



PERSPECTIVES ON
CRIME, LAW AND
JUSTICE IN THE
GLOBAL SOUTH

HISTORIES OF PUNISHMENT AND SOCIAL CONTROL IN IRELAND

PERSPECTIVES FROM
A PERIPHERY

EDITED BY
LYNSEY BLACK
LOUISE BRANGAN
DEIRDRE HEALY

Histories of Punishment and Social Control in Ireland

This exciting volume leverages the unique trajectory of Irish criminology's twenty-first century emergence and its distinctive commitment to historical inquiry to raise important questions for criminology as a field about what might have been and, moving forward, what could be. Editors Lynsey Black, Louise Brangan and Deirdre Healy invite readers to reconsider assumptions and received theories that have dominated a field whose tunnel vision for the USA and the UK has weakened our historical and criminological imaginations. Instead, by immersing themselves in the history of criminological theory and penal practices (broadly construed) of an under-explored nation, they observe large and small differences that challenge our conventional expectations and draw our focus to the importance of gender, religion, rural settings and ongoing colonial legacies for understanding penal-ity and how these considerations can play different roles from those we've come to expect from the standard national case studies. *Histories of Punishment and Social Control in Ireland* is a thus contribution not only to Irish Criminology, but to both broader Anglophone and global discussions about criminology, southern criminology, criminological history, punishment and society.

Ashley T. Rubin,

Associate Professor of Sociology, University of Hawai'i

The Irish Republic, at barely 100 years old, offers an important new lens onto the history of modern penality and an alternative to the Anglo-American bias in mainstream criminology. Across twelve engaging, original chapters, this comprehensive volume builds to a fascinating story that is greater than the sum of its individual parts.

Shadd Maruna,

Professor of Criminology, Queen's University Belfast

PERSPECTIVES ON CRIME, LAW AND JUSTICE IN THE GLOBAL SOUTH

Series editors: Prof Kerry Carrington and Prof Máximo Sozzo

Scholarly perspectives on crime, law and justice have generally been sourced from a select number of countries from the Global North, whose journals, conferences, publishers and universities dominate the intellectual landscape. As a consequence, research about these matters in the Global South has tended to uncritically reproduce concepts and arguments developed in the Global North to understand local problems and processes. In recent times, there have been substantial efforts to undo this colonised way of thinking leading to a burgeoning body of new work. Southern theories, subaltern knowledges and border epistemologies are challenging the social science to open up new ways of thinking about society, crime, law and justice.

This book series aims to publish and promote innovative new scholarship with a long-term view of enhancing cognitive justice and democratising the production of knowledge. Topics of interest from the perspective of the Global South include – environmental and ecological plunder; gendered violence; religion, war and terror drug wars; the historical and contemporary legacies of slavery; the contemporary legacies of injustice arising from dispossession and colonialisation; systems of punishment and forms of customary or transitional justice; human rights abuses and struggles for justice – all of which threaten the security of peoples who inhabit the Global South.

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Glossary

An Garda Síochána/Gardaí/Garda – the national police service of Ireland

Bunreacht na hÉireann – the Constitution of Ireland

Cumann na nGaedheal – Irish political party (active 1920s–1930s) in government from independence until 1932, merged with smaller parties to become Fine Gael in 1933

Dáil/Dáil Éireann – lower house of the Oireachtas (the national parliament)

Fianna Fáil – Irish political party (active 1920s–present)

Fine Gael – Irish political party (active 1930s–present)

Oireachtas – the national parliament consisting of the President, Dáil Éireann (house of representatives) and Seanad Éireann (senate)

Saorstát Éireann – Irish Free State (1922–1937)

Seanad Éireann – upper house of the Oireachtas (the national parliament)

Taoiseach – head of government

Teachta Dála – elected member of Dail Éireann

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Foreword

Kerry Carrington and Máximo Sozzo

The Republic of Ireland which de-shackled itself from British colonial rule in 1922 is largely absent from Anglophone criminology. The persistent exclusion of Ireland in criminological knowledge about punishment and social control is linked to a global hierarchy that privileges knowledge produced by the universities from the former imperial powers that once colonised about nine-tenths of the world, Britain and America (Connell, 2007). In southern theory, the south is a metaphor for this epistemic injustice. Ireland's rural, agrarian nature and deep links between Catholicism and the State do not fit with the foundational origin concepts within criminological theory. In this sense, the absence and silencing of Irish criminology is an enclave of the south within the north, as a former British colony.

This book contributes to the southernising of criminology and democratisation of knowledge (Carrington et al., 2016). It does this by resurrecting histories of punishment and social control peculiar to the modes of state and religious social control of the Irish Republic, absent from Anglophone criminology, such as gender, postcoloniality, religion, rurality and carcerality beyond the criminal justice system. The edited collection maps these rich and diverse histories of punishment and in so doing unsettles accepted criminological wisdoms about mass incarceration and punitive law and order discourses in England and the United States as the chief forms of social control in the twentieth century.

It does this by mapping the distinct ways punishment operated beyond and outside criminal justice, such as through systems of probation influenced by Catholicism and its use of charities and volunteers. It also examines the emergence of Irish custodial institutions in the 1950s and 1960s responsible for the endemic institutional abuses of Irish children in the Industrial and Reformatory Schools, again many of which were run by Catholic religious orders. The collection also shines a light on what O'Donnell and O'Sullivan term 'coercive confinement' outside the criminal justice system, including involuntary detention in psychiatric hospitals, confinement in Magdalene institutions and Mother and Baby Homes, and detention in Industrial and Reformatory schools. Magdalene Laundries in Ireland were state funded but church run. They were places of misogynous 'coercive confinement' where nuns sought to rescue 'impure' women, through punishing regimes of patronising and stigmatising social control, exploitation and abuse. These abuses were the subject of three key inquiries held between 1999 and 2021, into Industrial and Reformatory Schools, Magdalene Laundries, and Mother and Baby Homes. However research into the archives of these inquiries published in this book argues that much about those inquiries was

and remains secret and those abused in these institutions have never been granted their human rights.

Another set of chapters unsettle and re-think crime and punishment. The central argument is that instead of seeing Irish/Hibernian criminology as exceptional, the aim is to create an Hibernian epistemology that recognises both the need to craft bespoke theory while also contributing to wider international debates about the sociology of punishment and history of crime. For example the Irish death penalty was initially shaped by the country's colonialist origins, but over the century this changed to reflect Ireland's growing confidence and stature on the world stage, as a nation in its own right. Some of the authors explicitly use a Southern Criminology framework to (re)construct the historical narratives around prisoners' rights movements, by including perspectives from marginalised voices, bringing the 'other', the marginal, the invisible and subaltern to the centre.

The compendium offers particular insight about reinserting the role of women in the revolution and fight for independence from Britain, a much overlooked topic in male-stream history, and exploring the punishment and violence against women in the revolutionary period between 1919 and 1923. A complimentary complementary chapter interrogates the experiences of women's incarceration from the revolution to the Irish Free State and the Irish Republic. It makes a compelling argument that their experiences mirrored Ireland's history of colonialism, war, revolution and political activism, all very much shaped by discourses of masculinism, militarism and Catholicism.

What this book illustrates is that Irish criminology, while a relatively newly recognised discipline, has become a distinctly historical inquiry into the practices and genealogies of punishment in the past and the present. By using a southern and historical framework, the multidisciplinary collection aims to address gaps, and open up dialogue with the wider debates in the sociology of punishment and historical criminology from the vantage point of a formerly colonised island in the Global North. It makes an outstanding and original contribution to the southernizing of criminology as well as historical criminology. We are delighted to publish this original book of essays on the *Histories of Punishment and Social Control in Ireland*, in our Emerald book series and commend it to you.

Acknowledgements

This volume was first imagined at the 2018 meeting of the Law and Society Association in Toronto. In the sunshine of a rooftop bar, conversations were had which led eventually here, to this collection and to what we hope becomes a contribution to a dialogue on penal history, punishment and society, and the production of criminological knowledge.

We are hugely grateful to all those authors gathered in this book, who surprised us by saying yes to our initial invitations to be part of the project. We are thrilled to see, collected here for the first time, those scholars who have shaped our own work and contributed so significantly to the discipline of criminology in Ireland and to the literature on the histories of punishment and social control. We are also thankful to Sindy Joyce for her support of the project and participation in a workshop which was held in the autumn of 2020.

We would like to express our thanks to the editorial Team at Emerald Publishing, particularly Katy Mathers and Hazel Goodes, who made the process enjoyable and straightforward.

Finally, we are hugely grateful to the series editors, Kerry Carrington and Máximo Sozzo, who recognised the contribution such a volume could make in taking a critical lens to what we mean by Anglophone criminology, and the significance of Irish penalty to the project of rethinking, de-colonising and southernising criminological knowledge production. As we note in the Introduction, this may be a neat volume, but we hope it offers an alternative tangent of consideration.