

Urban governance and prison building in pre-famine Ireland, 1820-1845

Richard J. Butler

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Urban governance and urban agency are themes that run to the core of our understanding of how power ‘works’, is expressed, resisted, and conditioned, in cities and towns. Much research in this area – heavily concentrated on European and North American case-studies and especially strong on British cities – focuses on how we define urban élites, how élite opinion was constructed, the production and exchange of knowledge, the role of ‘experts’, and the often complex interaction between the purportedly ‘private’ realm of urban élites and the ‘public’ realm of local government, national government, and the established legal system.¹ Closely related to the question of defining urban élites is the history of associational culture and the development of civil society – another field where British cities are richly represented. Jose Harris defines civil society as those ‘autonomous social and economic institutions outside the sphere of government’, which have long been ‘closely linked to the growth of markets and cities’.² This chapter will focus on urban governance, urban agency and civil society with reference to the construction of new prisons in Irish towns in the first half of the nineteenth century.

Incorporating an architectural history approach, it will turn a well-established thesis about civil

¹ R. J. Morris and R. H. Trainor (eds), *Urban governance: Britain and beyond since 1750* (Ashgate, 2000) and Ralf Roth and Robert Beachy (eds), *Who ran the cities? City elites and urban power in Europe and North America* (Aldershot 2007), see especially Richard Rodger and James Moore, ‘Who really ran the cities? Municipal knowledge and policy networks in British local government, 1832-1914’, pp. 37-69. See also Ciaran O’Neill (ed.), *Irish élites in the nineteenth century* (Dublin, 2013), introduction.

² Jose Harris, ‘Introduction: civil society in British history: paradigm or peculiarity?’, in Jose Harris (ed.), *Civil society in British history: ideas, identities, institutions* (Oxford, 2003), pp. 1-12, at p. 1. See also R. J. Morris, ‘Voluntary societies and British urban elites, 1780-1850: an analysis’, *The Historical Journal* 26:1 (March 1983), pp. 95-118; R. J. Morris, ‘Civil society and the nature of urbanism in Britain, 1750-1850’, *Urban History* 25:3 (Dec. 1998), pp. 289-301; Graeme Morton, ‘Civil society, municipal government and the state: enshrinement, empowerment and legitimacy: Scotland, 1800-1929’, *Urban History* 25:3 (Dec. 1998), pp. 348-67; Richard Rodger and Robert Colls (eds), *Cities of ideas: civil society and urban governance in Britain, 1800-2000* (Ashgate 2004), especially R. J. Morris, ‘A year in the public life of the British bourgeoisie’, pp. 121-43; and Graeme Morton, Boudien de Vries and R. J. Morris (eds), *Civil society, associations and urban places: class, nation and culture in nineteenth-century Europe* (Ashgate, 2006), introduction.

society somewhat on its head: instead of looking at how urban societies assisted the growth of associational culture, it will investigate how associational culture was involved in the physical transformation of urban societies. Instead of asking how the city created civil society, it will consider how civil society created the city.³ But, in doing so, it will also comment on another area of rich debate within studies of civil society – that is, the extent to which there was an alliance, or perhaps more plainly, an overlap between the state and civil society, something characterised by Bob Morris with reference to nineteenth-century Britain as ‘permeable and blurred’.⁴ Harris highlights the differing perceptions of British and continental writers: while many English and Scottish classic writers saw ‘the state itself as the fundamental institution of civil society’, most German authors ‘used the term to refer to various institutions and processes distinct from the state’.⁵

In this context, a nineteenth-century Irish example is useful for several reasons. First, Irish case-studies are relatively underrepresented in the existing literature. Second, there were intimate connections and many similarities between civil society organisations in Britain and Ireland – shared motives, shared people, and sometimes shared publications. These were amplified by the Act of Union of 1800, which abolished the old Irish Houses of Parliament, formed the ‘United Kingdom of Great Britain and Ireland’ with a single parliament in Westminster, and slowly merged the existing civil services on both islands. However, the Union did not flatten out the many existing political and social differences, not least Ireland’s slow urbanisation, its antiquated grand-jury system of local administration, and its many confessional fault-lines. It can be argued that these combined to result in a weaker stratum of civil society

³ Something considered by, amongst others, Michael Reed, see ‘The transformation of urban space, 1700-1840’, in Peter Clark (ed.), *The Cambridge urban history of Britain: volume 2, 1540-1840* (Cambridge, 2000), pp. 615-40.

⁴ R. J. Morris, ‘Governance: two centuries of urban growth’, in Morris and Trainor (eds), *Urban governance: Britain and beyond since 1750*, p. 1.

⁵ Harris, ‘Introduction’, in Harris, *Civil society in British history*, p. 5.

within Irish public life.⁶ Third, the ‘state’ itself had an insecure and much contested foot-hold in Irish affairs in the nineteenth century: neither fully ‘home’ territory nor imperial colony, Ireland ‘under the Union’ – to use a common phrase not without significant meaning in its own right – is best understood, as Pat Joyce and others have argued, as ‘semi-colonial’.⁷ While the operation of the state had many similarities across the two islands – through the same parliament after 1800, the regular borrowing and reuse of reform legislation, the movement of politicians and landowners back and forth – the British state as it operated in Ireland after 1800 was more powerful, more ambitious in its initiatives and more centralised at an early date than in Britain itself.⁸ In this way, nineteenth-century Ireland has certain characteristics more akin to continental countries such as France than it does to Britain. Geneviève Massard-Guilbaud, in her study of French local authorities, highlights the contrasts in urban governance between Britain and France, with themes familiar to any historian of Ireland: the lack of effective local democracy, the role played by centrally appointed ‘experts’ (the *préfet*), and how decision making was centralised at an early date.⁹ These governmental differences had physical consequences for the

⁶ For studies of Irish civil society, see Maria Luddy, *Women and philanthropy in nineteenth-century Ireland* (Cambridge, 1995), pp. 149-77, 214-18; Laurence M. Geary, *Medicine and charity in Ireland, 1718-1851* (Dublin, 2004); James Livesey, *Civil society and empire: Ireland and Scotland in the eighteenth-century Atlantic world* (New Haven, CT., 2009), esp. pp. 177-213; R. J. Morris, ‘Urban Ulster since 1600’, in Liam Kennedy and Philip Ollerenshaw (eds), *Ulster since 1600: politics, economy, and society* (Oxford, 2013), pp. 121-39; Laurence M. Geary and Oonagh Walsh (eds), *Philanthropy in nineteenth-century Ireland* (Dublin, 2015), chs. 1-2; and K. T. Hoppen, *Governing Hibernia: British politicians and Ireland, 1800-1921* (Oxford, 2016).

⁷ David Fitzpatrick, ‘Ireland and empire’, in A. Porter (ed.), *The Oxford history of the British Empire, vol. 3: the nineteenth century* (Oxford, 1999), pp. 494-521; Patrick Joyce, *The rule of freedom: liberalism and the modern city* (London, 2003), pp. 35-56, esp. p. 45; and Hoppen, *Governing Hibernia*, pp. 1-2, 16, and 51-59. For the use of the phrase ‘under the Union’ in historical writing, see, for example, the prominent nationalist Alice Stopford Green, *Irish nationality* (New York, 1911), chapter 13: ‘Ireland under the union’, and more recently, W. E. Vaughan (ed.), *A new history of Ireland: vol. V: Ireland under the Union, 1801-1870* (Oxford, 1989).

⁸ S. J. Connolly, ‘Unnatural death in four nations: contrasts and comparisons’, in S. J. Connolly (ed.), *Kingdoms united? Great Britain and Ireland since 1500: integration and diversity* (Dublin, 1999), pp. 200-14; Joanna Innes, ‘What would a “four nations” approach to the study of eighteenth-century British social policy entail?’, in *ibid.*, pp. 181-99; Joanna Innes, ‘Legislating for three kingdoms: how the Westminster parliament legislated for England, Scotland and Ireland, 1707-1830’, in Julian Hoppit (ed.), *Parliaments, nations and identities in Britain and Ireland, 1660-1850* (Manchester, 2003), pp. 15-47; Richard J. Butler, ‘Rethinking the origins of the British Prisons Act of 1835: Ireland and the development of central-government prison inspection, 1820-35’, *The Historical Journal* 59:3 (Sept. 2016), pp. 721-46.

⁹ Geneviève Massard-Guilbaud, ‘French local authorities and the challenge of industrial pollution, c. 1810-1917’, in Morris and Trainor, *Urban governance*, pp. 150-64, at pp. 150, 153.

morphology of towns and cities: as Michael Reed has commented in relation to eighteenth- and nineteenth-century Britain, ‘central government and municipal authorities contributed very little to [the] metamorphosis [in town growth] unlike the experience of many European cities’.¹⁰ This is not to suggest that nineteenth-century Britain escaped the growth of a kind of the French departmental ‘expert’, or indeed that British local élites possessed some unique kind of autonomy within the realm of the liberal state, but simply that in Ireland and some other continental countries the trend was more pronounced. There were more of these knowledge-gatherers, they were more effective, and from an earlier date.¹¹

This study of urban governance and civil society is based on the building of new prisons in three southern Irish provincial market towns: Bantry, Co. Cork, Carlow, Co. Carlow, and Nenagh, Co. Tipperary. It considers the fundamental questions of who built these prisons, who decided where they should be built, and how did their building affect the towns in which they appeared. Many of these decisions were made by actors – especially philanthropic charities and national inspectors – that were themselves not ‘urban’ in nature and who did not live within the confines of the town that they in part governed – instead they made decisions *for* that town from the administrative centre of its county or from Dublin. Urban governance and urban agency in this context refers to their operation in towns, and how it affected towns, rather than its genesis *within* a town. Furthermore, a study of prisons is particularly useful as both the construction and the day-to-day operation of these institutions brought economic prosperity to small provincial towns – with the initial need for dozens of stonemasons, carpenters, blacksmiths and general

¹⁰ Reed, ‘The transformation of urban space’, in Clark, *Cambridge urban history of Britain: volume 2*, p. 615.

¹¹ As noted by Morris, ‘Governance’, in Morris and Trainor, *Urban governance*, pp. 8-10. See also Martin Dauntton (ed.), *The Cambridge urban history of Britain, volume 3: 1840-1950* (Cambridge, 2001), especially John Davis, ‘Central government and the towns’, pp. 259-86, and Barry M. Doyle, ‘The changing functions of urban government: councillors, officials and pressure groups’, pp. 287-314; Rodger and Moore, ‘Who really ran the cities?’, in Roth and Beachy, *Who ran the cities*, pp. 37-69; Joanna Innes, ‘Central government “interference”: changing conceptions, practices, and concerns, c. 1700-1850’, in Harris, *Civil society in British history*, pp. 39-60; and Patrick Carroll, *Science, culture and modern state formation* (Berkeley, CA., 2006), pp. 113-42.

labourers, followed in turn by steady employment for wardens, turn-keys and the suppliers of provisions.¹² In towns like Nenagh, a new county gaol (the largest type of Irish prison) brought new paved streets, gas lighting, speculative building – and even new provincial newspapers. Unlike towns in Britain and in the only part of Ireland to undergo any significant industrialisation in the early nineteenth century – Belfast and north-east Ulster –, most southern Irish towns stagnated or even declined in the early nineteenth century: many lost their small industries to British competition and were forced to rely on their old function as a market for agricultural produce.¹³

Though the population of Ireland continued to rise up until the Great Famine of the 1840s, this rise was predominantly a rural phenomenon, and as late as 1841 the census returns showed that Ireland had only five urban centres with a population greater than 20,000 people, with most towns recording populations of between 1,500 and 3,000 people. Indeed, the official classification for a town – the only type of urban settlement noted in the census report – was simply twenty contiguous houses, with the enumerators discarding the previous categories of town, village, and hamlet. In 1841, Bantry recorded 4,082 persons, Carlow 10,409 persons, and Nenagh 8,618 persons.¹⁴ Clearly, by British standards, these would be considered minor settlements, but in Ireland they were substantial urban centres placed in the upper quartile by population nationally.¹⁵ The economic effects of new prisons being built in these towns was

¹² See Donal A. Murphy, *The two Tipperarys: the national and local politics . . . of the unique 1838 division into two ridings* (Nenagh, 1994), pp. 61-125; Richard J. Butler, 'Politics and public architecture in Ireland, 1760-1860' (PhD thesis, University of Cambridge, 2016), pp. 445-57.

¹³ L. M. Cullen, *An economic history of Ireland since 1660* (London, 1972), pp. 100-122; T. W. Freeman, 'Irish towns in the eighteenth and nineteenth centuries', in R. A. Butlin (ed.), *The development of the Irish town* (London, 1977), pp. 101-38, at p. 124; L. J. Proudfoot, 'Spatial transformation and social agency: property, society and improvement, c. 1700 to 1900', in B. J. Graham and L. J. Proudfoot (eds), *An historical geography of Ireland* (London, 1993), pp. 219-57, at p. 234-42.

¹⁴ *Report of the commissioners appointed to take the census of Ireland for the year 1841*, H.C. 1843 (504), xxiv, p. vii and appendix.

¹⁵ Rosemary Sweet, 'Provincial culture and urban histories in England and Ireland during the long eighteenth century', in Peter Borsay and Lindsay Proudfoot (eds), *Provincial towns in early modern England Ireland: change, convergence, and divergence* (Oxford, 2002), pp. 223-40.

therefore even more pronounced than in similar British towns. Furthermore, the prize was even more sought after: there was intense political debate in Ireland over *which* towns got these new prisons, and this involved many actors across the ‘permeable boundary’ between the increasingly centralised British state in Ireland and Irish civil society.

Though there was a great exchange of ideas in prison reform between Britain and Ireland from the 1770s onwards, the management of prisons in both countries diverged and converged at different points. This starting point was marked by the work of the celebrated English prison reformer, John Howard, who visited Ireland several times and included chapters on Irish prisons in his *State of the prisons* (1777) and *Account of the principal lazarettos in Europe* (1789).¹⁶ Considering Howard’s prominent public role, it is perhaps surprising that Ireland (and not Britain) was the first country in the western world to appoint a central-government prison inspector (in 1786) and its highly centralised inspection and management system – strengthened in the 1820s – became the model for British reforms in subsequent decades. This centralisation made the state more intimately involved in decisions over the location of prisons, and thus more inadvertently party to the economic prospects of individual towns.¹⁷ One such example was in King’s County (now Co. Offaly), where the principal landlords of two nearby towns – Tullamore and Philipstown (now Daingean) – fought for thirty years over the rights to enjoy the spoils of hosting the county courthouse and gaol; the decision was finally made by central government, relying on the help of their prison inspector for expert advice.¹⁸ However, in this framework,

¹⁶ John Howard, *The state of the prisons in England and Wales* (1st ed., 1777, reprinted Warrington, 1784), pp. 202-09; and John Howard, *An account of the principal lazarettos in Europe* (1st ed. 1789, 2nd ed., London, 1791), pp. 78-124.

¹⁷ Butler, ‘Rethinking the origins of the British Prisons Act’, pp. 727-31.

¹⁸ *Hansard* 13 (3rd ser.), 30 May 1832, cols. 209-10; King’s County Assizes (Ireland) Act, 1832, 2 Will. IV, c. 60; *Prisons of Ireland: report of inspectors general, 1825*, H.C. 1825 (493), xxii, p. 30; *Fourth report . . . on . . . the prisons of Ireland, 1826*, H.C. 1826 (173), xxiii, p. 46; *Fifth report . . . on the . . . prisons of Ireland, 1827*, H.C. 1826-27 (471), xi, pp. 53-54; Michael Byrne, *Legal Offaly: the county courthouse at Tullamore and the legal profession in County Offaly from the 1820s to the present day* (Tullamore, 2008); and Richard J. Butler, “‘The radicals in these reform times’: politics, grand juries, and Ireland’s unbuilt assize courthouses, 1800-50’, *Architectural History* 58 (2015), pp. 109-40, at pp. 125-31. For an English parallel, see the dispute over the

civil society also played a large and perhaps unacknowledged role in urban agency and governance. By looking at the building of prisons we can gain an understanding of the under-appreciated stratum of local power relationships within provincial towns.

Grand juries, inspectors, and charities

Who then are our agents? In pre-famine Ireland, the planning of new prisons – and indeed new courthouses, infirmaries, roads and bridges – lay with a form of local government known as the grand jury system. The county grand jury, as its name suggests, fulfilled both a judicial and an administrative role: in addition to indicating those accused of serious crimes and sending them forward for trial (like their namesakes today in the United States), grand juries approved what were termed ‘presentments’ or expenditure on county building projects. Grand juries were typically composed of 23 substantial landowners, all men, and generally all Protestant in a country where most people were Catholic. They were appointed by the high sheriff of each county and met in the county town biannually at the spring and summer assizes. They were more powerful than JPs in Britain and survived as a distinct form of government in Ireland through to reforms in the 1890s. Grand jurors were the *bête noire* of Irish local government under the Union: almost perennially involved in sectarian divisions, almost entirely Protestant in a majority Catholic country, and widely perceived as unaccountable and corrupt. They were the chronic frustration of British politicians who sought to reform their operation, such as Robert Peel in the 1810s.¹⁹ Historians of the Irish grand jury portray them as a colourful survival from a vanishing *ancien régime* political culture, undermined by popular politics and institutional reform.²⁰ Grand

Norfolk assizes in the 1830s: Norfolk Assizes Act, 1832, 2 Will. IV, c. 47; *Journal of the House of Commons* 87 (23 May 1832), p. 334; *Hansard* 12 (3rd ser.), 23 May 1832, cols. 1411-14.

¹⁹ See Galen Broeker, *Rural disorder and police reform in Ireland, 1812-36* (London, 1970), pp. 20-38; Norman Gash, *Mr Secretary Peel: the life of Sir Robert Peel to 1830* (London & New York, 1985), pp. 108-37; and Stanley H. Palmer, *Police and protest in England and Ireland, 1780-1850* (New York, 1988), pp. 193-236.

²⁰ P. J. Meghen, ‘The administrative work of the grand jury’, *Administration: Journal of the Institute of Public Administration of Ireland* 6:3 (Autumn 1958), pp. 247-64; C. E. B. Brett, *Court houses and market houses of the province of Ulster* (Belfast, 1973), pp. 15-20; Christine Casey, ‘Courthouses, market houses and townhalls of Leinster’ (MA thesis, University College Dublin, 1982), pp. 15-22; Virginia Crossman, *Local government in*

jurors' importance as agents in urban governance was amplified by the fact that many, in addition to their county expenditure duties, were also often substantial urban landlords. Some, such as Lord Bantry, essentially owned their towns and were able to use this powerful position to map out their plans for new public spaces and buildings. At the same time, Lord Bantry was almost always a member of the Cork county grand jury, and in this respect, there was an unavoidable conflict between the best interests of his town and the best interests of his county.²¹ In the following three case-studies, which are representative of grand-jury politics nationally at the time, the principal landlord of the town was also a member of the county grand jury when that body decided to build a new prison in their town.

It could be suggested that grand juries possessed a high degree of agency in prison building, but in practice their power was much more diffuse. As previously noted, in 1786, many years before the formal Act of Union between Great Britain and Ireland, the old Irish parliament appointed its first central-government prison inspector. Jeremiah Fitzpatrick's role was to produce reports, give advice, gather information and use his position as an 'expert' to lobby grand juries to improve their prisons. His role was similar to Howard's but differed in several key aspects: it was salaried, permanent, and carried with it the endorsement of the state. The template provided by Fitzpatrick's position had been studied in detail by historians, such as Oliver MacDonagh, who were interested in understanding the origins and growth of Victorian bureaucratic government.²² Though Fitzpatrick's successor – the Rev. Forster Archer – was seen by contemporaries as ineffective in his role, knew little about prison building and was distracted by unrelated political activity, the position of Inspector General survived through to the 1820s

nineteenth-century Ireland (Belfast, 1994), pp. 33-41; and David Broderick, *Local government in nineteenth-century County Dublin: the grand jury* (Dublin, 2007), pp. 7-17. The development of the Irish Poor Law (1838) can also be read as a rejection and usurpation of the discredited grand-jury system of local government.

²¹ See for example *Freeman's Journal*, 31 March 1823.

²² Oliver MacDonagh, *The Inspector General, Sir Jeremiah Fitzpatrick and the politics of social reform, 1783-1802* (London, 1981), esp. pp. 319-26; MacDonagh's classic studies are 'The nineteenth-century revolution in government: a reappraisal', *The Historical Journal* 1:1 (1958), pp. 52-67, and *Early Victorian government, 1830-1870* (London, 1977). See also Butler, 'Rethinking the origins of the British Prisons Act', pp. 721-31.

when a British chief secretary for Ireland, Charles Grant, used it as the basis for a more elaborate and powerful agency of the state.²³ The inspectorate now grew to two salaried officials – James Palmer and Benjamin Woodward – both former army men from influential and respectable Irish Protestant families, and who were given the power, for the first time in either Britain or Ireland, to shut down the worst of the unreformed prisons.²⁴ Such draconian policies were the result of endemic grand-jury corruption and the dismal state of so many small prisons (known as bridewells) in Ireland. However, the option of abolishing a town’s prison was one that the inspectors used very rarely, preferring instead to lobby more discreetly, to publish unflattering remarks in their annual reports to parliament, and to contrast neighbouring countries so as to shame or embarrass grand jurors into action.²⁵ These were all ‘soft’ powers – but they were rather surprisingly effective for officials who visited provincial towns perhaps only once or twice each year – and coupled with a government loans scheme, Palmer and Woodward oversaw in their first decade in office the building of almost 100 new prisons, both county gaols and bridewells.²⁶

It would be too simplistic to suggest a linear relationship here between central government, the prison inspectors, the grand juries, and the architects and builders of new prisons. This would not give a full picture of how urban agency was expressed in these towns. The prison inspectors might have seemed autonomous and powerful, but they were shadowed by a little-remembered civil-society charity that had a brief flowering in the late 1810s and 1820s. This was the Association for the Improvement of Prisons and of Prison Discipline in Ireland

²³ Brian Inglis, *The freedom of the press in Ireland, 1784-1841* (London, 1954), pp. 88-89; MacDonagh, *The Inspector General, Sir Jeremiah Fitzpatrick*, pp. 319-26; and Butler, ‘Rethinking the origins of the British Prisons Act’, pp. 736-44.

²⁴ Prisons (Ireland) Act, 1821, 1 & 2 Geo. IV, c. 57, s. 8; Prisons (Ireland) Act, 1822, 3 Geo. IV, c. 64, s. 31. See also Butler, ‘Rethinking the origins of the British Prisons Act’, pp. 730-31.

²⁵ For example, at Castleblayney, Co. Monaghan: see *Prisons of Ireland: report of inspectors general, 1823*, H.C. 1823 (342), x, p. 36.

²⁶ *Eighth report . . . on . . . the prisons of Ireland, 1830*, H.C. 1830 (48), xxiv, pp. 13-15; *Ninth report . . . on . . . the prisons of Ireland, 1831*, H.C. 1830-31 (172), iv, pp. 7-9, 11-13.

(AIPPD), founded in 1818.²⁷ Formed of an alliance of evangelical Anglicans and middle-class Quakers, the AIPPD had influential connections in Dublin banking circles, maintained a close relationship with their namesakes in London, as well as celebrity reformers such as Elizabeth Fry.²⁸ Furthermore, it benefitted from the early patronage of the evangelical Anglican, Charles Grant, during his time as Irish chief secretary.²⁹ The relationship between Grant and the AIPPD worked in both directions: the AIPPD publicised the condition of Irish prisons, but Grant also asked the AIPPD for advice when drafting new prison legislation.³⁰ Not only did the AIPPD directly influence the new prison inspection system, but throughout the 1820s they published parallel annual reports on Irish prisons, sometimes – for example in their reporting on conditions in Nenagh, Co. Tipperary – contradicting and challenging what the inspectors found on their own visits.³¹ They carefully watched the work of the inspectors – they inspected the inspectors. Their sanctimonious interventions in local urban governance were both a blessing and a burden: on one level, the inspectors could not afford to be lazy, but on another level, they could leverage the respectability of the AIPPD in their own lobbying with grand jurors. While the inspectors were employed by the government, they were steered by the AIPPD. They were as much the agents of central government as they were an executive arm of the AIPPD, and as such they encapsulate rather well what Morris refers to as that ‘blurred boundary’ between the state and civil society. In turn, the AIPPD, to borrow from Graeme Morton’s work on civil

²⁷ Anon., *A statement of the objects of the association for the improvement of prisons and of prison discipline in Ireland* (Dublin, 1819); Anon., *First report of the association for the improvement of prisons and of prison discipline in Ireland, for 1819* (Dublin, 1820), pp. 5-6.

²⁸ The Society for the Improvement of Prison Discipline (SIPD) was founded in London in 1816 – see Robin Evans, *The fabrication of virtue: English prison architecture, 1750-1840* (Cambridge, 1982), pp. 239-41. The Society for the Improvement of Prison Discipline in Scotland (SIPDS) was founded c. 1830 – see Anon., *Address by the committee of directors of the society for the improvement of prison discipline in Scotland* (Edinburgh, 1835), pp. iii-xvi. For the AIPPD, see Butler, ‘Rethinking the origins of the British Prisons Act’, pp. 729-31.

²⁹ *Fifth report of the association for the improvement of prisons and of prison discipline in Ireland, for 1823* (Dublin, 1824), p. 3.

³⁰ See for example T. Taylor to Charles Grant, ‘Report on the Richmond general penitentiary’, n.d. [1819] (National Archives of Ireland, CSORP 1819 106P).

³¹ For example, at Nenagh, Co. Tipperary in 1825-26 – see *Fourth report . . . on . . . the prisons of Ireland, 1826*, H.C. 1826 (173), xxiii, p. 52; *Fifth report . . . on the . . . prisons of Ireland, 1827*, H.C. 1826-27 (471), xi, p. 59; Anon., *Seventh report of the association for the improvement of prisons and of prison discipline in Ireland, for 1826* (Dublin, 1826), p. 29.

society in nineteenth-century Scotland, were both ‘enshrined’ and ‘empowered’ by the state.³²

They can be seen as one constituent in an Irish ‘mixed economy of welfare’ in the 1820s.³³

The prison inspectors and the AIPPD depended on what could be termed ‘soft’ powers, but there were two other agents in Irish towns – both based primarily in the capital – who had much more clout in decisions concerning prison building programmes. They were the assize judges and the privy council, both of course much closer to the state than to civil society. If grand jurors refused to build a new prison – as they often did citing financial concerns – a judge could force what was known as an ‘imperative presentment’ or forced expenditure on them.³⁴ This threat was rarely if ever followed through, but much more common was for assize judges to read out the inspectors’ reports, or those of the AIPPD, in what amounted to an elaborate shaming exercise. The other agents to consider were the Irish privy council. One of their responsibilities was to resolve disputes about the location of new prisons when grand juries were evenly divided, and in the context of this paper it is noteworthy that in making their decisions they almost always called in the prison inspectors as ‘expert witnesses’ and trusted their testimony.

The building of a prison, then, was a negotiation between central government, all of these intermediate bodies, and the county grand juries – a thick decision-making process involving agents both in the town, in the county, and nationally (Fig. 1). Central government’s

³² Morton, ‘Civil society, municipal government and the state’, p. 350.

³³ See Geoffrey Finlayson, ‘A moving frontier: voluntarism and the state in British welfare, 1911-49’, *Twentieth Century British History* 1:2 (Jan. 1990), pp. 183-206, at p. 185; Geoffrey Finlayson (ed.), *Citizen, state, and social welfare in Britain, 1830-1990* (Oxford, 1994), especially chapter 1, ‘Citizen and state, 1830-1880: providence, paternalism, and philanthropy’, pp. 19-106; and Joanna Innes, ‘The “mixed economy of welfare” in early modern England: assessments of the options from Hale to Malthus (c. 1683-1803)’, in Martin Daunt (ed.), *Charity, self-interest and welfare in the English past* (London, 1996), pp. 139-80.

³⁴ An assize judge threatened the Kilkenny county grand jury with an imperative presentment in 1849, see *Kilkenny Moderator*, 24 Mar. 1849.

only direct role, until much later in the century, was to offer loans and grants.³⁵ The local landlord, in turn, often gave a site free of rent in his town. But the thrust of urban agency was without doubt the permeable realm of civil society and the agents of the state. It is notable too that unreformed corporations – where they existed in the years before the reform act of 1840 – had little if any involvement in prison building, and none whatsoever in my three case-studies.³⁶ Considering their historic role in urban governance this may appear at the outset somewhat surprising. But neither Bantry and Nenagh had any local government except for the county grand jury, and Carlow’s corporation had long ceased to be involved in local affairs – indeed it had long ceased to do anything.³⁷ Furthermore, throughout Ireland almost all of the old corporation-run manor prisons had been abolished by the prison inspectors by the mid-1820s.³⁸

³⁵ The programme of loans and grants began with the Prisons (Ireland) Act, 1810, 50 Geo. III, c. 103. Central government’s direct involvement in prison building, from the late 1830s onwards, was a result of a strengthened Board of Works and reforms to grand-jury law, see especially Assizes (Ireland) Act, 1850, 13 & 14 Vict., c. 85. All Irish prisons were brought under full central government control in 1877 with the establishment of the General Prisons Board.

³⁶ Municipal Corporations (Ireland) Act, 1840, 3 & 4 Vict., c. 108.

³⁷ Samuel Lewis, *A topographical dictionary of Ireland* (2 vols., London, 1837), 1:186, 1:261-63, and 2:423. See also Matthew Potter, *The municipal revolution in Ireland: a handbook of urban government in Ireland since 1800* (Dublin and Portland, OR., 2011), pp. 70-136.

³⁸ Prisons (Ireland) Act, 1826, 7 Geo. IV, c. 74, ss. xcvi-xcvii.

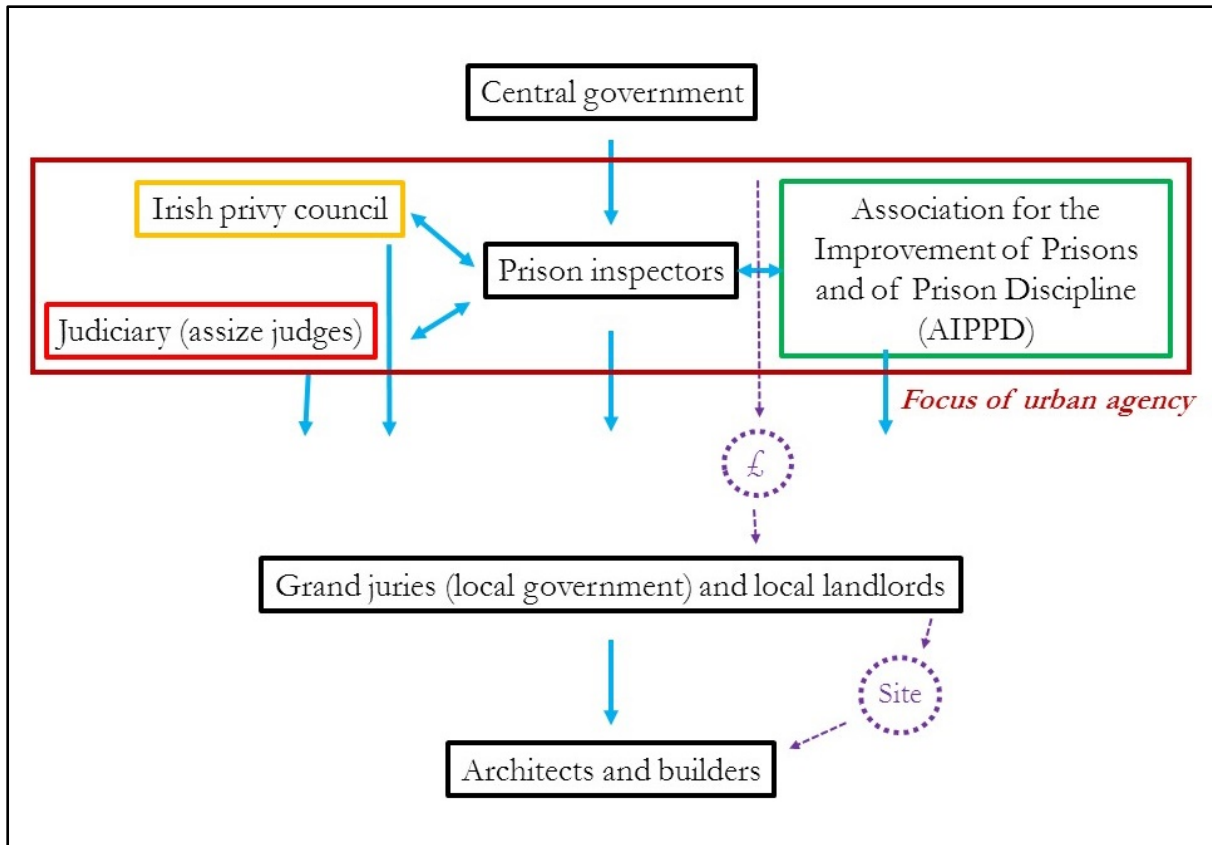


Fig. 1. Building prisons in early nineteenth-century Ireland: a map of urban agency.

Civil society and respectability

Civil society is a powerful concept that means more than simply associational culture: it also embodies certain values that can be called upon in negotiations of urban governance. In several southern counties in Ireland in the 1820s we can see how the AIPPD and the prison inspectors relied on appeals to these values. Bridewell prisons – the local jails in small towns such as Bantry – remained outside central government intervention until Palmer and Woodward’s appointment in 1822. Without any sense of comprehensive regulation, many were dismal ‘black-holes’ where men and women were locked up in a single room for weeks on end, often without food. In others, such as Youghal, Co. Cork, ‘the indiscriminate and uncontrolled admission of visitors’ was such that one man was ‘permitted to keep a musical academy (a scene

of shameful disorder and dissipation)’ in his cell.³⁹ For the AIPPD and the prison inspectors, the solution to these perceived abuses would be two-pronged: a large programme of building new bridewells to standardized designs, and a new system of management centred on what were termed Boards of Superintendence, where the actions of the local prison keeper would be regulated and monitored. Many grand juries resisted the new system on the grounds that it represented political interference or that the cost of building so many new prisons would be economically prohibitive. The county of Cork was the first to implement the reforms, and with the help of government loans, the grand jury expanded the county gaol, built a dozen new bridewells, and set up a new system of central management. The county’s prisons were lauded by the prison inspectors as a ‘model’ system for others to emulate.⁴⁰ One of these new prisons was in Bantry (Fig. 2), where Richard White, lord Bantry, provided a free site at one end of the town’s new market square.⁴¹ Behind the austere Greek Doric aedicule façade that faced the market was a high blank wall, which no other buildings were allowed to lean or adjoin (to guarantee security), and inside an ‘insulating passage’ separating the cells and yards from this outer wall.⁴² It was, as the inspectors wrote, ‘a very conspicuous object’ in the town – flattering the grand jurors and perhaps especially Lord Bantry – by claiming that it was ‘calculated to excite a feeling of respect connected with the administration of justice’. This was a timely remark in a part of Ireland then only emerging from years of endemic rural violence connected with the ‘Rockite’ rebellion.⁴³ The exact same design was used in six other nearby towns: a visible signifier of the new regularity that the inspectors thought characterised the Irish prison system. They

³⁹ *Prisons of Ireland: report of inspectors general, 1823*, H.C. 1823 (342), x, pp. 46-47; *Fifth report of the [AIPPD]*, pp. 20-21.

⁴⁰ *Fifth report of the [AIPPD]*, pp. 20-21; *Fourteenth report . . . on . . . the prisons of Ireland, 1836*, H.C. 1836 (118), xxxv, p. 43.

⁴¹ *Prisons of Ireland: report of inspectors general, 1824*, H.C. 1824 (294), xxii, p. 45.

⁴² This was in accordance with the Cork Board of Superintendence rules for bridewells, see *Sixth report . . . on . . . the prisons of Ireland, 1828*, H.C. 1828 (68), xii, p. 81.

⁴³ *Fifth report . . . on the . . . prisons of Ireland, 1827*, H.C. 1826-27 (471), xi, p. 45. For the Rockite rebellion, see James S. Donnelly, Jr., *Captain Rock: the Irish agrarian rebellion of 1821-1824* (Madison, WI., 2009). See also Richard J. Butler, ‘Cork’s courthouses, the landed élite and the Rockite rebellion: architectural responses to agrarian violence, 1820-27’, in Kyle Hughes and Donald MacRaild (eds), *Crime, violence, and the Irish in the nineteenth century* (Liverpool, 2017), pp. 87-111.

commented in their reports that the new Cork bridewells would ‘surpass those of any other country; and why? Because they *in Ireland alone* form part of a *system*’ (the italics original).⁴⁴

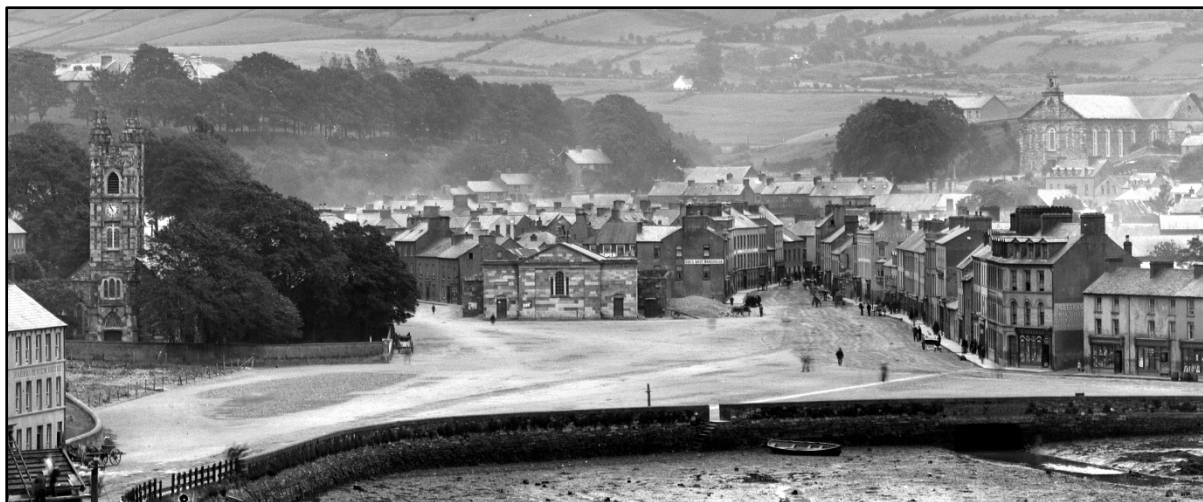


Fig. 2. Bantry market square c. 1900, Co. Cork, showing the new pedimented courthouse and bridewell prison built in the 1820s. Courtesy of the National Library of Ireland (Fergus O'Connor collection).

The Cork ‘model’ was used by the prison inspectors throughout the 1820s and early 1830s as a symbol of engagement with the civic duties and humanitarianism of the AIPPD-led penal-reform movement. Cork’s ‘model’ system – as the most advanced in any Irish county – represented grand-jury respectability and could thus be used as leverage against other grand juries who resisted calls for prison building projects. We can see this dynamic at work in Cork’s neighbouring counties in the late 1820s: Clare, Limerick and Waterford committed to new bridewell prisons in 1825, and Kerry followed in 1827.⁴⁵ It is clear that some grand jurors acted out jealousy and a sense of competition – feelings amplified by the many business and kinship connections between leading the landlords of the Munster region, and the comments of assize judges who covered much of the entire region in their biannual ‘Munster’ circuit.⁴⁶ The inspectors leveraged their influence to make sure that this happened – even to the extent of

⁴⁴ *Eleventh report . . . on the . . . prisons of Ireland*, H.C. 1833 (67), xvii, p. 8.

⁴⁵ *Fifth report . . . on the . . . prisons of Ireland, 1827*, H.C. 1826-27 (471), xi, p. 10.

⁴⁶ For the assize circuits, see *Freeman’s Journal*, 13 August 1827. For an expression of this jealousy, see Henry Westenra to William Gregory, 25 July 1827 (National Archives of Ireland, CSORP 1827/1453).

suggesting similar designs by the same architect.⁴⁷ The process was iterative, and by the early 1830s it was another tranche of neighbouring counties – Tipperary and Galway – that were being singled out for criticism with specific reference to the achievements of their neighbours and Cork in particular.⁴⁸ The prison inspectors’ criticisms had the least impact on the parsimonious grand jurors in a few northern counties – Londonderry, Antrim, Down, and Armagh – and by the mid-1830s the repeated comparisons between their old dungeons and the new prisons in southern counties made for uncomfortable reading.⁴⁹

The prison inspectors’ annual reports were powerful sources of information, and as noted above they were cited and analysed by civil-society groups such as the AIPPD. They were given significant authority by being published by parliament. However, much more influential was the fact that they were exploited by assize judges, who read them out on their tours around the country. The harsh words of judges often appeared alongside extracts from the annual reports in the rapidly expanding provincial press of the time. By their distribution through local papers, the reports were much more widely read than if they had been solely for bureaucratic consumption. Furthermore, publicity was a favourite concept of penal reformers of the early nineteenth century, both in Britain and Ireland, as it was seen as an antidote for irregular practices at the edge of the state. For the AIPPD, exposing unacceptable prison conditions was part of a statement of their sense of élite status, citizenship and civic responsibility – their gift to the poor who were unfortunate enough to find themselves imprisoned – and part an expression of their desire to reform the poor by granting them ‘rational’ modes of punishment and reformation.⁵⁰ Publicity was their tool and holding grand jurors to account was how they proposed to ‘improve’ the poor. They were, after all, the association both for the improvement

⁴⁷ Curry to Woodward, 13 Aug. 1824 (National Library of Ireland, Lismore papers, MS 43/388/5).

⁴⁸ *Eleventh report . . . on . . . the prisons of Ireland, 1833*, H.C. 1833 (67), xvii, pp. 23, 30.

⁴⁹ *Twelfth report . . . on . . . the prisons of Ireland, 1834*, H.C. 1834 (63), xl, pp. 45-46.

⁵⁰ For the application of Mauss’s ‘gift’, see Gareth Stedman Jones, *Outcast London: a study in the relationship between classes in Victorian society* (Oxford, 1971), pp. 241-61, esp. p. 252; and Finlayson, *Citizen, state, and social welfare in Britain, 1830-1990*, pp. 19-106, esp. pp. 45-63.

of prisons *and* of prison discipline. In this there was some divergence between their ideal and that of the salaried government prison inspectors – and this, as noted above in relation to Nenagh, sometimes resulted in friction between apparent allies. They had much more in common with their sister society in London and a close-knit clique of mostly evangelical penal reformers. Sydney Smith, one of their acolytes, wrote in 1822 that ‘the great panacea is publicity: it is this which secures compliance with wise and just laws’.⁵¹ The AIPPD took it upon themselves to ensure that this wisdom and justice reached the far shore of the Irish sea.

In the decision to extend the county gaol at Carlow in the late 1820s we can see this dynamic of publicity at work. Carlow’s grand jurors had little interest in the new bureaucratic prison inspectors, and in the early 1820s they simply ignored their advice.⁵² They planned and built two new bridewells in the market towns of Bagenalstown and Tullow, but neither conformed with the design guidelines established by law and enforced by the inspectors. Embarrassingly, the bridewells had no sooner opened than they were condemned as illegal and shut down by the inspectors.⁵³ This incompetence had been condoned by a sympathetic assize judge, Lord Norbury, who took little interest in the prison reports and a lot of interest in the social (and gastronomical) pleasures of his visits. Norbury, who had forged his reputation in his brutal suppression of Catholic rebels during the uprising of 1798, praised the supposed civic responsibility and sense of duty of the entirely Protestant Carlow grand jurors, calling them a ‘valuable resident gentry . . . of high intellectual qualifications [and] the proud aristocracy of Ireland’.⁵⁴ His addresses made clear his opposition to Daniel O’Connell and the campaign for Catholic emancipation, and his general disinterest in reforming prison conditions.

⁵¹ Sydney Smith, ‘Prisons’, *Edinburgh Review*, 1822, pp. 162-71.

⁵² *Fifth report . . . on the . . . prisons of Ireland, 1827*, H.C. 1826-27 (471), xi, p. 43.

⁵³ *Eighth report . . . on . . . the prisons of Ireland, 1830*, H.C. 1830 (48), xxiv, p. 46.

⁵⁴ *Freeman’s Journal*, 25 March 1826. For Norbury, see Ronan Keane, ‘John Toler, first earl of Norbury’, in H. C. G. Matthew and Brian Harrison (eds), *Oxford dictionary of national biography* (60 vols., Oxford, 2004), 54:900.

The importance of assize judges as agents in urban governance – however geographically distant they were from the town in question – is confirmed by Norbury’s retirement and succession by a younger and less sympathetic colleague, Charles Kendal Bushe, from the spring assizes of 1827 onwards. Bushe, the lord chief justice of Ireland, immediately drew the attention of the grand jurors to the ‘very imperfect jail’ in their county town. Mentioning his power to compel them into action, he went on suggest that they should read what had appeared in the prison inspectors’ latest report. He compared them unfavourably to their colleagues in County Meath, where a much more ambitious new county gaol was about to be built. And not content with this dressing down, he added that the county courthouse where they were meeting was neither clean nor tasteful, ‘odious’ and ‘a reproach to the county’.⁵⁵ There was no mention of a ‘proud aristocracy’, and the change in tone was too clear for the grand jurors to ignore. For some years, the prison inspectors (and the AIPPD) had been highly critical of the county gaol, writing for example that they had ‘seldom inspected a gaol where more slovenliness was discernable’, and little if any public money had been invested in the institution for a generation.⁵⁶ Remarkably, within hours of Bushe’s caustic intervention, the grand jurors agreed to spend £12,000 on extensions to the gaol and a similar amount on an entirely new county courthouse – perhaps the grandest provincial courthouse ever built in Ireland.⁵⁷ In considering urban agency, it is useful to consider the mechanics by which the assize judge pushed these local élites into action. The decision was forged though a combination of appeals to civic duties and concepts of respectability – invoking the ‘common good’ –, and furthermore detailed references to the public reports of the prison inspectors and unfavourable comparisons with conditions in nearby

⁵⁵ *Finn’s Leinster Journal*, 11 April 1827.

⁵⁶ *Fifth report of the [AIPPD]*, p. 28; *Prisons of Ireland: report of inspectors general, 1825*, H.C. 1825 (493), xxii, p. 27.

⁵⁷ Charles Burke to William Gregory, 19 July 1828 (National Archives of Ireland, CSORP 1828/556). See also his comments the following year, *Finn’s Leinster Journal*, 19 July 1828.

counties.⁵⁸ The critical relationship was, it can be argued, between the prison inspectors and the assize judge, the former as the producers of a new kind of bureaucratic knowledge, the latter as the public face of a new network of information and publicity. Both sides in turn relied on the intellectual underpinning provided by the social cache of the AIPPD as an exemplar of civil society.

Experts and economic dividends

As noted above, there was also tension between the AIPPD and the prison inspectors – the inspectors were also being inspected. Yet the AIPPD’s peak years of influence in Irish towns were rather limited and by the late 1820s they had been, to a large degree, superseded by the duo of inspectors. Their last surviving publication dates from 1827.⁵⁹ While some of their members migrated to a related group, the Hibernian Ladies’ Society for Promoting the Improvement of Female Prisoners – a middle-class society which, among other activities, made prominent visits to prisons to read scripture to the poor –, the hey-day of civil-society involvement in prison reform had passed.⁶⁰ In its place the inspectors built up their own knowledge and experience, and as the number of unreformed prisons fell through the 1820s, the balance of power shifted more in favour of the inspectors at the expense of organisations such as the AIPPD. Much of what had brought the AIPPD together in the previous decade had by then been achieved, and they fell into abeyance almost as quickly as they had sprung up. The prison inspectorate, by contrast, was staffed by the same two officials for over twenty years. In my final case-study, I will consider the extent to which the inspectors emerged as ‘experts’ and as brokers of power in

⁵⁸ Richard Rodger, ‘The “Common Good” and civil promotion: Edinburgh, 1860-1914’, in Colls and Rodger, *Cities of ideas*, pp. 144-77; and Malcolm Noble, ‘The Common Good and borough reform: Leicester, c. 1820-50’, *Midland History* 41:1 (Spring 2016), pp. 37-56.

⁵⁹ Anon., *Analysis of the Inspectors Generals’ report on the prisons, &c. of Ireland, for the year 1827* (Dublin, c. 1828) (a copy survives in the National Library of Ireland).

⁶⁰ Luddy, *Women and philanthropy in nineteenth-century Ireland*, pp. 149-75.

towns between competing national and local bodies.⁶¹ The new county gaol at Nenagh, Co. Tipperary was different to the other two case-studies in that the building project was related to the town's new status as a venue for the assizes. County Tipperary was one of the most violent rural regions of the United Kingdom, and to deal with severe overcrowding in the existing county courthouse and gaol in the southern market town of Clonmel, the county was split in 1836 into north and south ridings.⁶² This meant that a new courthouse and gaol would need to be built somewhere in the north riding, and two towns – Nenagh and Thurles – emerged as the most eligible sites. The decision over which would benefit from the new public buildings shows how critical was the role of the prison inspectors.

It fell to the Irish privy council to decide between the two towns, both of approximately the same population, and both in relatively central locations. Both already had small courthouses and bridewells that could have been extended to save paying for entirely new buildings, and the issue of existing buildings was a factor in the privy council hearings, where representatives from both towns were allowed to call experts to make their respective cases. Thurles put forward a local engineer, Patrick Leahy, a salaried county surveyor. He estimated that the existing prison in Thurles could be enlarged for £4,000. Cross-examined by a judge, Leahy's figures were quickly undermined and the questioning was soon halted when the judge commented that it was clear that Leahy did not understand the building of courthouses or prisons. His expertise lay in road and bridge design, and his amateur knowledge of prison building weakened the Thurles position. Instead, the decisive intervention came from Palmer as one of the two prison inspectors: he highlighted the many problems that would be associated with enlarging the existing bridewell at Thurles, argued that a prison of the size required would cost three times as much as suggested by

⁶¹ The effectiveness of the inspectors was questioned by some contemporary writers. For a dissenting opinion, see Alexander Wilson, *Outlines of a plan for the improvement of prison discipline, wherein are shown, the evils of the present system, how those evils may be removed, and the expense for supporting prisons considerably reduced* (Dublin, 1830), pp. 7-9.

⁶² Murphy, *The two Tipperarys*, pp. 27-57; James W. Hurst, 'Disturbed Tipperary, 1831-1860', *Eire-Ireland* 9:3 (1974), pp. 44-59.

Leahy, and concluded that Thurles had no advantages over Nenagh on the issue of existing prison buildings. The privy council concluded that Nenagh should be the new assize town.⁶³ Palmer's influence here stemmed from his fifteen years of experience in seeing prisons being built all around the country and his accrued knowledge on the subject. Significantly, when similar disagreements surfaced over the location of a new county gaol in neighbouring County Waterford in the following decade it was again Palmer's intervention at the privy council that sealed the decision.⁶⁴

What does this tell us about how urban agency worked in these towns? Massard-Guilbaud, in her study referred to above, highlights what she terms the 'significant place granted to [central government] "experts" . . . in the decision making process' in nineteenth-century French towns.⁶⁵ Similarly in Britain, Morris highlights the centrality of those paid officials who 'possessed specialist and professional forms of knowledge which justified their decisions and power'.⁶⁶ In Ireland the mechanics of urban agency were rather similar and it was the prison inspectors that assumed the role of being 'experts'. Their influence grew out of their position the officially sanctioned gatherers of knowledge – their voluminous reports, the system by which this information was distributed via the assize circuits and the provincial press, and the healthy stimulus provided by the AIPPD and other charitable societies. They affected the economic and morphological development of towns by discrete interventions and from a process of negotiation with town and county élites – and did so through invoking concepts of respectability and civic duty.

⁶³ Privy Council minute book, 16 June 1837 (National Archives of Ireland, PCO MB 8, ff. 63-65); Privy Council proclamation book, 8 Nov. 1838 (National Archives of Ireland, PRO PB 1); *Clonmel Advertiser*, 10 Aug. 1836 and 21 June 1837. See also Murphy, *The two Tipperarys*, pp. 87-91, 104-5.

⁶⁴ *Ibid.*, pp. 283-314.

⁶⁵ Massard-Guilbaud, 'French local authorities', p. 153.

⁶⁶ Morris, 'Governance', in Morris and Trainor, *Urban governance*, p. 6.

For Nenagh, the decision to build a new county gaol (and courthouse) had very real physical and economic impact. The town immediately gained a new newspaper when the *Clonmel Advertiser* shut down, moved its offices to Nenagh and reopened as the *Nenagh Guardian*.⁶⁷ Thereafter the *Nenagh Guardian* covered in great depth the economic boom in the town caused by these large building projects. We find articles covering the laying of the foundation stones for the courthouse and gaol – events accompanied by immense processions and festivals. Through the early 1840s – when few other southern Irish towns were expanding – Nenagh gained paved streets, gas-lighting, and even the speculative development of houses and shops on the two new streets leading to the new courthouse and prison (Fig. 3).⁶⁸ Peter Street, named after Peter Holmes – the town’s principal landlord and a frequent member of the north Tipperary grand jury – provided an axial vista for the classical splendour of the new county courthouse and the formidable rusticated entrance gate of the nearby gaol. The decision to bring the assizes to Nenagh was, morphologically, the most important event in the history of the town, and continues to shape its streets and buildings today. Peter Street became the preferred location for well-to-do businesses and middle-class townhouses. At the heart of this transformation was the agency of two central-government ‘experts’ who had no *formal* role in the urban governance of the town: the prison inspectors.

⁶⁷ *Clonmel Advertiser*, 17 March 1838; *Nenagh Guardian*, 21 July 1838.

⁶⁸ *Clonmel Advertiser*, 17 March 1838; *Nenagh Guardian*, 8 Dec. 1838, 23 March 1839, 6 May 1840. See also Murphy, *The two Tipperarys*, pp. 128-9.

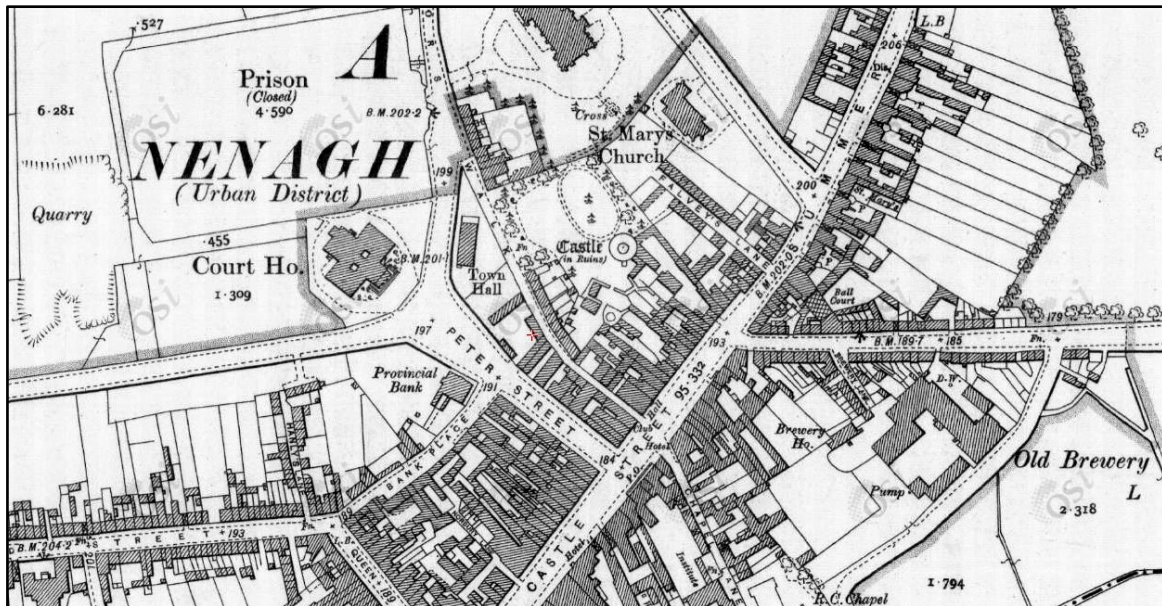


Fig. 3. Nenagh Co. Tipperary, surveyed 1902. This 25" Ordnance Survey map shows the new quarter of the town laid out around the courthouse and gaol that were built in the 1840s (the prison had closed by the time of this map). Courtesy of Ordnance Survey Ireland/Government of Ireland.

Conclusion

What do these case-studies tell us about urban governance in nineteenth-century Ireland, and how is the simple question of ‘who builds the buildings’ a useful angle for urban historians to pursue? First, there was a very clear overlap between the realms of civil society and the state – typified by the relationship between the AIPPD and the Irish prison inspectors. Furthermore, the prison inspectors’ agency in towns was mostly restricted to what we can term ‘soft’ power – to lobby, expose, embarrass, or shame. To make this power effective, it had to be legitimised – and this, it can be concluded, was done by relying on the social and cultural capital of civil society, and in particular the influential patrons of the AIPPD. This relationship gave an impetus for grand jurors at a county level to take an interest in the condition of their prisons – something that had been all but absent in late eighteenth-century Ireland. By looking at these power relationships, we gain a better understanding of how the state and civil society worked in the governing of Irish provincial towns. The Irish experience had parallels with France, as noted above, but also with the rest of the United Kingdom at this time. Morris argues that there was a ‘paradox’ in central-local relationships, with the ‘total dependence’ of the autonomy of individual

cities on central-government legislation – something he argues was apparent when ‘a local élite required some form of legislation’.⁶⁹ The legal and administrative scaffolding was almost always enshrined by the national rather than the local. But in these Irish case studies what is perhaps most striking – and deserving of further attention – is the extent to which, in the years before municipal corporation reforms brought effective local government to these towns, decisions affecting their condition, morphology and economic status were often decided by what can be termed ‘external’ actors – and as a corollary how little agency local figures in these towns had in their own governance, and how their authority was always conditioned, moderated, and resisted by other strata of agents.⁷⁰ The case studies also bring into sharper relief the decisive – if short-lived – role of philanthropic societies operating across the permeable and blurred alliance between the state and civil society. Further investigation into both grand-jury deliberations and the structure of the AIPPD may reveal an under-appreciated and early Irish ‘mixed economy of welfare’ operating within and between metropolitan and provincial urban centres in the nineteenth century.

⁶⁹ Morris, ‘Governance’, in Morris and Trainor, *Urban governance*, p. 8.

⁷⁰ For an alternative interpretation, see Matthew Potter, *The municipal revolution in Ireland: a handbook of urban government in Ireland since 1800* (Dublin and Portland, OR., 2011), pp. 13-136.