The urban local state in Scotland and Ireland to 1900: parallels and contrasts

MATTHEW POTTER

A comparative study of the history of urban local government in the neighbouring countries of Scotland and Ireland indicates that there were many parallels from its origins in the twelfth century until the present day.[1] While such convergence is not surprising in the period 1801 to 1922, when both formed part of a United Kingdom dominated by their larger and wealthier neighbour England, it might seem somewhat more unexpected in the centuries before the respective Acts of Union of 1707 and 1800, and particularly before the union of the crowns in the person of James VI and I in 1603. After all, Scotland had been an independent kingdom for several hundred years before 1603, and throughout these centuries had been strongly influenced by French as well as by English models, particularly during the period of the Auld Alliance (1295–1560).[2] By contrast, Ireland's destiny was continuously and inextricably linked with that of England from 1169 onwards, and her political and administrative institutions were inevitably to take their form and character from those of its invaders.

The solution to this paradox (which is aptly symbolized by the distinctive spelling 'burgh' used in Scotland instead of the English and Irish usage 'borough' although the pronunciation remains the same) can be located in the common origins of the urban local state in the two countries. In both cases, it was an import from France and England and was but one aspect of the great expansion of the Normans in the eleventh, twelfth and thirteenth centuries. While Scotland did not experience an actual Norman invasion like England and Ireland, it did undergo a process of more gradual colonization and settlement by Norman barons and knights introduced by King David I and his successors, a process typified by the establishment of municipal corporations.[3]

1 For the local state in Scotland and Ireland see Mabel Atkinson, *Local government in Scotland*, (Edinburgh, 1904) and Desmond Roche, *Local government in Ireland* (Dublin, 1982). For a full account of the experience of a single urban area in each country see E. Patricia Dennison, David Ditchburn & Michael Lynch (eds), *Aberdeen before 1800: a new history* (East Linton, East Lothian, 2002); W. Hamish Fraser & Clive H. Lee (eds), *Aberdeen, 1800–2000: a new history* (East Linton, East Lothian, 2000) and Matthew Potter, *The government and the people of Limerick: the history of Limerick Corporation/ City Council 1197–2006* (Limerick, 2006). 2 Norman MacDougall, *An antidote to the English: the auld alliance, 1295–1560* (Phantassie, East Lothian, 2001). 3 A.A.M. Duncan, *The Edinburgh history of Scotland, Vol 1. Scotland: the making of the kingdom* (Edinburgh, 1978), pp 133–215. See also Seán Duffy, 'The Anglo-

Indeed the specific development of urban self-government in medieval Scotland and Ireland must be framed by the general development of such institutions throughout Western Christendom, in the economically and intellectually buoyant twelfth and thirteenth centuries.[4] Population grew rapidly, with a consequent expansion of agriculture and trade. Towns and cities were among the main beneficiaries of this astonishing growth and multiplied rapidly both in numbers and in size. New towns were founded particularly in frontier regions, like Eastern Europe, Scotland and Ireland.[5] The achievement of municipal autonomy was a Europe-wide trend which resulted from this urban revolution. The increasingly large, prosperous and confident urban areas wanted self-government both to have their property rights guaranteed and to gain control over their local economy. The movement for urban autonomy was very successful, and cities and towns all over Europe received varying degrees of self-government (usually by means of a charter) in the period 1150 to 1300.[6] Charters were documents issued to an urban area by a monarch, feudal lord or churchman, granting it a measure of self-rule and its citizens certain rights and freedoms. As part of this trend, the office of mayor and the institution of town council were imported from France into England and later to both Scotland and Ireland.[7]

Broadly speaking, the municipal history of Scotland and Ireland can be divided into two periods, the medieval and the modern, with the division between them marked by the reforming legislation of the 1830s.[8] The first Scottish burghs, Berwick and Roxburgh, were founded before 1124. Urban areas in receipt of a charter from the crown were known as royal burghs.[9] The origins of Ireland's boroughs can be traced to the Norman invasion that commenced in 1169. King Henry II of England granted the first Irish borough charter to Dublin in 1171–2 and Cork (1185), Waterford (1195) and Limerick (1197) followed soon after.[10]

In both countries, many towns were dependant on a great lord rather than on the crown directly. In Scotland these were known as burghs of regality and burghs of barony and numbered over 300 by the time of the Act of Union of 1707 although many were just tiny villages. By way of comparison, there were a mere seventy royal

Norman era in Scotland: convergence and divergence', in T.M. Devine & J.F. McMillan (eds), *Celebrating Columba: Irish-Scottish connections, 597–1997* (Edinburgh, 1999), pp 15–34. **4** These developments are described in David Abulafia (ed.), *The new Cambridge medieval history. Volume 5, c1198–c1300* (Cambridge, 1998). **5** See David Nicholas, *The growth of the medieval city from late antiquity to the early fourteenth century* (London, 1997) and David Nicholas, *The late medieval city, 1300–1500* (London, 1997). **6** Nicholas, *Growth of the medieval city*, pp 141–68, 228–321. **7** Ibid., pp 146–52, 230–34, and 290–93. **8** These 'two ages' of the urban local state were first distinguished by Matthew Potter in *The government and the people of Limerick*, pp 12–15. **9** For the origins of Scotland's burghs, see Duncan, *Scotland: the making of the kingdom*, pp 463–501. **10** John J. Webb, *Municipal government in Ireland: medieval and modern* (Dublin, 1918), pp 1–21.

burghs in 1707 of which four were ineffective.[11] In Ireland some 330 settlements had been granted an urban constitution by 1300 and there were many later additions.[12] However only 117 boroughs were still in existence by 1800 and the first Report of the Commissioners appointed to inquire into the Municipal Corporations in Ireland of 1835 found evidence of another twenty-five.[13] Nevertheless, there were also dozens of towns and villages in existence that had no form of urban self-government and can thus be classified as 'non-municipal'. In both countries, another classification used was that of parliamentary borough and non-parliamentary borough. In Scotland, only the sixty-six effective royal burghs were represented in parliament. After the 1707 Act of Union, they returned fifteen MPs to the British parliament and were grouped together in districts of four or five burghs each.[14] The 300-odd boroughs of barony and of regality were non-parliamentary. In eighteenth-century Ireland, the 117 parliamentary boroughs each returned two MPs to the Irish parliament and there was no longer any such category as a non-parliamentary borough. Non-parliamentary was thus equivalent to non-municipal. After the 1800 Act of Union, eighty-four of the 117 lost their status as parliamentary boroughs and only thirty-three were empowered to return MPs to the Imperial parliament. Forty-nine out of the eighty-four non-parliamentary boroughs became extinct after 1800 and by the 1830s only sixty of the Irish boroughs in total were described as 'effectively existing' and a further eight had a sort of residual existence.[15] In summary, by the 1830s, Scotland had sixty-six and Ireland had sixty-eight significant functioning urban authorities.

In both countries the government of the towns was vested in a mayor (or provost as he was usually known in Scotland, although this title was sometimes used in Ireland also) and a council, both of which were nearly always controlled by a small group of propertied and intermarried merchants and craftsmen. In 1469, an act of the Scottish parliament stipulated that the incoming town council should be elected by the outgoing one and that the two councils together should elect the officers (provost etc.) with the assistance of representatives from the guilds. In 1504, another act stipulated that the offices could only be held for a year and that only merchants could hold office.[16] In Ireland many of the smaller boroughs were under the control of one powerful family and even major cities like Limerick, Galway and Waterford were governed by small and powerful oligarchies, related by blood and marriage.[17]

11 For a comprehensive account of the Scottish burghs see *Reports of the commissioners appointed to inquire into municipal corporations in Scotland,* H.C. 1835 (29). **12** B.J. Graham, 'The High Middle Ages: c. 1100 to c. 1350', in B.J. Graham & L.J. Proudfoot (eds), *An historical geography of Ireland* (London & San Diego, 1993), pp 82–84 and Brian Graham, 'Urbanisation in Ireland during the High Middle Ages, c. 1100 to c. 1350', in Terry Barry (ed.), *A history of settlement in Ireland* (London & New York, 2000), pp 131–5. **13** For the Irish boroughs see *Reports of the commissioners appointed to inquire into municipal corporations in Ireland,* H.C. 1835 (27). **14** T.M. Devine, *The Scottish nation, 1700–2000* (London, 2000), pp 196–7. **15** *Reports of the commissioners appointed to inquire into municipal corporations in Ireland,* H.C. 1835 (27), pp 4–11. **16** J.D. Mackie, *A history of Scotland* (London, 1964), pp 107–8. **17** For the famous example of Galway, see M.D. O'Sullivan, *Old Galway: the history of a*

In the Middle Ages and the early modern period, Scotland and Ireland, in common with the rest of Western Europe had a highly decentralized administrative system and consequently the municipal authorities provided the towns with a complete range of government services. Among their functions were the organisation of the town's defence (including the building and maintenance of the walls and the embodiment of a local militia); control and regulation of the local economy (including fairs and markets); administration of most of the legal system; law and order (including crime and punishment and the police); the building and maintenance of infrastructure, such as roads, bridges and quays; and protection of the environment (including fire safety and regulation of refuse disposal and wandering animals).[18]

The Reformation in Scotland and Ireland resulted in the emergence of the parish as a significant local authority and service provider, although this was to some degree a continuation of the activities of the Catholic church in the Middle Ages. After all, the distinction between the civil and religious functions of the established church had always been very blurred and unclear, both before and after the Reformation. In Scotland, what T. M. Devine has called the 'parish state' had a greater impact on the general populace that any other public or private body in the long eighteenth century.[19] The Presbyterian kirk provided a remarkably comprehensive and precocious system of near-universal education, organized poor relief, provided the lowest rung in the court system, and sternly administered the rules governing marriage and public morality.[20] In Ireland, the Highways Act of 1614 marked the real emergence of the parish as a civil local authority, involved in the building and maintenance of roads, poor relief, care of orphans, street lighting, police and fire prevention. These activities were funded by a rate called parish cess. Each parish was under the control of the Church of Ireland and was administered by a vestry or assembly consisting of all Anglican ratepayers.[21]

The eight Irish cities and towns that were administrative counties in their own right (Dublin, Cork, Waterford, Limerick, Galway, Kilkenny, Drogheda and Carrickfergus) each had their own grand jury. The grand jury consisted of twenty-three individuals chosen by the sheriffs to appear at the law courts to determine if there were sufficient grounds to proceed with a prosecution. However, in the early seventeenth century, the grand juries began to acquire administrative functions and in the eighteenth and nineteenth centuries evolved into local authorities in their own right, whose principal activity was the provision and maintenance of infrastructure such as bridges, roads and quays.[22]

Norman colony in Ireland (Cambridge, 1942). **18** For Ireland see Gearóid MacNiocaill, *Na Buirgeisi, XII–XIV aois*, 2 vols (Charraig Dhubh, 1964). For Scotland, see Michael Lynch, Michael Spearman & Geoffrey Stell (eds), *The Scottish medieval town* (Edinburgh, 1988). **19** Devine, *The Scottish nation*, pp 84–102. **20** Ibid. **21** Elizabeth Fitzpatrick & Raymond Gillespie (eds), *The parish in medieval and early modern Ireland: community, territory and building* (Dublin, 2006), pp 228–41; 277–324. **22** Joseph Byrne, *Byrne's dictionary of Irish local history* (Cork, 2004), p. 138.

The long eighteenth century, which in the case of urban government in both Scotland and Ireland can be held to extend from the Glorious Revolution to the Whig 'decade of reform' (1830–41), was characterized by the decay of the medieval local state and the beginnings of widespread and increasingly vociferous demands for municipal reform.[23] There were four main problems affecting the municipal authorities of this period in both countries, as well as their counterparts in England and Wales. Firstly, they became increasingly oligarchic, and often ceased to represent the interests of even the wealthy citizens of the towns. In both countries the councils were virtually always self-selecting, there were no local elections and members served for life. In Ireland, the Penal Laws enacted between 1695 and 1727 excluded Catholics from local government, and even though many of these restrictions were removed in the late eighteenth century, few Catholics were admitted to the local political system until after 1841. In addition, the borough corporations ceased to represent the interests even of the Protestant citizens of the towns, as power tended to become increasingly concentrated in the hands of a single family and their supporters. One of the most conspicuous examples was the ascendancy of the Smyths and the Verekers in Limerick city between 1776 and 1841.[24] Similarly in Scotland, 'the great majority of the merchants, manufacturers and professionals ... were ... effectively excluded from any role in urban government'.[25] Secondly, municipal governments devoted themselves more and more to political activities. In many of the smaller boroughs, their only function was to return members to parliament and the purely political role of the governing body took more and more precedence over the provision of services for the population. Thirdly, this in turn resulted in the boroughs abandoning many of their functions as local regulators and service providers. Fourthly, corruption of all kinds flourished and usually included the following practices: the appointment of unfit persons to municipal office; manipulation of the voting system in order to control the parliamentary franchise; the appropriation of municipal lands, properties and revenues by members of the ruling cliques; and the imposition of unfair and illegal tolls and rates.[26]

However, Rosemary Sweet has recently advanced a counter-argument in her study of English towns in the long eighteenth century, which may have equal validity for Scottish and Irish urban areas. In her book *The English Town 1680–1840: Government, Society and Culture* she suggests that the apparent decay of English borough governments in this period was in fact caused by the unprecedented demands made on them as a result of rapidly increasing population, the beginnings of the Industrial Revolution and the rising expectations of a much larger, better educated and more politically aware general public. English towns underwent an 'urban renaissance' in the long eighteenth century and outgrew their medieval

23 For the Irish urban local state at this period, see Kenneth Milne, 'The Irish municipal corporations in the eighteenth century' (PhD, TCD, 1962). **24** Potter, *The government and the people of Limerick*, pp 183–282. **25** Devine, *The Scottish nation*, p. 202. **26** For detailed accounts of these abuses, see the respective *Reports of the commissioners appointed to inquire into municipal corporations in Ireland* and *Scotland*, passim.

constitutions and administrative machinery, which had never been intended to cope with such unprecedented demands and duties. Scotland underwent both the Industrial revolution and an urban renaissance in the long eighteenth century. With the significant exception of North-East Ulster, Ireland did not undergo an industrial revolution but she did experience significant urban growth amounting to an 'urban renaissance.' Rosemary Sweet also argues that much of the contemporary evidence detailing the activities of the borough corporations comes from biased and hostile sources, such as radical reformers and opponents of the urban elites, anxious to paint the blackest picture possible.[27]

Also, while the abuses of the period were undoubtedly serious and were possibly more flagrant than they had been in previous centuries, they received a particular notoriety at this time because the eighteenth and early nineteenth centuries were an age of Enlightenment, of reform and of revolution. Age-old institutions such as monarchical government, the aristocracy, the churches and the prevailing social and economic system were subject to intense scrutiny and criticism. Abuses, corruption and incompetence that would have been tolerated in earlier centuries were now judged in a much harsher and more sceptical climate of opinion.

Nevertheless, there was a marked reluctance in the long eighteenth century to enact reforms of existing institutions such as parliament, local government and the legal system particularly in Ireland where the Protestant elite feared that reform might empower the Catholic majority.[28] Instead, the decline in the role of borough corporations as local authorities resulted in emergence of a number of new service providers to remedy their deficiencies. Some of these were existing institutions, such as the parishes and the grand juries. Others were new statutory authorities with powers of borrowing and/or levying local taxation, established to provide a range of services either abandoned by the traditional local bodies, or never provided by them in the first place. These alternative local authorities were termed 'statutory bodies for special purposes' by Sidney and Beatrice Webb and could either be appointed or elected. They included stand-alone statutory bodies such as turnpike trusts, corporations of the poor and improvement commissions. In addition, local legislation was often enacted to provide for the construction of a major piece of infrastructure, or to provide grant aid in connection with it. Such local acts sometimes established improvement commissions to oversee the project.[29]

Improvement commissions proliferated in eighteenth century Britain and Ireland.[30] In Scotland these bodies were usually called police commissioners and the

27 Rosemary Sweet, *The English town, 1680–1840: government, society and culture* (Harlow, 1999), pp 141–50. For England's urban renaissance see Peter Borsay, *The English urban renaissance: culture and society in the provincial town, 1660–1770* (Oxford, 1989). **28** For an example of this, see Potter, *The government and the people of Limerick,* pp 259–61. **29** For a definitive account of alternative local bodies in England at this time see Sidney & Beatrice Webb, *Statutory bodies for special purposes* (London, 1922). See also Sweet, *The English town,* pp 44–56. **30** See Joanna Innes, 'The local acts of a national parliament: parliament's role in sanctioning local action in eighteenth-century Britain', *Parliamentary History* 17:1 (1998),

legislation governing them called police acts (although this term was sometimes used in Ireland and England as well). The term 'police' had a much wider significance in Scottish than in English or Irish public affairs. Mabel Atkinson has written that 'besides the management of the constabulary, it comprises drainage, in some cases water supply, street cleaning, public health, lighting, provision of fire engines, etc.'[31] The most important police acts were those of Aberdeen (1795), Glasgow (1800) and Edinburgh (1805). Indeed, Glasgow has claimed that its 1800 Police Act established the first precocious professional police force in these islands. Among the best-known examples in Ireland were the Wide Streets Commission of Dublin, established in 1757, the Wide Street Commissioners established by the Waterford Police Act of 1784 and the Commissioners of St Michael's Parish which were established in 1807 to administer the Georgian Newtown Pery area of Limerick. In both countries, these commissions concentrated on paving and cleaning streets, water supply, lighting, and police and night watch.

In both Scotland and Ireland, the demand for reform was driven by two main trends. First, there was the phenomenal growth of cities and towns, similar to and contemporary with the English urban renaissance described by Peter Borsay. In 1750, 9.2 per cent of the population of Scotland were living in urban areas with over 10,000 inhabitants, but this proportion had increased to 32 per cent by 1850. In Ireland, the corresponding increase was from 5 per cent in 1750 to 10.2 per cent in 1850.[32] This resulted in the creation of a vastly increased, wealthy and increasingly self-confident bourgeoisie. Secondly the movement for administrative and political reform was driven by a major intellectual revolution, composed of three elements: liberalism whose proponents wanted to extend civil and religious rights to a larger proportion of the population by giving the vote to more people, ending religious discrimination and generally reforming the political and administrative systems; utilitarianism, whose followers believed that all human institutions should serve 'the greatest good of the greatest number'; and classical economics which advocated the theory of *laissez-faire*, that is, government should have a limited role in economic life. All three stressed the necessity for all institutions, including parliament, the central and local government systems, the legal system and the churches to be examined and reformed in order to make them more efficient, effective and economical. Sir David Keir wrote of the reformers of the period 1782–1867 (the high point of all three intellectual movements) that they believed that 'the administrative system needed to be overhauled and stripped of its antiquated survivals and useless accretions'.[33]

Paradoxically, the exclusive and corrupt regime in the urban local state of both Scotland and Ireland culminated at the same time that these trends took hold. In Scotland the widespread demands for burgh reform in the 1780s and 1790s coincided with and were partially a reaction to the Dundas Despotism, the political machine

23–47. **31** Mabel Atkinson, 'The organisation of local government in Scotland' in *Political Science Quarterly* 18:1 (1903), 70. **32** J. de Vries, *European urbanisation, 1500–1850* (London, 1984), pp 39–48, cited in Devine, *The Scottish nation*, pp 152–5. **33** Sir David Lindsay Keir, *The constitutional history of modern Britain since 1485* (9th edition, London, 1968), p. 369.

built by Henry Dundas, first Viscount Melville, which dominated Scotland between 1784 and 1827 and at its peak, controlled an incredible thirty-four of the forty-five Scottish MPs. This reform agitation was crushed in 1790s as a result of the reaction brought about by the French Revolution, though it revived in 1810s.[34] In Ireland the oligarchic regimes reached their peak in the municipal boroughs around 1800 and local reform movements in Limerick and elsewhere failed to dislodge them.[35] In both countries, the Tory party that emerged as part of the new two-party system of the late eighteenth and early nineteenth centuries controlled virtually all of the boroughs.

The various agitations for municipal reform ended in failure and it was the Whig triumph in the 1830s and the resultant decade of reform which led to the complete transformation of the urban local state throughout the United Kingdom.[36] This represented the most radical reform that the borough corporations had ever undergone since their establishment and was regarded as a corollary to parliamentary reform. In Ireland, the demand for municipal reform formed part of O'Connell's campaign for civil and religious equality for Catholics and in all three kingdoms, liberalism, utilitarianism and classical economics provided an ideological framework. In 1833 royal commissions were established to examine borough corporations in the whole United Kingdom and their respective reports provided the background to the municipal reform programme enacted in Scotland in 1833, in England and Wales in 1835 and in Ireland in 1840.

In Scotland, the reform package, collectively known as the Burgh Reform Acts, consisted of three separate acts that became law in 1833. The Royal Burghs (Scotland) Act extended the local franchise to all who owned or occupied property within the burgh worth £10 or more per year (the parliamentary franchise had been granted to the same categories of person in the Scottish Reform Act of 1832). In addition, eligible women were also given the local vote (something that was not to happen in Ireland until 1899). Annual elections were to be held every November and one third of the town council was to retire each year. The provost was to be elected by the councillors from among their own ranks and would hold office for three years.[37] The Burgh Police (Scotland) Act extended the scope of the existing local police acts, by enabling all royal burghs, burghs of regality and burghs of barony adopt police powers, including the paving and cleaning of streets, lighting, water supply and night watch. If three-quarters of qualified voters in a burgh declared themselves to be in favour, the act came into force and a body of elected police commissioners were to be elected annually to administer and provide these services.[38] The Parliamentary

34 Devine, *The Scottish nation*, pp 197–209; William Ferguson, *The Edinburgh history of Scotland, Vol. 4, Scotland 1689 to the present* (Edinburgh, 1978), pp 236–62 and Bruce P. Lenman, 'From the Union of 1707 to the franchise reform of 1832', in R.A. Houston & W.W. J. Knox (eds), *The new Penguin history of Scotland: from the earliest times to the present day* (London, 2002), pp 324–25. **35** Potter, *The government and the people of Limerick*, pp 249–82. **36** See Alexander Llewellyn, *The decade of reform: the 1830s* (New York, 1971). **37** 3 & 4 Wm IV, c.76. **38** 3 & 4 Wm IV, c.46.

Burghs (Scotland) Act extended the provisions of the other two acts to twelve newly created parliamentary boroughs.[39] The right to form a police burgh was extended to all towns with a population exceeding 1,200 in 1850 and to all towns exceeding 700 persons in 1862.[40] In many urban areas, a dual system of town council and police commission functioned side by side, often composed of the same membership until the Burgh Police Act of 1892 fused the two bodies into one municipal council.[41]

Borough reform in Ireland was carried our in two stages, of which the Municipal Corporations (Ireland) Act of 1840 was the first.[42] In contrast to both Scotland and England, where all of the existing urban bodies had been retained, fifty-eight of the surviving sixty-eight Irish boroughs were abolished. The remaining ten were given a similar system to the Scottish burghs; an electorate consisting of £10 householders, annual elections each November and provision for one third of the council to retire annually. However, the mayor was to elected for one year, not three and women were not given the vote. Also the powers given to the new corporations were very limited and consisted chiefly of the authority to make by-laws and to suppress dangerous or insanitary buildings or places. The second programme of borough reform in Ireland was enacted between 1849 and 1854. While there was no equivalent of the Burgh Police Act of 1833, similar provisions were already available to Irish urban areas under the Lighting of Towns Act (1828) which conferred powers to elect commissioners with powers equivalent to the Scottish police commissioners. Such powers were separately conferred on their respective borough corporations by local acts for Dublin (1849), Cork (1852) and Limerick (1853). The Town Improvement (Ireland) Act of 1854 updated the 1828 Act and provided similar machinery to that in the Scottish Police Burgh Acts, allowing non-municipal urban areas to establish their own local authority structures.[43]

In the 1830s, municipal reform in both Scotland and Ireland resulted in the overthrow of the long-established Tory oligarchies and the establishment of the rule of the urban bourgeoisie. In Scotland, Liberal elites assumed power in the burghs, while in Ireland the Catholic middle classes took control of the towns and cities outside North-East Ulster. Efficiency, effectiveness, accountability and economy were to be the watchwords of the new corporations. While not democratic, they at least reflected the wishes of a larger section of the population than had previously been the case. They were to demonstrate a willingness to tackle a wide range of problems, including the provision of infrastructure, lighting, night watch, water and sewerage systems, gas and social housing which had been largely ignored by their predecessors. Some sixty years later, the respective Acts that established elected county councils in Scotland in 1890 and in Ireland in 1899 also provided for the introduction of a householder franchise in the municipal boroughs. In consequence, the vote was given to such a large proportion of the adult population that in both countries one can date the beginnings of democracy in the urban local state from this time.[44]

39 3 & 4 Wm IV, c.77. **40** 13 & 14 Vict. c. 33 and 25 & 26 Vict. c. 101. **41** 55 & 56 Vict. c. 55. **42** 3 & 4 Vict. c. 108. **43** For a discussion of these developments, see Roche, *Local government*, pp 33–5. **44** 52 & 53 Vict. c. 50 and 61 & 62 Vict. c. 37.

However, the local government systems in Scotland and Ireland also diverged considerably from the 1830s onwards. A number of Scottish historians have emphasized that while at the level of parliamentary and central government, Scotland was assimilated into the United Kingdom after 1707 and despite the absence of Scottish home rule, Scottish control was paramount in the local state, which was the level that mattered to the Scots themselves.[45] The poor law, prisons, public health, police, lunatic asylums and education were under the control of either town councils or supervisory boards based in Scotland and staffed by Scots. Britain was probably one of the most decentralized countries in Europe for most of the nineteenth century and local government provided most of the day-to-day administration.

By contrast, in Ireland significant areas of service provision were centralized under bodies with a nationwide remit. The primary school system, set up in 1831, was administered by the Commissioners of National Education, while control of the police was removed from local authorities in 1836. Irish central government also intervened in the fields of economic development, prisons and public health on a scale that was unknown in Britain. The Board of Works was established in 1831, and built roads, ports and other infrastructure all over the country. The provision of hospitals for the mentally ill was placed in the hands of lunatic asylum districts in 1817, under the control of a national Board for the General Control of District Asylums, which was superseded in 1843 by the Board of Works. Both mental hospitals and prisons were supervised by national inspectorates and in 1877 the prisons were entirely removed from local authority control and placed under a Central Prisons Board.[46]

Thus, the role of Irish local authorities became much more marginal than that of their counterparts in Scotland. There were a number of reasons for this. Firstly, the Irish elite was small in numbers and dispersed by comparison with that of Britain. Second, the rise of Catholic nationalism from the 1820s onwards made successive British governments wary of strengthening local authorities, which might become centres of agitation, disaffection or even rebellion. Thirdly, Irish Protestants often preferred centralization to rule by local Catholic elites. Fourthly, Irish nationalists regarded local government as a stepping-stone to the attainment of national self-rule, not as having much value in itself. Fifthly, Irish poverty and unrest meant that local authorities did not possess adequate financial resources, or ability to main order in their areas of responsibility.[47]

The sense of grievance and exclusion felt by the Catholic population and the consequent development of political nationalism in their ranks resulted in a significant

45 Devine, *The Scottish nation*, pp 287–89; Graeme Morton & R.J. Morris, 'Civil society, governance and nation, 1832–1914', in Houston and Knox, *New Penguin history of Scotland*, pp 377–80. **46** R. B. McDowell, *The Irish administration, 1801–1914* (London, 1964), passim. **47** Potter, *The government and the people of Limerick*, pp 298–300.

cleavage existing between them and the Irish administrative system that went by the generic term 'Dublin Castle'. This was the case even with Irish-based bodies such as the Commissioners of National Education and the Local Government Board and persisted even though increasingly large numbers of Catholics came to be employed in such bodies as the nineteenth century progressed. From the 1870s onwards the demand for home rule dominated Irish political discourse and meant that the granting of significant local government reforms, such as the establishment of the county councils in 1899 did not create the sense of ownership of the administrative system felt by the Scots.[48] Ironically, a similar process was to occur in Scotland in the late twentieth century when increasing centralisation and reduction of the authority of the local state was to help fuel the demand for home rule.[49]

48 See McBride, Lawrence W., *The greening of Dublin Castle: the transformation of bureaucratic and judicial personnel in Ireland, 1892–1922* (Washington, DC, 1991). **49** For the background to the restoration of the Scottish parliament in 1999, see Devine, *The Scottish nation*, pp 574–617.