

DESPATCHES

Newsletter of the Queen's Redoubt Trust

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DISCIPLINE IN THE 19TH CENTURY BRITISH AND CONTINENTAL ARMIES

Life for a British soldier in the Victorian era was often harsh and unforgiving. Discipline was strict, with punishment commonly meted out for even minor offences. This was in part a reaction to the constant gambling, whoring, drinking, and brawling that British soldiers often participated in, and partly because soldiering in Britain was so poorly regarded as a profession.

Life in the army was extremely disciplined and even minor matters of misconduct did not go unpunished. The courts – either regimental, district or general – were advised by a military lawyer and made up of panels of officers, with some sentences even being determined by the commander-in-chief.

The main crimes normally concerned drunkenness, theft and general misbehaviour. An early form of punishment, which appears to have ceased prior to the Napoleonic wars, was running the gauntlet,¹ which involved being flogged by one's own regiment as he passed between two lines of soldiers.

In contrast, the Prussian² army could not be more different. In Prussia, soldiering was considered an honourable profession but in Britain soldiers were regarded with a degree of contempt by most classes, especially by the working class from which, paradoxically, most of them came. The army was looked upon by most in Britain as a refuge for drunkards and criminals, rather than a respectable trade; hence the Duke of Wellington's famous quote, "I don't know what effect these men will have upon the enemy, but, by God, they frighten me" *letter, 29 August 1810*"

¹ Origin and cessation not known.

² Modern Germany was formed from the combination of 26 independent kingdoms, duchies and smaller principalities, between 1866 and 1871.

Hunger was the most effective of recruiting 'sergeants' and because of this, it was no coincidence that the Irish disproportionately filled the ranks even of nominally English Regiments.

However, until the Cardwell reforms of the 1870's, and note that these coincided with the period when the British army left New Zealand, there had been little apparent change in how discipline had been meted out in the British army over the previous 100 years.

Also, there appears that little has been written about the subject. In fact, one of the best first-hand accounts was the anonymous diary kept by an NCO of the 40th regiment while in New Zealand.³ Between early August and the end of November 1863 (4 months), he recorded that eight men were flogged in the 40th and 18th Regiments, the usual rate being 50 lashes. Most of these were for being drunk on duty, three were not described and 1 was for striking a Non-Commissioned Officer. The diarist went into some detail with the latter case.

"A man of the 40th got 50 lashes this morning for striking a Non Comm Officer. A miserable spectacle was presented in the first place. The Officer whose duty it was to read the Court Martial was quite incapable of doing it and the Senior Officer in Parade, who took the document from him was very little better, he however did manage to make his way through it." ⁴

For troops serving at Home, the Cardwell reforms abolished flogging as the main form of punishment, but it survived as a punishment on overseas service until 1881. This was because officers insisted that extraordinary powers of summary punishment might be required in the field where imprisonment or removal of privileges was impractical. It was replaced by Field Punishment Number One in 1881. ⁵

³ Diary of an anonymous soldier in New Zealand 7 July 1863 to 6 April 1867. Transcribed and Edited by Ian Barton

⁴ Although not stated, it would seem that these officers may have been drunk.
(For FN ⁵ see page 3)

For a decade during the 1870's the army used flogging sparingly, but its re-emergence as a common punishment in Zululand in 1879 attracted the attention of Liberal politicians, including Gladstone, who rejected the 'necessary deterrent' argument and denounced the practice as anachronistic. The number of lashes was initially reduced in steps from 50 by Parliament before its final abolition in 1881.

An historian, R. C. K. Ensor wrote of the time prior to Cardwell. *"If ... [any] criticism had made headway, it was that England had no notion of the art of war. British officers were expected to be gentlemen and sportsmen; but outside the barrack-yard they were ... 'entirely wanting in military knowledge'. The lack of it was deemed no drawback, since Marlborough's and Wellington's officers got along without it. Only the rise of the Prussian military ... availed to shake this complacency."*

Flogging was a particularly harsh form of discipline that was but was believed to be the only effective means of punishing men drawn from the very bottom strata of society. However, the challenge to traditional ideas on punishments, such as flogging, was forcing the army to explore alternatives. There were three forms of serious punishment available to courts-martial: imprisonment, flogging and marking or branding. The latter, abolished in 1871, required the prisoner to be 'branded' with a letter 'D' for deserter or 'BC' for bad character. Analysis of punishments handed out by British courts-martial during the three years prior to the abolition of flogging for most military offences in 1867 shows a shifting of emphasis towards imprisonment at the expense of flogging. However, it is apparent that the army was still making wide use of flogging despite its imminent abolition.

There were a number of military offences for which the death penalty could be applied. These included mutiny, sedition, desertion, cowardice, sleeping at or leaving a post, striking or using violence towards a superior officer and disobedience. It also established rules for the constitution of courts-martial and laid down procedures for the execution of sentences.

The British military attaché responsible for the compilation of the report on the Prussian code was impressed with the power granted to commanders summarily to inflict corporal punishments and the life-long disgrace that went with dismissal from the army. Indeed, notions of honour pervaded the Prussian code and the only executions for military offences were performed by the honourable method of a firing squad. Otherwise, death was inflicted by beheading.

In contrast to Britain, soldiering in Prussia, was considered a noble and worthy profession, with disgrace following dismissal from the army.

The severity of the Prussian code was also viewed with some envy by London. Undoubtedly there was a genuine regard for Prussian-style discipline, but it is also likely that Prussian military prowess during the 1860s had boosted that army's reputation. This admiration increased after the Franco-Prussian War when the draconian Prussian code was contrasted with the lenient French code.

Despite the common heritage of much European law – not to mention military tradition – differences did exist and these often reflected the parent society. Some British observers reported, with apparent envy, on the French system which allowed for the removal of the persistent offender into a 'compagnie de discipline' which involved the transfer bad characters into light infantry units in Algeria 'so that they may not taint their old comrades by going back into their ranks'. This aspect of French military justice, enshrined in their 1857 code, reflected the concept of the 'dangerous classes' familiar to those concerned with national security in France since 1840. On the other hand, about a third of French courts-martial resulted in acquittals – a rare finding in the British army, which more frequently found offenders guilty.

The French army inherited much of its identity from its revolutionary and Napoleonic predecessors: the *poilu* [6](#) was ideally an 'Intelligent Bayonet' – a concept partly formed from a reaction against so-called Prussian automata [7](#) – and the State assumed a paternal responsibility towards those it compelled to serve in the ranks.

The first British Mutiny Act was passed in 1689. Mutiny differed from other offences in that it usually applied to groups of soldiers rather than individuals. The Mutiny Acts were a 200-year series of annual Acts passed by the Parliament of England, the Parliament of Great Britain, and the Parliament of the United Kingdom for governing, regulating, provisioning, and funding the English and later British Army. The object of this annually renewable act, which made mutiny and desertion a capital offence, remained largely unchanged until 1878. It did, however, undergo a series of refinements each reflecting the circumstances of the time. The Act, often allowed to lapse during times of peace, was frequently re-introduced, usually with an extension of its jurisdiction to include overseas territories as the army's garrison duties expanded around the globe. The Mutiny Act finally superseded the prerogative power to make Articles of War towards the end of the Peninsular War in 1813 and remained in force, largely unaltered until the present. [8](#)

F r i e n d s o f Q u e e n ' s R e d o u b t

Early in 2013 the Trust resolved to formally set up a group to be known as the "Friends of Queen's Redoubt". A membership database has been set up and anyone with an interest in the work of the Trust is invited to join.

Current membership fees are \$25 for individuals, \$35 for families, \$40 for Historical organizations and \$60 for Commercial organizations; all inclusive of GST.

Please post a completed application form and deposit the amount in our bank account:- **12 3022 0397102 00** with your Surname as reference.

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Discipline cont.

5 During the early part of World War I, the punishment was usually applied by tying the man to a pole or large wagon wheel. with the arms stretched out and the legs tied together, giving rise to the nickname "crucifixion". This was applied for up to three days out of four and up to 21 days total. When men consistently refused to obey orders they were usually given Field Punishment No. 1. Some conscientious objectors even saw F.P. No. 1 as a badge of honour.

In Field Punishment Number Two, the prisoner was placed in fetters and handcuffs but was not attached to a fixed object and was still able to march with his unit. This was a relatively tolerable punishment.

In both forms of field punishment, the soldier was also subjected to hard labour and loss of pay.

6 Poilu is an informal term for a late 18th century–early 20th century French infantryman, meaning, literally, the hairy one. It is still widely used as a term of endearment for the French infantry of World War I. The word carries the sense of the infantryman's typically rustic, agricultural background...Wikipedia

7 According to philosopher Michel Foucault, Frederick the Great, king of Prussia from 1740 to 1786, was "obsessed" with automata, and Manuel de Landa recorded that, "he put together his armies as a well-oiled clockwork mechanism whose components were robot-like warriors".

8 A recently sourced publication which goes into great detail on the topic of military discipline during the mid Victorian period is:-

Crime and Punishment in the British Army, 1815-1870 by Peter Burroughs : In The English Historical Review, Vol. 100, No. 396 (Jul., 1985), pp. 545-571
 Published by Oxford University Press

URL: <http://www.jstor.org/stable/568235>

VALEDICTORY

This will be my last Despatches, as have resigned as Editor. The first 11 issues were produced by Nigel Prickett from 1999, issue 12 was not produced and I began with issue No. 13 in 2013 and since then have managed to produce two issues annually. Although not yet finally confirmed by the Trust, the new editor will be Matthew Dean

**EDUCATIONCENTRE
 -OPENING TIMES**

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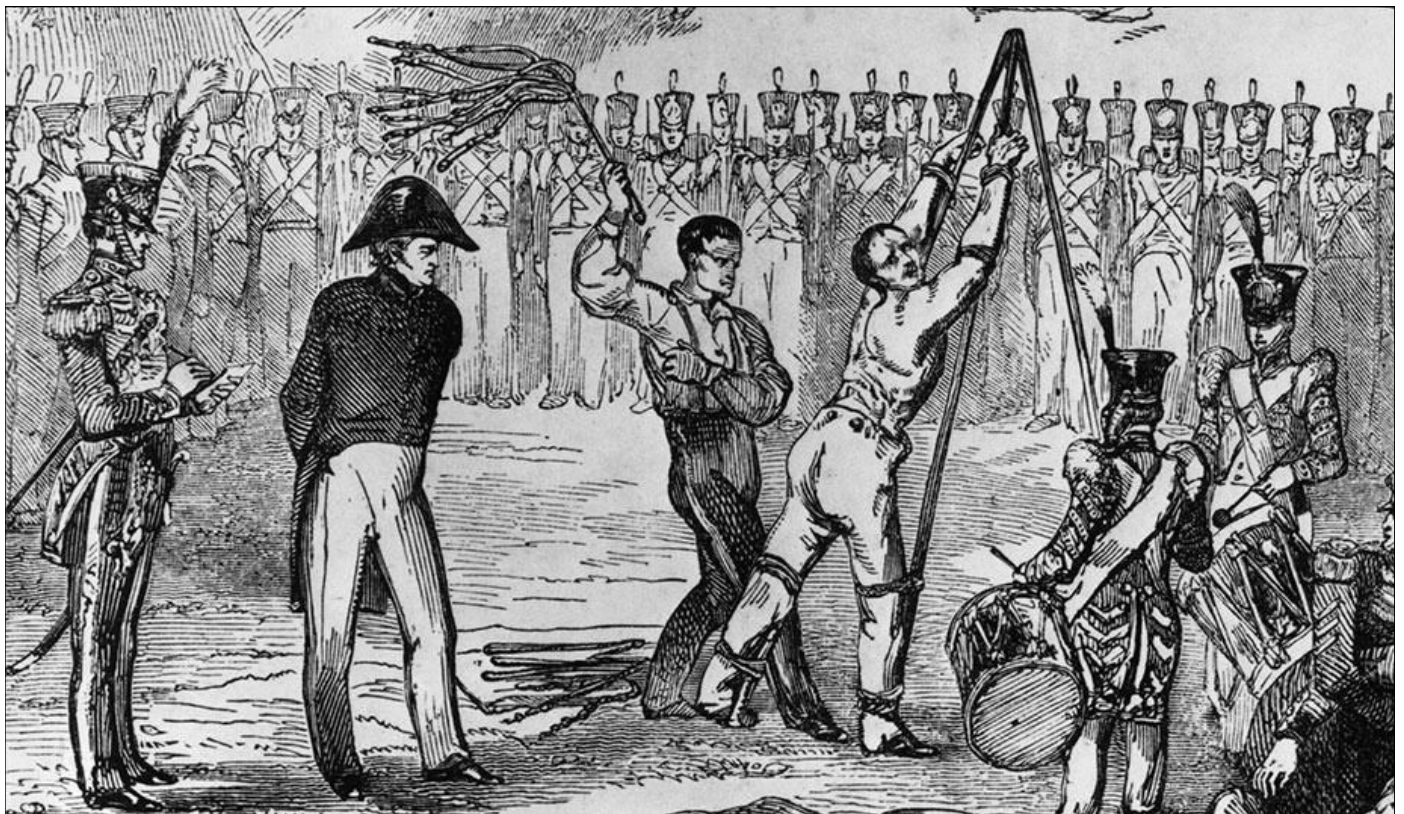
WEB-SITE: www.queensredoubt.co.nz/

PURPOSE OF THE TRUST

The Queen's Redoubt Trust was established in February 1999 with the intention of acquiring this nationally significant historic place and ensuring its protection; with the long term vision to restore and develop the site into a nationally recognised visitor attraction and education centre. In February 2001 the Trust completed the first major phase of the project, raising the funds to acquire the property in Pōkeno which contains much of the site of the Queen's Redoubt.

OBJECTIVES of the TRUST

1. To acquire the Queen's Redoubt site at Pōkeno to preserve it for future generations.
2. To make Queen's Redoubt accessible to the public by development and interpretation of the site as appropriate.
3. To restore the massive earthwork 'ditch and bank' walls of the fort (they were leveled after the war) as a key interpretive feature.
4. To promote education about the Queen's Redoubt and all the New Zealand Wars between Maori and European.
5. To establish a premier visitor and educational facility on the Queen's Redoubt site. This will be carried out in conjunction with an archaeological excavation programme to maximise knowledge of the site for future exhibition and interpretation purposes, and to promote public participation in the project. At the same time, historical research will continue into Queen's Redoubt itself, the Pōkeno district, the Waikato Campaign of 1863-64 and the New Zealand Wars as a whole.



FLOGGING: This lithograph is reproduced from issue 17 of Despatches. It is probably from the earlier part of the 19th century and shows the lash being applied by only one man. (because it was hard work, two men were often used, striking alternately) Note that floggings were done in public, with the whole battalion present to observe the punishment (no doubt intended as a deterrent), with the drummers beating the time for each lash and the officer on the left recording the number. The officer in the bicorn hat is probably the surgeon who could stop the punishment if he considered the man's life was in danger.