorised to keep four men, and twelve couple of hounds in every county for seven years next after the date of this letter” (“ Transactions of the Royal Society of Antiquarians,” vol. xiv. page 62). The wolves, however, were to be exterminated by other means, for the forests in which they lived were speedily cut down, and the timber sold or burnt after the English took possession of the country. Timber was required in Clare for smelting iron and working coal mines. For instance, in the year 1605 we learn that King James granted to “ J. Cutler and W. Phillips, certain grounds in Macnamara’s country west of Shannon, with the right to open a coal mine.” The Commissioners appointed by Parliament to inquire into the disposal of the confiscated estates observe, that “ dreadful havoc has been committed on the woods ; for those on whom the confiscated lands have been bestowed, or their agents have been so eager after the smallest profit, that several large trees have been cut down and sold for sixpence each ; the destruction is still carried on in many parts of the country.” [8] The Bishop of Kilmore, between the years 1699 and 1713, cut down and sold for his own profit, timber to the amount of £20,000. The Bishop of Derry and many other Englishmen, who cared nothing for the lovely woods of Ireland, and feared lest a political change might deprive them of their confiscated estates, thought best to make the most of what they had, and cut down and sold all the valuable timber on their estates, and thus inflicted an irreparable injury on the country. [9] Of these woods Edmund Spenser in his “ Faerie Queene” [10] wrote:

Whylome when Ireland flourished in lame
Of wealth and goodness, far above the rest
Of all that bear the British Islands’ name.
The gods then used for pleasure and for rest
Oft to resort thereto, where seemed them best ;
But none of all therein more pleasure found
Than Cynthia, that is soverine queene profest
Of woods and forests, which therein abound
Sprinkled with wholesome waters more than 'most on ground.

Rinuccini, who travelled over most of the West of Irekmd, observes that the “ only bad road in the whole kingdom is that across the Munster mountains, and I had to pass them with a considerable suit and much baggage, I was furnished with vehicles for all, and an escort.” [11]

Agriculture.—R. Paynes dilates on the profitable nature of investments in farming operations, carried on in Ireland in the latter part of the sixteenth century. Horses, cattle, sheep, and swine, were the principal care of the Irish landowner. Agriculture in some parts of Clare must have been of a very primitive description as late as 1680, for Dineley found in Burren “ horses four abreast drawing the plough by their tails, which was the custom all over Ireland till by statute it was prevented ; yet they tolerate this custom here (Burren) because they cannot manage their lands otherwise, their plough gears, tackle, and traces being (as they are all over the rest of the kingdom) of gadds or withes of twigs twisted, which sure would break to pieces by the ploughshare so often jibbing against the rock, which gears being fastened by wattles or wisps to the horses’ tails, the horses being sensible, stop until the ploughman lifts it over. The garrons are seldom or never shood. Here is but one narrow road on going out of it, and the land is marked by broad stones like slate, turned edgewise. The common people use brogues made of raw hides or untanned leather.” [12] Those only who, like Dineley, have visited Burren can realise the rocky nature of its hill sides ; nevertheless, among these barren mountains there are numerous glades of marvellously fertile land, yielding herbage which is second to none in the country as pasturage for catde. A small quantity of oats, barley, and other cereals were grown with difficulty and in such quantities only, as was necessary for consumption by the few people, who in those times inhabited this desolate but most fascinating comer of Ireland. It is to be observed that Dineley states, there was only one narrow road leading from the east of Clare into this district of Burren. Produce was carried to fairs or from one place to another on the backs of horses, or dragged on rude sleighs over the roads; there were no carts.

Dymmock, writing from Ireland, A.D. 1600, remarks that the country “ yielded great stores beeffes and porkes, and excellent horses of a fine feature and wonderful swyftness, great plenty of wood except in Leinster, where being ready harbouring for the mear Irish, they have been cut down. There is abundance of fish and fowie, mines of iron, lead, and copper. The people are very glorious, francke, ireful, good horsemen, delighting in war, great hospitality, and kind-hearted, of exceeding love towards their foster brethren.”

In Henry VIII’s time the Earl of Thomond had to borrow money from the Lord Deputy in Dublin to pay his expenses to London, because “ there was no money in his part of Ireland.” All the dealings carried on by these people had been by barter, or the interchange of goods the products of their own lands and labour. E. Champion, in his History of Ireland, published 1571, observes, that “ they exchange by commutation of wares for the most part, and have utterly no coyne stirring in any great lord’s house. Some of them be richly plated ; their ladies are trimmed rather with massive jewels than with garish apparell, and count it a beauty to be tall.” In Galway and Limerick, however, a considerable trade had from the earliest times been established with France and Spain, wine, tin, silk, and other articles, being, imputed in exchange for wool, hides, and oak, together with other articles produced in Ireland.

Potatoes had been introduced into the country by Captain Hawkins as early as A.D.1565 ; but nothing from the history of the period we are considering, would lead any one to suppose that potatoes would in subsequent years play so important a part in the food supply of the Irish. Tobacco had already gained a footing in the country, in spite of James I. having prohibited its use as “ a loathsom custom.” Venice was at this time the chief centre from which tobacco in a manufactured form was distributed through Europe.

Dwellings.—The people in Clare, up to the middle of the seventeenth century, lived for the most part in the old form of wicker and clay covered cabins. Keeps, or castles were scattered pretty thickly over Clare, and there are several rough sketches of these buildings in Dineley's Journal : most of them, however, were destroyed under the supervision of a commission appointed by Cromwell for that purpose.

Dineley has left us a sketch of one of the Macnamara castles, Roscoe. The keep or residence of the family was evidently surrounded by dwellings inhabited probably by the servants, retainers, and the stables, the whole being enclosed by a stone wall, which served not only as a means of defence against wolves, but within these walls was the inviolable refuge or home, a place which up to the time of Cromwell was sacred to the family, and into which, without permission of its head, neither the arm of the law nor any human being might enter. Sanctity of a precisely similar nature is in the mind of the Celt still connected with his house ; a man, however deep his crime, is safe under the protection of his home. So strong is this feeling, that although the police often know who the criminal is, and although his evil deeds may have been perpetrated in open day, still it is often impossible to get his relations or near neighbours to give evidence against him.

E. Spenser states that as late as Queen Elizabeth's time many of the Irish " kept their cattle and lived themselves the most part of the year in cow-houses, pasturing upon the mountains and waste wild places, removing still to fresh lands as they have depastured the former." Many laws were passed to prevent indiscriminate grazing, but without avail, for the old custom of large tracts of common land clung to the people.

Furniture had improved somewhat, but was still, according to our ideas, very rough and inconvenient. Rushes covered the floor, and the windows were unglazed, but closed with a wooden shutter. Oil lamps and rushlights supplied light at night, such as it was. A chair or two, and as many stools, with an oak chest and a table, completed the furniture of the common room or hall, in the centre of which, or, it might be, at one end, the fire burnt, over which no small part of the cooking took place. Fingers were used in place of forks ; in fact, Queen Elizabeth hesitated to adopt a fork for the use of her fingers ; it was hardly, therefore, to be expected that her subjects in Clare would have been in advance of the court in matters of this kind.

Dress.—As late as 1584, in a Parliament convened at Dublin, the Lord President endeavoured to persuade the members from Clare to conform in dress to that of the other deputies of the Senate ; but they declined, one of them replying, that the next thing would be to " give his chieftain petticoates to walk the streets in, so that the rabble might laugh at them both." [13] Some fifty years later Rinuccini stated, that most of the better classes of Irish wore the costume of their country. That the poorer classes of the West of Ireland had but few wants, living largely on trefoil and butter, their drink being milk, and for a great treat, whisky ; nevertheless, he adds, " they have shoes, some few utensils, and woollen mantles which cover them, but they are much more careful of their swords and muskets than of their bodies."

The Military Force of the Irish has been described by J. Dymmock in his account of Ireland, written A.D. 1600. He states that " their forces consist of Horsemen, Galloglasses and Kerne, the horsemen being armed with headpiece, shirtes of mayle, a sworde, a skayne, and a speare. They rode on paddes or pillowes without styrops, they beare the spear or lance by the middle and so encounter ; every horseman hath two or three horses, and every horse a knave : his horse of service is allwaies led spare, and his knave, which caryeth his harness and speare, rydeth upon the other, or els upon a hackney. The Galloglasset ar pycked and selected men of great mightie bodies, chosinge rather to dye than to yeelde ; armed with shirt of maile, a skull, and a skeine ; the weapon they must vse is a batle axe, six foot long, the blade like a shomaker's knyfe, he hath a man for his harnesse bearer, and a boy to carry his provision. The Kerne is a kind of footman, sleightly armed with a sworde, a targett of woode,

or a bow and sheafe of arrows with barbed heades, or els 3 dartes which they cast with wonderful ficillity and nearness, a weapon more noysome to the enemy, especially horsemen, than yt is deadly ; within these few years they have practised the muskett and callyver, and are growne good and ready shott The horseboys are the skumme and outcaste of the countrye serviceable for meatinge dressing of horses, and hurtfull to the enemy with their dartes.”

Until the close of the sixteenth century we find some of the earliest forms of tribute still in existence among the members of our sept, as for instance, the Boromean tax. That these people should have continued to pay this tribute for so many centuries, and after it had long ceased to be imposed on other Irish communities, is very remarkable. The ancient system of what we may consider as a poor law, or rather provision for the sick and needy, had been preserved in Clare from the earliest times up to the seventeenth century. Doubtless the work of charity had from the thirteenth century until the time of Henry VIII. been largely in the hands of the Church, but we have distinct references to the old system of poor-law relief, and to public hospitals in which provison was made for sick and wounded people, beyond that offered by the Church.

Payne, who lived and held land in the West of Ireland during the latter part of the sixteenth century, wrote of the Irish at this period as follows : “ The Irish keep their promise faithfully, and are more desirous of peace than the English, nothing is more pleasing to them than good justice. They have a common saying, defend me and spend me, meaning from oppression of our countrymen (the English). You may travel through all their land without any injury offered of the very worst Irish, and be hospitably received by the best.” This description of the Irish was written when there were practically no English landlords in Clare. Sir J. Davis travelled through the territories west of the Shannon in James I.'s time, and in the last paragraph of his famous work on Ireland, he sums up his opinion regarding the Celtic inhabitants of that country in the following words : “ There is no people under the sun that doth love equal and indifferent justice better than the Irish, or will rest better satisfied with the execution thereof, although it is against themselves, as they may have protection and benefit of the law when upon just cause they do deserve it.”

The Solicitor-General of Ireland could hardly write in these terms of the Celtic Irish at the present day. The county jail at Ennis is empty, not because there is no crime in co. Clare, but because it is well-nigh impracticable in the year 1895, to bring a certain class of agrarian offenders to justice in that country ; and only a short time since many of the landed proprietors had to be guarded night and day in their houses by English soldiers. The reason for this is, that the character of the Irish in the nineteenth is precisely what it had been in the sixth century ; the people have not altered, but the laws which govern them have changed, and some of their provisions relating especially to that subject of paramount importance to an Irishman—the land—are foreign to the nature of the Celt No one saw this with greater clearness than Edmund Spenser, who, as secretary to the Lord Deputy of Ireland, and residing as such afterwards among the people, knew them well ; in 1596 he wrote of the wrong England was doing to Ireland in forcing her laws on a people, whose nature and customs were so different from that of English-men. [14] This fact has been ignored by England with reference to the people of Ireland, but in India a different system was fortunately adopted, otherwise our hold on that country would have been an impossibility.

The Irish Celt held their women in tender regard, and so females were treated by them with consideration such as they then received among few other nations. Especially in the case of the lower classes. Irishwomen were never held to be the slaves of men ; they were employed in attending to their children, in weaving, looking after the domestic creatures belonging to the family, and such like occupations. These women were chaste as girls and as wives, and when young, endowed with taste, and an amount of refinement and manner to be seen among few others of their class in any part of Europe.” [15]

The wild sweet briery fence,
Which round the flowers of Erin dwells. [16]

There are few amongst us who have resided in Burren, or in the agricultural district of Clare, who have not met with the typical Irish lass, with her winsome face, thick nut-brown hair twisted up round her small head, with those wonderful laughing blue-grey eyes, shaded with long dark lashes, high cheek-bones and finely moulded chin, with sweet firm lips and a captivating voice, her ankles and feet bare, and of perfect form—a wonderful thing is this Celtic foot. It may be we meet her sauntering along beside her young lover, a lad of seventeen, a creature with large grey eyes set in a brown face, with fine cut features, a pleasing voice and manner; in truth, being an almost idyllically picturesque pair of human beings. Such, however, are many of the descendants of the old Celtic stock at the present day, in those parts of Ireland where there has been little if any adulteration of the race by inter-marriage with other nationalities.

Under the native Irish or Celtic system, the landowner in Clare, in the sixteenth century, lived in his strong keep or castle, surrounded by the dwellings of his servants, horses, and cattle, the whole enclosed in a wall which formed the precincts or sanctuary, and woe to the enemy or intruder who attempted to force his way into this enclosure. The lord's time was spent in looking after his own property, which he farmed, in sport of every kind, and in hospitality.

The relations that existed between master and retainer in the Irish household has been a theme of never-ending satisfaction, not only to the parties concerned, but also to the writers of biography and fiction. Miss Edgeworth, in "Castle Rackrent," has drawn the character of an Irish servant which can hardly be surpassed. The tie that existed between the upper and lower classes was not unfrequently the result of that remarkable system of fosterage which prevailed among the Irish up to quite recent times. W. H. Maxwell, in his story of "Hector O'Halloran," has left us a well-drawn picture of the bonds of friendship and intense devotion between Irishmen the result of fosterage, a system which has exercised a silent but untold influence on the social condition of the people, and which in its survival as a part of our being still plays a by no means insignificant roll in our social relations.

In the old Irish home dependants and tenants lived about the master's house, from boyhood—they came and departed as they pleased; much of the summer was passed in helping the old people in their own homes in getting in the harvest, and tending cattle on the hills; the remainder of the year was devoted to the master, following him over the moors, or such of the forests as remained, in hunting expeditions; mixed with no small amount of dancing, drinking, and fighting, especially on holidays and festivals. These young Irish peasants of Clare were clean-limbed, light, active, and handsome fellows, perfect specimens of strength and symmetry, and as bold as they were handy in everything appertaining to snaring wild fowl, netting rabbits, and catching fish, and at all times ready to shed the last drop of their blood if necessary for the chiefs. When they married they obtained a patch of ground from their patron, on which to fix their own cabin, and settle down to cultivate such an amount of land as would feed them and their family, by the help of their pig and fowls, and, it may be, a cow; and with this they were perfectly contented and happy; when trouble came the chief was at hand to help them to the best of his ability. A system of this kind was in full operation in the West of Ireland two hundred and fifty years ago, in truth, existed there up till within the memory of living men, and it was a system which had flourished for certainly twelve hundred years previously.

It is difficult to realise a state of society such as that which existed among the members of our sept until the middle of the seventeenth century. Money was still practically unknown to these people, there was no such thing as wealth outside the possession of land and stock; no tenant, no tithes or taxes, beyond a fixed tribute on the land; no titles, the social scale being

regulated by the amount of land a family possessed; there was no central government, no army, navy, or police ; no poor laws, but the aged and sick were nevertheless cared for, as they are under the conjoint family system in India at the present day. The land was all in all to these people, not only was their social position ruled by it, but it had supplied them and their forefathers for many generations with the necessaries of life in the way of food and garments, and they had come to love it, and cling to it with an intensity of feeling such as that referred to by Mr. W. R. Le Faun, in his excellent retrospect of a long and genial life spent in Ireland ; he remarks “ that it is impossible for one who has not resided in Ireland, and been on intimate terms with the people, to realise the intense longing which animates them for the possession of land, no matter how small the holding.”

It is beyond the scope of this work to discuss the various theories which have been advanced to explain the idiosyncrasy of individuals ; the subject is one men have pondered over without avail. But I would venture, with diffidence, to express my own ideas as to the physical causes engendering that love of land which occupies the foremost place in the minds of every Celtic Irishman ; my remarks on this subject, however, must be of the briefest possible nature, and in fact compressed into a single paragraph.

No one knows how conscious ideas and memory, or, as we commonly call it, the mind, is produced in the brain ; but the fact remains dear that the brain is the principal organ of consciousness, and is the instrument through means of which expression is given to our thoughts. A definite form, structure, and connection of certain brain centres are probably necessary for the conception and retention of various ideas or sentiments. For instance, it may be that an individual possesses a love of music, or, as we say, has an accurate ear for harmony, because a certain area of his brain contains a special arrangement of nerve cells ; and it is this arrangement of parts situated in a definite area of his sensorium which enables him with pleasure to listen to, and appreciate, music. This part of his brain is connected with the centre controlling the muscles of articulation, and so the individual not only enjoys music, but delights in talking about it to other people. Wherever a like arrangement of brain substance is present, the people so made are fond of music ; and without this specialised form of brain matter they may strive ever so much to love harmony, but it is impossible for them to do so, although they may with some success learn to imitate those who possess the organisation above referred to. This specialised form of brain, like the features and build of people, is much a matter of hereditary transmission, and is doubtless gradually (that is, in the course of generations) developed, or the reverse, by surrounding conditions. Thus we can readily imagine that a community having no love for music might be located among a society who devoted much of their time to this art, and in the course of generations the brains of the former people would from constant exercise become so specialised that, like their neighbours, they might come to love music. If we apply this principle to the case of the Celts of Ireland, we can understand, from what has been said regarding their history, their intense desire to possess land. [17] The conditions under which their fore-fathers lived for centuries in dependence on the soil for their existence and social and political status developed in their brains characters as marked as those of their features, giving to the mind of the being so constituted the intense longing for the possession of land to which Mr. Le Faun refers. Faculties of this description, once acquired, are doubtless hereditary, and so have been passed on from father to son up to the present day, faculties which can no more be controlled by Acts of Parliament than the natural colour of one's eyes or hair. English statesmen have hardly appreciated this fact, and the land question in Ireland has led to endless trouble, and will continue to do so until the nature of the Celt is changed, or the land system in Ireland is freed from the artificial encumbrances heaped on it by persons during the past three centuries in order to advance their own purposes. In place of this, a general scheme of purchase must be encouraged, through means of which the land may be bought on fair terms by those who, as of old, will till it and live upon it ; the sooner this fact is recognised the better for the well-being of the inhabitants of Ireland and of England.

- [1] Rinuccini's ' Embassy to Ireland,' pp. 49, 142, 486.
- [2] Frost's " History of Clare," p. 634.
- [3] " The Historie of Ireland," by E. Champion, p. 25.
- [4] " A View of the State of Ireland." by Edmund Spenser (published 1596), pp. 11 and 12.
- [5] Frost's " History of Clare," pp. 279 and 283, also 286.
- [6] " Manners and Customs of the Ancient Irish," vol. i. pp. cixxxxix. and cxe.
- [7] " A Short History of the Irish People." by A. G. Richey, p. 255.
- [8] Boates' " Natural History of Ireland" (1652), pp. 99, 100.
- [9] Lecky's " History of Ireland," vol. i. p. 335.
- [10] " State of Ireland," by Edmund Spenser, p. 200.
- [11] " The Embassy to Ireland," p. 490.
- [12] See also " Notes," Irish Archæological Society, vol ii p. 43.
- [13] Maceoghegan's " History of Ireland," p. 482.
- [14] Edmund Spenser, in A.D. 1596, writes of the application of the common law of England to Ireland. " that the law of itself is most rightful for the kingdom for which it was first devised : for this as it seems reasonable, that out of the manner of your people, and abuses of your country for which the law was invented, they take their first beginning, or else they should be most unjust ; for no lawes of man are just, but as in regard of the evils which they prevent, and the safety of the commonweal which they provide for, nor if these lawes of England bee not likewise applyed and fitted for the realme [Ireland] they are sure very inconvenient." ("A View of the State of Ireland," by Edmund Spenser, p. 32). In another place he observes : " The condition of it [Ireland] how farre it differeth from this of England is apparent to every least judgement, to transfer the same laws for the governing of the realme of Ireland was much more imminent." (" A View of the State of Ireland." p. 16).
- [15] " Considerations for Promotion of Agriculture," by Lord Molesworth (signed by R. L. V. M.), published 1723, p. 31.
- [16] Of the many pathetic stories having for their theme the terrible consequences of a fall from the standard of purity in the case of the Irish peasant girl, I know of none more tenderly or more beautifully told than Katharine Tynan's tale of the "Unlawful Mother," in her lifelike stories of " An Isle in the Water."
- [17] The Greeks of old held that their " homos (law and custom) was king of all, exercising plenary power, spiritual as well as temporal, over individual minds ; moulding the emotions as well as the intellect according to the local type, determining the sentiments, the beliefs, and the predisposition in regard to new matters tendered for belief of every one ; fashioning thought, speech, points of view, no less than of action, and reigning under the appearance of habitual, self-suggested tendencies" (" Plato and the other Companions of Socrates," vol. i p. 349, by G. Grote).

The story of an Irish sept : their character & struggle to maintain their lands in Clare (1896)

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