

Chapter 6

The 'Inhabitants' vs. the 'Sovereign': A Historical Ethnography of the Making of the 'Middle Class' in an Irish Corporate Borough, 1840–1

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The centrality of ethnography to the discipline of anthropology continues to be reiterated – by new tropes and through contested meanings – both from within the discipline (e.g. Comaroff 1992; Wolf 1990) and from outside (e.g. Giddens 1984: 284). Given this simultaneous centrality and contentiousness, it is helpful to look to the work of a particular practitioner and to draw from it both broad patterns and specific concerns which can continue to inform the discipline and the doing of ethnography. In the ethnographic corpus produced by P. H. Gulliver, and through his theoretical viewpoints, we can in fact find such broad themes and particular interests, even as his writings necessarily changed over time, along with anthropological paradigms and vocabulary.

Overall, Gulliver's work has displayed his firm commitment to the ethnographic analysis of material relations and social change in small-scale locales contextualized in wider arenas and historical understandings with the aim of, and underpinned by, theory. Nested in these broad themes, however, have been several narrower foci which have provided him with the vehicles for addressing them. These narrower concerns can be summarized as interdependent dualities, and they have permeated, in different ways and with different degrees of emphasis, the numerous analytical ethnographies which he has produced. They are the simultaneity of 'conflict' and co-operation, of disputes and dispute-management, and of individual action and the formation of collectivities.¹ In the present chapter, I explore aspects of these

narrower concerns in the spirit of the broader patterns which have typified Gulliver's work.

Methods, Concepts, Questions and Problems: An Ethnographic Endeavour

In 1979 Philip Gulliver and I began a joint project in the Republic of Ireland in a town and its rural hinterland.² By contrast with field conditions in East Africa, Gulliver found extensive archives and an established historiographic tradition. He also encountered essential differences as compared with, for example, such 'simple milieux' as Ndendeuli settlements in Tanzania. The latter were small (32 to 42 households), unstratified, economically undifferentiated and actualized by 'relationships, especially those which involved rights and obligations ... framed within the powerful idiom of kinship' (1977: 37). In contrast, the Irish research locale contained 507 households differentiated by strata (lifestyle) and class (access to the means of production). It was these differences which structured rights and obligations, whilst kinship played a more muted role, although it contributed to the reproduction of class differences and provided an emic map for daily social interaction (Gulliver and Silverman 1990). In other words, 'kinship linkages' in Thomastown did not cause differential access to the means of production; nor were they 'representations of exchange relationships' as amongst the Ndendeuli, nor the basis for 'both cooperation and competition' in the public sphere (Gulliver 1977: 38-9).

Nevertheless, the public sphere in Ndendeuli and in Thomastown were strikingly similar in at least one respect. Neither possessed corporate groups of the kind which elsewhere structured relations of 'conflict' and co-operation, gave rise to disputes and processes for their management, and prescribed fundamental affiliations and, therefore, the composition and actions of collectivities. In both Ndendeuli and Thomastown, politics and collective action were diffuse - actualized out of situational events and out of the intersection of, on the one hand, individual and collective lived experiences and, on the other, material interests. Thanks to Gulliver's work (1971, 1977), we know how this operated along the kinship nexus in several 'simpler milieux' at the times he did his research. How, though,

did it operate in Thomastown? To answer this question, I first look at the methods, concepts, questions and problems which relate particularly to aspects of our research in Thomastown and to the historicity of the locale.

The 'Body Corporate': Thomastown Borough in History

The town of Thomastown was founded in about the year 1200 as a military base for Norman colonial consolidation in that part of south-eastern Ireland and, importantly, as a trading depot at the head of navigation on an inland river system which connected both it and Kilkenny city, about 15 miles upriver, to world markets. The foundation charter of the town, and later royal charters too, gave numerous rights to the borough's inhabitants: to collect tolls, to hold markets and a court and, after 1553, to be 'for ever, ... a body corporate' (Parliamentary Paper 1835: 573-4) and to send two members to the Irish parliament (Pilsworth 1951: 37). A surviving folio from 1693 lists the freemen and burgesses of the borough at the time. The Corporation had, as its 111 members, 'gentlemen', 'merchants', 'boatmen', artisans, 'yeomen' and a 'labourer'. Clearly the borough in the seventeenth century was a highly stratified place. Indeed, the centrality of class in south-eastern Ireland has been noted more generally. Of County Kilkenny, Cullen wrote: 'To a degree rare in Ireland it is possible in the case of Kilkenny to look at social problems without the complicating intervening factors of race and religion' (1990: 288).

In 1802, an observer described Thomastown at the time:

The want of any resident officer of the corporation ... is greatly felt, there being no person to quarter soldiers, abate nuisances, to regulate weights or markets; ... the corporation courts too, if held according to charter, might be of great service, as the cheapest and the most convenient mode of redress, for those within the liberties (Tighe 1802: 464).

This decay in the 'body corporate' was hardly surprising. Penal laws introduced at the turn of the eighteenth century meant that 'Catholics could not sit in parliament or, between 1728 and 1793, vote in parliamentary elections. They were [also] excluded from municipal corporations' (McCracken 1986: 37). After 1728, then, most of the town's inhabitants could not take part in Corporation business or be appointed to the Corporation. Instead, those who

became freemen and burgesses were non-resident Protestants who, by 1740, had been appointed by, and owed political loyalty to, a county Tory family, the Davises, whose main concern was to control the borough's two parliamentary seats. Members of the 'body corporate', in other words, were non-residents and uninterested in local affairs. This lack of interest increased after 1800, when the Act of Union abolished the Irish parliament and the Corporation's parliamentary seats.

In 1833, four years after the anti-Catholic penal laws were themselves abolished, a Parliamentary Commission investigated the state of municipal corporations in Ireland. Its findings in Thomastown echoed Tighe's assessment three decades before. According to the Commissioners, the Corporation 'consists of a Sovereign and Burgesses of the Town of Thomastown' and although 'the charters mention a provost, recorder, town clerk, serjeants at mace and other officers, none such are appointed'. Moreover, the Commissioners

could learn little as to the proceedings of this corporation; the sovereign [Sydenham Davis] was the only person connected with it who attended our Inquiry; he stated that he had been appointed deputy sovereign in 1818, and sovereign ... [in] 1823, and had continued sovereign since that period; but that he had little acquaintance with the affairs of the corporation. A Local Court was held here by him from the time he was appointed deputy sovereign, until about two years ago, with a jurisdiction limited to sums not exceeding 40s. Irish. ... [However] after petty sessions had been established in the town, the business of the court lessened considerably, and all proceedings in it have been abandoned for the last two years. ... We had no evidence that the corporation ever had any Property in lands. Although a Market and Fairs, with Tolls, are granted to the corporation, and tolls are still collected, the corporation do not receive or claim them.

Instead, the tolls were collected by Lord Carrick, who leased them from the owner Sydenham Davis.

The collection of these Tolls is a source of much disturbance in the town, and their legality is disputed. There are no municipal regulations here. The Streets are repaired by county presentment in the usual way. ... We were informed that the continuance of the corporation was of no advantage to the town, and that it never did any benefit to it (Parliamentary Paper 1835: 574-5).

Clearly, the 'body corporate' barely functioned. Essential services in the town were provided by state agencies – the petty and quarter sessions (law) and county juries (public works). Moreover, Corporation property, its land and the tolls, had been appropriated by the Davis family, whilst the Corporation's remaining functions, particularly the town court, were either moribund or controlled by Sydenham Davis, the local representative of that family.

In 1840, state policy encouraged municipal corporations to elect local commissioners, under an Act of George IV, to set values on local property and collect rates, and to carry out public works. Efforts by some of Thomastown's inhabitants to implement this policy exacerbated tensions in the town and gave rise to a political fracas. Much of it was recorded in a Corporation minute book which has survived and in several newspaper accounts of the time. Other archival materials supplement these, providing multiple points of entry into the dispute and background materials on the people and the structures.³ It is the historical ethnography of this dispute which I explore in this chapter.

Historical Experience and the Making of the 'Middle Class'

The particular historical experiences of Thomastown lend themselves to a certain kind of method (archival) and to the use of certain concepts (e.g. class). These allow me to explore, as Gulliver did very often, an empirical event (a dispute and its management), agency and class formation (individual and collective experiences), and the intersection of material interests and political alliances ('conflict' and co-operation). However, this particular event also allows me to pose questions which are somewhat different from those that often concerned Gulliver in his African work, precisely because Thomastown was a class-based locale for which some ethnographic fragments have survived from the distant past. One of these questions is the anomalous positioning, and nature, of the so-called middle class.

The problem of describing class structure in capitalist societies in a way which incorporates those who are neither bourgeoisie (exploiters) nor labour (exploited) has been the basis of important and lengthy debate in Marxist sociological theory. Professionals

and self-employed producers are empirical examples of categories and people who do not fit the bi-polar structure of traditional Marxist analyses (Wright 1989: 24). In the absence of an agreed-upon approach to class structure which fits these categories in, the linked issues of class formation, struggle and consciousness also have been obscured (Wright 1989: 272).

Somewhat analogously, from the perspective of social history, is that most extraordinary of absences in British historiography, the making of the middle class. In effect the middle class leaves the stage of social-historical analysis somewhere between the 1790s and 1832, and does not really re-enter it until the defeat of Chartism, and then more as a socio-cultural abstraction represented in certain administrative, religious and philanthropic practices than as a carefully specified social phenomenon (Eley 1990: 38-9).

In Thomastown in 1840, the dispute in the Corporation mobilized, in various ways and differing degrees, not only bourgeois capitalists and labourers, but also townspeople who occupied anomalous occupational positions: a landlord, a tenant-farmer, clergy, professionals, retailers and artisans. Their actions and inactions reflected, simultaneously, their lived experiences and material interests, and therefore give insight into the formation of collectivities: how those who occupied certain structural locations became political agents and actualized the interrelated processes of class formation, struggle and consciousness in a particular place and time. More particularly, through the dispute, we can see the 'middle class' as a social phenomenon – how and why it formed itself as a class for itself – in one small town in the mid-nineteenth century. Second, certain alliances and coalitions emerged as part of the disputing process: individual and collective 'conflict' and co-operation were simultaneously interlinked and mutually interdependent. Finally, the dispute itself had a particular history: its trajectory – its outbreak and management – was governed by how agency and class dynamics, and 'conflict' / co-operation, intersected and were made to intersect in Thomastown at the time. Thus, in analysis of this event, I try to show the simultaneity of individual actions and the formation of collectivities, of 'conflict' and co-operation, and of disputes and dispute-management. In so doing, I try to make an ethnographic contribution to a current issue – the making of the so-called middle class.

The Dispute: The Inhabitants vs. The Sovereign

In November 1840, as a result of a petition sent to the Lord Lieutenant of Ireland by '21 householders', Sydenham Davis – sovereign of Thomastown Corporation – was ordered to hold a meeting to determine whether the Corporation would adopt or act upon the provisions contained in an Act of George IV which provided for the 'lighting, cleansing and watching of Irish cities and towns, and [the] election of town commissioners for these purposes' (Moody *et al.* 1982: 308). From the records of this and subsequent meetings, we learn about town politics at the time. We learn how some of the town's inhabitants – of diverse sect and occupation – were brought together in opposition to, or in support of, sovereign Sydenham Davis. Such support or opposition arose from a variety of factors: the personal control which Davis exercised, the condition of local services and the way in which the Corporation functioned, the inhabitants' approval, or lack of approval, of the Act, Davis's alleged appropriation of Corporation property, disputes and alliances in other arenas – and, no doubt, because of long-standing personal animosities and friendships.

Dramatis personae

Local/Parish residents:

| | | |
|-----------------------|---|---|
| <i>Landlord</i> | Sydenham Davis* | (landlord, sovereign of Thomastown Corporation; Protestant) |
| 'Gentleman' | Hutchinson, Edward* | (Protestant) |
| <i>Farmer</i> | Cantwell, Patrick | (large farm 228 acres, Catholic) |
| <i>Professionals</i> | Clifford, William* Sterling, Myles McEnnery, Joseph Murphy, Fr F.* | (bank manager, Protestant) (doctor, Protestant) (solicitor, Catholic) (curate, Catholic) |
| <i>Industrialists</i> | Bull, William* Innes, Henry* | (flour-mill owner, Protestant) (flour-mill owner, Protestant) |

| | | |
|--------------------------------|----------------------------|--|
| | Loughlin, John* | (grist-mill owner, Catholic) |
| | Nugent, Anthony* | (brewer, Catholic) |
| | Ryan, Fr James | (tanner, priest, Catholic) |
| | Ryan, Thomas | (tanner, Catholic) |
| | Splint, Joshua | (brewer, Catholic) |
| <i>Retailers</i> | Bishop, Thomas | (publican-grocer-hotelier, Catholic) |
| | Cronyn, Edward | (grocer-draper, Protestant) |
| | Devine, Peter | (baker, Catholic) |
| | Dowling, Patrick | (draper, Catholic) |
| | Dunphy, Michael | (grocer, Catholic) |
| | Hoyne, Denis | (hardware, Catholic) |
| | Kelly, Edward | (grocer, Catholic) |
| | O'Connor, William | (baker, Catholic) |
| | Spruhan, John | (publican-grocer, Catholic) |
| <i>Artisans</i> | Walsh, Edward | (cordwainer, Catholic) |
| <i>Labourers</i> | Grace, William | (Catholic) |
| | Morris, Joseph | (Catholic) |
| | Power, Laurence | (Catholic) |
| <i>Non-local participants:</i> | | |
| | Bracken, Counsellor | (Kilkenny city; solicitor) |
| | Ebington, Lord Viscount | (Dublin; Lieutenant-Governor of Ireland) |
| | Hyland, Michael | (Kilkenny city; solicitor) |
| | Quinn, James | (Kilkenny city; solicitor) |

(* Indicates residence outside the boundaries of the medieval town wall)

The Events: November 1840 to February 1841

At the meeting ordered by the Lord Lieutenant in late November 1840 and held in Thomastown's Sessions House, tanner-priest James Ryan proposed, and retailer Peter Devine seconded, that the Act 'be put in execution so far as cleansing said town'. John Spruhan (a publican-grocer who, as is seen below, was a Davis supporter) then proposed an amendment that the meeting adjourn. Davis, in the chair, asked for a list of £5 householders, that is, those 'entitled to vote within the borough of Thomastown.' According to the minutes, he then

proposed that the galleries should be occupied by those entitled to vote [:] the gallery on the right hand to the supporters of the [Spruhan] amendment and the gallery to the left for the opponents of the same amendment and supporters of the original [Ryan/Devine] resolution. This [latter] gallery was crowded to suffocation. ... The chairman proceeded to take the votes and the amendment was decided against by a majority of 86 to 10 and the original motion carried.

It was then proposed by farmer Cantwell and seconded by retailer Devine 'that the following persons do be appointed Commissioners'. By law, all had to be £20 householders. Of those on their list, Spruhan and Davis objected to Fr S. Murphy, millers Henry Innes and William Bull, brewer Anthony Nugent, and Edward Hutchinson, 'gentleman'. Thirteen, however, were 'admitted' without objection: industrialists Fr James Ryan and Thomas Ryan (tanners), Joshua Splint (brewer) and John Loughlin (grist-miller), professionals Myles Sterling and William Clifford, farmer Patrick Cantwell, and retailers Thomas Bishop, Peter Devine, Patrick Dowling, Denis Hoyne, Edward Kelly and William O'Connor.

According to the minutes, Davis 'scrupulously examined every candidate ... proposed' by Cantwell and Devine and 'those whom he rejected ... resided outside the old Corporation bounds or walls'. Interestingly, Davis himself dwelt outside the walls; but he was not running for commissioner. Davis also refused to take any more nominations, arguing that thirteen was sufficient. A motion was then proposed (seconded by Clifford) to adjourn the meeting to the following week 'for the purpose of swearing in the said Commissioners'. Davis refused to sign either the motion admitting the Commissioners or the adjournment motion (Minutes, 27 November 1840).

At the next meeting, ostensibly for swearing in the town commissioners, those attending 'on looking over the Minutes ... found that Sydenham Davis the Chairman came back ... and wrote 'Objected' next to William Clifford and John Loughlin's name'. In addition, Davis apparently announced that he 'did not know what was done' at the previous meeting and had decided, therefore, 'to postpone' the present meeting and not to swear in the new commissioners. He left the chair and the meeting. It was then proposed by James Ryan and seconded by Innes that yet another memorial be sent to the Lord Lieutenant:

At a meeting of inhabitants of Thomastown cawled by the Sovereign ... the provisions of the 9th George 4th for cleansing said Borough were by a great majority adopted by the five Pound householders. ... Each of the Commissioners were proposed[,] seconded and duly elected by the Majority of ... said inhabitants. ... We the undersigned being the persons appointed by said Inhabitants presented ourselves before said Sovereign ... and he refuses to [swear us in.] ... We having no recourse ... pray your Excellency to issue orders to the nearest resident magistrate to swear us in said office (Minutes, 9 December 1840).

By this time, the newspapers had picked up the dispute. A report in the *Kilkenny Journal* described the above meeting as one of 'respectable people', adding that it had been attended by a Kilkenny solicitor named Bracken. 'It was rumoured that he had been retained by Mr Davis to oppose the election of the commissioners.' According to the report, after 'the minutes of the last meeting were read', Mr Clifford 'offered himself to be sworn in but was told that the sovereign Mr Davis had objected to him. ... Mr. Clifford said that they had been proposed properly and other voices agreed.' Bracken then

said that several ratepayers had retained him and they were not happy with the appointments as some of those proposed did not reside with the precincts. He refused to name the ratepayers. ... There then followed some argument as to the exact boundaries of the town and these could not be satisfactorily determined. Mr Hyland then asked the chairman to proceed with the swearing in. ... Rev Mr Ryan ... offered himself for swearing in saying that there was no objection raised to him at the last meeting. Chairman [Davis] said he couldn't remember. Chairman then said that the commissioners were not proposed and seconded the last day. This remark was met with voluble protest from many present. ... Chairman [also] denied proposing a resolution at the last meeting that they adjourn and meet on this day to swear in commissioners. This lead to heated remarks by Mr Clifford. There followed much argument with the Chairman denying most of the alleged happenings at the last meeting. He then adjourned the meeting for a fortnight but refused to sign the notice of adjournment. He then left the courthouse to the groans and hisses of the meeting (*Kilkenny Journal*, 12 December 1840).

A few weeks later, a letter appeared in another newspaper which stated that 'very little reliance can be placed upon [the above-mentioned *Journal* report] as it only gives the sentiments of

those who were opposed to the Sovereign fully.' It conceded, however, that

we [do] learn from the Report ... that the Commissioners appointed in a clumsy and illegal manner on a former day were not sworn in by the Sovereign on the grounds that the proceedings were irregular and not conformable to the Act of Parliament. ... [And] if the mode of election was not legal, how could they levy a rate ... for ... any householder may replevin his goods seized for the rate, and proceed by action against the Chairman or any solvent member of a body so illegally constituted (*Kilkenny Moderator*, 16 December 1840).

At the next Corporation meeting, solicitor Bracken 'entered a protest against all the proceedings passed and to pass on this day'. The protest was signed by, and submitted on behalf of, six ratepayers, only one of whom can be identified. He was Edward Walsh, a cordwainer. It seems likely, too, that the other five also were artisans and that, in this action, they stated their opposition both to the anti-Davis coalition and the Davis faction.⁴

According to the minutes 'Mr Davis [then] said he should proceed to swear in the Commissioners ... and read his list.' However, 'a number of persons came forward to protest against' two of the names which he read out – Joseph McEnnery (solicitor) and Michael Dunphy (retailer) – 'as not being elected on the 27th November and insisted that Mr William Clifford and John Loughlin were the persons proposed and seconded and admitted'. At that point, McEnnery 'withdrew himself and refused to be put on the list', while Dunphy had not attended the meeting. Davis, however, 'refused to swear in Mr Clifford and John Loughlin'. He simply swore in eight others and adjourned the meeting. James Ryan was elected chair of the commissioners and they decided to send the Lord Lieutenant 'a report of the day's proceedings' (Minutes, 23 December 1840).

At the next meeting, with tanner Fr Ryan in the chair, the commissioners not only took care of local business (such as employing the bill man), but they also passed resolutions to ensure orderly conduct (that 'our votes in future should be taken by ballot') and to raise popular support against Davis. Thus, all '£5 householders' were given 'liberty to give their opinion on the subject under discussion' at meetings. The commissioners also decided to incorporate the previously mentioned 'report' to the Lord Lieutenant into the Corporation minutes. It stated that

'thirteen Commissioners were duly elected on the 27th November' but that 'the Sovereign objected to put in nomination any ... who did not live inside the old Corporation wall'. However, the Commissioners pointed out that

the charter was not confined to the town *intra muros* but include[d] other townlands outside said Walls and that the Sovereign did always and at all times exercise his authority beyond the walls of the town – and that as we intend to extend the benefit of ... the 9th George 4th [Act] to beyond the old walls ... we would wish those ... persons residing [there] as Commissioners[.] ... [W]e do consider it a hardship to exclude those individuals as being the most respectable[,] the most wealthy of our Community and the most efficient to advance the interests of our town (Minutes, 30 December 1840).

By the first week of January 1841, 'no answer' had been 'received from the Lord Lieutenant' and Chairman Ryan wrote again stating 'I consider our future will depend mainly on acting legally'. He queried whether a new election ought to be held, what the number of commissioners ought to be, and whether those now sworn, though not being the number originally elected, could legally carry on Corporation business (Minutes, 4 January 1841). After two weeks without an answer, the commissioners took action themselves. They passed a motion that 'the limits of the town be extended to one Irish Mile from the verge of the Market place of Thomastown and that the benefits of the Act ... be extended thereto'. They elected those to whom Davis had objected because they had lived outside the wall and those, namely Clifford and Loughlin, whom he had refused to swear in. They selected the previously rejected Henry Innes as treasurer, they appointed a permanent clerk, and they chose several of themselves to be 'Valuators of the Borough and suburbs' (Minutes, 13 January 1841).

In the last week of January the Lord Lieutenant's reply was received. It stated that any objection to a commissioner's election had to be decided by the Court of the Queen's Bench, but that, regardless, 'it would be prudent' to fill all vacancies, up to the fixed 13, before taking any administrative actions. The commissioners met. They rescinded all their earlier motions and passed them again to ensure their legality (Minutes, 1 February 1841). The anti-Davis coalition was now firmly in control of town administration.⁵

Class Formation and the Disputing Process

The anti-Davis coalition was broad-based and diverse. But how extensive was its pull and what was its class base? First, from a spatial perspective, the anti-Davis protagonists not only wanted to have the Act applied locally, they also wished to define this local area fairly broadly and to include particular people who lived within it. The Act, however, pertained to legally-constituted corporations. Therefore, to incorporate the wider area and its residents required that the boundaries of Thomastown Corporation be broadly defined – to include an area which extended beyond the boundaries of the now-defunct medieval town wall. The protagonists were explicit in their reasons for wanting this area and its residents: not only did they wish a wide jurisdiction to extend 'the benefits of the Act,' they also wanted as commissioners 'those individuals' who 'were the most respectable and the most wealthy of our Community and the most efficient to advance the interests of our town', including the bank manager and the owners of two modernized flour mills.⁶

Second, from the perspective of class structure, several problems ensue, particularly the vagueness of the boundaries which surround the occupational categories of the *dramatis personae*. All the industrialists exploited labour, as did the farmer but only some of the retailers did so and, except for a groom and house servants, none of the professionals or the so-called gentleman. In that sense, only the industrialists, the farmer and some of the retailers were capitalists, whilst the gentleman was a *rentier* capitalist. In another sense, that of ownership of the means of production, the large farmer and the industrialists 'owned' their land and premises respectively, in that they all had long leases of 199 to 999 years. In contrast, very few of the retailers owned or had long leases to their premises, although they did own the stock to the extent that they were not indebted to wholesalers. The professionals, of course, owned only their skills – as did the artisans, who stayed aloof from the dispute. Finally, the proportions of people from these occupational categories who became involved varied considerably: all the town's industrialists and professionals, less than a quarter of the retailers and certainly not all the larger ones, few of the artisans, and virtually none of the farmers. Conspicuously absent until this point in the dispute were the labourers. It seems then, that what all participants had in

common was, first, their importance and wealth as £20 householders and, second, a concern with local services and conditions – with ‘advanc[ing] the interests of our town’.

In these concerns, they opposed a member of the landed class, albeit one whose prestige was not high: the *bricoleur* strategy of Davis’s father marked him as a *nouveau arriviste* and not part of the county élite, a feature confirmed by the fact that no one from his family was, or became, a magistrate, although they had resided in the town from at least the 1760s. An aspect of this *bricoleur* strategy was that Davis’s holdings were scattered. He held, in either freehold or long lease, several labourers’ houses in the town and approximately 2,000 agricultural acres and several industrial sites (mills) located in different parts of the parish and of counties Kilkenny and Carlow. However, apart from a 13-acre field which brewer Splint rented from him, Davis held no control over any of the *dramatis personae* because of his ownership of property. Either they rented from other landlords or, in the one other case in which Davis was a landlord *vis-à-vis* an agent (leasing 191 acres to farmer Cantwell), had their tenure protected by a 199-year lease.

Davis also had inherited from his father several debt bonds and mortgages from gentlemen resident elsewhere in the county. This was a type of asset unlikely to commend him to the society of the county landed class. He also had inherited ‘the tolls and customs of said town’ and this was a source of local discontent as was, we learn later, the inhabitants’ belief that his family had appropriated Corporation lands as well as the tolls. Finally, in his actions, Davis did not represent, or make an effort to represent, the landed class in the Thomastown area. He did, however, see himself as ‘Sovereign’ – as the formal head of the town and its ancient Corporation and as an informal wielder of financial control over some members of the landed class. He had, however, no direct source of power over those agents who joined together against him.

Davis, in turn, was joined only by perhaps 10 per cent of the £5 householders – that is, the ten out of 96 who voted for Spruhan’s pro-Davis amendment. Of these, only large retailer Spruhan, solicitor McEnnery and retailer Dunphy were named. The political support of the latter two was not firm, however, for they failed to take part in a crucial meeting.

What emerged in late 1840 and early 1841, then, was a broad-based coalition of ‘respectable inhabitants’ only some of whom were capitalists, but none of whom were labourers or artisans. Because of their individual organizational capacities, prestige and interests, *and* through actions which actualized these attributes collectively, they can be said to have constituted a self-conscious ‘middle class’. Its formation was apparent at the first public meeting called under the Act, because its agents had earlier petitioned the Lord Lieutenant; its consciousness emerged in, through and out of the dispute that constituted its activities, and its struggle was propelled, in large part, by the sheer determination of the main agents – from particular occupational categories and, importantly, from both religious persuasions. In other words, by and through their actions, some inhabitants who occupied particular occupational categories came together as ‘a class’ to challenge a local landlord who occupied a locally-based, moribund office. In so doing, the agents ignored the important differences amongst themselves – differences of wealth, prestige, interest and religion.

In saying this, it is important to point out that the material interests of the agents, in terms of the various occupational categories from which they came, were not in *conflict*.⁷ That is, in Thomastown, industrialists, farmers, professionals and retailers each had *different* concerns but not *opposing* economic or material interests. Certainly in the interpersonal and business domains, some retailers and the two flour-millers, for example, competed amongst themselves. However, no structural attributes of the local political economy located any of these categories as intrinsically in *conflict* with any other. Moreover, the conjuncture of, on the one hand, the legislative Act and, on the other, the inhabitants’ shared experiences (a perceived need for public services, antipathy to a local strong man, and an absence of town administration) brought particular people together even as nothing structural kept them apart. In this way, a ‘middle class’ emerged, that is, a self-conscious collectivity engaged in active struggle. Importantly, these same features simultaneously meant that this class had accepted the hegemony of the state in administrative matters.

What, however, were the ‘opposed interests’ and the structural cleavages in the local political economy at the time, and why did these not propel the dispute at this stage or figure in the

process of class formation? It is quite clear that, during these months, only their bare outlines were discernible. They included the *conflict* between labour and capital, the differing interests of artisans as compared with labour, and the varying material concerns of town inhabitants as distinct from country-dwellers. Indeed, it was the situational and structural absence of these or any other cleavages at that point that contributed to the formation of an urban 'middle class' as a self-conscious collectivity. The town's artisans, as far as the record shows, simply withdrew from the dispute, having expressed their dissatisfaction with all parties. No other *conflicts* or cleavages were apparent. In other words, the disputing process and class formation were both rooted in the political economy of the locality and its historical parameters.

February 1841 to 6 September 1841: Alliances and the 'Middle Class'

With firm control over the Corporation through the Act, agents of the 'middle class' proceeded along two fronts. First, the commissioners kept confronting Davis by collectively pursuing ongoing and older disputes that linked them more firmly to each other and to those of the town's inhabitants who, either by choice or structural constraint, were not part of the coalition. Second, as commissioners, the 'middle class' began to govern the town aggressively. These efforts again brought them into confrontation with Davis and again firmed up their collective consciousness.

One long-running dispute that the commissioners pursued concerned a fishing weir owned by Davis, which allegedly was blocking traffic on the river. The commissioners requested him to come to a meeting 'to account for the nuisance'. Davis refused (Minutes, 19 February 1841). Two days before, James Ryan, Hutchinson and Clifford – all commissioners – had summoned Davis to the petty sessions for obstructing navigation. McEnnery led Davis's defence, stating that the magistrates had no jurisdiction because Davis was sovereign. 'Sultan not sovereign' interjected the plaintiffs' solicitor, James Quinn. McEnnery was overruled. Quinn continued:

As was well-known, Mr Davis was Sovereign of the town but he did not do good for the town. He lived beside the river and had built a wall across it thus preventing navigation of a previously navigable river. The wall also caused floods in the town. Mr Davis, far from being moved by the plight of those he reduced to poverty had, when he advertised his letting of his mill in the Advertiser, put down as an advantage that there was large unemployment in the area and thus workers could easily be found cheaply. He had been summoned about the wall two years ago and had agreed to let Mr Clifford and Mr Bull deal with the matter. When they went about removing the wall however he refused permission.

Two other similar complaints against Davis were then held over until this first one was decided (*Kilkenny Journal*, 17 February 1841).

Unnamed 'inhabitants' then sent a memorial to the Lord Lieutenant. Until 1836, they stated, 'the inhabitants of the town had communication with the sea. ... In that year ... Sydenham Davis ... built ... a wall across the river ... thereby putting an end to navigation.' He was 'brought before Petty Sessions and agreed to remove the wall but later refused to do so'. Then, in 'the summer of 1838, one of the petitioners removed the wall himself at which Mr Davis rebuilt it stronger than before'. Recently, 'the petitioners were advised to proceed on an act of parliament of Henry VIII commonly called the fishery act by memorial to the sheriff of the county'. They not only did this but they also had Davis 'brought before Petty Sessions' yet again, and, also, sent another petition to Dublin.

The petitioners beg to impress upon his excellency the great hardship caused to the poor by resultant flooding and also the unemployment which is attributable to the obstruction of navigation. The petitioners disclaim any malicious, political or religious motive in making the charges as the petitioners are persons of all shades of political and religious opinion.

The Lord Lieutenant's response was that the petitioners should appeal to the county Sheriff, who 'by the act of Henry VIII has the power to remove obstructions on the river. ... The sheriff should be called upon at once to cause its removal' (*Kilkenny Journal*, 10 March 1841). Interestingly, but not surprisingly, this correspondence was with Henry Innes, flour-miller, treasurer under the Act and 'middle class' agent.

In fact, the town's navigation had been declining from at least the late eighteenth century because of silting and because of competition from other modes of transport. Davis was hardly responsible for this; indeed, he was trying to obtain funding from the state and the gentry to revive it (Silverman 1992a). Moreover, although the wall may have caused flooding, more important was that it interfered with salmon fishing, one of the activities by which many of the labouring class earned part of their livelihood (Silverman 1992b). In other words, these petitions and court cases, phrased in the language of navigation and flooding, were about an attempted alliance between the 'middle class' and local labour. Such language, however, provided both a rationale and a means for appealing to state agencies and the law, whereas fishermen's livelihoods and local poverty did not.

However, some fishery law pertained to weirs. Thus, several months later, Davis was summoned before the Kilkenny Petty Sessions on grounds that the spur wall on his weir was 'highly injurious to the fish in the river'. At the sessions, several labourers gave evidence. It is important to note, however, that they did so both against *and* for Davis. Lawrence Power swore that the wall was 'taken down in ... 1837, according to an order from the magistrates at Thomastown Petty Sessions; it has been built up again since that time'. Joseph Morris deposed that the spur wall was 10 yards shorter a year before. In contrast, William Grace, 'never saw a shorter weir than Mr Davis'. When cross-examined, it was discovered that Grace was employed by brewer Anthony Nugent, who also had an illegal fishing trap 'on the opposite side of the river'. The solicitor for Davis argued that 'the magistrates had no power to interfere with ... private property'. Solicitors Hyland and Quinn countered with 'a hope that the magistrates would protect public right in opposition to individual interest' (*Kilkenny Moderator*, 21 August 1841). The 'middle class' clearly was trying to court, with only limited success, members of a dependent and factionalized working class.

They were also concerned with courting those who lived in the country. They had already begun to govern the town actively. Property values were posted by valuers whom the commissioners selected, tax collectors were appointed and property was defined: 'The sweeping of the Streets and Roads to be left to the inhabitants until ... nine o'clock in the morning ...; after that hour,

the manure becomes the property of the Commissioners' (Minutes, 15 February 1841). Delicts and fines also were fixed: 'If any person ... shall take or carry away dirt, dung, etc. ..., for the first offence he shall be fined five shillings - for the second offence, Ten Shillings' (Minutes, 1 March 1841). In line with these concerns and the commissioners' earlier efforts to have their members come from as wide an area as possible, the commissioners decided to investigate 'the limits of the Borough' according to 'the ancient boundaries'. They made 'a respectful appeal to the Sovereign' to hand over 'Charters, Corporation books and documents in his possession'. In this effort, at this point and whilst the commissioners were in firm control, motives also became clarified. The commissioners did not simply wish to extend benefits outwards and incorporate more distant-dwelling residents; they also wished 'to avoid the people from the heavy burthen of taxation which must necessarily fall upon them ... unless we can obtain assistance from those who are able to afford it'. In other words, the wider the jurisdiction, the greater the tax base: 'The Commissioners are under the apprehension that it would cause a severe and useless burden on the Town for the sake of a paltry taxation on the Country ... to take in Such a [limited] Space as they first contemplated'. They therefore posted 'an advertisement ... in the Sessions House requesting any inhabitant of Thomastown' who had any relevant documents to bring them forward (Minutes, 5 and 29 April 1841).

Davis, however, did not think he could 'legally comply' with their 'respectful appeal' and the commissioners 'had no other alternative but to apply to the Courts of records'. They also ordered ordnance survey maps and obtained evidence from witnesses, none of whom could 'throw any light on the subject nor could any of them recollect the old Custom of riding the franchise'. Undaunted, they asked all commissioners 'to bring to their recollection the many instances Wherein the Sovereign did exercise his authority beyond the wall of the Town'. Fr. Ryan suggested 'that there could be no difficulty with respect to the extension ... as it was the Opinion of all he consulted that those living in rural parts as nearly as much benefited by the State of Roads and Streets' and this was 'bound to lighten the taxation on all within'. Using such a rationale, the commissioners then listed, exactly, the widest possible 'limits of the Borough Town of Thomastown'

(Minutes, 29 April 1841). They made a valuation of the entire area and passed a 'rate of 4 pence on premises of the yearly value of £10 and 2d on premises of the yearly value of £5' (Minutes, 3 May 1841).

By mid-1841, the commissioners held such control that they unanimously voted that all future Corporation meetings would be held in private, notwithstanding their previous motion that all £5 householders could attend (Minutes, 7 June 1841). They also announced a new anti-Davis campaign: they would make an effort to inquire into 'corporate property' (Minutes, 7 and 11 June 1841) and five of their number were formed into a committee to investigate the collection of tolls (Minutes, 6 September 1841). This concern with so-called Corporation property was not new. In late 1840, the *Journal* reported that 'the elected commissioners ... are determined to recover any property which may have been alienated from the corporation'. The *Journal*, in order 'to be of service in tracing out the property of the people of Thomastown', reproduced one of its advertisements from 1767: 'To be sold – that part of Dangan Wood growing upon the estate of Thomastown Corporation' (3 December 1840). By 1840, Dangan Wood was owned by Sydenham Davis – as were Thomastown's tolls. Indeed, much of what was reputed to be Corporation property was held by sovereign Davis, inherited from his father.⁸

The process, however, was cut short. In August 1841, the Irish Municipal Reform Act abolished Thomastown Corporation, as it did most others in Ireland and, with it, the commissioners and their powers. As a result, rights to tax and to order public works fell largely under the jurisdiction of county juries controlled by landlords and, after 1850, of a poor law board composed of landlords and farmers. In the half decade after 1841, the press reported few town events that even remotely suggested that a self-conscious, locally-based 'middle class' had continued to pursue its interests: two petitions to raise funds for reviving the town's navigation (1842 and 1846), collections to raise money for a cathedral in Kilkenny (1842) and to relieve local poverty (1846), and two small meetings in 1844 held by Catholic supporters of the O'Connell nationalist movement. Even fewer events were reported over the next three decades, whilst economic depression gradually depleted the number of locally-resident industrialists and professionals (Gulliver and Silverman, in press). In other words, a conscious 'middle class' had formed, for a brief time, and then dissolved.

An Historical Ethnography of the Making of the 'Middle Class'

The dispute which developed in the context of Thomastown's virtually moribund Corporation in 1840 was generated by the conjuncture of state policy and a parliamentary Act, some inhabitants' shared experiences in the town and a politico-economic structure which enabled, and indeed encouraged, people from certain occupational categories to come together. Through their actions, a conscious 'middle class' emerged in opposition to a local landlord and in association with a political economy in which the material interests of the agents were not in *conflict*. More particularly, the 'making of the middle class' occurred *after* the state devolved the possibility of real administrative power to particular and non-antagonistic categories of the town's population (£20 householders), who had to be elected by other less, but still relatively well-off, inhabitants (£5 householders), in a context that contained an active but weak opposition (the sovereign). The 'middle class' was thus actualized, in Thomastown, through a coalition of professionals, retailers *and* industrialists as a result of material conditions and lived experiences as these intersected with state domination at a particular point in time. The class, however, defined as self-conscious through its administrative and legal struggles, was an ephemeral phenomenon in Thomastown, even though the occupational categories which underlay it had deep historical and, in many cases, persisting roots. For the reproduction of the 'class' required a formal administrative infrastructure and the support of the state. When both were removed, its consciousness vanished.

A key feature, therefore, of the 1840 conjuncture and of 'middle class' consciousness was the centrality of state hegemony in administrative and legal matters. Another feature was the effort of this 'class' to bridge two key cleavages in local society: that between labour and capital and between town and country. At the time, labour was dependent, relatively impoverished and factionalized. Efforts to forge an alliance had little impact on workers as a class, but did intensify the antagonism between the 'middle class' and the landlord. Similarly, in accommodating rural agents and extending their control outwards, the 'middle class' simultaneously expanded its tax base and its confrontation with the landlord. All these struggles contributed to the

continuation of class consciousness. Meanwhile, as part of these processes, the third cleavage in the town at the time – the separation of artisans both from labour and the ‘middle class’ – was simply reproduced.

Clearly though, not all members of Thomastown’s occupational categories were equally involved in the Corporation dispute. Rather, agents came mainly from amongst the professionals, industrialists and retailers – and, in terms of proportion, mainly from amongst the former two. Agents also were all urban-based: even farmer Cantwell lived in town at the time. Anxious to improve town services to benefit themselves whilst simultaneously spreading the cost, it is hardly surprising that their meetings concentrated on valuing property, setting rates, defining Corporation boundaries and reversing the alienation of what was thought to be Corporation property. Nevertheless, the administrative zeal of the ‘middle class’ was striking: administration provided the impetus, *raison d’être* and ideology for and of the class.

Once the commissioners were in control, the ‘middle class’ also provided a hegemonic viewpoint as it set out to incorporate the surrounding urban sprawl and countryside and to circumscribe the sovereign’s residual power, which still rested on the corporate rights of the now-decayed Corporation. As the ‘middle class’ gained ground in these efforts, it simultaneously cultivated an alliance with labour. At that point, however, the state intervened dramatically, with its own agenda *vis-à-vis* local political structures in Ireland. The domination wrought by the 1841 Municipal Reform Act irrevocably removed all possibility of formal administrative control from townspeople and, in the process, destroyed the consciousness of the town’s ‘middle class’ and buried, finally, its ‘body corporate’.

Concrete Manifestations, Dualities and Theory

The concerns of sociological theorists with ‘class structure’ and of social historians with ‘class experience’ can be investigated through their empirical or concrete manifestations, and some relation between the two can be suggested. In Thomastown in 1840, the occupational structure reflected its particular history: a fundamental division was between labour and capital. Yet the town’s commercial function had also given rise to other sociolog-

ical categories which, although linked generally to an overarching system of capitalist exploitation, took on a local immediacy and empirical importance. In addressing this, I have found it useful to look at particular dualities derived from the work of Gulliver: how individual actions gave rise to a collectivity, how this was actualized through ‘conflict’ and co-operation, and how both could be viewed through a dispute and its management even as they formed the impetus for its trajectory. I also have found that this enabled me to say something about theory – about the making of the so-called middle class as a social phenomenon and its relation to certain agents who occupied anomalous class locations. In this way, the broad patterns of Gulliver’s work continue to inform anthropology: the ethnographic analysis of material relations and social change in small-scale locales, contextualized in wider arenas and historical understandings, with the aim of, and underpinned by, theoretical advance.

Notes

1. Gulliver has used the term ‘conflict’, like most anthropologists, in at least three ways: in ‘the treatment of *inter-personal disputes*, where the *raison d’être* of social action was conflict brought into the public arena’ (1971: 188) (*italics mine*); as *political competition* (‘factions may be defined as persisting, non-corporate conflict groups ... involved in competition to protect and promote a succession of interests’ [1971: 254]); and as *contradiction* (‘There was a fundamental contradiction in Ndendeuli social organisation. ... Egocentric ties conflicted with cluster coordination’ [1977: 63]). Nevertheless, he has always been clear as to its interdependence with co-operation or ‘co-ordination’ as ‘two sides of the same coin’: on the one hand, ‘inherently conflict situations entailed cooperation; and, on the other hand, essentially cooperative interests and action entailed conflict’ (1971: 189). In the present paper, I either avoid the term or sign it carefully. I use quotation marks (‘conflict’) when referring to Gulliver’s work and/or any of his three meanings (as dispute, political competition, contradiction) and I use italics (*conflict*) when I use it in the strict Marxist sense of class conflict.

2. Field and archival research in Ireland and Thomastown were carried out over a 14-month period during 1980–1 and then,

intermittently, for another 12 months during the summers of 1983, 1987, 1989 and 1992. Research was funded, at various times, by the Social Sciences and Humanities Research Council of Canada (SSHRC); the Wenner-Gren Foundation for Anthropological Research, New York; and the Faculty of Arts, York University.

3. A Corporation minute book, for the period November 1840 to September 1841, has survived and is located in the Public Record Office, Dublin. Several county newspapers of the period are located in the National Library (Dublin) and in Rothe House and the County Library (Kilkenny city). Complementary materials include parochial records, valuation records, deed memorials, wills and probate papers, commercial directories, British parliamentary papers, etc. These are discussed in more detail in Gulliver (1989).

4. Data on early tradesmen have proved difficult to come by. In the present situation, I have deduced that the six were artisans. I know that they were not farmers, retailers or industrialists and, because they were ratepayers (according to Bracken), they were unlikely to have been labourers. Therefore, they must have been artisans.

5. Until the February 1st meeting, it is not known who produced the minutes. After that time, as a reflection of the new administrative order, they were produced by the hired clerk. Little is known about him. He lived in the town in 1845; by the next valuation (1857), he was no longer resident. He also could not be connected to any local kin via the parochial records.

6. The walls had surrounded about 16 acres. As previously noted, until the 1800 Act of Union most freemen and burgesses had lived some distance away. Moreover, since at least the seventeenth century, townspeople occupied houses on the various roads that led into what had been the walled area. Indeed, the outsiders to whom Davis objected all lived within a few hundred metres of the old walls, as did Davis himself.

7. See Note 1.

8. Contrary to the 1835 Parliamentary Commission report (Parliamentary Paper 1835), the Corporation had owned property outside the walls. At the time of the Cromwellian conquest in 1649, its so-called Liberties contained 1,840 acres. These were confiscated and allocated to the Hewetson family. Davis had bought these lands in the early nineteenth century from a

landlord who had purchased them in 1791 from the Hewetsons. Only in this indirect way, then, had the Davis family appropriated lands. It seems likely, though, that the concern at the time was with the possibility of a more recent and direct alienation by Davis himself.

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