

**Deaf People in Ireland:
Education, Poverty, and the Law, 1851-1922**

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Declaration

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Abstract

This thesis will carry out a historical investigation into aspects of the lives and experiences of deaf people in Ireland during the period 1851 to 1922. It comprehensively explores, using a 'history from below' perspective, the beginnings of deaf education in Ireland, the formation of deaf communities, the relationship between deaf schools and the Poor Law boards, and deaf people's experiences in workhouses, courts of law, and prisons. It adopts a Deaf Studies perspective that recognises the existence of deaf communities and sign languages. Utilising a wide range of sources, it uses the technique of reading 'against the grain' when examining sources such as Census of Ireland Reports and manuscript returns, genealogical sources, and institutional records from deaf schools, workhouse indoor relief registers, prison registers, and court files. Particular use will be made of electronic databases of newspapers of the period.

The thesis begins with an outline of the beginnings of deaf education in western Europe and North America, with a brief summary of the different philosophies around deaf education throughout the eighteenth and nineteenth centuries. It then describes the rolling out of deaf education through the country. New sign languages arising from the schools were then described – the male and female variants of 'Cabra Sign', ancestors of Irish Sign Language; and the widely-used signed variants of Protestant-run deaf schools, termed 'Claremont Sign' and 'Belfast Sign'. It is shown that the deaf schools fostered the creation of two communities of deaf people of different denominations. These communities are then profiled by population, employment, location, community and cultural development as well as household structure and marriage patterns.

The relationship between deaf schools and the Boards of Guardians is then explored, showing that many factors could prevent the Poor Law provisions on deaf education from being implemented, primarily concern on the part of Poor Law Unions about cost. The result of this was a high percentage of deaf children whose education was incomplete. Next, deaf people's usage of and experiences within workhouses is explored via indoor relief registers. It is shown that deaf people made intense use of the workhouse, particularly for reasons of medical care. By the turn of the century, a large proportion of deaf workhouse inmates were inmates of asylum wards; however, others made frequent but short term use of the house for a multitude of reasons.

The experiences of deaf people in court is then examined. Various legal issues are explored, including whether deaf defendants were deemed 'fit to plead' (if not, being declared 'not sane' and committed), and deaf witnesses' ability to take an oath, as well as the use of various case law precedent in shaping different reactions to deaf defendants and witnesses. A dataset of court newspaper reports mentioning deaf people is assembled and analysed in terms of the sorts of offences charged, use of interpreters and writing. Following this, deaf people's experiences in prison are explored, particularly deaf convicts undergoing penal servitude. It is found that the Crofton system so highly praised by commentators of the time was not immediately accessible to deaf prisoners in practice. Yet despite communication between prisoners and staff being poor in prison, and the environment posing risks to their mental health, they made effective use of memorials and letters to communicate their wish to have their sentences shortened.

The dissertation ends with a summary of cross cutting themes across the thesis and some suggestions for future research.

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I would like to dedicate this thesis to the Irish Deaf community, past and present, and in particular to the memories of those I write about in these pages. I hope this work in some small way illuminates the darkness they sometimes dwelt in, and helps make the future brighter for tomorrow's Irish deaf community.

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Introduction

In this thesis, I intend to carry out a historical investigation into aspects of the lives and experiences of deaf people who used sign language in Ireland during the period 1851 to 1922. I will be specifically looking at deaf people's experiences in education, with the Poor Law (particularly within workhouses), in courts of law as defendants and witnesses, and as prisoners. My central research question could be expressed as: "How can records of the experiences of deaf people with particular state, voluntary and local government institutions in Ireland between 1851 to 1922 help us to understand in a wider sense their treatment by hearing society, to locate and describe their own reactions, views and perspectives, and to illuminate the wider stories and lives of deaf people and deaf communities?" This question will be answered by taking a "history from below" approach, examining demographic, genealogical, and institutional records as well as published newspaper reports.¹ Sources will be critically interpreted "against the grain" for insights into experiences of deaf people who used signed languages.² The focus will be on the day-to-day operations and policies of these institutions as they pertain to deaf people, as well as on the deaf individuals who interacted with and experienced these operations. It also examines (where sources reveal them) deaf people's own reactions and resistance to these institutions, and strategies used by deaf people when in contact with these institutions. 'Deaf people' are defined herein as individuals with a hearing loss (with or without speech) who used, or were likely to have used, some form of sign language to communicate. Rather than an emphasis on hearing loss or speech, a Deaf Studies perspective will instead be utilised; this thesis is not a history of hearing loss but instead a history of a particular set of Irish communities and languages coming into formation during this period. References to signed languages and residential deaf schools will be prioritised, as well as the existence and influence of adult Irish deaf communities – composed of members with various degrees of hearing loss, sharing a common signed language and a cultural identity.

¹ Eric Hobsbawm, 'On History from Below' in *On History* (New York, 1998), pp 201–216.

² Walter Benjamin, 'Theses on the Philosophy of History' in Hannah Arendt (ed.), *Illuminations* (New York, 1968), pp 253–264.

Rationale for Topics

The deaf community has become prominent in Irish life in recent years. Official legislation recognising Irish Sign Language (ISL) finally became a reality with the passing of the Irish Sign Language Act 2017. The Act accepts the deaf community as a linguistic and cultural minority in Ireland, recognising explicitly that ISL is “the sign language used by the majority of the deaf community in the State”; it further legitimates this community by decreeing that “[t]he community of persons using Irish Sign Language shall have the right to use, develop and preserve Irish Sign Language”.³ This legislative validation of deaf people’s language and community forms a contemporary bedrock for this dissertation, which seizes the opportunity to explore more deeply the historical aspects of this minority in Ireland.

The historical context for the chosen period, 1851 to 1922, is an Ireland emerging from the dire poverty and mass mortality of the Great Famine. It is a series of decades in which the machinery of the British state in Ireland continued to develop stronger and more centralised state bureaucracies and institutions, the establishment and growth of which was highly consequential at all levels of Irish society.⁴ A national system of education had been established in 1831 offering free, accessible education to all children of the nation (though, as we shall see, excluding among others those children that could not hear).⁵ The Irish Poor Law, from its beginnings in 1838, initiated the construction of a network of workhouses, the administration of which began to stabilise during the 1850s, after the turbulence of the Famine years. The Poor Law Commissioners oversaw a new tier of local Irish administration - the Boards of Guardians, which became more involved in wider forms of relief of the destitute and, increasingly, the administration of public health and welfare.⁶ In the sphere of law and order, a national system of policing had been introduced in 1837; the Dublin Metropolitan Police and Royal Irish Constabulary became a hugely significant social presence in Ireland, interacting every day with members of the public and assisting in other tasks such as Census administration.⁷ Legal developments marked a shift towards consolidation; the Petty Sessions Act of 1851 was an attempt by the British administration to standardise record keeping in the lowest courts, while

³ Irish Sign Language Act, 2017 (40/2017) (19 December 2019), Section 3(2).

⁴ Virginia Crossman, ‘The Growth of the State in the Nineteenth Century’ in James Kelly (ed.), *The Cambridge History of Ireland, Volume III: 1730–1880* (Cambridge, 2018), p. 542.

⁵ Donald H. Akenson, *The Irish Education Experiment: The National System of Education in the Nineteenth Century* (2nd ed., Abingdon, Oxon, 2012).

⁶ Peter Gray, *The Making of the Irish Poor Law, 1815–1843* (Manchester, 2009); Virginia Crossman, *Politics, Pauperism and Power in Late Nineteenth-Century Ireland* (Manchester, 2006).

⁷ W. J. Lowe and E. L. Malcolm, ‘The domestication of the Royal Irish Constabulary, 1836–1922’ in *Irish Economic and Social History*, XIX, no. 1 (1999), pp 27–48; Niamh Howlin, ‘Nineteenth century criminal justice: uniquely Irish or simply not English?’ in *Irish Journal of Legal Studies*, iii, no. 1 (2013), pp 67–89 (<http://irserver.ucd.ie/handle/10197/4953>). The Irish Constabulary had earned their ‘Royal’ prefix as recognition of their role in putting down the Fenian rising of 1867: Christine Kinealy, *A New History of Ireland* (Stroud, 2004).

Acts of Parliament would gradually reorganise and consolidate the superior courts.⁸ Parallel moves were made to ensure the magistracy were more professional and effective around the country.⁹ There was also growing centralisation of the Irish penal apparatus into a national prison system, with developments such as the end of convict transportation and introduction of a new sentence of ‘penal servitude’, the opening of Mountjoy as a convict prison in 1850 and the creation of the General Prisons Board in 1877.¹⁰ Other social developments, such as the growth of the network of lunatic asylums, both public and private, also evince increased state centralisation – and growing presence of the institution as a cornerstone of Irish life.¹¹ Yet the period also saw the continuation of private charity and philanthropy – particularly by religious orders - in funding and administering institutions of education and poverty relief.¹²

Given this background, this thesis attempts to examine some of these developments in order to inquire as to how deaf people who used sign language were viewed and treated by some of these growing institutions and bureaucracies. Given the significance of the historical developments in Ireland mentioned above, this thesis has a partially ‘institutional’ focus; however, primary attention shall be drawn to the status of certain forms of institution as sites of interface between deaf people and hearing society. In order to illuminate the experiences of deaf Irish people through the period in a more meaningful way, institutional records will be utilised and combined with ‘vernacular’ sources, produced from outside the institutions, primarily newspapers.¹³

Irish historians have urged a greater attention on the experiences of individuals living in - or incarcerated within - institutions in Ireland, particularly during the early and mid-twentieth centuries. Recent Governmental inquiries have brought to light much regarding the administration of residential institutions post-independence, particularly the prevalence of

⁸ ‘An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in Ireland’, 14 & 15 Vict., c. 93 (7 August 1851); R. B. McDowell, ‘The Irish Courts of Law, 1801-1914’ in *Irish Historical Studies*, x, no. 40 (1957), pp 363–391; Fiona Fitzsimons, ‘Petty Sessions Records’ in *Irish Roots*, no. 4 (2012), pp 24–25.

⁹ R. B. McDowell, *The Irish administration, 1801-1914* (1st ed., Dublin, 1964); R. B. McDowell, ‘Administration and the Public Services, 1800-70’ in William E. Vaughan (ed.), *A New History of Ireland, V: Ireland Under the Union, I, 1801-70* (Oxford, 1989), pp 538–561; Derek Sheills, ‘The Resident Magistracy in Ireland 1860-1922’ in *IAHCCJ Bulletin*, no. 15 (1992), pp 39–53.

¹⁰ McDowell, *The Irish administration*; Elizabeth Eileen Dooley, ‘Sir Walter Crofton and the Irish or Intermediate System of Prison Discipline’ in *New England Journal on Prison Law*, lxxii (1981), pp 72–96; Tim Carey, *Mountjoy: The Story of a Prison* (Wilton, Cork, 2000).

¹¹ Mark Finnane, *Insanity and the insane in post-famine Ireland* (London, 1981); Joseph Robins, *Fools and Mad: A History of the Insane in Ireland* (Dublin, 1986); Alice Mauger, *The Cost of Insanity in Nineteenth-Century Ireland: Public, Voluntary and Private Asylum Care* (London, 2018); Arthur Williamson, ‘The Beginnings of State Care for the Mentally Ill in Ireland’ in *Economic and Social Review*, x, no. 1 (1970), pp 281–290.

¹² Mel Cousins, ‘Charity, Philanthropy and Poverty in Ireland, 1850-1914’ in Inga Brandes and K. Marx-Jaskulski (eds), *Poor relief and charity: Rural societies in Europe, 1850-1930* (2008); Maria Luddy, *Women and Philanthropy in Nineteenth Century Ireland* (Cambridge, 1995); Audrey Woods, *Dublin Outsiders: A History of the Mendicity Institution, 1818-1998* (1998).

¹³ Elizabeth Bredberg, ‘Writing Disability History: Problems, perspectives and sources’ in *Disability & Society*, xiv, no. 2 (1999), pp 194–195.

physical, sexual and emotional abuse therein.¹⁴ However, the particular experiences in this field of people who were deaf, particularly in the period before Irish independence, remains, as yet, rarely explored. This dissertation seeks to partially address such gaps in existing Irish historiography on education, crime, prison, poverty and the Irish Poor Law. By researching the lives of twice-marginalised deaf people who were often illiterate, and were defendants, prisoners, inmates or paupers, it will be shown that deaf people as a community were disproportionately institutionalised; beginning with a childhood in deaf residential schools, often sent to working in convents, hospitals or other institutional environments, occasionally spending frequent stays or long periods in workhouses, time in prison, and often ending their lives in mental hospitals.

Rationale for Time Period and state

The Place

The research takes an all-Ireland approach. As the island was governed as one administrative unit by Westminster in the period up till 1920, it makes sense to treat of developments on a national scale. Facilitating this approach was the nature of the poor law institutions and the justice system, which operated officially at a national, all-Ireland level. Regional differences and patterns did arise and will be discussed, but in these decades, from a poor law policy or criminal justice administration point of view, there was no official distinction between the regions that would become the Irish Free State and Northern Ireland.

This all-island approach is also optimal for studying the population group in question – the deaf community in Ireland. It brings under scrutiny all kinds of Irish deaf people - members of distinct deaf communities in all parts of the island, who had attended schools for deaf children in Dublin, Belfast, Strabane, Westmeath, Cork and elsewhere, as well as uneducated deaf people. Such an approach may reveal common themes uniting much of deaf people's experience, north and south before 1920; differing experiences may also emerge. It is noteworthy that Northern

¹⁴ Commission to Inquire into Child Abuse, *Final Report of the Commission to Inquire into Child Abuse* (Dublin, 2009) (<http://www.childabusecommission.com/rpt/pdfs/>); Commission of Investigation into Mother and Baby Homes, *Final Report* (Dublin, 2002) (<https://www.gov.ie/en/publication/d4b3d-final-report-of-the-commission-of-investigation-into-mother-and-baby-homes/>); Leanne McCormick, Sean O'Connell, Olivia Dee and John Privilege, *Mother and Baby Homes and Magdalene Laundries in Northern Ireland, 1922-1990 Report* (Belfast, 2021) (<https://www.health-ni.gov.uk/publication-research-report-mbhtml>); Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries, *Report* (Dublin, 2013) (<https://www.justice.ie/en/JELR/Pages/MagdalenRpt2013>); Eoin O'Sullivan and Ian O'Donnell (eds), *Coercive Confinement in Post-Independence Ireland: Patients, Prisoners and Penitents* (Manchester, 2012).

Ireland's deaf history has not been investigated in detail at an academic level.¹⁵ It is the hope that this dissertation will partly help to rectify this.

The Period

The selection of the years 1851 to 1922 for study, and ending at the establishment of the Irish Free State, coincides with a number of major developments in terms of the social institutions being discussed and gives much continuity in terms of the State's legal structures and social provisions, as well as the sources utilised. Beginning in 1851 effectively excludes the worst ravages of the Irish Famine, a period which saw the workhouse system buckling under numbers way above what it was designed to hold. Recording of pauper inmates' disabilities was affected by the sheer numbers being registered, and therefore systematically locating deaf paupers becomes problematic.¹⁶ This renders the Famine period potentially unrepresentative, in terms of deaf people's use of workhouses over the whole span of the Irish Poor Law's operation. Closing the period in 1922 coincides with the end of the Irish Poor Law, when workhouses not already closed or demolished became hospitals, county homes or mother and baby homes.¹⁷ Records of such institutions are far less accessible to historians than Poor Law records prior to 1920.

The period also keeps track of the development, via the 1851 Petty Sessions Act, of a standardised system of local court record keeping, which assisted in regularised collation of court appearance data.¹⁸ The Courts of Justice Act 1924 finally did away with the old court system and drew the British administration of justice in Ireland to a close.¹⁹ However, growing chaos during the War of Independence had a strong effect on the running of petty sessions, police courts, and other superior courts, along with transfer of popular loyalties in many regions to the Dáil Courts. This may mean that 1922, or even earlier, serves as a more coherent end date

¹⁵ The majority of historiography about Northern Ireland's deaf history focuses on Francis Maginn, the deaf community leader and Church of Ireland missionary, born in Cork, who spent most of his life in Belfast: Brian Grant, 'Francis Maginn (1861-1918)' in Renate Fischer and Harlan Lane (eds), *Looking Back: A Reader on the History of Deaf Communities and their Sign Languages* (Hamburg, 1993), pp 97–108; Brian Caul, *Francis Maginn: His Life and Times* (Belfast); Noel O'Connell, "'Deaf Liberator" - The life and times of Francis Maginn, 1861-1918' in *History Ireland* (2021), pp 22–25. Some work has also been done on the establishment of schools in the province of Ulster: Ann Hailes, *Turn on the Light Mummy, I Can't Hear* (Belfast, 1988); Clive Scouler, *Death of the Innocents* (Killyleagh, Co. Down, 2013); [No Author], 'Jordanstown: History & Governance' in *Website, Jordanstown School, Newtownabbey, Belfast*, 2007 (<http://jordanstownschool.org/wp/wp-content/uploads/2015/03/HisGov.pdf>) (15 Apr. 2021).

¹⁶ Helen Burke, *The People and the Poor Law in 19th Century Ireland* (Dublin, 1987), p. 76; Timothy W. Guinnane, Desmond McCabe and Cormac Ó Gráda, 'Agency and famine relief: Enniskillen Workhouse during the Great Irish Famine', no. May (2004) (<http://researchrepository.ucd.ie/handle/10197/476>). Burke also states that the 'Disability' column in the South Dublin Union registers was barely used after 1840, but if the use of this column in the South Dublin registers is examined closely, there is a reasonable consistency over the decades in its recording whether an admitted inmate was 'deaf and dumb' or 'deaf mute'.

¹⁷ Donnacha Seán Lucey, *The End of the Irish Poor Law? Welfare and Healthcare Reform in Revolutionary and Independent Ireland* (Manchester, 2015).

¹⁸ 'An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in Ireland', 14 & 15 Vict., c. 93 (7 August 1851).

¹⁹ Courts of Justice Act, 1924 (1924 no. 10) (12 April, 1924).

for the period than 1924 in terms of demarcating a period of relatively smooth running of the justice system in Ireland.

Advantages in terms of sources and continuity relevant to deaf people also exist; the 1851 Irish Census was the first to specifically include questions for households about disability, including deafness. The household returns submitted to the Census Commissioners, and follow-up questions asked of households with deaf members, were compiled into the first set of detailed statistics and analysis about people known as ‘deaf and dumb’ in Ireland.²⁰ These statistics continued to be compiled decennially until 1911, and form a quantitative backbone to our study of the period.

Specifically, the lives of Irish deaf people during this period remain underexplored - and unique.²¹ Ireland seems to have bucked international trends in deaf education, as sign language continued to be the principal method used in the majority of deaf schools until the mid-20th century. This choice of period and place thus offers an opportunity to further explore this very distinctive national deaf community experience.

Irish Deaf Historiography

It is worth briefly summarising the historiography concerned with Irish deaf people here. This begins with a number of works throughout the nineteenth century by hearing educators of deaf children, describing as a central topic the origins and methods of the major Irish deaf schools.²² These were followed by commemorative works produced by the schools and institutions for deaf people during the following century.²³ The first modern academic research in the field seems to have been Michael O’Dowd’s thesis on the history of the Cabra schools in 1955, with James McClelland producing a similar work with a Northern Ireland focus in 1965.²⁴ However these academic works, like the earlier publications mentioned above, were largely uncritical –

²⁰ P. Froggatt, ‘Sir William Wilde and the 1851 census of Ireland’ in *Medical History*, ix, no. 4 (1965), pp 302–327; Alvean E. Jones, ‘Deaf People and the Census’ in *Discovering the Deaf Glen: an anthology of Irish Deaf history* (Dublin, 2022).

²¹ Noel Patrick O’Connell, ‘A tale of two schools: educating Catholic female deaf children in Ireland, 1846–1946’ in *History of Education*, xlv, no. 2 (2016), p. 3.

²² Charles Edward Herbert Orpen, *The contrast between atheism, paganism and Christianity illustrated; or, The uneducated deaf and dumb, as heathens, compared with those who have been instructed in Language and Revelation, and taught of the Holy Spirit as Christians* (Dublin, 1827); Charles Edward Herbert Orpen, ‘Anecdotes and Annals of the Deaf and Dumb’ in *Dublin Penny Journal*, iv, no. 196 (1836), pp 315–317; Mr. Gordon, *Art of instructing the deaf and dumb, with remarks on existing institutions for their relief. Part I* (Dublin, 1831); Thomas McNamara, *Claims of the Uninstructed Deaf-mute to be Admitted to the Sacraments* (Dublin, 1878); Walter J. M. Newburn, *Lipreading: Hearing By Sight* (Dublin, 1909).

²³ St Joseph’s School for Deaf Boys, *Centenary Record* (Dublin, 1957); Robert Allen, *The soul of a silent mission: the history of the Kingan Mission* (Belfast, 1942); Terri Broderick and Regina Duggan, *Origins and Developments of St. Mary’s School for Deaf Girls, Cabra* (Dublin, 1996).

²⁴ Michael B O’Dowd, ‘The History of the Catholic Schools for the Deaf’ (Unpublished MA thesis, University College Dublin, 1955); James Gerald McClelland, ‘The development of educational facilities for handicapped children in Ireland with particular reference to the deaf in Ulster’ (Unpublished MA thesis, Queens University Belfast, 1965).

indeed, rarely less than hagiographic - towards school founders. While packed with detail from school minutes and correspondence, they follow a broadly similar template of glorifying the institution and its founders for 'saving' deaf children. In a somewhat similar vein, Sr Nicholas Griffey, for many years principal of St Mary's deaf school in Cabra, wrote in her 1994 autobiography of the early years and achievements of the Cabra schools before the 1950s. She presents the switch that occurred at this point to the oral method as part of an uninterrupted line of progression and excellence in Irish deaf education.²⁵ Celebratory publications from the Northern Ireland perspective have been similarly celebratory and uncritical.²⁶ However, Patrick McDonnell's 1979 essay on the funding and operation of the deaf schools in Ireland took a more clinical, even-handed look at financial operations and pupil enrolments in the schools; noteworthy was its treatment of the funding relationship between the schools and the Boards of Guardians.²⁷

A major shift occurred in the 1990s in Ireland, when developments in Irish deaf political movements, and the growth of the academic field of Deaf Studies, resulted in a growing amount of Irish writing and scholarship from a deaf cultural perspective. The first volume of *The Irish Deaf Community*, published in 1996, traced historical developments in deaf education in the Irish deaf community from 1816.²⁸ Around the same time, Irish Deaf Society campaigning for a bilingual education system for deaf children, fuelled by growing anger among ex-pupils of the Cabra schools at the displacement of sign language in the deaf education system, gave impetus to the publication of *Breaking the Silence*. This passionate – and polemical - account by a parent of a deaf child bluntly challenged the previous rose-tinted descriptions of deaf education, heavily criticising the failings of Irish oral education in the twentieth century, and championing the sign language-based methodology used in the schools before the 1950s. It also drew attention to the impressive literacy levels among deaf pupils educated in sign language.²⁹ Around the same time, a number of theses from various disciplines were also completed by prominent Irish deaf campaigners discussing issues of language, identity, politics and

²⁵ Nicholas Griffey, *From Silence to Speech: Fifty Years with the Deaf* (Dublin, 1994).

²⁶ Hailes, *Turn on the Light Mummy, I Can't Hear*.

²⁷ Patrick McDonnell, 'The Establishment and Operation of Institutions for the Education of the Deaf in Ireland, 1816-1889' (Unpublished M.Phil thesis, Department of Education, University College Dublin, 1979).

²⁸ Patrick A. Matthews, *The Irish Deaf Community, Vol 1: Survey report, history of education, language and culture* (Dublin, 1996).

²⁹ Edward J Crean, *Breaking the Silence: the Education of the Deaf in Ireland 1816-1996* (Dublin, 1997).

education.³⁰ Other works detailed hard-hitting recollections of the harsher aspects of the oral method of deaf education.³¹

The 1990s also saw the beginnings of research into Irish Sign Language and professional ISL / English interpreter training, and with these came the first academic historical examinations of the language.³² The second volume of *The Irish Deaf Community* contained the first comprehensive study of the history, linguistics and grammar of ISL.³³ Other linguistics and sociolinguistics research contained frequent references to a wider deaf Irish history. Barbara LeMaster's substantial body of work explored the gendered differences between 'men's sign' and 'women's sign' in ISL, and changes in the social and cultural fabric over the decades of the Dublin deaf community.³⁴ Further work on historical linguistics, interpreting studies, and sociolinguistics of ISL, particularly by Carmel Grehan, continued to explore historically-rooted ISL gender variation.³⁵ A definitive linguistic account of ISL has also been published by Lorraine Leeson and John Saeed, which also treats the history of ISL, and the deaf community with it.³⁶

Works of Irish deaf history have further expanded the base of topics from a narrow focus on education and linguistics. Rachel Pollard's *The Avenue's* subject is primarily the Claremont deaf school in Glasnevin in Dublin, but it also represents a move towards a more expansive social and

³⁰ Helena Saunders, 'Growing up deaf in Ireland' (Unpublished M.Phil thesis, University of Dublin, Trinity College, 1997); John Bosco Conama, "'Tourists in Their Own Land": a Social Policy Analysis of the Irish Deaf Community's Participation in Society' (Unpublished M.Litt. thesis, Department of Social Studies, University of Dublin, Trinity College, 2001); Kevin Stanley, 'Discovering the Deaf Community in Ireland: Exploring the Perspectives of the Deaf Community in its Historical and Contemporary Context' (Unpublished M.Litt. thesis, National University of Ireland, Maynooth, 2009); Noel P. O'Connell, 'A critical (auto)ethnographic study of Deaf people's experience of education and culture in Ireland' (Unpublished PhD thesis, Mary Immaculate College, University of Limerick, 2013).

³¹ Patrick McDonnell and Helena Saunders, 'Sit on your Hands: Strategies to Prevent Signing' in Renate Fischer and Harlan Lane (eds), *Looking Back: A Reader on the History of Deaf Communities and their Sign Languages* (Hamburg, 1993), pp 255–260.

³² Lorraine Leeson and Teresa Lynch, 'Three Leaps of Faith and Four Giant Steps: Developing Interpreter Training in Ireland' in *International Perspectives on Sign Language Interpreter Education* (Washington, D.C., 2009), pp 35–56.

³³ Dónall Ó Baoill and Patrick A. Matthews, *The Irish Deaf Community, Vol 2: The structure of Irish Sign Language* (Dublin, 2000).

³⁴ See (among other works) Barbara C. LeMaster, 'The Maintenance and Loss of Female and Male Signs in the Dublin Deaf Community' (Unpublished PhD thesis, University of California, 1990); Barbara C. LeMaster and John P. Dwyer, 'Knowing & Using Female & Male Signs in Dublin' in *Sign Language Studies*, mlxxiii, no. 1 (1991), pp 361–396; Barbara LeMaster, 'When Women and Men Talk Differently: Language and Policy in the Dublin Deaf Community' in Chris Curtin, Hastings Donnan and Thomas M. Wilson (eds), *Irish Urban Cultures* (Belfast, 1993), pp 123–141; Barbara LeMaster, 'Sex differences in Irish sign language' in Jane H. Hill, P. J. Mistry and Lyle Campbell (eds), *The Life of Language: Papers in Linguistics in Honor of William Bright* (Berlin, 1998), pp 67–85; Barbara LeMaster, 'What Difference does Difference Make? Negotiating gender and generation in Irish Sign Language' in Bunin Benor, Mary Rose Sarah, Devyani Sharma, Julie Sweetland and Qing Zhang (eds), *Gendered Practices in Language* (Stanford, CA, 2001), pp 309–338; Barbara LeMaster, 'School Language and Shifts in Irish Deaf Identity' in Leila Monaghan, Constanze Schmalig, Karen Nakamura and Graham H Turner (eds), *Many Ways to be Deaf: International Linguistic and Sociocultural Variation* (Washington, D.C., 2003), pp 153–172; Barbara LeMaster, 'Language Contraction, Revitalization, and Irish Women' in *Journal of Linguistic Anthropology*, xvi, no. 2 (2006), pp 211–228.

³⁵ Lorraine Leeson and Carmel Grehan, 'To the Lexicon and Beyond: The Effect of Gender on Variation in Irish Sign Language' in Mieke Van Herreweghe and Myriam Vermeerbergen (eds), *To the Lexicon and Beyond: Sociolinguistics in European Deaf Communities* (Washington, D.C., 2004), pp 39–73; Lorraine Leeson, 'Vying with Variation: Interpreting Language Contact, Gender Variation & Generational Difference' in Terry Janzen (ed.), *Topics in Signed Language Interpreting: Theory and Practice* (Amsterdam, 2005), pp 251–292; Carmel Grehan, 'Communication Islands: The Impact of Segregation on Attitudes to ISL among a Sample of Graduates of St. Mary's School for Deaf Girls' (Unpublished M.Phil thesis, Trinity College Dublin, 2008).

³⁶ Lorraine Leeson and John I. Saeed, *Irish Sign Language: A Cognitive Linguistic Account* (Edinburgh, 2012).

cultural history. As well as comprehensively examining the school's establishment and progress, and the lives and ideologies of its founders, it delves extensively into the lives of ex-pupils, community life, and forms of mutual support organised by and offered to deaf adults, along with wider controversies including proselytism among deaf schools.³⁷ Graham O'Shea's dissertation achieves similar outcomes with a regional focus on Cork, bringing together scraps of information about some of the lesser-known Cork deaf schools to produce as clear a picture as has yet been assembled about these near-forgotten institutions. O'Shea pioneers approaches (which have also been influential in this thesis) which utilise previously unused sources to reconstruct interactions between deaf people and Cork courts and workhouses.³⁸ Irish deaf women's history has been the focus of work by Anne Coogan and Josephine O'Leary.³⁹ Individual topics, such as the destruction by fire of Strabane's deaf school and the life of Francis Maginn, have been the subject of some smaller recent works.⁴⁰ More recent histories of the political campaigning of the Irish Deaf Society over the last thirty to forty years, culminating in the passing of the Irish Sign Language Act in 2017, have been the subject matter of recent work, particularly by John Bosco Conama.⁴¹ Recently new sub-disciplines and cross-fertilisation of deaf studies with other fields have also produced exciting new theoretical lenses with which to look at deaf people's place in history and their role in hearing Irish society. Noel O'Connell has analysed the oralist disruption of Irish deaf education from postmodern and colonialist perspectives, while Gill Harold has applied the field of deaf geographies.⁴² Elizabeth Mathews has used a framework derived from the theories of 'power/knowledge' by Michel Foucault to analyse power relationships in mainstream schools where most deaf children now undergo their education.⁴³ Forthcoming work edited by Alvean Jones and George Breden promises to

³⁷ Rachel Pollard, *The Avenue: A History of the Claremont Institution* (Dublin, 2006).

³⁸ Graham O'Shea, 'A History of Deaf in Cork: Perspectives on Education, Language, Religion and Community' (Unpublished M.Phil. Thesis, University College Cork, 2010).

³⁹ Anne Coogan, 'Irish Deaf Women: Their Role in the Deaf Community' in *Deaf Worlds*, xxi, no. 2 (2005), pp 78–93; Anne Coogan and Josephine O'Leary, *Deaf Women of Ireland (1922-1994)* (Dublin, 2018); Josephine O'Leary and Alvean E. Jones (eds), *Through the Arch: St Mary's School for Deaf Girls. Remembering 170 Years from 1846-2016* (Dublin, 2016).

⁴⁰ Scoular, *Death of the Innocents*; Caul, *Francis Maginn: His Life and Times*.

⁴¹ John Bosco Conama, '35 years and counting! An ethnographic analysis of sign language ideologies within the Irish Sign Language recognition campaign' in Annelies Kusters, Mara Green, Erin Moriarty and Kristin Snoddon (eds), *Sign Language Ideologies in Practice* (Berlin, 2020), pp 265–286; John Bosco Conama, 'The Bumpy Journey towards the Irish Sign Language Act: Critical Considerations and Personal Reflections of a Deaf Activist-Scholar' in Clare Cunningham and Chris Hall (eds), *Vulnerabilities, Challenges and Risks in Applied Linguistics* (2021); Noel O'Connell, 'Deaf activists and the Irish sign language movement, 1980–2017' in *Sign Language Studies*, xxi, no. 3 (2021), pp 263–289.

⁴² Noel Patrick O'Connell and Jim Deegan, "'Behind the teacher's back": an ethnographic study of deaf people's schooling experiences in the Republic of Ireland' in *Irish Educational Studies*, xxxiii, no. 3 (2014), pp 229–247; Gill Harold, 'Reconsidering sound and the city: asserting the right to the Deaf-friendly city' in *Environment and Planning D: Society and Space*, xxxi, no. 5 (2013), pp 846–862 (<http://www.envplan.com/abstract.cgi?id=d3310>); Gill Harold, 'Deafness, Difference and the City: Geographies of urban difference and the right to the Deaf city' (Unpublished PhD thesis, National University of Ireland, Cork, 2012).

⁴³ Elizabeth S. Mathews, 'Mainstreaming of Deaf Education in the Republic of Ireland: Language, Power, Resistance' (Unpublished PhD Thesis, National University of Ireland, Maynooth, 2011) (https://eprints.maynoothuniversity.ie/2581/1/Mathews_thesis_NUIM.pdf); Elizabeth S. Mathews, "'No sign language if you want to get him talking": power, transgression/resistance, and discourses of d/Deafness in the Republic of Ireland' in *Population, Space and Place*, xvii, no. 4 (2011), pp 361–376.

investigate and analyse a multitude of aspects of Irish deaf history in an anthology-style edited volume.⁴⁴

Alongside these academic works is a rich tradition of historiography emerging from the deaf community itself. A powerful sense of the cultural, and political, identity of the Irish deaf community, has stimulated historical enquiry in work by deaf Irish historians, archivists and researchers past and present. Figures such as Liam Breen, Alvean Jones, Josephine O’Leary, David Breslin, Fergus Dunne, Stanislaus and Christopher Foran, Teresa Lynch, and James Woulfe, among others, have been instrumental in the establishment of this historiographical tradition rooted in the deaf community. Articles on Irish deaf history have been regularly printed over the decades in deaf community magazines such as *Contact*, *Link*, the *Irish Deaf Journal*, and others. The heritage status of residential deaf schools is particularly critical within deaf culture; for generations, these institutions are where deaf children have been brought together, learning sign language from each other or teaching staff, and forming deep lifelong friendships.⁴⁵ Writings of community-based deaf historians have been gathered in commemorative publications linked to the anniversaries of these schools, which contain much of historiographical value.⁴⁶ A key development has been the Deaf Heritage Centre’s establishment in 1999, and the subsequent opening of its museum and archive for genealogists and other researchers in the Deaf Village Ireland complex in Cabra.⁴⁷ These have helped to raise further the profile of deaf community history, and indeed the DHC has begun to penetrate into the ‘mainstream’ of Irish history.⁴⁸

A by-product of these developments has been increased opportunity to create and utilise ISL sources for deaf history, and to present and discuss findings via the medium of ISL. Oral history approaches, utilising video technologies to capture the life stories of elderly deaf people, have been used for many years among deaf historians.⁴⁹ These have also been brought to an academic level with projects such as Trinity College’s ‘Deaf Lives Ireland’ project.⁵⁰ There have

⁴⁴ Alvean E. Jones and George Breden (eds), *Discovering the Deaf Glen: an anthology of Irish Deaf history* (Dublin, 2022).

⁴⁵ For an example of commemorative works that exemplify this, see Liam Breen, Séamus Clandillon, Br. Fitzgerald, David Breslin, Val Quinn and Pat McDonnell (eds), *St. Joseph’s School for Deaf Boys, Cabra 1857 - 2007* (Dublin, 2007); O’Leary & Jones (eds), *Through the Arch*.

⁴⁶ Breen et al. (eds), *St. Joseph’s, 1857 - 2007*; O’Leary & Jones (eds), *Through the Arch*; Alvean Jones (ed.), *Discovering the Deaf Glen: an anthology of Irish Deaf history* (Dublin).

⁴⁷ [No Author], ‘Centre vital in preservation of deaf history’ in *Irish Times*, 2021 (<https://www.irishtimes.com/sponsored/ireland-heritage/centre-vital-in-preservation-of-deaf-history-1.4704744>).

⁴⁸ O’Connell, “‘Deaf Liberator’ - The life and times of Francis Maginn, 1861-1918”; Fiona Fitzsimons, ‘Deaf Records’ in *History Ireland*, xxv, no. 4 (2017), p. 29.

⁴⁹ See for example Irish Deaf Video Project, ‘European Year of Older Irish Deaf People (VHS videotape)’ (Ireland, 1993). A more recent development has been the Irish deaf Folklore Group, whose performances utilise the shared experience of being deaf in a hearing world, expressed through ISL.

⁵⁰ John Bosco Conama, *Hidden Histories Catalogue* (Dublin, 2012). See also <https://deafivesireland.omeka.net/>

also been in-person and online Deaf Heritage Centre events and conferences coinciding with National Heritage Week, and projects creating video resources in ISL which detail the lives and themes of Irish deaf people of the past.⁵¹ Irish deaf historical themes and narratives have also been harnessed in recent times by storytelling and drama groups, re-telling stories of the deaf past in ISL performances to mixed audiences.⁵² Northern Ireland, with its own unique deaf history, has also seen an interest in the field, and DVD resources in BSL and ISL have been produced.⁵³

A major aim of my research is to add to this distinguished yet developing historiography in a way that helps us to answer a significant range of unanswered questions about deaf people's lives and communities. Some of the gaps that persist in the literature include lack of academic attention to the pre-oralist era of Irish deaf history, though recent works have begun to explore this period in the form of biography and profile-type pieces, among other approaches.⁵⁴ It is also clear that the topic of the deaf school has overwhelmingly been the primary focus for Irish deaf historians - its founders, its earliest pupils, its most celebrated alumni, and particularly, changes in its educational methodology and its use of sign language.⁵⁵ It is intended herein to expand out from this focus, by looking with a wider lens at the lives of deaf people all over the country during the pre-oralist period - while still keeping sight of the deaf school as a crucial wellspring in the formation of Irish deaf communities. These institutions, which heavily influenced in various ways the lives of deaf people during the period, will be investigated via a wealth of previously under- and unused sources that enable us to know more about deaf lives, and can also illuminate how these institutions – and by extension, the wider Irish hearing society – reacted to this growing cultural minority.

⁵¹ A Zoom-based conference, "Irish Deaf Life Stories across Time and Place", took place on 14 August 2021, where a variety of researchers signed presentations on deaf individuals from the past, with a noticeable bias towards the nineteenth and early twentieth century;

<https://twitter.com/DHCireland/status/1405916118364082180/photo/1>. A series of 20 ISL videos were published on the DHC's website and YouTube channel in October 2021, made possible with funding from the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media; <https://twitter.com/DHCireland/status/1452622450177490944>.

⁵² See for example Alvean Jones, "'The legal recognition of ISL is the key to equality for deaf people in Irish society'" in *TheJournal.ie*, 17 Sept. 2014 (<http://jrnl.ie/1676427>).

⁵³ British Deaf Association, *Signs of Our Times: a Sign Language History of the Deaf Community in Northern Ireland* (Northern Ireland, 2009) (<https://bda.org.uk/SignsOfOurTimes/>).

⁵⁴ See for example Noel O'Connell, 'Girl in the Looking Glass: A Historical Study of the Life of a Deaf Teacher in 19th-century Ireland' in *American Annals of the Deaf*, clxii, no. 2 (2017), pp 63–68; John Bosco Conama, "A people remarkable for action and gesticulation — excel in mimic signs' - Sir William Wilde (1815 – 1876) and his survey on deaf people (1854)".

⁵⁵ Haley Gienow-McConnell, 'The Story of Mr. And Mrs. Deaf: Deaf American Historiography, Past, Present, and Future' in *Critical Disability Discourses*, vii (2015), p. 129.

‘Deaf people’ and ‘the deaf community’: Current definitions

This thesis takes as its subject the history of individuals who used sign languages in Ireland. This focus on language use means that it is not solely a history of hearing loss or physical disability in itself. The numbers of individuals in Ireland with some form of hearing loss is relatively large; the Census of Ireland in 2016 found that a total of 103,676 people or 2.2 per cent of the population had a “hearing related disability”, a figure mostly skewed towards those aged over 50.⁵⁶ Yet only a small proportion of those consider themselves ‘deaf’ in the way that we define here. Members of the deaf community, in today’s Ireland, commonly define themselves as individuals who are users of Irish Sign Language (ISL), and who socialise with each other locally and nationally, in deaf clubs, at deaf sports events, art and cultural gatherings, religious services, and at an international level with deaf people from other countries. In the Republic of Ireland they form a community of about 5,000 people.⁵⁷ Central to deaf cultural identity is the use of signed languages such as Irish Sign Language (ISL).⁵⁸ ISL is distinct from hundreds of other sign languages around the world such as American Sign Language (ASL), and British Sign Language (BSL). Following on from William Stokoe’s pioneering linguistics work in the 1960s, these languages have been shown to be fully-fledged languages, and not mere manual systems of expressing spoken language or letters. Signed languages do contain representations of letters – ‘manual alphabets’ – but use these systems in only a small proportion of total signed language output. Most of sign language output consists of signs representing nouns, verbs, idioms and representative markers, which combine with use of space and facial expressions in ways that have been clearly found to be grammatical and linguistic in nature.⁵⁹

Irish Sign Language has its roots in the establishment of the first Catholic schools for deaf children in Ireland, the Cabra schools in Dublin - St Mary’s and St Joseph’s. After the Catholic Institution for the Deaf and Dumb was formed in 1845, two nuns and two deaf girls were sent by them to a deaf school in Caen in France, where the nuns studied their methods of deaf education and the signs used with deaf children. These signs were brought back to Ireland and, with some alterations, formed the basis for teaching deaf girls in St Mary’s when it opened in

⁵⁶ Central Statistics Office, ‘Census of Population 2016 – Profile 9: Health, Disability and Carers’ in *Census of Population 2016 website*, 2021 (<https://www.cso.ie/en/releasesandpublications/ep/p-cp9hdc/p8hdc/p9tod/>) (20 Feb. 2023).

⁵⁷ According to the first major research work carried out on sign language users; Matthews, *Irish Deaf Community*, Vol. 1. Recently the 2011 Census of Ireland contained a question in relation to usage of ISL, the results from which showed a significantly lower figure of 1,077 deaf ISL users; see Central Statistics Office, ‘Census of Ireland 2011, Profile 8: Our Bill of Health’ (Dublin, 2012) (<https://www.cso.ie/en/census/census2011reports/census2011profile8ourbillofhealth-healthdisabilityandcarersinireland/>).

However the phrasing of the question and the lack of awareness among the deaf community about the importance of this section, combined with literacy difficulties in the deaf community, were felt by the Irish deaf Society to have led to this skewed result.

⁵⁸ Paddy Ladd, *Understanding Deaf Culture: In Search of Deafhood* (Clevedon, 2003); Matthews, *Irish Deaf Community*, Vol. 1.

⁵⁹ William C. Stokoe, *Sign Language Structure: An Outline of the Visual Communication Systems of the American Deaf* (Buffalo, New York, 1960); Ó Baoill & Matthews, *Irish Deaf Community*, Vol. 2; Leeson & Saeed, *ISL: A Cognitive Linguistic Account*.

1846.⁶⁰ From these beginnings, ISL – using a distinctive one-handed ‘manual alphabet’ alongside and within its signs - has been used in the Cabra schools for teaching, and among the ex-pupils, since the 1840s.

Further linguistic diversity and variation exists. The National Institution for the Education of the Deaf and Dumb Poor of Ireland (often known simply as the Claremont Institution) was founded in 1816 in Dublin, and followed a Protestant ethos; unlike the later Catholic deaf schools of Cabra, it used a sign language with a two-handed manual alphabet (as does British Sign Language).⁶¹ The Ulster Society for Promoting the Education of the Deaf and the Blind opened a school in Belfast in 1831, where a similar sign language to Claremont was used. This has led to a variant of BSL being used in most of Northern Ireland, largely mutually unintelligible with ISL - not necessarily just due to differing manual alphabets, but also differences in vocabulary and grammar. Evidence also exists of Irish deaf people using signed language before the advent of formalised deaf education in Ireland. Throughout the nineteenth century we find glimpses of signs and gestures, and apparently more complex methods of communication used by uneducated deaf people.⁶² Thus we can see a layered linguistic diversity among Ireland’s deaf people that stretches back before the period we investigate.

Deaf People and Oppression in Ireland

Politics and history often intertwine when issues of long-standing importance to deaf people are discussed. The deaf community in Ireland has undergone considerable political mobilisation beginning in the 1980s and 1990s, leading to political campaigns in the areas of access to health, social services and broadcasting, availability of sign language interpreters, and especially in the last decade, national recognition and support for Irish Sign Language.⁶³ For decades, however, the chief issue has been the use of sign language in deaf education. The oral method was

⁶⁰ The boys’ school, opened in 1851 and becoming St Joseph’s in Cabra in 1857, apparently used American textbooks to learn how to sign with the deaf boys, and the version of ISL used there was distinctly different to that of the girls. As a result, two (often mutually unintelligible) forms of ISL were used for decades by deaf men and women, certainly well after the end of the period covered in this thesis, and encouraged by strict segregation of deaf pupils from each other. For the most recent and definitive work on the linguistics of ISL, see Leeson & Saeed, *ISL: A Cognitive Linguistic Account*. Stokoe’s original 1960 monograph is reprinted in William C. Stokoe, ‘Sign language structure: An outline of the visual communication systems of the american deaf’ in *Journal of Deaf Studies and Deaf Education*, x, no. 1 (2005), pp 3–37. For the development of ISL see Broderick & Duggan, *Origins and Developments of St. Mary’s School*; Crean, *Breaking the Silence*; LeMaster & Dwyer, ‘Knowing & Using Female & Male Signs in Dublin’.

⁶¹ Pollard, *The Avenue*.

⁶² Also see Leeson and Saeed, *Irish Sign Language: A Cognitive Linguistic Account*, where the historical influences impinging on ISL are traced, including ‘proto-ISL’ used by deaf people before the schools opened.

⁶³ See Crean, *Breaking the Silence: The Education of the deaf in Ireland 1816-1996* for examples of this surge in political activity in the 1980s. The *Irish deaf Journal* and *Irish deaf News*, publications of the Irish deaf Society, have recently ceased publication, but are the best sources for details of these campaigns through this period right up to the present day. Recent research on signed language recognition and deaf citizenship (see for example John Bosco Conama, ‘Finnish and Irish Sign Languages: An Egalitarian Analysis of Language Policies and Their Effects’) and a cross-community lobbying committee on ISL recognition have crystallised these efforts.

introduced into the Cabra deaf schools in the mid-1940s, and by the 1960s was predominant in both schools; its critics have described it as disrupting decades of tradition of high quality sign language-based education, and producing generations of deaf children since the 1950s with sub-standard literacy attainments.⁶⁴ The consequences of this changeover for deaf children in the classroom were segregation of deaf children by level of hearing loss, the banning of sign language in classrooms, and punishment (often physical) of children who signed in schools. New requirements around funding and training of teachers also led to difficulties for deaf teaching staff.⁶⁵

Other social barriers and discrimination still exist. Lack of availability of professional and trained interpreters, and inconsistent standards of quality, have meant that deaf citizens have experienced considerable barriers in accessing essential legal, medical and social services.⁶⁶ Issues around deaf citizens' access to information have recently arisen from emergency situations such as adverse weather events and the Covid-19 pandemic.⁶⁷ Stigmatisation of deaf people persists, particularly in how they are described in the press.⁶⁸ In a wider socio-economic sense, research has shown that deaf people have experienced relative poverty, with high levels of unemployment and particularly underemployment.⁶⁹ Current research into the socioeconomic status of the Irish deaf community from an equality perspective highlights inequities in the treatment of, and ability to access essential services through, Irish Sign Language.⁷⁰

⁶⁴ See for example Crean, *Breaking the Silence: The Education of the deaf in Ireland 1816-1996*; McDonnell and Saunders, "Sit on Your Hands: Strategies to Prevent Signing"; Grehan, 'Communication Islands'.

⁶⁵ LeMaster, 'The Maintenance and Loss...', pp 63–65.

⁶⁶ See for example Lorraine Leeson, Asim A. Sheikh, Ilana Rozanes, Carmel Grehan and Patrick A. Matthews, 'Critical care required: Access to interpreted health care in Ireland' in *Investigations in Healthcare Interpreting*, 2014, pp 185–232; Lorraine Leeson, Sophie Flynn, Teresa Lynch and Haaris Sheikh, 'You have the right to remain signing: A snapshot of the Irish justice system and deaf signers' in *Teanga: Journal of the Irish Association for Applied Linguistics*, no. 11 (2020), pp 142–173 (<https://journal.iraal.ie/index.php/teanga/article/view/181>).

⁶⁷ Lorraine Leeson, 'Ophelia, Emma, and the beast from the east: Effortful engaging and the provision of sign language interpreting in emergencies' in *Disaster Prevention and Management: An International Journal*, xxix, no. 2 (2019), pp 187–199; Elizabeth Mathews, Patrick Cadwell, Shaun O'Boyle and Senan Dunne, 'Crisis interpreting and Deaf community access in the COVID-19 pandemic' in *Perspectives: Studies in Translation Theory and Practice* (2022) (<https://doi.org/10.1080/0907676X.2022.2028873>).

⁶⁸ Des Power, 'Deafness in Irish newspapers 1986-2005' in *Deaf Worlds*, xxii (2006), pp 1–19.

⁶⁹ John Bosco Conama, Carmel Grehan and Irish Deaf Society (IDS), *Is There Poverty in the Deaf Community?: Report on the Interviews of Randomly Selected Members of the Deaf Community in Dublin to Determine the Extent of Poverty Within the Community* (Dublin, 2002); Pauline Conroy, *Signing In, Signing Out: The education and employment experiences of Deaf Adults in Ireland* (Dublin, 2006).

⁷⁰ John Bosco Conama, 'Situating the socio-economic position of Irish Deaf community in the equality framework' in *Equality, Diversity and Inclusion: An International Journal*, xxxii, no. 2 (2013), pp 173–194; Heath Rose and John Bosco Conama, 'Linguistic imperialism: still a valid construct in relation to language policy for Irish Sign Language' in *Language Policy* (2017), pp 1–20; Avril Mullane, John Bosco Conama and Robert Fourie, 'Human Rights and the Deaf Community in Ireland' in *Journal of Clinical Speech and Language Studies*, xviii (2010), pp 77–94; John Bosco Conama, "'Ah, that's not necessary, you can read English instead": An ecological analysis of state language policy concerning Irish Sign Language and its effects' in Maartje De Meulder, Joseph Murray and Rachel McKee (eds), *Recognizing Sign Languages: An International Overview Of National Campaigns For Sign Language Legislation And Their Outcomes* (2018).

The d/Deaf Paradigm

A major conceptual issue to be discussed at the outset of this thesis, is: who is a 'deaf person'? What is a 'Deaf community', and have the definitions, constructions and understandings of these and related terms changed over time? The academic field of Deaf Studies has developed and popularised certain concepts in this regard which will be described, but also critically evaluated as to their usefulness for analysing the period. Since the 1970s, within the field of Deaf Studies, the term *Deaf* (with a capitalized 'D') is the predominant term or concept used to describe individuals with a hearing loss, but who are positive about – often very proud of – being deaf users of signed languages and part of a signing community. It refers to a cultural rather than an audiological conception of being deaf; they are part of a collective group sharing values, cultural norms, and aspects of lived experience as a minority in a hearing world (particularly experiences of oppression by hearing people), and – centrally – the sharing of a common signed language. Within this framework, the experience of going through residential school education with other deaf children is celebrated and foregrounded, with the school often providing the first accessible language to deaf children, representing a space where communication is free and easy, and lifelong bonds of friendship and community are made. Conversely, someone who loses their hearing in old age, or someone with a hearing loss who does not use a signed language, may not be described as *Deaf*, but instead *deaf*; the lowercase 'd' indicates the audiological aspects of deafness, such as a focus on precise levels of hearing loss, or use of hearing aids and/or speech.⁷¹ This present-day framework may help us understand interactions and behaviour of deaf people in the present; however, to assume that such modern concepts and frameworks can be successfully applied to deaf people in the *past* is potentially problematic, as we shall discuss in the next section.

Deaf Studies and Disability History

The field of disability studies drew on activism by people with disabilities beginning in the 1960s. A key feature of this was its challenge to the 'medical model' of disability, a pathological view which sees disability as the natural consequence of physical impairment of function; it focuses on the "dysfunctional, individual body", requiring medical and / or therapeutic intervention.⁷² Disability has been the subject of historical inquiry, but the prevalence of this medical model has meant a backgrounding of people with disabilities themselves in the historiography, with attention given instead to those who charged themselves with their 'care': physicians,

⁷¹ Harlan L. Lane, Robert Hoffmeister and Benjamin J. Bahan, *A Journey into the Deaf-World* (San Diego, 1996); Matthews, *Irish Deaf Community, Vol. 1*; Ladd, *Understanding Deaf Culture: In Search of Deafhood*.

⁷² Julie Anderson and Ana Carden-Coyne, 'Enabling the Past: New Perspectives in the History of Disability' in *European Review of History—Revue européenne d'Histoire*, xiv, no. 4 (2007), p. 447.

psychologists, educators and charity workers. Histories of disability-related institutions and services, and those who established and ran them, have often been written from this perspective, and form what Anne Borsay calls “service evaluation” histories, and Elizabeth Bredberg terms “histories of institutional practice”.⁷³ By the 1980s the emerging field of disability studies, motivated by the lived experience of disabled people, had developed its own distinct ‘social model’. Within this model, disability is described, not as a feature or phenomenon located within a disabled individual, but as a societal *response* to a physical *impairment*; ‘disability’ as a state of being is a product of the way our society is constructed, disenfranchising and excluding people with physical or mental differences from the rest of society.⁷⁴ Adoption of this model has led historians of disability to realise that the reaction of societies to impairments – in other words, *disability* - has not been immutable across time and space; instead of a generic and unvarying oppression, the treatment and status of people with disabilities can vary from time period to time period and from place to place.⁷⁵ Initial forays into the history of disability and disabled people influenced by Marxian thought had begun within the work of Vic Finkelstein, Michael Oliver, and Colin Barnes, looking particularly at the way that industrialisation and transition to complex capitalist economies in the Western world may have produced a conception of disability as economically unproductive, leading to large-scale social exclusion and institutionalisation.⁷⁶

Partially in response to the perceived overreach of this ‘British’ social model as applied to disability history, the turn of the millennium saw a new set of perspectives on the subject, less focused on narrow economic terms and often influenced by postmodernist thinking.⁷⁷ Paul Longmore and Lauri Umansky’s edited volume *The New Disability History* in 2001, is seen by many to have marked a new beginning within the field, in North America at least.⁷⁸ Not only has disability been proposed as a category of analysis through which we can look at history, but the concept of disability has been shown to be constitutive in historical intersections of class, race,

⁷³ Anne Borsay, ‘History and disability studies: evolving perspectives’ in Nick Watson, Alan Roulstone and Carol Thomas (eds), *Routledge Handbook of Disability Studies* (1st ed., London, 2012), pp 326–328; Bredberg, ‘Writing Disability History’, pp 190–192.

⁷⁴ Bill Hughes, ‘Disability and the Body’ in Colin Barnes, Mike Oliver and Len Barton (eds), *Disability Studies Today* (Cambridge, 2002), p. 59.

⁷⁵ B. J. Gleeson, ‘Disability Studies: A historical materialist view’ in *Disability & Society*, xii, no. 2 (1997), pp 179–202; Jessica Scheer and Nora Groce, ‘Impairment as a Human Constant: Cross-Cultural and Historical Perspectives on Variation’ in *Journal of Social Issues*, xlv, no. 1 (1988), pp 23–37.

⁷⁶ Victor Finkelstein, *Attitudes and disabled people: issues for discussion* (New York, 1980); Michael Oliver, *The Politics of Disablement* (Houndmills, Basingstoke, 1990); Colin Barnes, ‘A Legacy of Oppression: A History of Disability in Western Culture’, eds Len Barton and Mike Oliver, in *Disability Studies: Past Present and Future* (Leeds, 1997), pp 3–24 (<http://pf7d7vi404s1dxh27mla5569.wpengine.netdna-cdn.com/files/library/Barnes-chap1.pdf>).

⁷⁷ Michael Rembis, ‘Challenging the Impairment/Disability Divide: Disability History and the Social Model of Disability’ in Nicholas Watson and Simo Vehmas (eds), *Routledge Handbook of Disability Studies* (2nd ed., New York, 2019), pp 377–379.

⁷⁸ Paul K. Longmore and Lauri Umansky (eds), *The New Disability History: American Perspectives* (New York, 2001).

gender and sexuality such as American slavery, immigration policy and women's rights.⁷⁹ Disability history has garnered much mainstream attention and is now featured prominently as a sub-topic of history.⁸⁰ A limited Irish disability historiography exists, but with the exception of Patrick McDonnell's work has tended to focus on more recent periods.⁸¹ Irish deaf historiography, the development of which we have already seen, forms a notable exception.

Disability studies has had a complex and changing relationship with Deaf Studies. Deaf history would seem to share much with disability history in terms of how its subjects were treated by society and the state. A 'medical model' of looking at deafness has also been historically prevalent, focusing on levels of hearing loss, use of lipreading and speech, and medical and technological interventions such as hearing aids and cochlear implants. Centrally, there is a conception of the deaf (or 'hearing-impaired') person as being an incomplete or broken entity, needing to be fixed.⁸² Following the lead of disability studies, Deaf Studies formulated its own 'social model' of deafness. However, the relationship between Deaf and disability studies has been somewhat fraught. Susan Burch declared in 2006 that a "contentious historic relationship between Deaf people and the broader Disability world has produced a critical barrier within the academic study of Disability history."⁸³ Despite potential commonalities between deaf history and disability history in terms of concepts, methodology, and issues relating to sources, deaf writers have been keen to point out the distinctive nature of signed languages and cultures, and have emphasised the need to acknowledge "that different disabilities have their own histories, each defined by unique trajectories".⁸⁴ Specifically, the theme of institutionalisation is one where deaf and disability historians may differ. Rather than push for the closure of 'institutions' for deaf children, in the manner that campaigners call for an end to disability-specific institutions, much of deaf political campaigning and cultural memory is invested in the residential schools - the birthplace of modern signed languages. Deaf campaigners and historians stress the centrality of the deaf school to the deaf community's being: "deaf people

⁷⁹ Catherine J. Kudlick, 'Disability History: Why We Need Another "Other"' in *American Historical Review*, cviii, no. 3 (2002), pp 763–793; Douglas C. Baynton, 'Disability and the Justification of Inequality in American History' in Paul Longmore and Lauri Umansky (eds), *The New Disability History* (New York, 2001), pp 33–57.

⁸⁰ See for example Jaipreet Virdi, 'How can we write the history of disability?' in Helen Carr and Suzannah Lipscomb (eds), *What Is History Now? How the past and present speak to each other* (London, 2021), pp 116–133.

⁸¹ Pauline Conroy, *A Bit Different: Disability in Ireland* (Dublin, 2018); Patrick McDonnell, *Disability and Society: Ideological and Historical Dimensions* (Dublin, 2007); Máirtín Ó Catháin, "'Blind, But Not to the Hard Facts of Life": The Blind Workers' Struggle in Derry, 1928–1940' in *Radical History Review*, xciv, no. 94 (2006), pp 1928–1940 (<http://rhr.dukejournals.org/content/2006/94/9.short>); David Kilgannon, "'A Descent into Hell": Ireland, the Intellectually Disabled and the Psychiatric Hospital System' in *History Workshop*, 2018 (<http://www.historyworkshop.org.uk/a-descent-into-hell-ireland-the-intellectually-disabled-and-the-psychiatric-hospital-system/>) (9 May 2018).

⁸² See Ladd, *Understanding Deaf Culture: In Search of deafhood*.

⁸³ Susan Burch and Ian Sutherland, 'Who's Not Yet Here? American Disability History' in *Radical History Review*, xciv, no. Winter (2006), p. 142.

⁸⁴ Carol A. Padden, 'Talking culture: Deaf people and disability studies' in *PMLA (Publications of the Modern Language Association of America)*, cxx, no. 2 (2005), p. 508.

do not view their legacy of segregation ... in the same way that other disabled groups do theirs. We who are deaf view our schools' history as constitutive of who we are, even as we acknowledge their troubled past." The separation from hearing family and society that residential deaf education implied helped forge an identity: "Our segregated past shaped our social history".⁸⁵

The wider deaf community in recent decades has been forthright in declaring that they do not see deafness to be a disability at all.⁸⁶ Rather than a straightforward 'social model' of deafness, with its association with disability, new ways of describing this community and its members have emerged, leaning towards a more purely cultural view of being deaf - seeing hearing loss as merely a physical variation, not an impairment. British deaf writer Paddy Ladd has created a 'Deafhood' model describing a process of gradual self-actualisation as a deaf person, a model inclusive of many different ways of being deaf.⁸⁷ Recent work within deaf and disability studies has questioned this emphatic rejection of the disability label, and proposed that productive work could be done within the intersections of these two fields. Joseph Murray and Maartje de Meulder's work in 2017 "position[ed] sign languages and SLPs as having dual category status, being seen as both a linguistic minority and a group of people with a disability."⁸⁸ Douglas Baynton has pointed to the usage of notions of 'disability' within American history as a justification for the oppression of women, immigrants and African Americans; representatives of these oppressed groups, and those of deaf people, have been found to employ disparaging use of notions of disability.⁸⁹ Recently, academic deaf historians have begun to locate their work squarely within disability history and disability studies, taking as given that deaf people are disabled, and deeming the rejection of the disability label by deaf leaders of the past as ableist and oppressive. Susan Burch and Octavian Robinson, for example, have explored ableist discourses within the 'hard-working', 'respectable' white, male-dominated deaf American community, partially aimed towards differentiating, for the wider hearing society's benefit, deaf people from other groups with disabilities.⁹⁰

⁸⁵ Ibid., p. 513.

⁸⁶ See particularly the work of historian and academic Harlan Lane, e.g. Harlan Lane, *When the Mind Hears: A History of the Deaf* (New York, 1989); Harlan Lane, 'Do Deaf People have a Disability?' in *Sign Language Studies*, ii, no. 4 (2002), pp 356–379.

⁸⁷ Ladd, *Understanding Deaf Culture: In Search of Deafhood*. For further discussion around the labelling of the deaf community and various proposals as to naming it, see Michael Stuart Gulliver, 'DEAF space, a history: The production of DEAF spaces emergent, autonomous, located and disabled in 18th and 19th century France' (Unpublished PhD thesis, University of Bristol, 2009) (<http://ethos.bl.uk/OrderDetails.do?uin=uk.bl.ethos.509765>); Mary E. Kitzel, 'Chasing Ancestors: Searching for the roots of American Sign Language in the Kentish Weald, 1620-1851' (Unpublished D. Phil. thesis, University of Sussex, 2013) (<http://sro.sussex.ac.uk/48877/>).

⁸⁸ Maartje De Meulder and Joseph J. Murray, 'Buttering their bread on both sides? The recognition of sign languages and the aspirations of deaf communities' in *Language Problems and Language Planning*, xli, no. 2 (2017), p. 139.

⁸⁹ Baynton, 'Disability and the Justification of Inequality in American History', p. 41,51.

⁹⁰ Octavian Robinson, "'We Are of a Different Class": Ableist Rhetoric in Deaf America, 1880–1920' in Susan Burch and Alison Kafer (eds), *Deaf and Disability Studies: Interdisciplinary Perspectives* (Washington, D.C., 2010), pp 5–21.

Newer Thinking

In recent years within Deaf Studies, the appropriateness of using the concepts of *Deaf* people, *Deaf* communities, and a *d/Deaf* distinction, has been challenged. The term *Deaf* was first used in the 1970s by James Woodward, although it appears that subsequent adoption and use of the term has rendered it somewhat binary and potentially exclusionary in a way that is unintended. Critics have wondered where this concept and definition of *Deaf* leaves deaf people who were educated in mainstream, non-signing educational settings away from other deaf children, who later seek to join the Deaf community – perhaps to find themselves viewed as outsiders.⁹¹ A recent work that has been strongly influential in the thinking behind this thesis' approach is that of Annelies Kusters, Maartje De Meulder, and Dai O'Brien.⁹² They observe that researchers are moving away from the *d/Deaf* distinction as it pertained to signing, instead preferring to use only "deaf". This is partially due to concerns about a rigid binary distinction between *d/Deaf*, which "creates or perpetuates a dichotomy between deaf and Deaf people [and] has caused practices and experiences of exclusion." Such a clear cut distinction is "an oversimplification of what is an increasingly complex set of identities and language practices, and the multiple positionalities/multimodal language use shown is impossible to represent with a simplified binary." Very specifically, they feel that using *Deaf* is "anachronistic when writing about deaf history".⁹³ Though this point is not pursued within the article, it seems to acknowledge the disparate array of language behaviours, arrangements, cultural features and identities held by all kinds of deaf people over the last two to three centuries, and recognises the impossibility of slotting them neatly into the *d/Deaf* binary they criticise.⁹⁴

The use of the distinction of *d/Deaf* has elsewhere been questioned and challenged with respect to the study of the history of deaf people. Meredith Nini, exploring the work of nineteenth century deaf poets, believed that attempting to decide "whether or not groups of people and specific poets would have identified as deaf or Deaf is nearly impossible, and would oversimplify an individual's complex and personal journey". She approached the subject by simply using

⁹¹ James C. Woodward, 'Implications for Sociolinguistic Research among the Deaf' in *Sign Language Studies*, mi, no. 1 (1972), pp 1–7; J. Woodward and T. Horejes, 'deaf/Deaf: Origins and Usage' in Genie Gertz and Patrick Boudreault (eds), *The SAGE Deaf Studies Encyclopedia, Vol. 1* (Thousand Oaks, California, 2016), pp 284–287; Brenda Jo Brueggemann, *Deaf Subjects: Between Identities and Places* (New York, 2009), pp 9–16.

⁹² Annelies Kusters, Maartje De Meulder and Dai O'Brien, 'Innovations in Deaf Studies: Critically Mapping the Field' in Annelies Kusters, Maartje De Meulder and Dai O'Brien (eds), *Innovations in Deaf Studies: The Role of Deaf Scholars* (Oxford, 2017), pp 1–53.

⁹³ *Ibid.*, pp 13–14.

⁹⁴ de Veirman also draws attention to variation in how terms to describe people with a hearing loss can function in different ways, being more or less expansive and inclusive depending on the country, time period, and language of the sources: Sofie De Veirman, Helena Haage and Lotta Vikström, 'Deaf and unwanted? Marriage characteristics of deaf people in eighteenth- and nineteenth-century Belgium: A comparative and cross-regional approach' in *Continuity and Change*, xxxi, no. 2 (2016), p. 249.

lowercase *deaf*, “unless specifically referring to the Deaf identity in contemporary use.”⁹⁵ Emily Cockayne was more blunt in her focus on early modern England’s deaf history, opining that the “existence of [a Deaf] community is not apparent” and therefore deciding to refer to all those with hearing loss simply as *deaf*.⁹⁶ Ylva Soderfeldt makes a similar decision, given that the capitalised *Deaf* is a later invention, and “implies a certain self-image and cultural identification, which often cannot be imposed on the people in the 19th century”.⁹⁷ Martin Atherton, in his historical examination of British deaf communities, has questioned where in these conceptualisations would hearing people taking part in the life of deaf communities fit; he has utilised lowercase *deaf*.⁹⁸ One might see these decisions as in some way reaching the same conclusions as Kusters, de Meulder and O’Brien.

Such thinking might assist us with a thorny dilemma - that to project modern concepts such as ‘Deaf people’ and ‘Deaf community’ onto newly-emerging Irish deaf communities, and uneducated signing individuals, of centuries past – with their own variation and complexity - may pose problems. Critical evaluation must be given to the question of whether a ‘Deaf community’, or indeed ‘Deaf people’ - in the cultural or linguistic sense - existed prior to the opening of schools for deaf children. Well into the mid-twentieth century, sources refer to hundreds of deaf people around Ireland who had never been educated.⁹⁹ Evidence that uneducated deaf people used forms of signed languages, and even used interpreters to communicate, may compel us to amend or even discard modern schemas, and help us to describe a wider ‘deaf community’ - and how they actually lived and interacted. Such a discussion will be dealt with in the next chapter.

⁹⁵ Meredith Nini, ‘Articulating a Deaf Identity: Education, Poetry, and the Deaf Experience (1827-1914)’, 2013, pp 1–7 (<http://kb.osu.edu/dspace/handle/1811/55024>).

⁹⁶ Emily Cockayne, ‘Experiences of the deaf in early modern England’ in *The Historical Journal*, xlvii, no. 3 (2003), p. 493n.

⁹⁷ Ylva Söderfeldt, *From Pathology to Public Sphere: The German Deaf Movement 1848-1914* (Bielefeld, 2012), p. 28.

⁹⁸ Martin Atherton, *Deafness, community and culture in Britain: leisure and cohesion 1945–1995* (Manchester, 2012), pp 21–23.

⁹⁹ In such cases, readers were exhorted to refer such cases to the deaf schools. See for example the 120 or so uneducated deaf people described by a brochure published by St Joseph’s: Catholic Institution for the Deaf and Dumb, *Brochure* (Dublin, 1921), p. 45.

Approach, Methodology and Sources

Introduction

This section will deal with a number of issues pertaining to the approaches, methods and sources used within this thesis. Firstly, taking into account discussions in the introduction around current and historical terminology, a set of strategies around how to interpret older terms within historical sources for deaf people will be outlined. This will be followed by a description of some of the approaches the thesis takes in its treatment of deaf history. These include a focus on the centrality of Irish history within deaf history, the adoption of a Deaf Studies perspective, with an empirical and sources-driven approach, the use of a 'history from below' perspective and a focus on the agency and resistance of deaf people. Other ethical considerations around use of the names of deaf individuals in archives, and the need for a reflexive stance on the part of the researcher, will be discussed. The nature of the specific categories of sources used in the thesis will then be considered - newspapers, demographic information from the Census of Ireland, institutional and genealogical sources, and the advantages of combining such records will be described. The practice of and reading sources 'against the grain' will be described and discussed. The section closes with an outline of the chapters of the dissertation to follow.

Historical Terminology

A vital point to consider is the words used in sources from the past to describe deaf people. Currently, the terms accepted and promoted by deaf people themselves are *deaf*, as well as *hard-of-hearing*, which indicates either a hearing loss occurring later in life after a person has acquired speech, or a hearing loss being present where sign language is not used by a person, but instead, spoken language. These terms have been endorsed by global representative organisations of both deaf and hard-of-hearing people.¹ *Deaf* is also the term currently preferred by Irish deaf people.² Other phrases, however, can still be heard and seen in print today, which are generally considered archaic, and pejorative; their residual use remains a concern for many deaf representative groups.³ These terms are today considered highly

¹ World Federation of the Deaf and International Federation of Hard of Hearing People, 'Agreement on Terminology Between the International Federation of Hard of Hearing People and the World Federation of the Deaf. Joint declaration signed in Tokyo', 1991 (<https://www.irishdeafsociety.ie/wp-content/uploads/2021/02/WFD-IFHH-agreement.pdf>) (24 Nov. 2021); Irish Deaf Society (IDS), 'Press Information' in *IDS website*, 2021 (<https://www.irishdeafsociety.ie/about/press-information/>) (24 Nov. 2021).

² Patrick A. Matthews, *The Irish deaf Community, Vol 1: Survey Report, History of Education, Language and Culture* (Dublin: ITÉ (Linguistics Institute of Ireland), 1996).

³ Beginning at least in the first half of the twentieth century in Ireland, another phase of nomenclature emerged to describe deaf people, with phrases like *hearing impaired* or to *have hearing difficulties* becoming recommended. These are generally not

offensive by deaf people, but despite this, are still used occasionally in the media.⁴ What complicates matters is that this array of labels is used to the exclusion of almost all others in the nineteenth and early twentieth century – including by deaf people themselves.

The phrase ‘deaf and dumb’ was omnipresent during the nineteenth and most of the twentieth centuries to describe persons audilogically unable to hear and speak - which would have included most deaf signers.⁵ Another term, ‘deaf-mute’, seems to have been preferred in some cases by Irish deaf people.⁶ Both are now considered pejorative by deaf people. ‘Dummy’ was a phrase which acted as an abbreviated form of ‘deaf and dumb’; it was used in a colloquial and informal, and generally insulting sense, but was also used widely in Irish official and middle-class discourse. It was perhaps the most transparently offensive term, and considered offensive by deaf people even at the time; a 1917 letter by “an educated deaf mute” to the *Ballina Herald* decried its usage: “the expression is wrong and stupid, inasmuch as it should apply only to inanimate things, while, of course, the deaf mute has life and a soul... it would not be too much to expect people to give deaf mutes their due title, christian name and surname, as is given to everybody else.”⁷

We must exercise caution in interpreting these older, frequently used terms in their historical contexts, and reading between the lines is needed to ascertain whether our current understanding of ‘Deaf people’ or the ‘Deaf community’ aligns fully to the material, social and cultural realities behind these older phrases. Sofie de Veirman uses congenitality of deafness as a means of selection of her cohort, and sees ‘the deaf’ as constituting “an easily identifiable research cohort” through the use of the label *deaf and dumb* in the demographic sources she examines.⁸ It is clear that an individual’s use of sign language may be suggested by physical factors such as the degree of hearing loss, or relative ability to speak. However, it is argued here

considered acceptable by deaf people today; however, such ‘politically correct’ phrases have their origin outside our period, and are not a feature of discourse around deaf people in the period under scrutiny.

⁴ Power, ‘Deafness in Irish newspapers 1986-2005’. See also the coverage of the trial of Edward Connors in 2014, who was convicted of manslaughter and sentenced to seven years in prison. Trial coverage was marked by his description in many major newspapers as a ‘deaf mute’ or ‘deaf and dumb’; for example the *Irish Independent* of 7 October 2014 described Connors as a ‘deaf mute homeless man’. (www.independent.ie). Letters written to the papers by the Cork Deaf Association, among others, objected strongly: “It is astonishing that a national paper of repute used such an archaic and offensive term [deaf-mute] when referring to a deaf man.” *Irish Independent*, 17 May 2014, p. 28.

⁵ Matthews, *Irish Deaf Community*, Vol. 1.

⁶ O’Shea, ‘A History of Deaf in Cork’, p. 13.

⁷ *Ballina Herald and Mayo and Sligo Advertiser*, 12 July 1917, p. 3. Reminiscing about a group of deaf co-workers in the mid-twentieth century, saddler J. J. Hackett stated that the “one word they didn’t like was ‘dummy’. They were okay with ‘deaf mute’ but if you said ‘dummy’, they would hit you... One day a farming fellow came thundering in. ‘Are the dummies working today?’ he says like that. ‘Have the dummies finished my stitching?’ [One of the deaf saddlers] stood up and knocked a tooth out of the man’s mouth. He read the word ‘dummy’ on his lips.” Turtle Bunbury, ‘Interview with J. J. Hackett (1937-2017)’ in *Vanishing Ireland website* (https://www.turtlebunbury.com/interviews/interviews_ireland/vanishing_3/interviews_ireland_jj_hackett.html) (1 July 2021).

⁸ Sofie De Veirman, ‘Breaking the silence. Family ties and social networks of the deaf. A case study of East Flanders, Belgium, 1750–1950’ in *The History of the Family*, xx, no. 3 (2015), p. 450.

that in institutional and other sources from Irish contexts, co-occurrence of *deaf and dumb* with other terms can be confounding when our target cohort is *deaf people who signed*. Also significant are the cultural dimensions to what was generally *understood* at this time in Irish society and discourse, by 'deaf and dumb', as opposed to simply 'deaf', or 'dumb', and so on. Vernacular use of such labels were, in practise, loaded and ambiguous, and could differ significantly in intended meaning from the terms that, say, a medical officer might use. Workhouse clerks and prison officers regularly had to describe a deaf signer on forms or returns, under one of a given set of headings, attempting to translate that which was often perceived *culturally*, into what were ostensibly *physical* categories. We might now describe our attempts today to deconstruct these descriptions as a core form of reading them 'against the grain' (see later, pp. 54-5).

These difficulties are exemplified in attempting to reconcile descriptions of individuals' 'infirmities' on Census returns (where generally, the householder filled in one of the given options on the form), with the historical, linguistic, and cultural realities of these people's lives, unmediated by attempts at collation and classification. The Census Commissioners from 1851 to 1911 consistently reduced these varied descriptions down to three core categories for the purposes of reporting: 'deaf and dumb', 'deaf only' and 'dumb only' - a framework based on ability to speak (or not), and ability to hear (or not). This may strike us as reductive, as such a binary feature system does not map at all neatly onto the physical or linguistic realities (or self-beliefs) of deaf people. Original Census of Ireland 1901 and 1911 returns reveal some of the range of descriptions given by individuals (and those responding on their behalf): 'partially deaf and dumb', 'a little deaf', 'some difficulty speaking', etc. Such a range of terms used leads to a difficult question when consulting the sources, about which of these categories, if any, can we *include* and *exclude* in our analysis.

This thesis intends to focus specifically on deaf people who used sign language. Given what is known of the development of Irish deaf education and literacy in the period, certain assumptions can assist in decision making when encountering these older terms in the historical sources. Some decisions in this regard seem straightforward. It is assumed that regardless of label, those who attended deaf schools used sign language, as it was the medium of instruction in virtually all deaf schools in Ireland.⁹ Sources may on the other hand confirm that an individual did *not* attend a deaf school. It is assumed that the vast majority of individuals listed as 'deaf

⁹ See later, p. 65-68.

and dumb', 'deaf mute', or 'dummy' although uneducated, still used some form of sign language, home sign, or gesture to communicate with family members and others; this assumption is based upon the preponderance of evidence gathered for this dissertation which indicated that use of signs, or some kind of gestural communication, was very common for individuals in this category, as evinced by newspaper accounts of their dealings with police, magistrates, and workhouse officers.¹⁰

'Dumb', on its own, seems to have a unique Irish cultural meaning. While on the face of it seeming to indicate only a lack of ability to speak and not necessarily a hearing loss, more often than not, it was used almost interchangeably with *deaf and dumb* to describe deaf people who signed. Across a wide range of Irish institutional and public sources examined for this thesis, individuals described as 'dumb' in one record are very frequently described as 'deaf and dumb' elsewhere. The clerks, journalists and officers who completed Census return forms, wrote newspaper articles, and filled in prison and workhouse registers, appear to have used 'dumb' as a form of cultural shorthand, understood by the bulk of Irish hearing society as meaning someone who did not speak, and *likely did not hear*, and was likely to have used signed, gestural or written communication.¹¹ 'Mute' on its own was rarer, but appeared to act in much the same way as 'dumb'. In more formal contexts such as Census returns, when contrast was needed between those 'dumb' people who could not hear, and those who could, the phrases *dumb only* or *dumb, not deaf* were used.¹²

To complicate matters, people described simply as 'deaf' up to about the mid-twentieth century present a borderline case - indicating *audiological* deafness only. The vast majority of such individuals, then as now, were deaf due to a mild, or age-related, hearing loss, which did not affect their speech - or at least, not so much that they had to attend a specialised deaf school. In this case, then, they would probably not have used sign language; therefore the label, as used during this period cannot be considered an equivalent term to *Deaf*, or to give rise to the same sets of associations as it might in the present day. Including the considerable numbers of these 'deaf' people *en masse* would skew results away from actual deaf signers. Individuals described

¹⁰ Patrick Byrne, a deaf man from New Ross who spent a total of more than thirty years of his life in various prisons, and ended his life in an asylum; he is consistently described as 'deaf and dumb' or 'dumb' in prison records and newspaper reports. Byrne never attended a deaf school, and like many others, he is still reported to have used a form of signed language, and is often mentioned as using sign language and interpreters in court; indeed he made consistent use of one interpreter, Martin Neill, over a twenty-five year period. See later, p. 215-216.

¹¹ It does not, however, seem to have been a label selected by 'dumb' individuals themselves when they filled in Census forms themselves. In such cases, 'deaf and dumb' or occasionally 'deaf mute' were used.

¹² See for example *Census of Ireland, 1901. Part II. General report with illustrative maps and diagrams, tables, and appendix, 1902* [Cd. 1190], H.C. 1902, cxxix, 1.

as 'dumb only' or 'deaf only' might also be excluded from analysis, as deaf schools in Ireland tended to accept only those children who could neither hear nor speak; children who were 'dumb only' or 'deaf only' would be far less likely to be sent to a deaf school, and therefore, to be signers.¹³ Yet there are nuances and complications; a small minority of ex-pupils of deaf schools were recorded in Census forms as 'deaf', 'deaf only' or 'dumb only' – instead of 'deaf and dumb' or 'deaf mute', as their classmates were.¹⁴ Other ex-pupils of deaf schools, and therefore signers, described themselves as 'deaf' in their Census returns.¹⁵

Given the above terms are found in a wide array of the sources used for this dissertation, the following decisions were made:

- The term **deaf people** (uncapitalised) is used in this thesis to indicate all individuals who were likely to have used some form of signed language, and who also had some level of hearing loss, speech difficulty, or both. The non-use of capitals helps ensure inclusivity, following Kusters, de Meulder and O'Brien, in that the term used to describe signers is not restricted to those who attended a deaf school or were members of a deaf community in the contemporary sense of the term.¹⁶ However, a central focus will be maintained on use of sign language as a unifying factor among these deaf individuals.
- Where quoting from original historical sources, contemporary usage of the words will use quote marks to clearly show the usage in the original.
- When gathering evidence from the sources for quantitative purposes, the given descriptions of individuals will be analysed in terms of four 'core categories', which are as follows:

¹³ This was partly written into legislation; the 1843 Poor Relief (Amendment) Act specified that "deaf and dumb" children could be sent by Boards of Guardians to deaf schools, but when children who were deaf only, or dumb only, came before certain boards, or were brought to the attention of the Local Government Board, they could often be refused; it should also be noted that this was not a cast iron rule and was often bent. For an example, see *Strabane Chronicle*, 12 December 1914, p. 8. The schools themselves could also have an inflexible approach to this based on pedagogy; Cabra would accept only "deaf and dumb, and partially deaf and dumb and not idiotic... To bring other cases would only entail trouble and annoyance on the guardians". *Mayo Examiner*, 13 December 1875, p. 3.

¹⁴ Of the 267 females recorded in St. Mary's school in Cabra in 1911, four were recorded as 'deaf only' and eight as 'dumb only'. 255 were recorded as 'deaf and dumb'. 1911 Census of Ireland online, Cabragh, Co. Dublin, <http://www.census.nationalarchives.ie/pages/1911/Dublin/Castleknock/Cabragh/3891/>.

¹⁵ Francis Maginn was a deaf missionary in Cork and Belfast, and a staunch advocate for the use of sign language in schools. He had attended a deaf school in London and often described himself as a fellow 'deaf mute' to the people he worked with. However, his 1911 Census form, filled in and signed by himself, describes himself as 'Deaf'. A boarder staying in the house, Harriet Wheeler, is described instead as 'deaf and dumb'. 1911 Census of Ireland online, Lisburn Road, Co. Antrim, http://www.census.nationalarchives.ie/pages/1911/Antrim/St_George_s/Lisburn_Road/155689/.

¹⁶ It has been suggested to me (Brian Crean, personal communication) that a contrasting approach could be taken, where the 'Deaf' label could be made more inclusive, and applied to *any* sign language-using uneducated deaf person in history – for the simple reason that many of their social and linguistic behaviours have commonalities with culturally Deaf people throughout history. While that approach has not been adopted here, it is certainly worth considering whether a fair assumption could be made that use of sign language in itself can confer a 'culturally Deaf' status.

- Individuals described in sources as **‘deaf and dumb’**, **‘deaf mute’**, or **‘dummy’** are taken as individuals likely to have used a form of sign language, and are included in analysis.
- Individuals described in sources as **‘dumb’** (without an ‘only’ qualifier) or **‘mute’** are also included in analysis, and ‘dumb’ and ‘mute’ are taken here as Irish cultural synonyms for ‘deaf and dumb’, used to describe a category of individuals likely to have used sign language.
- Individuals described in sources as **‘deaf’** (without an ‘only’ qualifier) will not, in most cases, be automatically included in analysis, as for most of the period, this generally referred to individuals who had lost their hearing later in life or who had partial deafness only, and as a result were unlikely to have used signed language. Where there are indications that such individuals used sign language, and / or attended a deaf school, they will be included in analysis.
- Individuals described in sources as **‘dumb only’**, or **‘deaf only’** will not, in most cases, be automatically included in analysis, as for most of the period, this generally referred to individuals who were technically not ‘deaf and dumb’ and therefore less likely to have been sent to, or accepted by, deaf schools. Where there are indications that such individuals used sign language, and / or attended a deaf school, they will be included in analysis.

Approach to Research

This dissertation is best described as occupying an intersection between Irish social history, deaf history and disability history. This intersection is partly due to my topic, but also references similarities between the latter two approaches in possible methods and sources to be used. This thesis is influenced by a firm belief that the experiences, and cultural commonalities and divisions within the Irish deaf community are distinctly *Irish*, and inherently of interest to mainstream historians in an Irish context, and thus, *deaf history is Irish history*. As Haley Gienow-McConnell has written in an American context, “deaf history is powerful in its capacity to enrich and illuminate the study of American history with a new lens, and thus, so too is the corpus of American history short-changed by its resistance to embrace deaf histories into the larger national narrative”.¹⁷ It is also true that *Irish history is deaf history*. Günther List points out the necessity to incorporate the broader history of mainstream hearing society into deaf history,

¹⁷ Gienow-McConnell, ‘The Story of Mr. And Mrs. Deaf’, p. 113.

given the deaf community's continued definition and domination by hearing people.¹⁸ List sees the fabric of deaf history as being composed of "interaction – with essentially negative results for deaf people – between the hearing majority and the deaf minority".¹⁹ This interaction becomes the subject of inquiry for the historian - along with a critique of the whole society. Developments, upheavals, and social, educational and institutional policy movements within Irish society of the period, are critical and central to an understanding of the development of the Irish deaf community; in this respect the wider Irish context cannot be ignored in any such analysis.

The thesis loosely adopts a general Deaf Studies perspective. This takes deaf communities as both social and cultural entities, continually in a process of formation throughout the period. It treats signed languages as real languages, while recognising past and current oppression of deaf people. Beyond this, it does not take a specific theoretical perspective prior to investigating the sources. While it does not necessarily take a materialist approach, in the sense of a Marxian focus on people with disability's relationship with the means of production as urged by the likes of Michael Oliver and Brendan Gleeson, it is firmly empirical, primarily driven by what the sources illuminate about the everyday lives and experiences of deaf people.²⁰ It is not primarily oriented towards the exploration of discourse and ideologies around deafness or disability. This approach is taken in response to the fact that the topic is under-explored within the discipline of academic Irish history. The research aims to address gaps in Irish deaf historiography with an evidence-based approach, focusing on what records of institutions and contemporary newspapers (read against the grain) can tell us about the fabric of deaf life, including deaf community life.²¹ It also sets out to place the Irish deaf experience firmly within a complex, evolving, and nuanced Irish historical context, responding to Elizabeth Bredberg's call for disability historians to possess "a thorough grasp of the social context ... of a particular period for competent and accurate accounts of the contemporary response to disablement and impairment."²²

While it is not the intention of this thesis to take a position on whether deaf people can be considered to have a disability, either way, the institutions of the state and voluntary sector,

¹⁸ Günther List, 'Deaf history: a suppressed part of general history' in John Vickrey Van Cleve (ed.), *Deaf History Unveiled: Interpretations from the New Scholarship* (Washington, D.C., 1993), p. 115.

¹⁹ Ibid.

²⁰ Michael Oliver, 'Disability and the Rise of Capitalism' in *The Politics of Disablement. Critical Texts in Social Work and the Welfare State* (London, 1990), pp 25–42; Gleeson, 'Disability Studies: A historical materialist view'.

²¹ Atherton, *Deafness, community and culture in Britain: leisure and cohesion 1945–1995*, p. 4.

²² Bredberg, 'Writing Disability History', p. 192.

along with the reactions of deaf people to those institutions, are obviously topics of central importance herein; this focus on deaf people's interaction and relationship with society could be considered a study of disability in the sense of the social model, alongside a focus on deaf community and culture. Furthermore, certain approaches within recent disability histories of particular contexts have much to offer deaf history. This is particularly the case when investigating the lives of deaf people who were uneducated, or had mental illnesses or learning disabilities. Deaf people's presence in the historical record, and the way in which their experiences are preserved – or not - in the archives, presents considerable parallels with the above in regards to methodologies and use of sources. It is productive then to incorporate methodologies and approaches from the disability history literature.²³

History from Below

This thesis provides a broadening of focus by using a 'history from below' approach. The term 'history from below' was introduced in E. P. Thompson's *The Making of the English Working Class*, among other writings.²⁴ It has been expounded on in the field of medical history by Roy Porter.²⁵ David Hitchcock, in a statement of principle, defines it as a history "which preserves, and which foregrounds, the marginalised stories and experiences of people who, all else being equal, did not get chance to author their own story."²⁶ Although one could argue that to an extent, the vast bulk of all deaf history fits into the category of 'marginalised stories', I intend to specifically explore the lives of those deaf people whose exclusion was heightened by the effects of poverty and crime. This will be achieved by taking an empirical approach, relying on and foregrounding the substantial evidence to be discovered in the archives about authentic deaf lives.

This has the effect of re-centring focus on deaf people as the subjects of deaf history. Much of the early hagiographical Irish deaf historiography extolled the virtues of founders of deaf schools, but did not critically appraise the systems they established and operated. This kind of account portrays, in the words of Elizabeth Bredberg, "a history of unabated progress, from the

²³ A very brief set of examples are: Kim Price, "Where is the fault?": The starvation of Edward Cooper at the isle of wight workhouse in 1877' in *Social History of Medicine*, xxvi, no. 1 (2013), pp 21–37; Steven King, 'Constructing the disabled child in England, 1800-1860' in *Family and Community History*, xviii, no. 2 (2015), pp 104–121; Steven King and Steven J. Taylor, "Imperfect Children" in Historical Perspective' in *Social History of Medicine*, xxx, no. 4 (2017), pp 718–726 (<http://academic.oup.com/shm/article/30/4/718/4590151>); Oonagh Walsh, 'Lunatic and Criminal Alliances in Nineteenth-Century Ireland' in Peter Bartlett and David Wright (eds), *Outside the Walls of the Asylum: The History of Care in the Community 1750-2000* (London, 1999), pp 132–152; Brendan Kelly, *Hearing Voices: The History of Psychiatry in Ireland* (Dublin, 2016).

²⁴ E. P. Thompson, *The making of the English working class* (New York, 1966); Hobsbawm, 'On History from Below'.

²⁵ Roy Porter, 'The Patient's View: Doing Medical History from Below' in *Theory and Society*, xiv, no. 2 (1985), pp 175–198.

²⁶ David Hitchcock, 'Why history from below matters more than ever' in *The Many-Headed Monster: the history of 'the unruly sort of clowns' and other early modern peculiarities*, 2013 (<https://manyheadedmonster.wordpress.com/2013/07/22/david-hitchcock-why-history-from-below-matters-more-than-ever/>) (18 Apr. 2018).

misery and neglect of ancient history to the enlightened and effective treatment available in the present.”²⁷ It is a trend criticized by historians such as Owen Wrigley: “Painting psychohistories of great men struggling to attain a place in the history of hearing civilizations has little or nothing to do with portraying the historical circumstances of deaf people living on the margins of those hearing societies.”²⁸ Similarly, it counters a tendency to flatten intracommunal diversity, and focus overly on ‘elite’ members of the deaf community, as opposed to the ‘rank and file’. Ylva Soderfeldt writes that in western Europe and North America, the nineteenth and early twentieth century was “the era of star pupils and famous deaf intellectuals”, yet “uneducated deaf from rural areas were dependent on their families, and exposed to the risks of poverty... Some [deaf people] were prominent intellectuals, but most were invisible, isolated beings.”²⁹ In Britain, Martin Atherton notes a tendency to “remain more concerned with recounting the histories of important places, organisations or individuals, rather than any detailed reconstruction of the lives of the people who made up the deaf community.”³⁰

However, the question of whose deaf histories should count has been tackled by others. Peter Jackson’s work has described historical interactions between deaf people and the courts; while at times dealt with in a sensationalist manner, focus remains throughout on the particular hardships faced by deaf suspects and defendants.³¹ Notable also is a recent set of research works looking at underserved or oppressed members of the deaf community who underwent institutionalisation, many for years.³² Of interest in these works is the use of institutional records such as medical case notes, files and prison records to flesh out the details of the lived experiences of these individuals. This thesis represents the first attempt to do the same in a structured and in-depth manner for Irish deaf people in the nineteenth century.

Questioning the ‘Institutional’ Perspective

This thesis will also look specifically at deaf people in institutional settings. The institutions of Ireland as a field of inquiry has been in increasing focus in historiography. Catherine Cox has summarised research into various types of institution in Ireland, and called for more work to be

²⁷ Bredberg, ‘Writing Disability History’, pp 190–191.

²⁸ Owen Wrigley, *The Politics of Deafness* (Washington, D.C., 1996), p. 43.

²⁹ Söderfeldt, *From Pathology to Public Sphere*, p. 90.

³⁰ Atherton, *Deafness, community and culture in Britain: leisure and cohesion 1945–1995*, p. 4.

³¹ See for example Peter W. Jackson, *Deaf Crime Casebook* (Ipswich, 1997); Peter W. Jackson, *Deaf to Evidence* ([Unknown], 1998); Peter W. Jackson, *Deaf Killers* (Winsford, Cheshire, 2006); Peter W. Jackson, *The Deaf to Deaf Killings* (Winsford, Cheshire, 2010); Peter W. Jackson, *Deaf Renegades, Outlaws, Cop Killers and Other Murders* (Winsford, Cheshire, 2012).

³² Hannah Joyner and Susan Burch, *Unspeakable: the story of Junius Wilson* (Greensboro, NC, 2007); Dave Bakke, *God Knows His Name: The True Story of John Doe No. 24* (Carbondale, IL, 2000); Anne M. Bolander and Adair N. Renning, *I was #87: a deaf woman’s ordeal of misdiagnosis, institutionalization, and abuse* (Washington, D.C., 2000).

done on their inter-relationships.³³ Cox notes that the influence of philosopher Michel Foucault and his notion of the “carceral archipelago” to describe the emerging network of institutions devoted to discipline, surveillance, and an intricate new set of technologies of power has so far been minimal in Irish historiography.³⁴ This may be changing. Patrick Carroll-Burke has taken up Michel Foucault’s writings about prison discipline with regard to the Irish convict system.³⁵ Some more recent work on Irish workhouses has also explored Foucault’s ideas in an Irish institutional context.³⁶ Foucault’s description of a “Great Confinement” occurring in the seventeenth and eighteenth century Europe has also been influential; this account describes the problems of poverty, crime, and madness being increasingly answered by the confinement of people in varying forms of institution.³⁷ Patrick McDonnell has identified possible shifts in ideology behind the 'Great Confinement' as it unfolded in Ireland, in relation to people with disabilities, finding ideological commonalities between prisons, workhouses, asylums, and specialist educational institutions that emerged during the nineteenth century.³⁸

Within deaf and disability history, these notions have been used to examine new ideologies and policies emerging in the late eighteenth and nineteenth centuries, which saw various forms of institution spreading across western Europe and North America. Specifically, these have included deaf schools. Padden and Humphries adopt Foucault’s description of the institution, stating that “powerlessness and repression were built directly into the design of the nineteenth-century institution”.³⁹ Branson and Miller talk of the practices of “containing children who were poor and deaf in asylums for the purposes of their education”, linking this specifically with Foucault's ideas.⁴⁰ The impression given is often of relentless and helpless incarceration in institutions – schools and workhouses, no less than prisons and asylums - designed to rehabilitate and mould productive citizens, driven by an ideological concordance among policy-makers and institutional staff that vowed to confine and discipline. Even if a Foucauldian

³³ Catherine Cox, ‘Institutionalisation in Irish History and Society’ in Mary McAuliffe, Katherine O’Donnell and Leeann Lane (eds), *Irish History* (Houndmills, Basingstoke, 2009), pp 169–190.

³⁴ *Ibid.*, p. 182; Michel Foucault, *Discipline & Punish: The Birth of the Prison* (St. Ives, 1977).

³⁵ Patrick Carroll-Burke, *Colonial Discipline: The Making of the Irish Convict System* (Dublin, 2000).

³⁶ David Nally, “‘That Coming Storm’: The Irish Poor Law, Colonial Biopolitics, and the Great Famine” in *Annals of the Association of American Geographers*, xcvi, no. 3 (2008), pp 714–741; Liz Thomas, ‘The Evolving Moral and Physical Geometry of Childhood in Ulster Workhouses, 1838-55’ in *Childhood in the Past*, vi, no. 1 (2013), p. 22; Liz Thomas, *Manifestations of Institutional Reform and Resistance to Reform in Ulster Workhouses, Ireland, 1838-1855* in *International Journal of Historical Archaeology* (2017).

³⁷ Michel Foucault, *Madness and Civilization: A History of Insanity in the Age of Reason* (New York, 1988).

³⁸ McDonnell, *Disability and Society: Ideological and Historical Dimensions*, pp 77–114.

³⁹ Carol Padden and Tom Humphries, *Inside Deaf Culture* (2009), pp 31–32.

⁴⁰ Jan Branson and Don Miller, *Damned for Their Difference: The Cultural Construction of Deaf People as ‘disabled’: a Sociological History* (Washington, D.C., 2002), p. 122.

framework is not used, descriptions paint deaf people as powerless, being 'placed' in the workhouses or put there simply because they were deaf.⁴¹

Of course in an Irish context, there were significant increases in Ireland of inmates of asylums, workhouses, and special institutions for disabled children during the nineteenth century. One also cannot deny that in terms of numbers, deaf people were heavily institutionalised (see page 104). However, a focus on disciplinary ideology often fails to acknowledge that it manifested in actual institutional practices which sometimes significantly diverged from supposed ideals of classification, separation and discipline. This is particularly the case with deaf people in the Poor Law and workhouse systems. In Irish as much as English poor law administration, 'disability' was no catch-all category with similar effects, but was instead dealt with as a variety of conditions with different effects on individuals' ability to work.⁴² Furthermore, terms such as 'able-bodied', 'disabled', the 'deserving poor', 'the impotent poor', and so on, were not stable and formal administrative categories, rigid in their inclusion or exclusion of deaf people. In practice, notions of who constituted those categories were not uniform, or uniformly applied, at all levels of the Poor Law in the state. Though deaf people were present in workhouses in large numbers, Irish workhouse clerks did not formally classify and label them any consistent way. Deaf people were not forbidden to work under the Poor Law; before and after 1834, deaf people - educated and uneducated - were found working successfully in a range of occupations in Ireland. Those who worked were not forced to enter the workhouse. They could be turned away; they could leave, and then return; if they breached discipline, could be pressured to leave - rather than simply remain confined. In fact, specific reference in 1847 legislation to "Destitute poor persons who are permanently disabled from labour by reason of old age, infirmity or bodily or mental defect" being eligible for outdoor relief indicates a conscious attempt at policy level *not* to confine them inside workhouses (see Chapter 4). Ideologies driving 'confinement' and institutionalisation for deaf people were not shared across institutions, or between them and segments of the wider society. Rather than widespread collaboration in furthering an agenda of confinement and spatial classification, boards of guardians instead displayed an frequent reluctance to use the provisions of the Irish Poor Law to send them to deaf institutions for education; rather than institutionalise deaf children, their reaction was to shrug their shoulders.

⁴¹ Martin Atherton, 'Allowed to be Idle: Perpetuating Victorian Attitudes to Deafness and Employability in United Kingdom' in Iain Hutchison, Martin Atherton and Jaipreet Virdi (eds), *Disability and the Victorians: Attitudes, Interventions and Experiences* (Manchester, 2020), pp 188–190.

⁴² Deborah A. Stone, *The Disabled State* (Philadelphia, 1984), p. 55.

Deaf Agency and Resistance

With practice diverging so much from these interpretations of the ideological motives of those in power, it seems there is slippage between the grand designs of disciplinary ideologues, and the agency to be seen in the actual lived experience of deaf people; the deaf poor and homeless, deaf people with disabilities, deaf women, and others. Assumptions that deaf people, just because they were deaf, were routinely 'sent to' workhouses, asylums or prisons, never to return, are not only historically inaccurate, but also obscure potentially fascinating routes into deaf lives - the exploration of why deaf people may have *chosen*, albeit from a no doubt limited set of options, the workhouse, or what *life circumstances* may have led them to be committed to asylums and prisons. Rather than being condemned to the workhouse, there were a variety of strategies that the poor used to get by and survive; at times including the workhouse, outdoor relief where available, voluntary charities, family supports, as well as prostitution and crime.⁴³ Olwen Hufton's notion of the 'economy of makeshifts' - the "patchy, desperate and sometimes failing strategies of the poor for material survival" – is important to consider here.⁴⁴

While within those institutions, and when encountering other forms of state power such as the court system, resistance to that power is also to be seen. Within Deaf Studies and deaf history, it remains underexplored outside the realm of deaf education.⁴⁵ The architects of the Poor Law may indeed have designed the workhouse as a 'carceral' system, but "such a view does not take account of the power of resistance of those submitted to regimes of discipline", and the same could be said of deaf prisoners and defendants.⁴⁶ In mainstream English Poor Law historiography, notions of the helpless and powerless pauper have been robustly challenged; despite the formidable disciplinary apparatus of workhouses, "individual agency clearly had a part to play."⁴⁷ Samantha Williams sees protests among workhouse paupers, as highlighting their "agency in the face of considerable power from above ... and shows that they were not mere subjects in workhouse regimes". Steven King, looking at the different ways in which pauper inmates complained and protested in English workhouses, sees in this "powerful litany of pauper agency... a resistance to state power".⁴⁸ He sees analysis of such resistance, as well as a constant focus on the experiences of the poor themselves, as key for future research.⁴⁹

⁴³ Samantha A. Shave, *Pauper Policies: Poor Law Practice in England, 1780–1850* (Manchester, 2017), p. 18.

⁴⁴ Alannah Tomkins and Steven King (eds), *The poor in England 1700-1850: An economy of makeshifts* (Manchester, 2003), p. 1.

⁴⁵ Deaf political concerns have meant that even this focus has been directed towards oral deaf education; see Mathews, "'No sign language if you want to get him talking'"; Mathews, 'Mainstreaming of Deaf Education'.

⁴⁶ Samantha Williams, 'Paupers behaving badly: Punishment in the Victorian workhouse' in *Journal of British Studies*, lix, no. 4 (2020), p. 770.

⁴⁷ David R Green, 'Pauper protests: power and resistance in early nineteenth-century London workhouses' in *Social History*, xxxi, no. 2 (2006), p. 159.

⁴⁸ Steven King, 'Thinking and Rethinking the New Poor Law' in *Local Population Studies*, no. 99 (2017), p. 9.

⁴⁹ *Ibid.*, p. 17.

Examples of such resistance against workhouse authorities in Ireland from groups of pauper inmates have been documented by Virginia Crossman and Anna Clark.⁵⁰

Yet caution must be taken not to fall into an equally oversimplistic trap of thinking that the deaf poor, pauper inmates, defendants and prisoners had the ability to freely choose their paths in life; Williams admits that that the oppressive workhouse structures meant that the “agency of paupers should not be over- stated... the power balance between workhouse officials and inmates was extremely unequal”.⁵¹ As we shall see, educational and structural factors militated against effective deaf use of the courts and the workhouses, and the odds were stacked even further against deaf prisoners and workhouse inmates, creating pressures that hearing people did not face. In certain cases, popular perceptions of deaf people and ignorance of their language use created unique dangers to their liberty within institutions.

Historical Ethics and Privacy

Although the period under review is one outside of living memory for most deaf people alive today, when delving into material of such sensitivity, issues of privacy and respect seem paramount, and an approach must be taken that follows ethical reflection. To this end, whether the deaf individuals found in records of historical institutions should be named within the text is a question worth pondering. For certain categories of records, using names of individuals for records less than 100 years old is (legally or contractually) forbidden; for others, it is frowned upon, or archivists urge appropriate and respectful use.⁵² Certain domains of experience have their own imperatives; ethically, we are bound to treat records of institutionalised individuals with care, compassion and dignity, which in many cases implies preserving anonymity. This is particularly the case for fields such as medical history.

However, for other domains, the absence of common statutory or institutional closure periods for archives leaves the historian in an ethically precarious position. Julie Parle makes the case for naming patients from many of the South African institutions she has looked at, given the deliberate destruction of many of these patient records, and further, the erasure and abbreviation of many of the names of African and Indian patients; altering their names would

⁵⁰ Virginia Crossman, ‘The New Ross workhouse riot of 1887: nationalism, class and the Irish Poor Laws’ in *Past & present*, clxxix, no. 179 (2003), pp 135–158; Anna Clark, ‘Wild Workhouse Girls and the Liberal Imperial State in Mid-Nineteenth Century Ireland’ in *Journal of Social History*, xxxix, no. 2 (2005), pp 389–409.

⁵¹ Williams, ‘Paupers behaving badly: Punishment in the Victorian workhouse’, p. 792.

⁵² Brendan Kelly accesses the records of the Dundrum Criminal Lunatic Asylum between 1868 and 1908 and in “order to maintain patient confidentiality, names have been changed so as to render specific individuals unidentifiable”. Brendan D. Kelly, ‘Clinical and social characteristics of women committed to inpatient forensic psychiatric care in Ireland, 1868–1908’ in *Journal of Forensic Psychiatry & Psychology*, xix, no. 2 (2008), p. 263.

strip down their identity further. She calls for historians of medicine, criminality and dissidence to write “histories that balance the sensitivities of the descendants of the people we write about... [and] histories which do not reinforce the legacy of prejudice, stigma and shame with which victims, such as the mentally ill, have long been treated.”⁵³ It is also difficult to draw a line between what is a ‘medical record’ and what is not in many of these contexts. While the records of workhouses, prisons and court proceedings might be considered less sensitive and personal by their nature than those of hospitals and asylums, ailments and medical conditions, as well as disabilities, were often listed on admission records of non-‘medical’ institutions. Many people entered the workhouse solely or partly for medical reasons; prison records of convicts undergoing penal servitude can contain much detail about physical health. Many of the records held by the National Archives of Ireland in relation to criminal and convict memorials contain documents produced by and for mental institutions, related to the mental health of patients. David Wright and Renée Saucier look at how some of these challenges and debates have played out specifically among historians of medical and especially mental institutions, noting that historians have in recent years thought much about “how we strike a balance between [our] mission as social historians uncovering 'hidden histories' that restore 'agency' to vulnerable individuals of the past, and [our] duties to protect confidentiality”, as well as how scholars “extend ethical obligations beyond patients to descendants and communities.”⁵⁴ Even straightforwardly 'legal' records like court reports and files can pose challenges. Helen Rogers has written about the need for balance between the public’s desire for education, and for entertainment, and reminds us that “[c]aution and sensitivity should be taken when dealing with the recent past and within the life-time of those affected, or cases involving criminal insanity”.⁵⁵

This researcher has encountered ‘borderline’ cases of institutionalisations and stories of pain and harm, without a formal or legal necessity to anonymise, leaving only ethical and moral considerations to guide whether names should be given, or otherwise. These included, among others, names of entrants to workhouses (from over a century ago), pre-1918 lunatic asylum admissions, and the names of women (published in newspapers) who were allegedly sexually assaulted. In cases like these, the relevant details have in many cases already been placed online and are now accessible merely by paying a subscription. This leaves me in the position of having

⁵³ Julie Parle, ‘The Voice of History? Patients, Privacy and Archival Research Ethics in Histories of Insanity’ in *Journal of Natal and Zulu History*, xxv, no. 1 (2007), pp 180, passim.

⁵⁴ David Wright and Renée Saucier, ‘Madness in the Archives: Anonymity, Ethics, and Mental Health History Research’ in *Journal of the Canadian Historical Association*, xxiii, no. 2 (2012), pp 65–90 (<http://id.erudit.org/iderudit/1015789ar>).

⁵⁵ Helen Rogers, ‘Blogging our Criminal Past: Social Media, Public Engagement and Creative History’ in *Law, Crime and History*, no. 1 (2015), p. 74.

to make a decision whether to 'name', and in the process, perhaps, 'shame', the deceased inmates of prisons, workhouses, schools, asylums, and the victims and perpetrators of crimes; and if I do not, assisting in covering up the stories of these individuals from scrutiny and discussion, perhaps forever. Ylva Söderfeldt retains the names of her (long-dead) deaf historical subjects, on the basis that "the anonymizing of these people from the past would give the impression that their condition was, in some way, shameful."⁵⁶

A relevant facet of deaf history that has been frequently discovered in my research is the many cases of unnamed deaf inmates, defendants or subjects. Workhouse admission registers, prison records, newspapers, and petty sessions order books often listed not a name but instead, signifiers such as 'deaf and dumb woman' or 'deaf-mute man', or nothing more detailed about a person than that they were 'a dummy'. On occasion when deaf people acted as witnesses against an alleged attacker in court, the newspapers would fully name the accused, and not the deaf victim. Sometimes this namelessness is down to illiteracy; any deaf person without an education would have grown up not knowing their own written name, and therefore could not convey it to a clerk or prison administrator. Others had perhaps been educated but had wandered the country so long that they had apparently lost the ability to convey their name to others, and thus their names are completely lost to us.⁵⁷ In many cases, cross-referencing sources can help to reveal full names, which may, for a newspaper journalist or clerk, simply have been considered unimportant, next to their status as a non-speaking deaf person. Deaf people in the archive thus struggle against namelessness and anonymity, set against the creators of the historical record - clerks, administrators and reporters who did not know or care who they were, and dehumanising them in the process. It may be true, as Franca Iacovetta and Wendy Mitchison suggest, that further efforts to anonymise merely compound the original damage done; our attempts to "protect the privacy of individuals in the past can lead us to write the marginal into history by writing their names and faces out of it".⁵⁸ To this researcher it seems an act of resistance and reparation to actively name individuals in contexts where names are available to us, and attempt furthermore to tell their story with humility, reverence, and respect.

⁵⁶ Söderfeldt, *From Pathology to Public Sphere*, p. 23.

⁵⁷ Such unnamed deaf people were also found in Germany wandering the country, often being arrested and detained by police who found it difficult to communicate with them: *Ibid.*, pp 124–143.

⁵⁸ Quoted in Wright & Saucier, 'Madness in the Archives', p. 76.

Reflexivity and the Hearing Historian / Interpreter

For any hearing researcher studying deaf history, a reflexive approach is vital. A desire (an even ability) to be 'neutral' or 'impartial' may come into conflict with the baggage a hearing researcher inevitably bring as someone from a majority community. The field of Deaf Studies has looked critically at the role of the hearing researcher working in deaf communities.⁵⁹ Past researchers' approaches have been marked by lack of fluency in signed languages; scepticism about the linguistic and cultural status of signed languages; failure to present to either deaf or hearing communities in signed languages; lack of feedback to the deaf community about research results; the gaining of academic plaudits and indeed, financial gain, while apparently giving back no credit or benefit to the community of the researched – all this could be described, at best, as a lack of respect on the part of researchers for those being researched, and at worst as a form of colonialism.⁶⁰ The potentially damaging role of the historian in this regard has been described by Owen Wrigley, who points to the skewing of ostensibly 'deaf' historical narratives towards the recounting of charitable doings, and disparages much of the historiography as 'hearing deaf history', focusing on hearing benefactors portrayed as shaping that history.⁶¹ Günther List takes a different tack, and implies that hearing people have a duty to do deaf history of the kind that lays bare structural inequalities and oppression of deaf people in the past. He sees hearing historians, as members of the majority that has oppressed deaf people, as having a necessary role in lightening the load of minority (i.e., deaf) historians, who "should not be required to bear the additional burden of presenting, entirely from their own resources, the historical record of negative interaction between majority and minority". He conceptualises his interest, as an outsider to deaf culture, as a "focus on deaf people's historical conflicts with that group to which I myself belong".⁶² List sees it as a duty, then, to contribute to a holistic appraisal of deaf/hearing interactions.

⁵⁹ See for example Robert Hoffmeister and M Harvey, "Is There a Psychology of the Hearing?," in Ken Glickman and Michael A Harvey (eds), *Culturally Affirmative Psychotherapy with deaf Persons* (Hilldale, NJ: Laurence Erlbaum Associates, 1996), 73–97; Raychelle Harris et al., "Research Ethics in Sign Language Communities," *Sign Language Studies*, 9, 2 (2009), 104–31; Dai O'Brien and Steven D Emery, 'The Role of the Intellectual in Minority Group Studies: Reflections on Deaf Studies in Social and Political Contexts' in *Qualitative Inquiry*, xx, no. 1 (2013), pp 27–36.

⁶⁰ Among the many authors to have written on this topics are O'Brien & Emery, 'The Role of the Intellectual in Minority Group Studies: Reflections on Deaf Studies in Social and Political Contexts'; Rachel Sutton-Spence and Donna West, 'Negotiating the Legacy of Hearingness' in *Qualitative Inquiry*, xvii, no. 5 (2011), pp 422–432; Lesley Jones and Gloria Pullen, 'Cultural Differences: Deaf and Hearing Researchers Working together' in *Disability, Handicap & Society*, vii, no. 2 (1992), pp 189–196; Charlotte Baker-Shenk and J. G. Kyle, 'Research with Deaf People: Issues and Conflicts' in *Disability, Handicap & Society*, v, no. 1 (1990), pp 65–75; David Parratt, 'Working with Deaf People' in *Disability & Society*, x, no. 4 (1995), pp 501–520; Alys Young and Ros Hunt, *Research with d/Deaf people* (London, 2011) (<http://eprints.lse.ac.uk/41800/>); Rob Kitchin, 'The Researched Opinions on Research: Disabled people and disability research' in *Disability & Society*, xv, no. 1 (2000), pp 25–47; Jenny L Singleton, Gabrielle Jones and Shilpa Hanumantha, 'Toward Ethical Research Practice With Deaf Participants' in *Journal of Empirical Research on Human Research Ethics* (2014); Harris et al., 'Research Ethics in Sign Language Communities'.

⁶¹ Wrigley, *The Politics of Deafness*. p. 46.

⁶² List, 'Deaf History', p. 116.

It is my hope that this thesis will be politically relevant to the deaf community, and its findings can be utilised by campaigners. The findings may contribute to a heightened awareness of past achievements of deaf Irish people, in a manner that can be utilised by campaigners to further promote and legislate for recognition of ISL and the Irish deaf community. The current political importance of such histories for the Irish deaf community is as vital as those Longmore and Umansky describe for today's American disability movement: "This history matters, and not in the abstract."⁶³ It will also contribute to a greater awareness of the historical intricacies, continuities and discontinuities, and distinctly Irish twists and turns of the history of this island's deaf people.

Connected with these issues are others surrounding the production of academic knowledge and the effective dissemination of learning gained through such research. Geoffrey Reaume indicates possible directions for historians of disability towards meaningful exchanges: "historians of disability need to engage disabled people outside the academy with regards our ethical obligations to people whose history we are researching and writing". Reaume stresses the need for "accountability ... to include people beyond the academy for whom these documents are not a distant historical memory turned into contemporary scholarship, but part of their life today." He also urges historians to engage with these communities "with their history in a way that makes them feel they have some connection to it", which includes "at its most basic and obvious" making presentations in communities directly affected by this history. In this way, the finished works of the disability historian "is not an outside product delivered to those who might otherwise be expected to be passive partakers of what is their own historical heritage."⁶⁴ Along these lines, I used a variety of approaches throughout the research and writing up of this dissertation to ensure that the deaf community felt involved and consulted. I have presented numerous times around the country to local deaf organisations in ISL. At all times, I have presented papers at mainstream academic history conferences in ISL, with either live interpretation into English, or a pre-recorded English soundtrack.⁶⁵ I have also maintained a public Facebook page and research blog, with text (and often, ISL video) updates about progress.⁶⁶ These strategies help ensure that the Irish deaf community is aware of and updated

⁶³ Paul K. Longmore and Lauri Umansky, 'Disability History: From the Margins to the Mainstream' in Paul K. Longmore and Lauri Umansky (eds), *The New Disability History: American Perspectives* (New York, 2001), p. 14. See also Michael Roman Mantin, 'Educational Experiences of Deaf Children in Wales: The Cambrian Institution for the Deaf and Dumb, 1847-1914' (Unpublished PhD thesis, Swansea University, 2013), p. 4.

⁶⁴ Geoffrey Reaume, 'Posthumous exploitation? The ethics of researching, writing, and being accountable as a disability historian' in N. Hansen, R. Hanes and D. Driedger (eds), *Untold stories: A Canadian disability history reader* (Toronto, 2018), pp 34–36.

⁶⁵ This technique of presenting was first brought to my attention by researcher and interpreter Andrew Long. Personal communication by email, 6 October 2013.

⁶⁶ Cormac Leonard, 'Research Blog', 2015 (<http://deafirishinstitutions.blogspot.ie/>); Cormac Leonard, 'Research Facebook Page' in *Deaf People in Irish Institutions, 1840-1950*, 2015 (<https://www.facebook.com/DeafIrishInstitutions>).

about my research into aspects of their history in a respectful manner that is accessible to them through Irish Sign Language.

Use of Sources

Newspaper Databases

The use of electronic sources, in particular, digitised and transcribed searchable newspaper databases, has made research on a wide variety of topics possible to an extent unimaginable to previous generations of historians. It has enabled a wide ranging and extremely rich collation of newspaper materials relating to deaf people in the period, and again, without the digitisation of such materials it is difficult to imagine how research on such a national scale would have been possible. Newspaper archives can be extremely useful in locating incidental information in the press about the lives of deaf people and how they, their language and their community were viewed. There are reports on public meetings on deaf education, fund-raising exhibitions of deaf pupils, advertisements by deaf schools looking for pupils, articles by correspondents describing visits to deaf schools, and obituaries of well-known deaf ‘characters’ in small towns, among many others.

This research makes extensive use of both the Irish Newspaper Archive (INA) website, and the British Library’s Irish newspaper collection which is accessible via the FindMyPast.ie website.⁶⁷ Both INA and FindMyPast feature searchable online repositories of digitized Irish newspapers with different run dates covering the period 1851 to 1922. As well as national Irish newspapers including the *Freeman’s Journal*, *Irish Independent*, *Irish Times*, and *Cork Examiner*, dozens of local newspapers are also included, and both websites regularly add new titles. A complete list of newspapers examined for this dissertation can be found in Appendix 1.

Most notably for this thesis, newspapers of the period contain plentiful accounts of two crucial sets of proceedings: court reports, and reports of meetings of Boards of Guardians. The 1850s and beyond saw a rise in the number of regional newspapers in Ireland, and these publications became a highly influential force in Irish society.⁶⁸ Irish newspaper coverage of proceedings

⁶⁷ <https://www.irishnewsarchive.com>; <http://www.findmypast.ie>.

⁶⁸ Marie-Louise Legg, *Newspapers and Nationalism: The Irish Provincial Press, 1850-1892* (Dublin, 1999); Christopher Doughan, ‘A supplementary nationalism: the emergence of the Irish provincial press before independence’ in *The Irish Regional Press, 1892-2018: Revival, Revolution and Republic* (Dublin, 2018), pp 105–115.

were often highly detailed accounts by today's standards; trials and inquests at quarter sessions and assize proceedings were reported on in a lengthy and detailed manner. This was not always the case for petty sessions and police court reports, but some local newspapers expended great effort in describing events in nearby courthouses.

The research possibilities the reports offer are tremendous. They represent an incredibly rich source of information, in terms of empirical evidence of deaf people's dealings with the institutions of poverty and the law, how these institutions talked about them and viewed them, how deaf people responded, and the fabric of everyday deaf life. Other writers have used a combination of newspapers and court records in an Irish context in this manner, and while the flaws of newspaper reports as a source have been noted, in an Irish context, where official court documents may be unavailable due to destruction of records, newspaper coverage of trials and other proceedings can be compensatory.⁶⁹ For lower courts such as Petty Sessions and police courts, such newspaper reports are plentiful, rich in detail and often underused; Kim Stevenson has pointed out the value of such reporting to counterbalance silences and gaps in official court records.⁷⁰ While not verbatim transcripts, these pieces at their richest include asides by barristers, judges, and those being examined, and indications of happenings in the courtroom such as attendees laughing at particular remarks. The sheer level of incidental detail given about how deaf people lived and communicated is something that dry, official court records cannot provide; as Marilyn Silverman writes, "these accounts are rich and provocative, leaping off the page to confront the contemporary researcher."⁷¹ They are perhaps more helpful in identifying deaf people than many institutional records, given that the mere fact of a deaf litigant, witness or defendant in court seemed automatically worthy of comment in the press, even in cases where a person's deafness was not clearly relevant. Newspaper court reports can then be followed up with examination of prison records, petty sessions order books, or Crown and Peace Files, which can sometimes turn up witness statements, prisoner memorials, and even notes passed between deaf people and lawyers during trials.

⁶⁹ Richard McMahon, "For fear of the vengeance": the prosecution of homicide in pre-Famine and Famine Ireland' in Richard McMahon (ed.), *Crime, law and popular culture in Europe 1500-1900* (Cullompton, Devon, 2008), p. 140.

⁷⁰ Rosalind Crone, 'Crime – and its fabrication: A review of new digital resources in the history of crime' in *Journal of Victorian Culture*, xiv, no. 1 (2009), p. 130; Kim Stevenson, 'Outrageous Violations: Enabling Students To Interpret Nineteenth Century Newspaper Reports of Sexual Assault and Rape' in *Law, Crime and History*, i (2014), pp 36–61; Kim Stevenson, 'Unearthing the Realities of Rape: Utilising Victorian Newspaper Reportage to Fill in the Contextual Gaps' in *Liverpool Law Review*, xxviii, no. 3 (2007), pp 405–423.

⁷¹ Marilyn Silverman, 'Custom, Courts, and Class Formation: Constructing the Hegemonic Process Through the Petty Sessions of a Southeastern Irish Parish, 1828-1884' in *American Ethnologist*, xxvii, no. 2 (2000), p. 424 (note 20).

Yet these court reports themselves are also laden with silences and gaps, and cannot be considered impartial accounts of deaf people's experiences in often highly intimidating spaces. Even where interpreters are present, we have no way of ascertaining that what they say and sign matched what the deaf person (or indeed, magistrates and witnesses) expressed; we are unsure that reporters recorded everything that may be of relevance. At each stage lay the possibility of obscuration, due to preconceptions about, bias against, or lack of interest in deaf people on the part of journalists and editors. We must therefore deal with many layers of uncertainty about the actual (versus reported) actions, thoughts, written words and signs of deaf people in these courtrooms, and cases without use of interpreters or writing make it near impossible to know any of this for certain.

Furthermore, editorial and journalistic considerations militated against a complete, unbiased account of proceedings, not least because of time and space considerations.⁷² Often such reports highlighted more salacious or dramatic aspects of proceedings. Early police court reporting in Ireland "often focused on particularly amusing, tragic or gruesome, but usually banal, stories designed to entertain the reader". They were often deliberately intended to be humorous, and signalled when laughter was heard in court; this reinforced "that these tales were funny ... [and] acted to signal the tone of the encounter to a reading public."⁷³ Laughter of the court is a consistent and frequent theme in coverage of deaf people's court experiences in this period; it was often the response to efforts of deaf people when they signed, or intermediaries when they purported to interpret into signs the language of the court. The reporting of laughter, and the quips proffered by counsel and magistrates at the presence of deaf people in court, the situations they found themselves in, and the difficulties in communication, often rendered the newspaper accounts into comedic skits.⁷⁴ But in reprinting texts that deaf people wrote in notes and slates in the courtroom, and statements and letters outside it, the reports also reproduce in local newspapers a plentiful supply of the writing of

⁷² "Newspaper coverage of sexual violence cannot be considered factual in its representations of the crime, victim or defendant. Deliberate journalistic selectivity was inevitable, owing to tight deadlines and predetermined column space. Journalists heard accounts of violence and retribution in the court rooms one day and printed it for their readers the next, choosing pieces of information they considered most important - and, it should be remembered, most profitable - which fitted neatly within the confines of their columns... the newspaper coverage of sexual violence could not reflect the actual experience of the crime, only a constructed version." Joanne Jones, "'She resisted with all her might': Sexual Violence Against Women in Late Nineteenth Century Manchester and the Local Press" in Shani D'Cruze (ed.), *Everyday Violence In Britain, 1850-1950: Gender And Class* (Harlow, Essex, 2000), p. 107.

⁷³ Katie Barclay, 'Stereotypes as political resistance: The Irish police court columns, c.1820-1845' in *Social History*, xlii, no. 2 (2017), p. 262.

⁷⁴ See for example the teasing of court Irish interpreter Peter O'Toole in the Ballinrobe petty sessions when deaf people (with no interpreter) sought to bring cases; O'Toole was told jokingly that he "would do well to learn the deaf and dumb alphabet. He should also learn French and German and Esperanto." Mary Phelan, *Irish Speakers, Interpreters and the Courts 1754-1921* (Dublin, 2019), p. 228.

deaf people of the period, as well as that preserved within court files.⁷⁵ It is possible that lawyers, who often worked closely with court newspapers from the mid-nineteenth century, ensured that writings of deaf defendants were made available to journalists.⁷⁶ This offers a chance for us to see the reactions of deaf people in a potentially less mediated format, without the possible editing and polishing that, for example, deaf school annual reports may have indulged in.⁷⁷

Newspaper accounts of Poor Law guardians meetings remain a source that is somewhat underused in Irish Poor Law historiography. The 1843 amended Irish Poor Law Act empowered unions to pay out of the rates for the education of deaf children, and board of guardians meeting reports in newspapers mention deaf people in this context frequently.⁷⁸ Reported discussions and disagreements about deaf children, their parents' social and financial standing, and their ability to contribute towards expenses, was detailed; these discussions illuminate how deaf people's poverty and educational disadvantage were viewed and dealt with by the guardians. Comments of guardians also identify deaf workhouse inmates and relief applicants who were deaf. Such matters are also referred to within official Minutes, which have in many cases also been used herein. However, the newspaper reports present us with vibrant detail about the decisions and practices of boards of guardians in this period, as well as the attitudes and ideologies that underlay and shaped them; they can also reveal details about the poor themselves that are unavailable in institutional records such as Board minutes.⁷⁹ Their recording of guardians' off the cuff comments, arguments and humorous asides, add a flavour that is impossible to experience from the more sanitized 'official' record, and the candidness of such accounts can be highly revealing.⁸⁰

Sources such as these can offer a more direct peek into the minds and attitudes of the Irish public towards deaf people. They contrast with other, more traditional sources relied on in deaf

⁷⁵ In some cases the actual papers passed back and forth between deaf witnesses and defendants in the courtroom have been preserved in court files; for example, papers that went between deaf defendant Jeremiah Purcell and opposing barristers are to be found in the relevant crown files of the case in the National Archives. *Killarney Echo and South Kerry Chronicle*, 1 May 1915, p. 9; Tralee quarter sessions, January 1915, Crown files NAI 1C-60-76.

⁷⁶ Judith Rowbotham, Kim Stevenson and Samantha Pegg, *Crime News in Modern Britain: Press Reporting and Responsibility 1850-2010* (London, 2013).

⁷⁷ Arthur F. Dimmock, *Cruel Legacy: An Introduction to the Record of Deaf People in History* (1993), pp 25–26.

⁷⁸ 'An act for the further amendment of an Act for the more effectual relief of the Destitute Poor in Ireland', 6 and 7 Vict. c. 92 (24 August 1843).

⁷⁹ Virginia Crossman, Georgina Laragy, Seán Lucey and Olwen Purdue, 'Sources for the history of the Irish poor law in the post-Famine period' in Ciara Breathnach and Catherine Lawless (eds), *Visual, material and print culture in nineteenth-century Ireland* (Dublin, 2010), pp 200–202.

⁸⁰ Particularly when the subject matter was in any way scandalous; see Eloise Moss, 'Sexual Harassment, Victimhood and Affective Self-Fashioning in Victorian England: The Bolton Workhouse Scandal, 1889–1890' in *Gender and History*, xxxii, no. 2 (2020), pp 465–481.

historiography, such as annual reports of deaf schools, books and pamphlets written by educators of deaf children, and newspaper accounts of speeches at meetings of deaf charities. These sources are written from the perspective of those genuinely interested in the welfare of deaf children and adults. The opinions and attitudes of other actors who were indifferent, or even hostile, are hinted at in such sources, but rarely quoted directly. In newspaper accounts, we are given more access to a wider set of views than the mediated, sanitised views presented in traditional sources. This allows a less curated and more authentic representation of the hearing society's opinions and conceptions about deaf people to shine through. This parallels Elizabeth Bredberg's distinction between institutional perspectives, and non-expert or 'vernacular' perspectives on people with disabilities within sources; "interactions (in both directions) between institutional and vernacular perspectives ... are a potentially rich source of understanding of the forces that shape societal responses to impairment and disability" which can provide "a deeper, more detailed picture of the experience of disabled people in different social settings throughout history".⁸¹ The complementary nature of such newspaper sources, and the ways they offer a chance to see interactions between the institutional and vernacular perspectives on deafness, makes them highly valuable.

There are a number of issues to take into consideration when looking at this kind of newspaper database for the purposes of researching deaf history. The processes of production of crime and court reporting in newspapers must be considered carefully. The nature of sexual offences meant that newspapers were often reluctant to give much detail that was deemed unfit for publication; for sexual crimes, euphemistic language could obscure accounts of what was alleged to have occurred. On other occasions, cases would not be mentioned in the press at all.⁸² On the other hand, exaggeration or sensationalising approaches by newspapers in describing crimes of violence could warp the details that are given; in Britain at least, early in the twentieth century came a realisation that such lurid detail sold newspapers.⁸³ Furthermore, the use of digital sources has important considerations for any historian, particularly sources relating to crime. The search engines featured on these websites allow a user to search for a word, exact phrase or series of co-occurring words. Using the search engines, hundreds of national, regional and local newspaper articles can be located which mention deaf people, deafness or sign language. However, OCR (Optical Character Recognition) being imperfect, many relevant articles may 'slip through the net' and can only be discovered through searching

⁸¹ Bredberg, 'Writing Disability History', pp 194–195.

⁸² Stevenson, 'Outrageous Violations', pp 39, 45; Stevenson, 'Unearthing the Realities of Rape', p. 411.

⁸³ Stevenson, 'Outrageous Violations', p. 44.

for other terms linked to that particular story or area.⁸⁴ This has partly been overcome by looking at two or more newspapers covering a particular county or region, which enables comparison of different accounts of the same legal proceedings or meeting of guardians.

The Census of Ireland, 1851 - 1911

Central to any quantitative inquiry about the emerging deaf community in Ireland are the sources created by Censuses of Ireland between 1851 and 1911. This approach follows the work of other writers of deaf history such as Ylva Soderfeldt, who engaged extensively with German statistical data from Censuses and enumerations to build up a detailed demographic and employment profile of the German deaf community.⁸⁵ In a similar way, Martin Atherton has taken the county of Lancashire as a basis for an intensive delve into the 1901 Census of England and the presence of deaf people in the county.⁸⁶ Beginning in 1851, the Irish Census 'Form A' household return and other institutional returns introduced a column for the recording of disabilities for individuals who were 'deaf and dumb', blind, or otherwise disabled, which eventually included people with learning difficulties or mental health issues.⁸⁷ Decennial Census Reports featured a detailed statistical report on Irish 'deaf and dumb' people each decade. Upon identification in the initial Census enumeration, a separate follow-up schedule of questions was then put to the household head where the deaf person lived.⁸⁸ The detail obtained from these follow-up interviews was unusually rich, and perhaps unique to Ireland.⁸⁹ Results were first collated, analysed and presented in separate *Census Reports on the Status of Disease* until 1881, whereafter they were incorporated into the *Census General Report*. The rich and intricate detail in these Census reports will be used for analysis in the following chapters. Sir William Wilde was the driving force behind the creation of this demographic and statistical inquiry.⁹⁰ There was considerable pride among the Census commissioners at the relatively unbroken tradition of

⁸⁴ Crone, 'Crime – and its fabrication'; Adrian Bingham, "The Digitization of Newspaper Archives: Opportunities and Challenges for Historians" in *Twentieth Century British History*, xxi, no. 2 (2010), pp 225–231; Charles Upchurch, 'Full-text databases and historical research: Cautionary results from a ten-year study abstract' in *Journal of Social History*, xlvii, no. 1 (2012), pp 89–105; Tim Hitchcock, 'Confronting the digital: Or how academic history writing lost the plot' in *Cultural and Social History*, x, no. 1 (2013), pp 9–23.

⁸⁵ Söderfeldt, *From Pathology to Public Sphere*, pp 29–54.

⁸⁶ Martin Atherton, *Living, Learning and Working: Deaf Life in Lancashire in 1901* (Watford, 2021).

⁸⁷ E. Margaret Crawford, *Counting the People: A Survey of the Irish Censuses, 1813-1911* (2003), pp 23–24.

⁸⁸ P. Froggatt outlines another option, not pursued by Wilde in the end, where as well as the follow-up schedule, "further requisite details [would be] completed by doctors after examining each case enumerated." Froggatt points out that this "would be impossible to organize on a national basis and raised the ethical point that since census material was confidential and to be used only for the purpose of official statistics, doctors should not be apprised of potential patients in this manner." Wilde nevertheless supplemented the information derived from the Census with his own case notes and reports from other doctors. Froggatt, 'Sir William Wilde and the 1851 census of Ireland', pp 309–310. From the text of the Report in 1851, it seems medical examinations were conducted on those deaf individuals "[w]here any difficulty arose with respect to the true physiological or pathological condition of a case"; it is unclear how much scope deaf individuals had to make an informed decision about consenting to such examinations. *1851 Census of Ireland Report, Part III*, p. 4.

⁸⁹ Ylva Soderfeldt mentioned that even in Germany, where collection of an extensive array of statistics on deaf people began in 1801, the kind of labour-intensive data collection described here was only seldom used in practice; Söderfeldt, *From Pathology to Public Sphere*, pp 31–33.

⁹⁰ Froggatt, 'Sir William Wilde and the 1851 census of Ireland', pp 309–312; Jones, 'Deaf People and the Census'.

detailed statistics on 'deaf and dumb' people that William Wilde initiated. However, after Wilde's death in 1876, there was far less interest in pursuing these statistics, and the range of information included was reduced.⁹¹ The 1881 Report's authors, while praising previous collation of such information as "unique in its comprehensiveness and minuteness of detail", approved of this reduction, as "experience has shown to be of little practical value".⁹² It also should be mentioned that questions asked in the 'follow-up' schedule were not consistent, and some were omitted over time; occasionally, statistics obtained and published in one Census report were not published in the next, meaning only partial illumination of certain aspects of deaf life is possible using these sources.⁹³ The 1926 Census of Ireland did not include questions about deafness or indeed any disability, nor did subsequent Irish Census reports for many years, meaning this rich seam of data ends in 1911.⁹⁴

Access to the original Census manuscript returns, as opposed to the anonymised statistical Reports, is severely limited; the vast majority of 1851 returns were lost in the 1922 Four Courts fires, and those between 1861 and 1891 completely destroyed.⁹⁵ However, the publication of the Census of Ireland returns online allows for a deeper examination of these invaluable records at the turn of the century.⁹⁶ The vast majority of the 1901 and 1911 returns have been microfilmed, indexed and transcribed, with access to original images and a sophisticated search engine.⁹⁷ The 'Specified Illnesses' column on the returns, intended to record whether individuals possessed a disability, has also been transcribed, and is searchable.⁹⁸ It is possible to take these ostensibly medical descriptions, and with some conceptual reframing, use the terms to facilitate granular identification and creation of a database of deaf signers. The conceptual base of a 'deaf community' can then drive searches into Census data inspired by questions related to notions of community and fellowship – intermarriage, cohabitation, and more - that the Census of Ireland reports do not ask. However, the accuracy of calculations or conclusions based on

⁹¹ Crawford, *Counting the People: A Survey of the Irish Censuses, 1813-1911*, p. 29. However, other intricate and obsessively detailed statistics on deaf people were retained, regarding factors such as consanguinity of parents, numbers of and place of 'deaf and dumb' children in the family, and so on.

⁹² *1881 Census of Ireland Report, Part II*, p. 39.

⁹³ For example, numbers of 'deaf and dumb' people in workhouses, statistics missing from 1871 onwards. All correspondence, documents and written records relating to each Census' 'follow-up' schedule is also presumed destroyed, meaning the loss of 50 years' worth of additional information relating to the lives of deaf people in Ireland, a colossal loss for deaf history in this country; only the summary Reports remain.

⁹⁴ In 2011 and 2016, questions were added to the Irish Census about use of Irish Sign Language (as opposed to deafness), although results from these questions have been questioned on their accuracy: Conama, '35 years and counting! An ethnographic analysis of sign language ideologies within the Irish Sign Language recognition campaign'.

⁹⁵ John Grenham, *Tracing your Irish Ancestors* (4th ed., Dublin, 2012), p. 16.

⁹⁶ National Archives of Ireland, 'Census of Ireland 1901 and 1911 Online website', 2016 (www.census.nationalarchives.ie); Grenham, *Tracing your Irish Ancestors*, pp 16–22.

⁹⁷ Some Census forms for certain townlands or streets are missing from the website; see <http://www.census.nationalarchives.ie/help/about19011911census.html> - therefore, the overall figures pertaining to these individuals may vary from those given in officially published Census Reports.

⁹⁸ Crawford, *Counting the People: A Survey of the Irish Censuses, 1813-1911*, pp 71–77.

Census website data is dependent on the accuracy and consistency of transcription, and here, the sources must be treated with caution. Firstly, online transcriptions – while comprehensive – do not comprise a complete Census return for the entire country.⁹⁹ In many instances, details in the 'disabilities' column are not transcribed onto the website at all, and large number of returns mentioning deaf people may be missed completely. These 'strays' have only been discovered by chance, when tracking particular individuals across the two Censuses, or when systematically examining original scans of Forms.¹⁰⁰ Finally, a great majority of deaf people were not the heads of households, or else, lived in institutions, and therefore did not fill in the form themselves; unless the head of household knew them intimately (or could sign, or communicate with them in written English), Census enumerators may have been given inaccurate detail about deaf people living there based on guesses or assumptions.

Bearing in mind such factors, it was decided to analyse the 1901 Census in this manner, which is summarised below for illustrative purposes. Online 1901 Census data was copied into a spreadsheet, and 'cleaned' (adding 'strays' and removing false-positives), resulting in a reasonably definitive 'Deaf Census' of all individuals listed as 'deaf', 'dumb', 'deaf and dumb' and any variants thereof. The actual descriptions in the 'Disability' column were analysed, and individuals were each assigned to one of four 'core categories' depending on the Census description used for them.¹⁰¹ Proceeding in this fashion, a database of 6,789 individuals was assembled. These figures in full can be seen in Table 1 below. Of these four categories, those listed as *deaf*, or *dumb only*, were excluded from further analysis. Those categorised as either *dumb*, or *deaf and dumb*, were aggregated into a dataset of 3,648 individuals conventionally described as 'deaf and dumb' or 'deaf mute', and individuals who were described *culturally* as 'dumb' – in other words, people who are likely to have used sign language.

⁹⁹ Some townlands and streets from the 1901 and 1911 Censuses were never microfilmed and thus not digitised for the site; returns for other areas have never been in National Archives custody. In total, the number of people whose records have been transcribed onto the website is 4,429,782, which represents a shortfall of 28,933 individuals less than the Census Commissioners reported as living in Ireland on Census night. Therefore these areas and individuals are excluded from the database described here. See <http://www.census.nationalarchives.ie/help/about19011911census.html#whatcontain>

¹⁰⁰ Some Form As have the column filled in stating 'neither deaf nor dumb', which is picked up in the website's search for 'deaf and dumb' individuals, leading to a number of false positives. Additionally, some Census return entries are duplicated on the website, and for calculations to be accurate, such repetitions need to be located and excluded. The National Library has admitted that making the website fully accurate remains a work in progress. User corrections are accepted by the National Archives when mistranscriptions are discovered; see http://www.census.nationalarchives.ie/about/user_corrections.html.

¹⁰¹ Individuals whose Census return description straightforwardly matched any of these labels above were assigned that as their core category. For other descriptions, it was important to look for hints as to whether hearing or speaking ability was present. Those described as 'deaf mutes' were assigned *deaf and dumb*. In cases where 'dumb' was the sole description referring to disability, with no other information given, *dumb* was the category assigned. If it was apparent from the description that some hearing ability was present, *dumb only* was assigned. Descriptions using phrases like 'partially' were assigned the core category implied in the description, e.g. 'partially deaf' was assigned to *deaf*, 'partially deaf and dumb' - *deaf and dumb*, 'has trouble hearing' – *deaf*, etc. For more complex composite descriptions, the presence of other conditions or disabilities (such as visual impairment, learning disability, or mental health issues) was noted separately, while the core category was assigned based on the description, e.g. 'dumb imbecile' – *dumb*, 'deaf blind' – *deaf*, 'deaf, dumb and blind' – *deaf and dumb*, etc.

All individuals	6,789
<i>Deaf</i>	2,942
<i>Dumb Only</i>	199
Dumb	739
Deaf & Dumb	2,909
Individuals likely to use sign language	3,648

Table 1: Numbers of individuals identified in 1901 / 1911 Census Website

Institutional Sources

Records kept by a number of types of institution were utilised in this thesis, in a manner keeping with the ‘history from below’ approach. The lives of ‘ordinary’ people in history, including deaf people, can be partly reconstructed from institutional sources, that exist thanks to the intensive record-keeping practices of institutions. Specialised institutions like deaf schools were often “in a better position to record, preserve and pass on documentation of its practice than was much of the society around it”, lending institutional sources and perspectives an authority and a usefulness to historians rarely replicated elsewhere.¹⁰² For deaf schools, lists of pupils published in annual Reports were used.¹⁰³ These pupil lists feature month and year of admission, as well as whether a particular Poor Law Union paid the pupil’s fees. As useful as these sources are, not all deaf children attended deaf schools, and such documentary evidence will only record the experiences of deaf pupils, not all deaf people.¹⁰⁴

Other institutions produced records that are examined herein. For workhouses, indoor relief registers for Poor Law Unions (where available) were extensively researched, although the survival rate of these registers for many workhouses around Ireland is low.¹⁰⁵ Those that survive record the presence of deaf people, giving an insight into the lives of deaf children and their families, and adult deaf people in poverty, including their reactions to the discipline of the workhouse. Sets of minutes for Board of Guardians meetings, where deemed necessary, were also consulted, but due to the lack of detail in relation to the cases of individual deaf paupers

¹⁰² Bredberg, ‘Writing Disability History’, p. 196.

¹⁰³ In particular the Catholic Institution for the Deaf and Dumb (CIDD)’s Annual Reports of 1906 and 1914 contain complete lists of pupils from the CIDD’s establishment in 1845 up to 1914. The Belfast deaf school printed updated lists of pupils in each of their annual Reports, but not all such Reports were available and so the list of pupils is incomplete. As the schools in and of themselves were not a primary focus of the thesis, official admission registers of pupils were not consulted.

¹⁰⁴ Bredberg, ‘Writing Disability History’, p. 196. A focus on educational sources also tends to exclude the lives of small children before they arrive at school – which for deaf children, can be a large portion of their childhood indeed. See Ludmilla Jordanova, ‘Children in History: concepts of nature and society’ in Geoffrey Scarre (ed.), *Children, parents and politics* (Cambridge, 1989), pp 1–24.

¹⁰⁵ With some exceptions: three of Dublin’s four Unions have extant Indoor Relief Registers, and many of the Unions in what is now Northern Ireland have also left behind intact Registers.

(and because searching these by keyword or theme was more difficult), they were not prioritised as a source. Where deaf people served as defendants or witnesses, a range of court records were consulted, primarily the Petty Sessions Order Books between 1851 and 1922, and for more serious cases at Quarter Sessions and Assizes, the Crown Files for cases (where still extant), containing jury lists, statements of witnesses, and a wide range of other documents. Many of these files are missing or incomplete.¹⁰⁶

It is the prison that is the institution that most represents the concept of a ‘disciplinary’ institution utilising and embodying ‘power/knowledge’, as Michel Foucault has described them.¹⁰⁷ As such, the records of convict prisons in Ireland are often highly detailed.¹⁰⁸ Studying the experiences of deaf prisoners uncovers their own reactions to this discipline, as well as other aspects of their own lives, family situations and communication choices, and additional factors that led to imprisonment. For individual prisoners, Convict Reference Files and Criminal Index Files were located for cases where prisoners themselves appealed to the authorities for leniency. These files generally contained memorials or other letters to the Lord Lieutenant written by – or on behalf of – deaf prisoners. For deaf people who were sentenced to penal servitude, Penal Files were often available which gave a wealth of medical information, lists of correspondence to and from the prisoner, occasional letters written by the prisoner and accounts of the prisoner’s conduct. These could be examined alongside the prison registers of convict prisons such as Mountjoy, Spike Island, and others which featured notes on similar issues. Correspondence Registers for the prisons, a subseries of the Chief Secretary’s Office Registered Papers in the National Archives, were found to refer to treatment of deaf convicts and prisoners. For local prisons, the corresponding prison registers available in the National Archives and online were examined. As detailed as these records can be, however, the level of detail and richness of description in some institutional archives can often trick the researcher into an illusion of completeness. We must be careful to remember that such archives are ‘unstable’, as Catharine Coleborne reminds us. They can lead us to discover histories of people “who would otherwise have remained virtually invisible”, and Coleborne reflects that “it is something of a paradox that we know such a large amount about institutionalised people when they were hidden from public view in their own lifetimes”. But “for the researcher... finding archival remains can still evoke an excited sense of ‘completeness’, even while the material only

¹⁰⁶ Brian Griffin, *Sources for the study of crime in Ireland, 1801-1921* (Dublin, 2005), pp 39–40; Elaine F. Farrell, *Infanticide in the Irish Crown Files at Assizes, 1883–1900* (Dublin, 2012), pp xv–xvi.

¹⁰⁷ Foucault, *Discipline & Punish*.

¹⁰⁸ Denise M. Dowdall, *Irish Nineteenth Century Prison Records - Survey and Evaluation* (Dublin, 2013); Findmypast.ie, ‘Irish Prison Registers 1790-1924’ in *Findmypast.ie*, 2016 (<http://search.findmypast.ie/search?world?Records/irish?prison?registers?1790?1924>) (23 Apr. 2016).

reveals a little more about an individual's history."¹⁰⁹ We must avoid what Iacovetta and Mitchison describe as the "easy assumption that we can merely read off the case file all that is required to know about a given subject", and despite the detail and richness of some of these sources, it "does not free us from the search for contextualizing and corroborating evidence."¹¹⁰

Sources in Combination

The use of newspaper articles, demographic, genealogical and institutional sources together will show that, despite the many inherent cautions we must of course heed about such sources, institutional records of deaf people's encounters with institutions can be combined with newspaper articles in an attempt to reconstruct a fuller picture from multiple perspectives. Newspaper accounts supply significant detail about how deaf people communicated in courts and workhouses, and attitudes to deaf children, inmates, defendants or witnesses. This qualitative detail can usefully complement institutional records which can be occasionally bare of detail. Some institutional records, such as penal files and convict reference files, often contain written letters or memorials from deaf prisoners, or copies of statements by deaf witnesses. This adds a subjective, intimate and personal dimension to our understanding of these people's experiences. In this spirit, the thesis will also use genealogical sources. Where necessary for researching the life stories of individuals, civil registration records, parish registers, and other such sources have also been utilised. Such records have been located on both free and paid subscription websites such as *Irish Genealogy* and *Roots Ireland*.¹¹¹ Sofie de Veirman has also utilised similar sources in her analysis of topics such as marriage rates and upward mobility among deaf cohort groups, and of deaf people's social ties and networks in Belgium between the eighteenth and twentieth centuries.¹¹²

Combining institutional records offers many possibilities. Blum, Colvin *et al* bring together prison and workhouse registers in their research into female numeracy in Tipperary and conclude that they are "valuable sources of quantitative social information and should not be discarded by social science historians."¹¹³ Combining records in this manner enables us to

¹⁰⁹ Catharine Coleborne, 'Archive stories: Institutionalised women as lost lives?' in *Australian Women's History Network*, 2018 (<http://www.auswhn.org.au/blog/archive-stories-institutionalised-women-lost-lives/>) (16 Apr. 2018).

¹¹⁰ Franca Iacovetta and Wendy Mitchinson, 'Social History and Case Files Research' in *On the Case: Explorations in Social History* (Toronto, 1998), p. 14.

¹¹¹ Irish Family History Foundation, 'Roots Ireland' in *Roots Ireland website*, 2022 (<https://www.rootsireland.ie>); Department of the Arts Heritage and the Gaeltacht, 'Irish Genealogy' in *Irish Genealogy website*, 2022 (<http://civilrecords.irishgenealogy.ie/>).

¹¹² Sofie De Veirman, 'Deaf and disabled? (Un)Employment of deaf people in Belgium: a comparison of eighteenth-century and nineteenth-century cohorts' in *Disability & Society*, xxx, no. 3 (2015), pp 460–474; De Veirman, 'Breaking the silence'; De Veirman et al., 'Deaf and unwanted?'

¹¹³ Matthias Blum, Christopher L. Colvin, Laura McAtackney and Eoin McLaughlin, 'Women of an uncertain age: quantifying human capital accumulation in rural Ireland in the nineteenth century' in *Economic History Review*, lxx, no. 1 (2017), p. 24.

envisage such historical experiences more holistically, and begin to see the myriad ways in which deaf people reacted and resisted to institutional treatment. It assists us also in detecting and demonstrating deaf people's often continual and intertwining relationships with multiple institutions. In a similar manner N. J. Crowson has researched the lives of 'tramps' and vagrants in Leicestershire between 1881 and 1911 using digital newspaper archives, together with genealogical records, and institutional records from the Poor Law, asylum system, judiciary, police and military. This has the effect of "show[ing] the possibility of reconstructing the lives of a section of society assumed to have left little trace of their existence."¹¹⁴ This approach is particularly suited to the study of deaf people's history, as we shall now see.

Reading 'hearing' sources 'against the grain'

Writing a history of deaf people during a period where most deaf people were uneducated presents difficulties in terms of available sources. The absence of videotaping facilities means we have no opportunity to experience these deaf people express themselves through their own signed language. Illiteracy among uneducated deaf people has meant there is a relative paucity of direct written accounts by Irish deaf people of their treatment in society.¹¹⁵ No autobiographies written by Irish deaf people can be located for the period.¹¹⁶ Some Irish sources written by deaf people exist, but are generally mediated; letters written by deaf pupils were reproduced in newspapers, newsletters and school reports, but many of these must be interpreted as having been at least to some extent edited and curated. Furthermore, written materials by deaf people are, of necessity, examples of their second language, and often betray a lack of English fluency of a different order to that of a typical Irish person in the same period. We are reliant for the most part on records and sources that represent *hearing* people *writing about* deaf people. These include books, pamphlets and newspaper articles mentioning deaf people – mostly written by people who are hearing, in many cases quite ignorant of deaf people, their use of language, and their membership of a community. They frequently use terminology which betrays patronizing attitudes towards deaf people, and conveys a sense of their inferiority or helplessness; there is often mockery and caricature. Some sources are written by sympathetic reporters and commentators, such as annual reports from deaf schools, newspaper coverage of public fundraising meetings of schools, and occasional letters written by deaf people

¹¹⁴ N. J. Crowson, 'Tramps' Tales: Discovering the Life-Stories of Late Victorian and Edwardian Vagrants' in *English Historical Review*, cxxxv, no. 577 (2020), p. 1489.

¹¹⁵ Bredberg, 'Writing Disability History', p. 198.

¹¹⁶ However it is worth noting that a book was written in the eighteenth century by a man named John Burns, of Monaghan, who was apparently 'deaf and dumb': *An Historical and Chronological Remembrancer of All Remarkable Occurrences, from the Creation to This Present Year of Our Lord, 1775*. Almost nothing more about Burns is known than the meagre amount in his book, and we know nothing about how he was educated or whether he used sign language or not.

themselves, but these are few and far between. The indirect and mediated nature of sources represents somewhat of a veil between those wishing to gain an understanding of the situation of Irish deaf people in this period and the lived realities in question.

Yet this should not mean that we treat such ‘hearing sources’ as in some way compromised or contaminated to the extent they are unusable. Given the scarcity of alternatives, we cannot afford to; it is not clear what historians, without authentic ‘deaf sources’, can do in the face of such absences, other than perhaps to down tools altogether. Instead, given my stated focus on the views, perspectives, and experiences of Irish deaf people within these records, it is highly important to evaluate ‘hearing’ records in a critical manner. Walter Benjamin coined the term ‘reading sources against the grain’ to refer to the way in which we treat sceptically the sources produced by the ‘victors’ of history.¹¹⁷ It is an approach to engaging with historical sources which involves reading elite-produced, biased sources “for reasons other than those the record-makers intended and for the clients’ voices”.¹¹⁸ We do this by identifying “the ‘grain’ of our evidence ... its avowed self-understanding, and then we try to work against that grain ... by seeking out the unfamiliar; by worrying away at that which does not quite fit with the official script, we look out for suppressions and silences.”¹¹⁹ In his work on disability, David Turner has found that when we “read critically and against the grain, court records provide us with a wealth of material for understanding aspects of past disabled lives that would otherwise remain obscure.”¹²⁰ Stephen Robertson describes this process in relation to legal records as “focus[ing] on moments of misunderstanding and conflict—ruptures in the legal process, departures from legal forms, formulas, and language, and information that has not been shaped to fit the terms of the law. In those moments, in those places in texts, can be found the voices of ordinary people.”¹²¹ Within disability history, although such institutional sources have been described by Elizabeth Bredberg as “inevitably one-sided in their account of the disabled people, presenting them as depersonalised objects of institutional action”, it is also true that “critical reading of them can often reveal implicit attitudes held by the authors (and possibly their colleagues) towards the moral status of the objects of their practice.”¹²² Use of such critical reading may therefore reveal hidden details and angles to the stories of deaf people in Ireland, and will form a major part of the methodology used in the dissertation.

¹¹⁷ Benjamin, ‘Theses on the Philosophy of History’, pp 256–257.

¹¹⁸ Iacovetta & Mitchinson, ‘Social History and Case Files Research’, p. 13.

¹¹⁹ Miri Rubin, ‘Presentism’s Useful Anachronisms’ in *Past & Present*, ccxxiv, no. 1 (2017), p. 243.

¹²⁰ David M. Turner, ‘Disability and Crime in Eighteenth-Century England: Physical Impairment at the Old Bailey’ in *Cultural and Social History*, ix, no. 1 (2012), p. 49.

¹²¹ Stephen Robertson, ‘What’s law got to do with it? Legal records and sexual histories’ in *Journal of the History of Sexuality*, xiv, no. 1–2 (2005), pp 162–163.

¹²² Bredberg, ‘Writing Disability History’, p. 191.

Chapter Structure

It will now be useful to describe the proposed chapter structure of the thesis.

Chapter 1: Deaf Education and Language. This chapter will trace the development of deaf education, first internationally and then in Ireland, examining the educational methods used, the progress of deaf education over the period, and changes to the proportion of deaf people educated in Ireland. It will then outline the factors that led to the existence of separate sign languages in Ireland.

Chapter 2: The Irish Deaf Community(ies?). This chapter will look at the demographics of the deaf population of Ireland from 1851 to 1922. Central to the chapter will be the use of the Census of Ireland Reports, as well as the online 1901 and 1911 Census of Ireland searchable database. The development of the Irish deaf community through the period will be traced, including deaf community organisations, worship, sport, marriage and intermarriage.

Chapter 3: Deaf Children and the Irish Poor Law. This chapter will focus on the relationships between deaf children and adults, their families, and the institutions of the Poor Law as they developed after the Irish Poor Law Act of 1838. The chapter will describe how the system of poor-rates came to fund children's attendance at deaf residential schools. It will be shown that Boards of Guardians often developed particular attitudes towards such use of the ratepayers' money, although there were changes in approach by the Guardians as the period progressed.

Chapter 4: Deaf People in Irish Workhouses. This chapter will describe deaf people's use of and experiences within workhouses, patterns of workhouse usage among deaf paupers; possible reasons for entry; communication and conflict with workhouse staff, the work done by deaf inmates, and other issues, such as the experiences of deaf women and deaf inmates with mental health issues or learning disabilities.

Chapter 5: Deaf Defendants and Witnesses in Irish Courts. This chapter will look at the experiences of deaf people in Irish courts, at all levels from Petty Sessions and Quarter Sessions courts, through to the Assizes and up to the superior courts. Laws, statutes, and legal precedents of particular import for deaf people will also be examined. The issue of communication in court – through interpreters or writing – will be particularly in focus, as well as what the kinds of cases

featuring deaf people that came before the courts tells us about the lives of deaf people, how the courts responded to them as defendants, complainants and witnesses.

Chapter 6: Deaf Convicts and Prisoners in Ireland. This will be an examination of deaf people's experiences behind bars within the prison system as it developed and unfolded in Ireland. The systems of local and convict prisons in Ireland up to and throughout the period will be introduced and described, and the presence of deaf people in local prison registers examined. The experiences of deaf convicts, in particular, will be explored, looking at communication in prison, use of memorials and correspondence, and how the mental health of deaf prisoners may have been affected by their confinement.

Chapter 7: Summary and Conclusions.

Chapter 1: Deaf Education and Language

Introduction

This chapter will look at the beginnings of deaf education in Europe and North America, the opening of public schools for deaf children, and the various teaching methods and philosophies used therein. This will be followed by an outline of the establishment of deaf schools in Ireland from the early nineteenth century, and the emergence of distinct sign languages used among deaf communities in Ireland. It will be shown that while deaf schools multiplied and grew over the course of the period, the number of uneducated deaf people remained higher than that of those who had been educated until the turn of the twentieth century. Two sign languages emerged from the schools and co-existed alongside one other; ‘Cabra Sign’ with very distinct male and female varieties (which eventually developed into Irish Sign Language), and ‘Claremont Sign’ and ‘Belfast Sign’, mutually intelligible variants of a widely-used, distinct variant of British Sign Language used in Protestant Irish deaf schools, which is termed here ‘Irish BSL’.

Deaf Schools: Birthplace of Languages?

Ancient and early modern records show evidence that deaf people existed and used sign language for many centuries in Europe and the near East. However, it was popularly believed that people born without hearing were unable to be effectively educated. Furthermore, there was lack of agreement about their ability to fully participate in a range of other features of social and civic life; to be a member of a church or religious community, to inherit land, make wills, and others.¹ The origins of modern public education for deaf children in western Europe and North America lie in the sixteenth and seventeenth centuries, and have been comprehensively addressed in Deaf Studies historiography, with writers tracing the origins of systematic instruction to the work of Pedro Ponce de Leon and Juan Bonet in Spain.² In France in 1760, the *Institut National de Jeunes Sourds de Paris*, the world’s first free school for deaf children, opened in Paris. A deaf teacher in the Paris Institute, Laurent Clerc, later helped establish one of the first schools for the deaf in the United States in 1817.³ This led to the establishment of a wave of

¹ Ladd, *Understanding Deaf Culture: In Search of Deafhood*, pp 87–103; Branson & Miller, *Damned for Their Difference*, pp 66–69; Melvia M. Nomeland and Ronald E. Nomeland, *The Deaf Community in America: History in the Making* (Jefferson, Nc, 2012), pp 5–12.

² Branson & Miller, *Damned for Their Difference*, pp 68–69; Lane, *When the Mind Hears*, pp 86–94.

³ R. A. R. Edwards, *Words Made Flesh: Nineteenth-century Deaf Education and the Growth of Deaf Culture* (New York, 2012), pp 11–32.

American deaf schools during the early nineteenth century.⁴ In Britain, the Braidwood family established schools in the mid- to late eighteenth century in Edinburgh and London.⁵

The uneducated deaf children who arrived at these residential schools used forms of signing and gesturing which emerged from interactions at home with family members and those around them. These were often termed ‘natural signs’, and often were very simplistic and mimetic.⁶ However, many educators of the deaf noticed a change in children’s language use once they arrived at school and interacted with deaf peers. Their signing with other pupils became “cultivated”; richer, conventionalised, less visually iconic, and more arbitrary.⁷ This was followed by development of grammatical complexity, as the nascent language was passed on to (and added to by) each generation of new deaf pupils arriving at the schools - essentially, becoming an actual language of natural signs, arising from deaf people themselves. This process has led to the historical emergence of fully fledged signed languages, with their own syntax, vocabulary, and other grammatical features.⁸ Similar processes occurred in Britain, France, and the USA, leading to the creation of modern signed languages like BSL (British Sign Language), LSF (*Langue des Signes Française*) and ASL (American Sign Language). The advantage of public schools for deaf children was in numbers; the more deaf children are involved, the higher the chances of languages developing in such contexts. Peter Brown has marked the “birth of BSL” to have occurred when a critical mass of deaf signing children came together in the 1790s at the London Asylum for Deaf and Dumb Children at Bermondsey.⁹

The ‘French method’ was popularised by the Paris Institute and became highly influential in both North America and Europe. The Abbé de l’Épée and his successor Sicard’s teaching methods in Paris utilised an artificially created system of ‘methodical signs’, sometimes known as Signed

⁴ Lane, *When the Mind Hears*, p. 64; Susan Burch, *Signs of Resistance: American Deaf Cultural History, 1900 to World War II* (New York, 2004), p. 12.

⁵ Raymond Lee (ed.), *A Beginner’s Introduction to Deaf History* (Feltham, Middlesex, 2004), pp 29–30.

⁶ These gestural forms of communication are today often termed ‘home signs’. “Prelingually deaf children growing up in hearing families without sign language input may develop gestural communication systems to interact with their parents and siblings. Within a family, such systems may be quite effective means of communication, but typically, they are used for only one generation and are not transmitted beyond the family.” Roland Pfau, ‘Manual communication systems: evolution and variation’ in Roland Pfau, Markus Steinbach and Bencie Woll (eds), *Sign Language: An international handbook* (Berlin, 2012), p. 517.

⁷ Douglas C. Baynton, ‘The curious death of sign language studies in the nineteenth century’ in David F Armstrong, Michael A Karchmer and John Vickrey Van Cleve (eds), *The Study of Signed Languages: Essays in Honor of William Stokoe* (Washington, DC, 2002), pp 13–34.

⁸ An effective description of this can be found in Edwards, *Words Made Flesh: Nineteenth-century Deaf Education and the Growth of Deaf Culture*, pp 34–36. For discussion of a well-known modern day analogue of this process – the creation of Nicaraguan Sign Language in the 1970s following the opening of the country’s first deaf school - see Ann Senghas and Marie Coppola, ‘Children Creating Language: How Nicaraguan Sign Language Acquired a Spatial Grammar’ in *Psychological Science*, xii, no. 4 (2001), pp 323–328.

⁹ Peter R. Brown, ‘The Pounceby Sign Language: The Root of BSL, 1792?’ in *Deaf History Journal*, xxiii, no. 2 (2020), pp 2–10. Brown (p. 4) mentions that Birch & Stuckless (1964) mention 100 as a ‘critical mass’ for an authentic sign language to be born, but Brown himself cites (p. 8) a critical mass of 50 deaf children is “needed for a new and full language”.

French, in the classroom; this was a system of signs where a separate and distinct sign represents each particle of the (spoken language) sentence being expressed – therefore, working very differently to the ‘natural signs’ of deaf people amongst themselves.¹⁰ However, the schools also allowed children to sign freely using their ‘natural signs’, indeed employing hearing (and later, deaf) teachers to learn these signs and utilise them in teaching where necessary – in essence, a bilingual system. The Catholic schools in Cabra, Dublin, would take a quite similar approach, as we will see in later in this chapter.¹¹ Branson and Miller describe British deaf schools as rejecting the pure ‘French method’ approaches. The Braidwoods appear to have initially proclaimed that their deaf children would be able to speak, but it is apparent that sign language was used by ex-pupils and probably also in the school’s methods of teaching.¹² Their method used increased amounts of fingerspelling (manual representations of letters on the hands) alongside the use of ‘natural signs’, with a rejection of the use of ‘methodical’ signs.¹³

Another approach to deaf education was the oral method, strongly associated with the figure of Samuel Heinicke in Germany. This involved attempts to teach deaf children to speak, rather than sign. This approach, often called the ‘German method’, consequently gave far more focus on speech rather than literacy within education, and generally forbade the use of sign language among deaf pupils.¹⁴ Fierce battles between proponents of the ‘French’ and ‘German’ methods took place through the nineteenth century, with deaf people themselves quite obviously preferring to retain the use of sign language in the classroom.¹⁵ The oral philosophy of deaf education gradually became more influential worldwide, however, and an 1880 international congress of educators of the deaf in Milan successfully passed resolutions calling for the worldwide adoption of pure oralism, and the rejection of sign languages, in schools for the deaf. These highly significant resolutions were passed by large majorities.

While the Milan congress is often described as having ‘banned’ sign languages, the effect of the Congress has at times been overstated; the resolutions were not in any way legally binding, and

¹⁰ ‘Methodical signs’ resulted in its purest form in a highly unwieldy system of communication. An example given by R. A. R. Edwards is a line from Racine: “To the smallest of the birds, He gives their crumbs”, which was expressed by a sequence of forty-eight signs in de l’Epée’s system. The single word ‘Gives’ alone required five signs: those for verb, present, third person, singular, and ‘give.’ Edwards, *Words Made Flesh: Nineteenth-century Deaf Education and the Growth of Deaf Culture*, pp 36–37..

¹¹ Branson & Miller, *Damned for Their Difference*, p. 212.

¹² *Ibid.*, pp 100–104; Mantin, ‘Educational Experiences of Deaf Children in Wales’, pp 58–59.

¹³ Branson & Miller, *Damned for Their Difference*, pp 156–158.

¹⁴ Lane, *When the Mind Hears*, pp 102–3.

¹⁵ Lane, *When the Mind Hears*.

many schools kept teaching using sign language.¹⁶ However, it did have enormous influence in Britain as a whole: the Royal Commission on the Conditions and Education of the Deaf and Blind (see later, this chapter), which sat in Britain from 1885 to 1889, produced a report strongly recommending schools follow the oral method wherever possible.¹⁷ By the closing decades of the century, a ‘combined method’ ended up becoming the norm in Britain, introduced from America, where elements of both sign language and the oral approach were taken with deaf pupils; it is this approach that dominated the Belfast school.¹⁸

For the most part during this period, regardless of the approach to teaching, deaf schools in Britain and Ireland were residential institutions. In many ways it is impossible to overstate the importance of these residential schools for the creation and maintenance of deaf communities and signed languages. As they developed in the late eighteenth and nineteenth centuries, deaf residential schools brought together deaf children in their dozens, and then hundreds, to a place where communication with teachers and staff was far easier than at home with speaking family members. In the United States, John Vickrey Van Cleve and Barry A. Crouch describe how in residential schools, students “lived and studied together in one place, separated from their families and to an extent isolated from hearing society. In effect, the residential schools became surrogate parents; the language and behaviors learned there became more influential to the lives of their residents than were their previous experiences in their biological families.”¹⁹ The schools thus became a unique site of genesis of modern deaf cultures, where alongside the teaching of written (and occasionally spoken) languages, sign languages were used for tuition, and passed on to and acquired by pupils. Children were socialised and acculturated to deaf ways of living and seeing the world.²⁰ In these schools, deaf children “for centuries acquired language, a cultural identity, and the values, mores and knowledge passed down from one generation of the Deaf to the next.”²¹ This also led to strong post-educational ties between deaf people, who formed clubs and associations whose members met to sign with each other. Hence, the advent of deaf schools led to *deaf communities* – multi-generational linguistic minorities who, while living, working and interacting in a majority hearing world, shared a language, socialised together, often married each other, and placed immense value on their way of life.

¹⁶ Branson & Miller, *Damned for Their Difference*, pp 154–155; Mantin, ‘Educational Experiences of Deaf Children in Wales’, pp 68–70.

¹⁷ Branson & Miller, *Damned for Their Difference*, pp 180–182; Mantin, ‘Educational Experiences of Deaf Children in Wales’, pp 66–67.

¹⁸ Branson & Miller, *Damned for Their Difference*, pp 182–187.

¹⁹ John Vickrey Van Cleve and Barry A. Crouch, *A Place of Their Own: Creating the Deaf Community in America* (Washington, D.C., 1989), pp 29–30.

²⁰ Ladd, *Understanding Deaf Culture: In Search of Deafhood*, pp 297–331; Söderfeldt, *From Pathology to Public Sphere*, pp 104–107.

²¹ Harlan Lane, Richard C Pillard and Ulf Hedberg, *The People of the Eye: Deaf Ethnicity and Ancestry* (Oxford, 2010), p. 15.

It is worth mentioning that groups of signing deaf people have also been documented as existing prior to widespread education for the deaf. Examples include a group of signing servants at the Ottoman Sultan's court, who used sign language to communicate; and the island of Martha's Vineyard, where genetic deafness was so prevalent that most of the island's population by the nineteenth century – hearing or deaf - were fluent in a form of sign language.²² In large European cities, 'deaf communities' have been attested before deaf schools opened. The deaf Parisian, Pierre Desloges, authored a 1779 book describing the existence in Paris at that time of a community of "congenitally deaf people, Parisian laborers, who are illiterate ... who have been found so well instructed about their religion, simply by means of signs, that they have been judged worthy of admittance to the holy sacraments... No event — in Paris, in France, or in the four corners of the world — lies outside the scope of our discussion. We express ourselves on all subjects with as much order, precision, and rapidity as if we enjoyed the faculty of speech and hearing."²³ The community was apparently about 200 strong.²⁴ This is potentially an example of deaf people establishing languages and communities *themselves*, without the need for hearing people to bring them together in a school. In such cases where the number of deaf people coming together was lower, however, Lois Bragg is more pessimistic about the linguistic status of their signing, which "would have been, of necessity, sublinguistic or protolinguistic, consisting, that is, of gesture, mime, and context-dependent protolanguage" – in other words, very much like the undeveloped 'natural signs' of deaf pupils before coming to a school.²⁵ However, others have uncovered evidence of deaf people in pre-Enlightenment times, uneducated, yet apparently able to participate in the social and religious life of the community around them, using a sign language that was apparently complex and abstract.²⁶

Deaf Education in Ireland before 1816

In Ireland, sign language and deaf people, of course, existed long before deaf schools were opened. Some evidence exists that there were educated Irish deaf people in the eighteenth and early nineteenth century; references to their education and (often successful) lives generally

²² M. Miles, 'Signing in the Seraglio: Mutes, dwarfs and jestures at the Ottoman Court 1500-1700' in *Disability and Society*, xv, no. 1 (2000), pp 115–134; Sara Scalenghe, *Disability in the Ottoman Arab World, 1500–1800* (Cambridge, 2014), pp 21–51; Nora Ellen Groce, *Everyone Here Spoke Sign Language: Hereditary Deafness on Martha's Vineyard* (Cambridge, Massachusetts, 1985).

²³ H-Dirksen L. Bauman, 'Introduction: Listening to Deaf Studies' in *Open Your Eyes: Deaf Studies Talking* (Minneapolis, 2008), p. 5.

²⁴ Renate Fischer, 'The Study of Natural Sign Language in Eighteenth-Century France' in *Sign Language Studies*, ii, no. 4 (2002), p. 296 (http://muse.jhu.edu/content/crossref/journals/sign_language_studies/v002/2.4fischer.html).

²⁵ Lois Bragg, 'Visual-kinetic communication in Europe before 1600: a survey of signs lexicons and finger alphabets prior to the rise of deaf education.' in *Journal of Deaf Studies and Deaf Education*, ii, no. 1 (1997), p. 4.

²⁶ Breda Carty, Susannah Macready and Edna Edith Sayers, "'A Grave and Gracious Woman": Deaf People and Signed Language in Colonial New England' in *Sign Language Studies*, ix, no. 3 (2009), pp 287–323.

indicate they used sign language.²⁷ At this time, families from wealthy backgrounds could afford specialist private tutors, some of whom operated in Ireland.²⁸ Others were educated by individuals with charitable impulses. John Burns from Monaghan, born ‘deaf and dumb’ about 1740, discovered “a strong natural capacity, was taught to read and write, and speedily acquired a considerable knowledge of arithmetic, geography, history and chronology”, and published a book in 1775.²⁹ Burns’ achievement in publishing his *Remembrancer* seems remarkable: “If Burns really did compile this extraordinary book, he should be remembered as the most intellectually energetic of Ireland’s eighteenth-century working class.”³⁰ He was also a signer; Burns had “preached when but a mere boy, several very striking sermons in dumb show.”³¹ Other deaf children were sent to British deaf schools that had begun to open.³²

However, these examples are few and far between and seem confined to the nobility and upper classes; for poor families, opportunities for Irish deaf children to receive any education were severely limited. As a result, deaf children were not brought together on a large scale, and so the processes of sign language creation and the formation of associated language communities could not properly begin. However, descriptions of use of signing during the eighteenth and early nineteenth century have been identified. Application records for Claremont - Ireland’s first deaf school - between 1816 and 1842 show that at least 50% of young deaf children used some form of signing at the time of their applications; it has also been considered whether in rural Ireland, families with several deaf children may have developed more advanced forms of signed language amongst themselves.³³ Deaf people in Irish cities were witnessed using sign language;

²⁷ Educated deaf people included Thomas Cooley, born in 1795, the son of a Dublin barrister, who was educated at Braidwood’s deaf school in Hackney in London. He returned to Dublin after his education and worked as a successful portrait painter: David Breslin, ‘Thomas Cooley 1795-1872’ in Peter W Jackson and Raymond Lee (eds), *Deaf Lives: Deaf People in History* (Feltham, Middlesex, 2001), pp 45–6. Other such early deaf figures, such as the Cork-based astronomer Robert Long, painter of miniatures Samson Towgood Roche, and Dublin engraver John Duff, appear in the historical record; it is unclear how or where they were educated but references do exist to their use of sign languages: Cormac Leonard, ‘Deaf Education in Ireland before 1816’ in Josephine O’Leary and Alvean E. Jones (eds), *Through the Arch: St Mary’s School for Deaf Girls, Remembering 170 Years from 1846-2016* (Dublin, 2016), p. 2. Charles Smith, *The Ancient and Present State of the County and City of Cork (Vol. II)* (2nd ed., Dublin, 1774), p. 435. Robert Long, ‘Propositions for finding the Longitude at Sea’ in *The British Magazine, or Monthly Repository for Gentlemen & Ladies*, i (1759), p. 16. For Samson Towgood Roche, see David Breslin, ‘Sampson Towgood Roche 1759-1847’ in Peter W Jackson and Raymond Lee (eds), *Deaf Lives: Deaf People in History* (Feltham, Middlesex, 2001), p. 156. For John Duff, see David Breslin, ‘John Duff, c. 1730/40 - 1788’ in Peter W Jackson and Raymond Lee (eds), *Deaf Lives: Deaf People in History* (Feltham, Middlesex, 2001), p. 54.

²⁸ Leonard, ‘Deaf Education in Ireland before 1816’; Cormac Leonard and John Bosco Conama, ‘In Search of ISL’s Pre-History: The complex origins of Irish sign language(s?)’ in *Teanga: Journal of the Irish Association for Applied Linguistics*, no. 11 (2020), pp 11–12 (<https://journal.iraal.ie/index.php/teanga/article/view/190>).

²⁹ Richard Ryan, *Biographia Hibernica: A biographical dictionary of the worthies of Ireland, from the earliest period to the present time (Vol. 1)* (London, 1821), p. 273; David Breslin, ‘John Burns, c1740-1785’ in Peter W Jackson and Raymond Lee (eds), *Deaf Lives: Deaf People in History* (Middlesex, 2001), p. 32; Burns, *An historical and chronological remembrancer*.

³⁰ Andrew Carpenter, ‘Working-Class Writing in Ireland before 1800: “Some must be poor - we cannot all be great”’ in Michael Pierce (ed.), *A History of Irish Working-Class Writing* (2017), pp 84–85.

³¹ Philip Skelton, ‘Senilia; or, An Old Man’s Miscellany’ in Robert Lynam (ed.), *The Complete Works of the Late Rev. Philip Skelton, Rector of Fintona, &c. &c. To which is prefixed, Burdy’s Life of the Author (Vol. VI)* (London, 1824), p. 71.

³² Leonard, ‘Deaf Education in Ireland before 1816’.

³³ Leonard & Conama, ‘In Search of ISL’s Pre-History’.

in 1831 Samuel Gordon, a deaf educator, had “in passing through the streets of Dublin [discovered] many of the deaf and dumb, by accidentally perceiving them make a sign or gesture to their play-fellows.”³⁴ However, the existence of a fluently signing Irish (or even just Dublin) ‘deaf community’ existing before deaf schools were established, in the manner Pierre Desloges described for Paris, seems doubtful. Even given the relatively large size of Dublin city in the late eighteenth and early nineteenth century, it is doubtful that enough deaf people existed in Dublin, Cork, or other Irish cities to form enough of a critical mass to effectively constitute such an urban community of signers.³⁵

³⁴ Letter from Samuel Gordon, *Belfast News-Letter*, 11 March 1831, p. 4.

³⁵ Dublin City's population was examined and worked out by Patrick Fagan to range from 141,000 in 1761 to 180,000 in 1798. Patrick Fagan, 'The Population of Dublin in the Eighteenth Century with Particular Reference to the Proportions of Protestants and Catholics' in *Eighteenth-Century Ireland*, vi (1991), p. 148 (<http://www.jstor.org/stable/30070912><http://about.jstor.org/terms>). At the turn of the nineteenth century, by contrast, Paris' population was at least half a million, and significantly, had a correspondingly large deaf population of over 200 by that time, a community well established even before Paris' first public deaf school opened: Mike Gulliver, 'The Emergence of International Deaf Spaces in France from Desloges 1779 to the Paris Congress of 1900' in Annelies Kusters and Michele Friedner (eds), *It's a small world: international deaf spaces and encounters* (Washington, D.C., 2015), p. 5.

Establishing Deaf Schools

Figure 1 below lists the Irish schools for deaf children established during the nineteenth and early twentieth century.

<i>Name of Institution</i>	<i>Location</i>	<i>Year Opened</i>	<i>Year Closed</i>	<i>Religious Ethos</i>
National Institution for the Education of the Deaf and Dumb Poor (Claremont Institution)	Glasnevin, Dublin City	1816	1978	Church of Ireland
Cork Day School for the Deaf and Dumb	Cork City	1822	1846	[Non-denominational]
Devine's Private Seminary for the Deaf and Dumb	North Strand (later Ranelagh and Firhouse), Dublin	1825	unknown	Church of Ireland
Dublin Day School for the Deaf and Dumb	Dorset Institution, Dublin City	1826	1866	Church of Ireland
Belfast Day School (later Ulster Institution for the Deaf, Dumb and Blind)	Belfast, Co. Antrim / Down	1831	(still open)	Presbyterian / Church of Ireland
Kilrea school	Kilrea, Co Derry	1834	1836-7 ³⁶	Church of Ireland
Miss Wright's Deaf and Dumb Institution	Moneymore, Co. Derry	1842	1863	Church of Ireland
Derry and Raphoe Diocesan Institution for the Deaf and Dumb	Strabane, Co Tyrone	1846	1871	Church of Ireland
St Mary's School for Deaf Girls	Cabra, Dublin City	1846	(amalgamated) ³⁷	Roman Catholic
St Joseph's, Prospect, Glasnevin	Glasnevin, Dublin City	1851	1857	Roman Catholic
St Joseph's School for Deaf Boys	Cabra, Dublin City	1857	(amalgamated)	Roman Catholic
St Marie of the Isle	Mercy convent, Cork City	1858	1900	Roman Catholic
St Joseph's Institution	Mercy convent, Rochfordbridge, Co Westmeath	1892	1940s ³⁸	Roman Catholic
Castlewood College, Private Oral College for the Deaf	Rathmines, Dublin City	1903	unknown	Unclear

Figure 1: Schools established for deaf children in Ireland, 1816 - 1925³⁹

The formation of these schools has been comprehensively described elsewhere.⁴⁰ The earliest of these institutions were mainly products of the wave of Protestant voluntary activity and

³⁶ Mercers' Company who assisted the school's opening was considering closing it in 1836, but the school had been closed by 1837. Mercers' Company, 'Orders of Court, 1832-1842', p. 47, 64. MERCER MC/1/54/3/6, courtesy of James Neill, Archive Cataloguer, Mercers' Company.

³⁷ St Mary's and St Joseph's underwent an amalgamation process, which was fully completed when the Holy Family School for the Deaf, Cabra, opened in September 2016. See <https://www.cidp.ie/schools-and-education/>.

³⁸ It is widely reported the school closed in 1940 (see for example O'Connell, 'A Tale of Two Schools', p. 3.) However, advertisements until at least 1944 continued to encourage sending of deaf pupils to Rochfordbridge; see *Catholic Standard*, 25 August 1944, p. 3.

³⁹ See Matthews, *Irish Deaf Community, Vol. 1*, pp 58–68; Pollard, *The Avenue*, p. 60.

⁴⁰ For the Cabra schools, see Griffey, *From Silence to Speech: Fifty Years with the Deaf*; Crean, *Breaking the Silence*; Matthews, *Irish Deaf Community, Vol. 1*; Breen et al. (eds), *St. Joseph's, 1857 - 2007*; O'Leary & Jones (eds), *Through the Arch*. For Claremont, see Pollard, *The Avenue*. For the Cork schools, see O'Shea, 'A History of Deaf in Cork'. Some work has also been done on the Strabane and Rochfordbridge schools; Scouler, *Death of the Innocents*; O'Connell, 'A Tale of Two Schools'. Surprisingly little has been written about Belfast's Lisburn Road school, though see McClelland, 'The development of educational facilities...'; Hailes, *Turn on the Light Mummy, I Can't Hear*; [No Author], 'Jordanstown: History & Governance'.

philanthropy in early nineteenth century Ireland.⁴¹ Funding for the schools before the 1840s came solely from private charity, and to maximise income, the larger schools were highly public-facing. They used newspaper advertising, press coverage of annual meetings, and regular public ‘exhibitions’ – showcasing pupils’ newly acquired literacy and language skills – to raise funds. Claremont, Cabra and Belfast sent school deputations out to visit cities and towns across Ireland to perform such exhibitions. Claremont and Belfast created networks of local auxiliary fundraising associations, as well as ‘Juvenile Associations’ where younger people could assist.⁴² Similar structures were put in place for the Diocesan Institution in Strabane.⁴³ To decide which children should be admitted, regular ‘elections’ were held to select pupils whose families or friends were unable to pay fees.⁴⁴ Claremont accepted applications on behalf of children from wealthier families, who could receive private tuition within the school, in separate accommodation. These so-called ‘parlour boarders’ were also a feature of the Belfast Lisburn Road school and Cabra.⁴⁵ Eventually the 1843 Poor Law Amendment Act became highly important in opening up such institutions to public funds from local poor-rates, as we shall see in Chapter 3.

These schools presented a range of different educational arrangements; Claremont and Cabra were chiefly residential institutions that took pupils from all over Ireland. The Cork Day School was non-residential, as was the Dublin Day School, which took an approach motivated by opposition to deaf children being shut away from the world in institutions.⁴⁶ The Belfast school initially opened in 1831 as a day-school, but eventually also accepted boarding pupils.⁴⁷ It continued to take day pupils, and also organised a weekend Sunday school for deaf people living in Belfast.⁴⁸ Strabane was also a residential school.⁴⁹ Individual or group classes within ‘mainstream’ school settings were also advertised and reported on in a few places such as Cork,

⁴¹ Luddy, *Women and Philanthropy in Nineteenth Century Ireland*; Maria Luddy, ‘Religion, Philanthropy and the State in Late Eighteenth- and Early Nineteenth-Century Ireland’ in Hugh Cunningham and Joanna Innes (eds), *Charity, Philanthropy and Reform: from the 1690s to 1850* (London, 1998).

⁴² Pollard, *The Avenue*, pp 172–175; McClelland, ‘The development of educational facilities...’, p. 85.

⁴³ For Lisburn Road, see for example, Ulster Society for Promoting the Education of the Deaf and Dumb and Blind, *Second Report* (Belfast, 1838), p. 6. For Strabane see *Londonderry Sentinel*, 26 November 1858, p. 2; *Londonderry Sentinel*, 28 October 1859, p. 2.

⁴⁴ See for example *Freeman’s Journal*, 16 November 1827, p. 1. While the Cabra schools also had such a system, in practice such details were not publicised in the press; see Catholic Institution for the Deaf and Dumb, *First Annual Report* (Dublin, 1847), p. 5.

⁴⁵ Pollard, *The Avenue*, p. 79; Ulster Society for Promoting the Education of the Deaf and Dumb and Blind, *2nd Report, 1838*, p. 23; Catholic Institution for the Deaf and Dumb, *Twenty-Fourth Report* (Dublin, 1870), p. 16. The schools’ registers generally did not record details of private pupils, though their presence is recorded in the 1901 and 1911 Census Form G.

⁴⁶ Samuel Gordon, closely connected to the Dublin Day School, had visions of local deaf schools and classes being widespread across the country. Gordon, *Art of instructing the deaf and dumb, with remarks on existing institutions for their relief. Part I*, pp 14–23.

⁴⁷ [No Author], ‘Jordanstown: History & Governance’, p. 5. Lisburn Road also differed from other deaf schools in that from 1836, in its new premises at College Street, it also accepted and taught blind children.

⁴⁸ Ulster Society for Promoting the Education of the Deaf and Dumb and Blind, *2nd Report, 1838*.

⁴⁹ *Tyrone Constitution*, 4 June 1847, p. 3.

Tralee and Limerick.⁵⁰ The existence of private tutors also continued, and it was common for headmasters and teachers of the deaf in Dublin and Belfast to pursue this as a sideline, especially after their leaving their school or retiring.⁵¹ Finally, a number of deaf children attended local national schools; in 1887, seven ‘deaf and dumb’ and five ‘deaf but not dumb’ children were recorded as attending national schools.⁵²

Methods of Education: Manualism vs. Oralism

Deaf history is, to a large extent, centred on the history of deaf people’s education, particularly the debates between advocates of signed language and of oralism. Perhaps the central question in deaf historiographies of western Europe and North America has been how oral approaches to deaf education, particularly after the infamous 1880 Milan Congress, have impacted on deaf communities and sign languages. In countries like Great Britain and the United States during the nineteenth and early twentieth centuries, the consequences of Milan and the advance of oralism have been described as far-reaching, and damaging to deaf communities, albeit not without considerable resistance from deaf people themselves.⁵³

From this perspective it is important to briefly examine the methods of education used in Irish deaf schools. We can learn about these from school advertisements, annual reports and newspaper accounts of their public exhibitions. These often contain lengthy, precise descriptions about how deaf pupils were taught, as well as discussions about ‘natural sign’ or ‘methodical sign’ approaches, the place (if any) of spoken language in deaf education, the techniques used to teach literacy through visual means, and even occasional descriptions of particular signs used by pupils.⁵⁴ The Cabra schools were probably the best known ‘manual’ schools, consistently using a version of de l’Epée’s method and remaining staunchly and virtually

⁵⁰ Tuition to deaf children within a mainstream school environment was advertised by Patrick Hennessy’s school in Cork, and the Cork School of Design also had deaf pupils: *Southern Reporter and Cork Commercial Courier*, 30 December 1834, p. 1; *Southern Reporter and Cork Commercial Courier*, 5 February 1852, p. 1. From at least 1865 the Mercy Sisters in Tralee were experimenting with education of deaf Catholic girls within their orphanage, using the sign language-based method of Cabra for instruction: *Munster News*, 23 November 1867, p. 3. A dedicated school for deaf children was not established in Limerick it seems until 1979: Matthews, *Irish Deaf Community*, Vol. 1, p. 86. However, moves began in 1839 to establish a Day School for Deaf children in Limerick, although there is no record of the school actually opening: *Limerick Chronicle*, 17 April 1839, p. 3; *Limerick Chronicle*, 11 December 1839, p. 2; *Limerick Chronicle*, 11 April 1840, p. 2. A class for deaf children apparently existed at some point also in Limerick City, within the Convent of Mercy: “There was a class for deaf mutes at St. Mary’s [the Limerick Convent of Mercy] taught by a sister gifted in music and art”: Marie Therese Courtney, “‘The Careful Instruction of Women’” in Sisters of Mercy (ed.), *Sisters of Mercy in Limerick* (Limerick, 1988), p. 20.

⁵¹ Some examples of advertisements can be found in *Freeman’s Journal* 9 July 1825, p. 1; *Dublin Morning Register*, 10 May 1838, p. 2; *Saunders’s News-Letter*, 12 April 1844, p. 4; *Northern Whig*, 30 January 1847, p. 3.

⁵² Evidence of Patrick Keenan, *Report of the Royal Commission on the Blind, the Deaf and Dumb, etc. of the United Kingdom*, p. 779, H. C. 1889 (C. 5781) x.x.1, 131 (hereafter *1889 Royal Commission*).

⁵³ See for example Susan Burch, ‘Reading between the signs: Defending deaf culture in early twentieth-century America’ in Paul K Longmore and Lauri Umansky (eds), *The New Disability History: American Perspectives* (New York, 2001), pp 214–235; Burch, *Signs of Resistance: American Deaf Cultural History, 1900 to World War II*.

⁵⁴ Other deaf schools, such as the Kilrea and Moneymore schools, as well as the Sisters of Mercy school on St Marie of the Isle, barely used the press at all, or their records have been seemingly lost. O’Shea, ‘A History of Deaf in Cork’, pp 83–86.

exclusively sign language-based institutions, until the 1940s when oral methods were finally introduced on a large scale.⁵⁵ A formal ‘methodical signs’ system was used, often termed ‘Signed English’, which followed closely the word order, morphology and grammatical rules of English. However, ‘natural signs’ were also permitted, and indeed utilised alongside ‘methodical’ signs in the classroom, to give pupils fluency in the English written language, leading to an emerging bilingual classroom environment.⁵⁶ Occasional allowance was made for oral teaching of small groups of pupils; in St Mary’s from at least 1910, and St Joseph’s employing an oral teacher in the late 1920s.⁵⁷ Other than this, it seemed the Cabra schools were happy to broadly adhere to their long tradition of sign language-based education, the successful results of which had been recognised and praised for decades. Those involved with Catholic deaf education in Ireland defended this position forcefully. In 1887, Fr Thomas McNamara, co-founder of the Catholic Institution for the Deaf and Dumb (which superintended the two Dublin schools in Cabra), initiated a heated correspondence in the *Irish Ecclesiastical Record* with Edward Dawson, his opposite number in the Catholic oral school in Boston Spa, Yorkshire. McNamara forcefully listed the advantages of the ‘sign method’ and criticised oral education on a number of fronts.⁵⁸ This position seemed secure and afforded the Catholic deaf community with a good deal of educational and linguistic continuity. Indeed by the 1940s, to some male ex-Cabra pupils, the addition of oral classes was looked upon with some amusement, and written off as a mere novelty or fad.⁵⁹

⁵⁵ The ostensible reason for not taking up the oral system in the 1880s was lack of funding. Leeson & Saeed, *ISL: A Cognitive Linguistic Account*, p. 38; Catholic Institution for the Deaf and Dumb, *Thirty-Fifth Report for the Year Ending May 31, 1881* (Dublin, 1881), p. 17. Beginning in the 1940s, oralism became dominant in Ireland, and these same effects on the deaf communities have been documented: Crean, *Breaking the Silence*; McDonnell & Saunders, ‘Sit on your Hands: Strategies to Prevent Signing’; Grehan, ‘Communication Islands’.

⁵⁶ For an account of ‘gestural sign language’ co existing alongside ‘grammatical language’ in an Irish context, see Appendix H, ‘Stan Foran’s Recollections of this Days in the Boys’ School, Cabra’, Crean, *Breaking the Silence*, p. 187.

⁵⁷ James Kerr Love wrote in his 1909 guide to schools for the deaf in Scotland and Ireland that in Cabra, “[s]peech is only taught to the few who already speak or hear, and that only with the view to keep up what speech and hearing already exist.” James Kerr Love, ‘The Schools for the Deaf in Scotland and Ireland’ in *Glasgow Medical Journal*, LXXII, no. 3 (1909), p. 167. In St Mary’s in 1910, “24 of the 206 children are taught speech. These 24 girls are taught speech by two of the Sisters in the afternoon of each day. The only advantage claimed by the Mother Superior for this speech teaching is that it preserves any speech and hearing these children already have.” James Kerr Love, *The Deaf Child: a Manual for Teachers and School Doctors* (New York, 1911), p. 119. This is also confirmed in the case of individual pupils such as Molly Wade; see *Contact*, 1:7, March 1982. Two tutors were brought into the St Joseph’s teaching staff during the 1930s to tutor ‘partial hearing’ and ‘lip reading’ pupils: NAI ED/12/22228, Box 493, file entitled ‘St Joseph’s Application for Recognition as National School’. By 1936 some oral training had been given to the Dominicans: see Catholic Institution for the Deaf and Dumb, *Fifty-fifth Report for the Year Ending December 31st, 1936* (Wexford, 1937), p. 5.

⁵⁸ Thomas McNamara, ‘Some observations on the oral system of teaching the deaf and dumb’ in *Irish Ecclesiastical Record*, viii (1887), pp 167–182; Edward W Dawson, ‘The Oral System of Educating the Deaf and Dumb from a Catholic Point of View’ in *Irish Ecclesiastical Record*, viii (1887), pp 642–657; Thomas McNamara, ‘The Sign System Versus the Oral System of Teaching the Deaf and Dumb’ in *Irish Ecclesiastical Record*, viii (1887), p. 749; Thomas McNamara, ‘The Oral System of Teaching the Deaf and Dumb’ in *Irish Ecclesiastical Record*, viii (1887), pp 833–851; Thomas McNamara, ‘On the Oral System of Teaching the Deaf and Dumb’ in *Irish Ecclesiastical Record*, viii (1887), pp 951–953; Edward W Dawson, ‘The Oral System of Teaching the Deaf and Dumb’ in *Irish Ecclesiastical Record*, viii (1887), pp 1093–1111.

⁵⁹ Letters to St Joseph’s on the topic during the 1940s display an amused and dismissive tone to its usefulness: “I have always had very poor opinion of those taught on that system. Indeed they are to be pitied. Generally they are very backward in expressing their ideas in words or sentences... What good are those lip readings when they leave school? No one outside understands them... Fancy trying to pretend to have what we have not been blessed with.” Letter from Peter J. Kelly, *St Joseph’s* newsletter, Christmas 1942, p. 80. There seemed to be a perception that in the hands of the Christian Brothers and Dominicans, after decades of a tried and

The majority of other Irish deaf schools also primarily used sign language. In Belfast, the Lisburn Road school had never been a purely ‘manualist’ school as Cabra was, but adopted more of a ‘combined’ approach, using both signing and speech. A decade after the Milan Congress, it had still not moved significantly towards purely oralist instruction.⁶⁰ The Strabane school used sign language from its founding in 1846.⁶¹ In fact, “the language of signs [was] eloquently illustrated by the pupils” even at the meeting that officially closed the institution in 1871.⁶² The Sisters of Mercy’s school at Rochfordbridge advertised itself as teaching via ‘oral and manual’ methods.⁶³ However, it employed signing deaf teachers, and relied extensively on sign language in its public demonstrations.⁶⁴ The Cork Day School also seems to have used a form of signed language for instruction.⁶⁵ By 1861, fingerspelling, or ‘dactylology’, was utilised in the education of the pupils at the small deaf school in Moneymore, Co Derry.⁶⁶

Claremont had a slightly different path. Its earliest instructors were influenced by the work of Abbé Sicard of the Paris Institute, and in 1819 when Claremont’s first headmaster, Joseph Humphreys, was trained at the Edinburgh deaf institution, he reportedly brought back to the school the two-handed alphabet of early British Sign Language for use in Claremont.⁶⁷ Although attempts had been made to teach some spoken language from 1829, sign language continued to be the main method of communication in the classroom.⁶⁸ Claremont’s own reports, and accounts of public ‘examinations’ in the press, are replete with descriptions of children being asked and answering questions in writing and sign language. However, the school switched to

tested system, nothing much would change. A rapid, turbulent and traumatic switch to almost wholesale methodology in both St Mary’s and later St Joseph’s, beginning in the 1940s and 50s, proved that such a conception was incorrect.

⁶⁰ “[T]here is no separation of orally taught pupils; they are taught first with signs, and then in addition receive oral instruction for one hour or one hour and a half a day. Seventy-eight are taught on the sign and manual system, and 13 on the combined.” 1889 *Royal Commission*, p. lxxi.

⁶¹ *Tyrone Constitution*, 23 October 1846, p. 3; *Tyrone Constitution*, 26 February 1847, p. 2. Its master Edward Colgan, a former assistant master at Claremont, affirmed in the press that “the system pursued in the Strabane Institution is similar to that which has been carried on with so much success at Claremont”. *Tyrone Constitution*, 4 June 1847, p. 3. The school experienced a devastating fire of 1856 where six pupils died, leading to much press coverage of the ensuing investigation; the pupils’ use of sign language was showcased in a macabre fashion, when several of them were examined as witnesses and testified in sign language at the inquest. *Tyrone Constitution*, 16 May 1856 p. 3.

⁶² *Londonderry Sentinel*, 13 June 1871, p. 1.

⁶³ *Freeman’s Journal*, 22 May 1895, p. 10.

⁶⁴ O’Connell, ‘A Tale of Two Schools’. The school sought teachers skilled in the ‘manual system’: *Dublin Daily Nation*, 17 August 1898, p. 1. Some descriptions of how the girls in Rochfordbridge were taught indicates use of lipreading: *Westmeath Examiner*, 14 April 1906, p. 5. However, the key feature of press descriptions of the public exhibitions of the pupils, or their participation in public events such as confirmations, was their use of signed song or poetry; this was very well-received, and on one occasion “the signs of the dear little mutes spoke so feelingly to the audience that many were almost moved to tears”: *Freeman’s Journal*, 21 June 1894, p. 7.

⁶⁵ O’Shea, ‘A History of Deaf in Cork’, pp 70, 76. Overlapping membership of the committees of the Cork Day School and Claremont also suggests that sign language may have been recommended by Claremont committee members: *Ibid.*, pp 69–70.

⁶⁶ *1861 Census of Ireland Report, Part III, Vol. 1*, pp. 30–31.

⁶⁷ Pollard, *The Avenue*, pp 119, 129.

⁶⁸ *Ibid.*, pp 122–125.

the oral system in 1882.⁶⁹ The switchover's success was questionable, according to a long-time Claremont supporter, Revd. H.H. Dickinson, who gave evidence to the Royal Commission on the Conditions and Education of the Deaf and Blind in 1887; in these first five years of oralism, Dickinson was not at all convinced of its success, and he commented that deaf pupils had seemed far happier under the signing system.⁷⁰ The change led to some public criticism from Maurice Hewson, a deaf Protestant missionary closely associated with ex-pupils of Claremont:

When I am informed by my speaking friends that they cannot understand (except with great difficulty) the unearthly sounds of a deaf mute orally taught, and when I also find my poor deaf mute brother unable to understand from the lips what a gentleman speaks slowly and distinctly, it is time to object to this lazy system. Let the oral system be taught in addition to the old system if you wish... I... wish to have my deaf mute brethren able to communicate with their friends...⁷¹

Later on, in 1908, Claremont's inflexibility around its oral methodology was publicly criticised in the press, by fellow Protestant guardians of Rathdown Union as well as supporters of Belfast's Lisburn Road school.⁷² However, as the numbers at Claremont were almost continually declining during this period (see pp. 72-3), the school's influence had waned considerably, and its approach did not reflect Irish deaf education more generally.

A growing movement from the 1870s in Britain for enhanced state aid for deaf and blind children, led by educational establishments and organisations such as the Charity Organisation Society, led to the appointment of a Royal Commission for the Blind in 1885, which then had its terms of reference expanded in 1886 to include both the "deaf and dumb" and "such other cases as from special circumstances would seem to require exceptional methods of education".⁷³ The Commission published a final detailed report in 1889, which declared that oralism should wherever possible be adopted in deaf schools in Great Britain and Ireland, showing clear influence from the resolutions passed at the 1880 Milan Congress.⁷⁴ It seems the Irish failure to keep up with international oralist trends disappointed the Commission, which critically observed the "less advanced character" of Irish deaf education in this regard: by 1889 in Ireland, the "pure oral system has made but little progress, and is at present practised only in

⁶⁹ *Ibid.*, pp 126–127.

⁷⁰ Evidence of Henry Hercules Dickinson, 1889 *Royal Commission*, pp. 644–645.

⁷¹ Letter from Maurice Hewson to Edward Chidley, *Daily Express*, 26 September 1885, p. 7.

⁷² In 1908, controversy had arisen among the Rathdown Board of Guardians when a young deaf boy, Norman Dormer, whom they had sent to Claremont, was rejected from the school, apparently because he did not fit in to their oralist style of teaching; Francis Maginn urged the Rathdown guardians to send to the Lisburn Road school, a request that was eventually granted. *Wicklow News-Letter and County Advertiser*, 17 October 1908, p. 5; *Irish Times*, 3 December 1908, p. 8.

⁷³ C. K. Lysons, 'The development of social legislation for blind or deaf persons in England 1834-1939' (Unpublished PhD thesis, University of Brunel, 1973), p. 46 (<https://bura.brunel.ac.uk/handle/2438/5232>); Harry Hendrick, *Child Welfare: England 1872-1989* (London, 1993), pp 78–79; Lesley Hulonce, *Pauper Children and Poor Law Childhoods in England and Wales, 1834-1910* ([Kindle], 2016), pp 106–107; Branson & Miller, *Damned for Their Difference*, pp 180–182; Mantin, 'Educational Experiences of Deaf Children in Wales', pp 66–67.

⁷⁴ Lysons, 'The development of social legislation...', pp 74–76.

the Claremont school, and even there to a very limited extent.”⁷⁵ In response to the final Royal Commission report, the general Irish stance was made publicly clear, when a group of deaf school principals responded in the London *Times*. Signatories included Br. Reddington of St Joseph's, Mother Maher of St Mary's, and James Bryden of Lisburn Road, who expressed a hope “that the pure Oral Method will not become the general system of instruction throughout the United Kingdom”. They continued to support the “Combined Method” - i.e. the main instruction carried on by “the finger alphabet and signs”; speech and lip-reading could be taught as extra subjects to pupils showing aptitude for such instruction.⁷⁶ In defiance, then, of the Milan resolutions and Royal Commission recommendations – or perhaps more accurately, dismissing them - Irish deaf education remained predominantly sign language-based. It is important to note, however, that sustained public attention in Ireland to the issue of method in deaf education was slight; as we shall see, far more consistent attention was given in the local and regional press - and by the schools themselves - to basic questions of funding for deaf education, and sympathy with the plight of the uneducated. Broader interest in the various philosophies and controversies behind educating deaf children was more limited.

Significantly, in most of these deaf schools, a tradition of using deaf teachers arose. This originally began with intelligent pupils being used as teacher-pupils or monitors, which implied use of sign language in the classroom with their peers. The school at Kilrea, Co Derry employed a ‘deaf and dumb’ schoolmaster named Joseph Wilson, originally from Charing Cross in London.⁷⁷ Moneymore’s school had at least one deaf teacher – Thomas O’Malley, originally from Mayo and educated at Claremont.⁷⁸ From early on, Cabra had a particularly strong tradition of employing numerous deaf teachers.⁷⁹ They were given responsibility for the youngest incoming pupils, signing with them and assisting in their acquisition of Cabra Sign, while later they were taken by hearing instructors.⁸⁰ Deaf teachers were also responsible for creation of the ‘sign names’ that deaf people used for themselves, which in St Joseph’s were generally formed with

⁷⁵ 1889 Royal Commission, p. cxvii. There were also various oralist private tutors, and a short-lived school ran by Walter Newburn in the 1910s in Rathmines which was oral in approach; see Pollard, *The Avenue*, pp 100–102, 128.

⁷⁶ *Belfast News-Letter*, 26 October 1889, p. 3; E. A. F., ‘The Royal Commission’ in *American Annals of the Deaf*, xxxv, no. 1 (1890), pp 83–84.

⁷⁷ Apparently Wilson was at least partially trained in the oral method of educating deaf children, and records mention that his deaf pupils had some speech. However, it would seem highly improbable that a deaf teacher would not use at least some sign language with deaf children in their care; it is probable, therefore, that Wilson used some variant of BSL with the ten or so children he taught: 1851 *Census of Ireland Report, Part III*, pp 33–4; William R. Wilde, ‘Statistics of the Deaf and Dumb in Ireland’ in *Journal of the Statistical Society of London*, xvi, no. 1 (1853), pp 69–77; Kilrea Local History Group, *The Fairy Thorn: Gleanings and Glimpses of Old Kilrea* (Coleraine, 1984); *Northern Constitution*, 27 July 1912, p. 8. James Kearney is a deaf historian who came across Joseph Wilson; see www.facebook.com/groups/NiDeafHub/permalink/551426468366765/.

⁷⁸ O’Malley had spent some time tailoring, then joined the Moneymore school and learned wood carving; “So clever did he become at his business, that, when the teacher whom Miss Wright had employed to teach others had left, he was fit to take his place.” *Belfast Mercury*, 6 April 1853, p. 4.

⁷⁹ O’Leary & Jones (eds), *Through the Arch*, pp 47–53; O’Connell, ‘Girl in the Looking Glass’.

⁸⁰ LeMaster, ‘The Maintenance and Loss...’, pp 62–63.

handshapes corresponding to the initial letters of pupils' names.⁸¹ The Sisters of Mercy's deaf school at Rochfordbridge employed deaf female teachers who were ex-St. Mary's pupils, and users of the female variant of Cabra Sign.⁸² Some women educated in deaf schools also advertised their services as governesses for deaf children or companions for deaf adults.⁸³ The field thus became noticeably gendered, as can be seen below in Table 2.

Census Year	Male deaf teaching staff	Female deaf teaching staff	Total
1851	4	2	6
1861	0	2	2
1871	2	9	11
1881	0	1	1
1891	4	4	8
1901	1	18	19
1911	5	12	17

Table 2: Numbers of 'deaf and dumb' individuals recorded as following the occupations of 'teacher', 'schoolmaster' or 'schoolmistress', from Census of Ireland 1851-1911.

The Progress of Irish Deaf Education

Numbers of children in Irish deaf schools grew steadily, as shown in Tables 3 and 4 below. These figures particularly illustrate the rapid and significant impact of the two Cabra schools (St. Mary's for girls, and St. Joseph's for boys) in increasing numbers of educated deaf Catholics. Cabra rapidly became not just the largest (combined) deaf school in Ireland, but in the entire United Kingdom.⁸⁴ By 1881, Cabra had already educated more pupils than had Claremont and Lisburn

⁸¹ Joe McTernan, a deaf teacher in St. Joseph's, was "responsible for devising identification signs for each of us" upon admission, and "we are still using them". Letter from Maurice O'Flaherty, *Contact*, 1(8), May / June 1980. This differed from practice in other schools such as Belfast, where for a time, name-signs were based on the numbered coat-hooks assigned to pupils: British Deaf Association, *Signs of Our Times: a Sign Language History of the Deaf Community in Northern Ireland*.

⁸² O'Connell, 'A Tale of Two Schools', pp 201–203. St. Mary's in fact exported its deaf teaching expertise, most notably to Scotland and Australia. Five Cabra-educated deaf female teachers, four of whom were Irish-born, are listed among the staff in 1881 of the Smyllum Orphanage in Glasgow. 1881 Census of Scotland, Enumeration Book, Smyllum Orphanage, Lanark, Scotland, (Census 648/018/0016), p. 16, <https://www.scotlandsppeople.gov.uk/>. Sr Gabriel Hogan, a deaf nun from Cabra, helped establish a Catholic school for the deaf in Waratah, New South Wales: Robert Edward James Adam, 'Unimodal bilingualism in the Deaf community: Language contact between two sign languages in Australia and the United Kingdom' (Unpublished PhD dissertation, University College London, 2017), pp 58–59.

⁸³ *Irish Times*, 23 November 1881, p. 1; *Irish Times*, 4 November 1876, p. 7; *Freeman's Journal*, 14 April 1866, p. 1; *Cork Examiner*, 12 May 1866, p. 2.

⁸⁴ In 1871 the only school in the United Kingdom with pupil numbers to beat Cabra was the Old Kent Road asylum, established in 1792, with 259 pupils of both sexes, to St Mary's 156 and St Joseph's 175; *Census of Ireland, 1871. Part II: Vital Statistics. Vol. I: Reports and Tables relating to the Status of Disease*, 1873, pp 32–33 [C. 876], H.C. 1873, 477 (hereafter *1871 Census of Ireland Report, Part II, Vol. 1*); *Census of England and Wales. For the year 1871. General report. Vol. IV*, 1873, p. 145 [C-872-I], H.C. 1873. St Mary's was the largest female deaf school in the United Kingdom by 1877, with 211 pupils under 20 teaching staff. Thomas McNamara, *Letter to the Archbishops and Bishops of Ireland, in Vindication of a Dissertation, entitled Claims of the Uninstructed Deaf-Mute to be Admitted to the Sacraments* (Dublin, 1879), p. 32; *Proceedings of the Conference of Head Masters of Institutions and of other Workers for the Education of the Deaf & Dumb* (London, 1877). By 1911, according to the 1911 Census, a total of 458

Road combined. By 1911, of all children educated in the deaf schools listed by the Census since 1851, a total of 3,846 (62%) of pupils had been educated in Catholic deaf schools, with 2,372 educated in Protestant-run schools (38%).⁸⁵ The proportion of deaf people educated in the latter is thus higher than one might expect, given the proportion of the Irish population. This no doubt reflects the successful early efforts of these schools in educating deaf children from all religious backgrounds, in the 30-year period before the availability of Catholic deaf education. It also goes some way to explaining Catholic fears of proselytism by such institutions (see Chapter 3). Considering only the figures after 1851, it appears that Cabra educated a clear majority of deaf children - 3,601 deaf pupils, Lisburn Road 888, and Claremont a mere 407. Factoring other smaller schools into the picture, the proportion of deaf children taught in Catholic schools between 1861 and 1911 comes to 73%, and in Protestant-run schools 27% - a proportion that approximates more precisely the religious make-up of the country.

pupils were being educated at Cabra, again making them the largest combined deaf school in the United Kingdom. Cormac Leonard, 'Drogheda's Deaf Heritage, 1816 - 2016' in Anthony McIntyre (ed.), *Reflections on the 1916 Rising* (Drogheda, 2016), p. 49.

⁸⁵ These figures are arrived at by including Kehoe's school as a 'Catholic' school, described as such in several sources: O'Dowd, 'The History of the Catholic Schools for the Deaf', pp 12-12a; Matthews, *Irish Deaf Community, Vol. 1*, p. 61. However Graham O'Shea has questioned this, given the multi-denominational membership of the school's committee: O'Shea, 'A History of Deaf in Cork', p. 60; O'Leary & Jones (eds), *Through the Arch*, p. 8. In this, the school's founder, Dr Patrick Kehoe, and his Committee may have followed similar principles to Claremont in its early days – ensuring religious doctrine was taught outside the classroom; see p. 57.

	1851	1861	1871	1881	1891	1901	1911
Claremont, Glasnevin, Dublin	75	53	50	42	27	5	22
Dublin Day School (Dorset Institution)	7	1	-	-	-	-	-
Ulster Institution, Lisburn Road, Belfast	44	86	82	78	85	58	73
Miss Wright's School, Moneymore, Derry	7	9	-	-	-	-	-
Derry & Raphoe Diocesan Institution, Strabane	23	17	15	-	-	-	-
St Mary's, Cabra, Dublin	41	112	156	193	225	253	269
St Joseph's, Cabra, Dublin	35	121	175	194	196	191	189
St Joseph's Institution, Rochfordbridge, Co Westmeath	-	-	-	-	-	25	31
Jubilee Home, Belfast	-	-	-	-	-	-	13
Total	232	399	478	507	533	532	597

Table 3: Number of pupils in institutions for deaf children / adults, 1851-1911. Source: Census of Ireland 1851 - 1911

	Established	1851	1861	1871	1881	1891	1901	1911	Total 1861 - 1911	Total 1816 to 1911
Claremont	1816	600	710	784	794	930	977	1,007	407	1,007
Cork Day School	1822	-	-	-	-	-	-	-	n/a	73*
Dorset Inst.	1826	143	-	-	-	-	-	-	n/a	143
Belfast	1831	186	355	504	657	1,100	1,221	1,074	888	1,074
Kilrea	1834	-	-	-	-	-	-	-	n/a	10*
Moneymore	1842	20	36	-	-	-	-	-	16	36
Strabane	1846	30	68	89	-	-	-	-	59	89
St Mary's	1846	55	209	455	840	1,104	1,308	1,581	1,526	1,581
St Joseph's	1857	47	208	532	1,012	1,277	1,646	2,122	2,075	2,122
Rochfordbridge	1892	-	-	-	-	-	40	70	70	70
Jubilee Home	1910	-	-	-	-	-	-	13	13	13
Total		1,081	1,586	2,364	3,303	4,411	5,192	5,867	5,054	6,135

Table 4: Figures given for 'number of pupils educated since erection' of schools for deaf children / adults⁸⁶

⁸⁶ Figures taken from: *The census of Ireland for the year 1851. Part III. Report on the status of disease*, 1854, pp 45-46 [1765], H.C. 1854, lviii, 1 (hereafter *1851 Census of Ireland Report, Part III*); *The census of Ireland for the year 1861. Part III. Vital statistics. Vol. I. Report and tables relating to the status of disease*, 1863, pp 30-31 [3204-II] H.C. 1863, lviii, 1 (hereafter *1861 Census of Ireland Report, Part III, Vol. 1*); *1871 Census of Ireland Report, Part II, Vol. 1*, pp 32-33; *Census of Ireland, 1881. Part II. General report, with illustrative maps and diagrams, tables, and appendix*, 1882, pp 298-299 [C. 3365], H.C. 1882, lxxvi, 385 (hereafter *1881 Census of Ireland Report, Part II*); *Census of Ireland, 1891. Part II. General report, with illustrative maps and diagrams, tables, and appendix*, 1892, pp 426-427 [C. 6780], H.C. 1892, xc, 1 (hereafter *1891 Census of Ireland Report, Part II*); *Census of Ireland, 1901. Part II. General report with illustrative maps and diagrams, tables, and appendix*, 1902, pp 468-469 [Cd. 1190], H.C. 1902, cxxix, 1 (hereafter *1901 Census of Ireland Report, Part II*); *Census of Ireland, 1911. General report, with tables and appendix*, 1913, pp 178-179 [Cd. 6663], H.C. 1912-13, cxviii, 1 (hereafter *1911 Census of Ireland Report*). Figures marked with an asterisk * are given in the 1851 Census Report even though they had closed by the time of the 1851 Census. See also McDonnell, 'Establishment and Operation of Institutions', p. 15.

Despite its head-start, Claremont experienced a gradual decline in numbers through the decades.⁸⁷ In contrast, the steady impact of the Lisburn Road school in growing the Irish Protestant deaf community is significant. It was an avowedly provincial institution, intended for Ulster deaf children only.⁸⁸ Nevertheless, numbers of deaf pupils in Lisburn Road were, by as early as 1861, outstripping the numbers of children from the other three provinces combined being educated in Claremont. Belfast's numbers stayed reasonably stable through the entire period, hitting a high of 86 pupils in 1861, and remaining at 70-80 pupils up to 1911. In the meantime Claremont's numbers dropped from 75 in 1851, to just 5 in 1901.⁸⁹ Table 4 above shows that by 1911, a total of 2,372 deaf children had been educated in Protestant-run schools; 1,074 in Belfast, and 1,007 in Claremont. Lisburn Road thus emerges as the Protestant-run deaf school which educated most children in the period between 1816 and 1911, and not Claremont, the oldest school.

As the nineteenth century progressed, many of the smaller schools closed for lack of funds or interest, hastened also no doubt by the growth of schools based in growing urban centres, such as the Cabra institutions and Lisburn Road, and their increasing ability to obtain charitable donations and Poor Law funds. The late nineteenth century thus saw Cabra, Lisburn Road and Claremont forming a strong monopoly on deaf educational provision, challenged to an extent by the establishment of Rochfordbridge in 1892 (see Chapter 3). The quality of education in these schools was widely recognised, in Cabra especially; "The Institutes in Ireland are doing quite as good work as those in England, although they receive no state aid... The Roman Catholic Institution at Cabra, near Dublin, which is admirably managed, is doing excellent work."⁹⁰ James Kerr Love declared in 1909 after a visit that "the Christian Brothers and Sisters conduct a splendid work for the Catholic deaf... Signs, natural and conventional, finger-spelling and writing are used freely, and the result is language used more freely and more correctly than I have seen in any combined school in Britain."⁹¹ Some were less impressed, such as arch-oralist Alexander Graham Bell, who visited Cabra in 1878 and found fault with the literacy of one deaf boy he met.⁹² However, Edward Dawson, a strong proponent of the oral method of education,

⁸⁷ Ibid.

⁸⁸ The Belfast school had clashed with Claremont in the early 1840s on the subject of the appropriate school for Ulster deaf children, until an agreement was put in place delineating the operations of the two schools and their catchment areas. Pollard, *The Avenue*, p. 76.

⁸⁹ 1901 seems to represent a low point for both Claremont and Belfast; in Claremont there were again 22 pupils in 1911. Belfast's total went down to 58 in 1901, then jumped back up to 73 in 1911.

⁹⁰ Samuel Johnson, 'Reports on visits to institutions for the Deaf and Dumb and the Blind in America and the British Isles' in *Volta Review*, x, no. 1 (1908), p. 286.

⁹¹ Kerr Love, 'The Schools for the Deaf in Scotland and Ireland', p. 167.

⁹² Letter from Alexander Graham Bell to Mabel Hubbard Bell, dated August 1878. Alexander Graham Bell Family Papers, United States Library of Congress, <https://www.loc.gov/resource/magbell.03510407/>

concluded after a Cabra public examination in 1881 “that in the matter of education, as well as perhaps in all other matters, it stood first among all the public schools for the deaf and dumb in the kingdom.”⁹³

The Uneducated Deaf

Despite these advances, for most of this period, a majority of ‘deaf and dumb’ people remained uneducated. Figure 2 below demonstrates that it was only in 1901 that a slim majority of ‘deaf and dumb’ and ‘dumb, not deaf’ persons were listed in the Census as educated. Indeed even by 1911, compared to 2,299 who were educated, a total of 1,600 ‘deaf and dumb’ people recorded in the census still remained uneducated (including 441 children under 15), for reasons which will be addressed in Chapter 3.⁹⁴

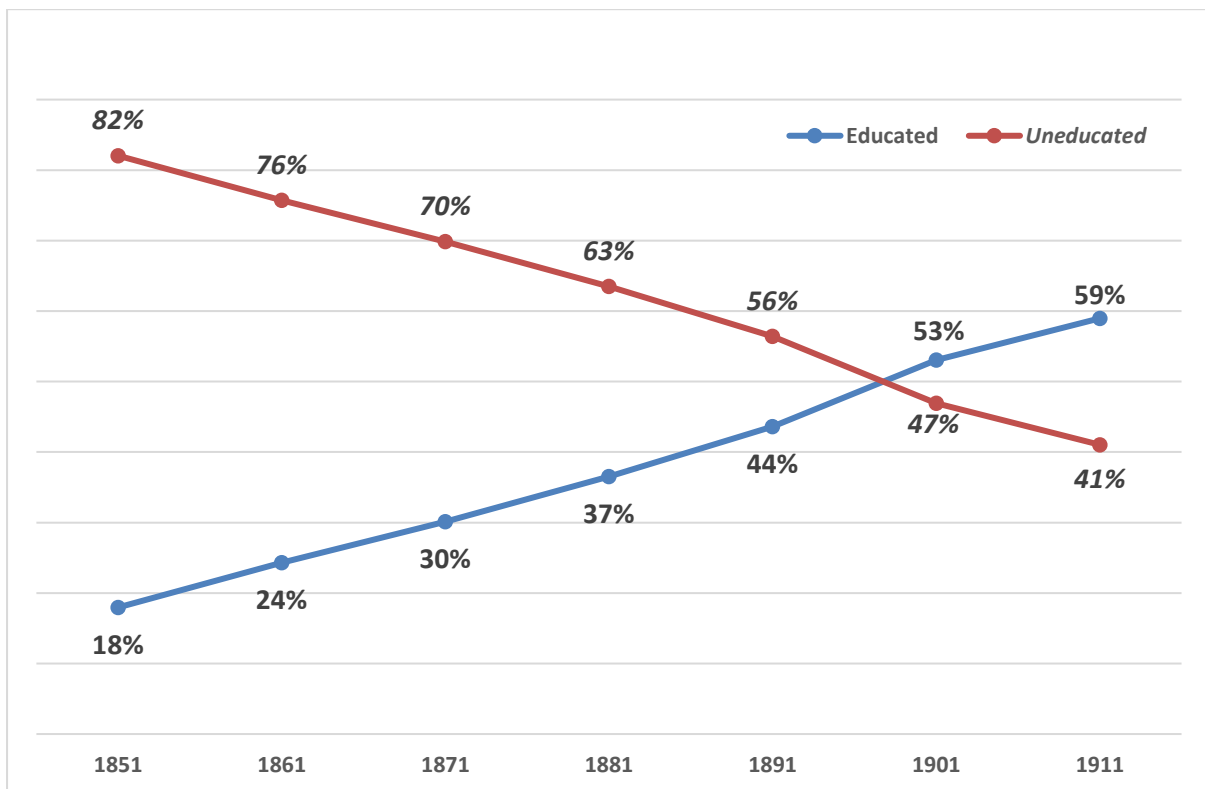


Figure 2: Proportions of educated vs. uneducated ‘deaf and dumb’ and ‘dumb, not deaf’ people in Census of Ireland, 1851 - 1911⁹⁵

⁹³ Dawson, ‘The Oral System of Teaching the Deaf and Dumb’, p. 1111.

⁹⁴ 1851 Census of Ireland Report, Part III, pp. 176-177. As late as 1936 it was estimated by the Cabra teaching staff that 200 or so uneducated ‘deaf mutes’ around Ireland were eligible for admission; Catholic Institution for the Deaf and Dumb, CID 55th Report, 1936, p. 17.

⁹⁵ Data taken from 1851 Census of Ireland Report, Part III; 1861 Census of Ireland Report, Part III, Vol. 1; 1871 Census of Ireland Report, Part II, Vol. 1; 1881 Census of Ireland Report, Part II; 1891 Census of Ireland Report, Part II; 1901 Census of Ireland Report, Part II; 1911 Census of Ireland Report.

Irish Sign Language(s)?

We now examine the signed languages that developed in deaf schools and were used within deaf communities. In examining the period when sign languages were thus ‘born’ in Ireland, we obviously do not have video footage, and therefore we are hampered in our reliance on print-based sources. The descriptions of signs we do have – mostly from accounts of public exhibitions of deaf pupils - are unclear, vague and incomplete.⁹⁶ Even when we have useful descriptions, we have no idea of how these signs evolved, when taken by pupils and expanded and refined into flowing, living languages of the early Irish deaf community. Furthermore, these accounts are generally written from the perspective of writers ignorant of the linguistics of sign language, research on which would not begin in earnest until the 1960s.⁹⁷ Knowledge that sign languages were languages, the variation between signed languages, and differences between these, ‘methodical signs’, manual alphabets or ‘fingerspelling’, ‘natural signs’ and ‘home sign’-type gesture systems, was practically non-existent among most hearing observers; some described any form of sign language as ‘the dumb alphabet’ – reflecting, no doubt, an assumption that sign languages were merely word-for-word (or letter-for-letter) representations of English.

ISL: Cabra Sign, Male and Female

‘Cabra Sign’ was the sign language used in this early period by Catholic deaf people who had attended the Cabra schools, St. Mary’s and St. Joseph’s, both overseen by the Catholic Institution for the Deaf and Dumb and just a short walk apart. Historically, the two schools used very different signs in the education of pupils, and the two variants of Cabra Sign have fascinated researchers in the fields of Deaf Studies and sociolinguistics due to their extreme gender variation. The variant used in St Mary’s school for deaf girls, opened in 1846 by the Dominican sisters, was influenced by LSF (French Sign Language).⁹⁸ St Joseph’s, the Catholic school for deaf boys which opened in 1857 under the Christian Brothers, seems to have consciously chose to

⁹⁶ There are some exceptions: a corpus of written descriptions exists of signs brought from the Caen deaf school to Cabra, modified slightly, which formed the basis for both Cabra Sign variants and is dated 1847. LeMaster, ‘Sex differences in Irish sign language’, pp 68–69.

⁹⁷ The ‘discovery’ that signed languages used by deaf people have linguistic structure and features is generally credited to the work in the 1950s and 1960s of William Stokoe and of Bernard Tervoort. Sarah Burns, Patrick Matthews and Evelyn Nolan-Conroy, ‘Language attitudes’ in Ceil Lucas (ed.), *The Sociolinguistics of Sign Languages* (Cambridge, 2004), p. 211.

⁹⁸ This is due to the training period spent in Caen’s deaf school in France by Cabra’s first two deaf pupils and teachers in 1845. The form of the signs used in the ‘methodical French’ of Caen was altered and documented by Fr John Burke, the first Irish Catholic chaplain to the deaf, to adapt it to the structure of the English language, thus creating the ‘Signed English’ that was used for tuition in the Cabra schools (across its male and female variants), and which exerted much influence on ISL: O’Dowd, ‘The History of the Catholic Schools for the Deaf’, pp 58–61. Interesting remnants of this LSF influence are signs that exist today in modern ISL, such as LOOK-FOR, which uses a ‘C’ handshape (originally signifying French *chercher*), and the female sign for FRIDAY, which uses a ‘V’ handshape (originally deriving from French *vendredi*). Leeson & Saeed, *ISL: A Cognitive Linguistic Account*, pp 34, 131; Rachel Sutton-Spence, ‘The role of the manual alphabet and fingerspelling in British Sign Language’ (Unpublished PhD thesis, University of Bristol, 1994), p. 388.

use a different system of signing; folk belief holds that the Christian Brothers wished to make the Dominican, LSF-influenced signs less “feminine”, thus more appropriate to teach to young boys.⁹⁹ American Sign Language influence appears to have been decisive in how signs were altered for use in St Joseph's.¹⁰⁰ These different approaches led to two separate signed vocabularies which were, to a large extent, mutually unintelligible. Barbara LeMaster’s extensive research in the 1980s discovered a 30% difference in key vocabulary items among elderly male and female signers.¹⁰¹ It is rare within Irish Deaf Studies literature to see the variants described as different *languages*; instead, a focus is placed on variation and continuity *within* a single language. However, LeMaster has also described the situation as one where “the vocabularies used by men and women were so different that they impaired communication on the most mundane of topics”.¹⁰² Over time, vocabulary from the male variant became the prestige, dominant variant of Cabra Sign.¹⁰³ When deaf men and women socialised, courted and married, the common practice was for deaf women to use the men's variant, but return to using women's signs when with other deaf women - occasionally, in situations where they did not want men to know what they were talking about.¹⁰⁴

This thesis will employ certain differential naming practices in relation to sign languages in use in the period under study, and the present day. During the 1980s and 1990s, the sign language used by the majority of deaf people in the Republic of Ireland - most of whom had attended Cabra - began to be termed ‘Irish Sign Language’, influenced by similar research already done on American Sign Language (ASL), British Sign Language (BSL) etc.¹⁰⁵ Modern Irish Sign Language

⁹⁹ Leeson & Grehan, ‘To the Lexicon and Beyond: The Effect of Gender on Variation in Irish Sign Language’, pp 40–1.

¹⁰⁰ The Christian Brothers wished to visit other schools in other countries for training and observation, and were particularly taken with a ‘Course of Instruction’ published by the deaf school in New York. Edward Crean states (citing Michael O’Dowd) that the Brothers “were given the choice only of going to England and France, which they did not accept, and they had to be content with the next-to-impossible task of learning ASL from books.” Crean, *Breaking the Silence*, p. 41. However O’Dowd himself cites CIDD minutes as stating that the Committee approved visits by the Brothers to Paris, London (twice), and Doncaster; there was no specific confirmation of such visits taking place, but the CIDD Committee seemingly approved wholeheartedly of the purpose. O’Dowd stated that such visits (if they took place) may also have influenced their sign vocabulary; however he himself attributes the eventual divergence between male and female variants to “American influence”. O’Dowd, ‘The History of the Catholic Schools for the Deaf’, pp 65–66.

¹⁰¹ Barbara LeMaster and Stanislaus Foran, ‘Irish Sign Language’ in John Vickrey Van Cleve (ed.), *The Gallaudet Encyclopedia of Deaf People and Deafness*, Vol. 3 (New York, 1986), p. 82. A large percentage of other male / female signs also differed but shared common features, such as handshape or movement; it may therefore be that signs, though related, were still partly mutually unintelligible. However exactly how different these vocabularies were during the nineteenth and early twentieth century is difficult to say, given the almost complete absence of descriptions of signs used or accounts by deaf signers at the time.

¹⁰² LeMaster, ‘Sex differences in Irish sign language’, p. 67. However, LeMaster, author of a comprehensive body of research on the topic, states that Irish deaf men and women “do not appear to use wholly separate languages. Instead, they seem to rely on the same grammar.”

¹⁰³ LeMaster & Dwyer, ‘Knowing & Using Female & Male Signs in Dublin’, p. 368.

¹⁰⁴ LeMaster, ‘Sex differences in Irish sign language’, pp 74–6.

¹⁰⁵ It appears that the first time that the sign language used by the deaf community in the Republic of Ireland was described as ‘Irish Sign Language’ was in 1988, when Teresa Lynch, currently a deaf academic and interpreter, used the phrase to describe the signed language predominantly used in Ireland and its status as a fully-fledged language. Nora Kate Duggan, ‘The Relationship between the Irish Sign Language Campaign and the Irish Deaf Community’ (Unpublished MA thesis, NUIM Maynooth, 2015), p. 12 (http://mural.maynoothuniversity.ie/12224/1/FINAL_DRAFT.pdf).

can indeed be accurately described as descending primarily from the male and female variants of Cabra Sign, and is strongly identified with those schools.¹⁰⁶ Official State recognition of ISL as a language has also occurred in recent years, with the passing of the 2017 Irish Sign Language Act, following a thirty year campaign led by the Irish Deaf Society.¹⁰⁷ However, many factors have led the distinctive variants of ‘Cabra Sign’ used since the latter half of the nineteenth century to develop and evolve into a quite different language. These developments have occurred alongside decades of change in deaf education policy and practice – often sudden, and far-reaching in impact - as well as demographic shifts, changes in political borders, and naturally-occurring language changes and external influences. Gender variation in language use among ex-pupils of Cabra, though still in existence among elderly signers, has reduced greatly in recent decades.¹⁰⁸ Signed English, the Irish form of ‘methodical signs’, formerly acted as a prestige version of signing in Ireland, but has lost much of this influence in recent years.¹⁰⁹ The Cabra schools both switched to oral systems of education in the mid-twentieth century, leading to considerable upheaval in language practices in the schools, most significantly in the banning of most use of sign language - and in some cases, physical punishment for pupils caught signing.¹¹⁰ In the last few decades, through international travel, broadcasting and social media, the language has also been susceptible to other influences, such as BSL and ASL. These considerable language changes raise questions about the mutual intelligibility of ‘Cabra Sign’ – particularly the women’s variant – with the ISL of today. Therefore, the nomenclature used to refer to signed languages of this period presents issues for historians. Describing them glibly as ‘the same language’ may lead to a certain linguistic presentism, a position that any sign language used by Irish deaf Catholics was basically ‘ISL’. This serves to erase the considerable linguistic diversity that seems to have existed among Irish deaf people, even among those who went to Catholic schools. To avoid this, this dissertation will describe the signed languages used in Ireland during the period before independence using terms specific to the deaf school(s) in which those languages originated. To this end, ‘Cabra Sign’ (in each case, its male or female variant) will be used.

¹⁰⁶ Leeson & Saeed, *ISL: A Cognitive Linguistic Account*, p. 35.

¹⁰⁷ Irish Sign Language Act, 2017 (40/2017) (19 December 2019).

¹⁰⁸ Leeson & Grehan, ‘To the Lexicon and Beyond: The Effect of Gender on Variation in Irish Sign Language’; Cormac Leonard, ‘Signs of Diversity: Use and Recognition of Gendered Signs among Young Irish Deaf People’ in *Deaf Worlds*, xxi, no. 2 (2005), pp 62–77; Grehan, ‘Communication Islands’. There has been a recent resurgence of some female signs: Leeson & Saeed, *ISL: A Cognitive Linguistic Account*, pp 33–35.

¹⁰⁹ Sarah E. Burns, ‘Irish Sign Language: Ireland’s Second Minority Language’ in Ceil Lucas (ed.), *Pinky Extension and Eye Gaze: Language Use in Deaf Communities* (Washington, D.C., 1998), pp 242–243.

¹¹⁰ See McDonnell & Saunders, ‘Sit on your Hands: Strategies to Prevent Signing’; Commission to Inquire into Child Abuse, ‘St Mary’s School for Deaf Girls, Cabra’ in *Final Report of the Commission to Inquire into Child Abuse*, 2009, II, 551–556 (<http://www.childabusecommission.ie/rpt/pdfs/CICA-VOL2-15.PDF>); O’Connell, ‘A critical (auto)ethnographic study of Deaf people’s experience of education and culture in Ireland’, pp 219–221.

‘Irish BSL’: Claremont Sign and Belfast Sign

‘Claremont Sign’ and ‘Belfast Sign’ (which together will be referred to as ‘Irish BSL’), are next discussed. ‘Claremont Sign’ was the sign language used since 1816 by the Irish deaf community educated in Claremont. The school’s first headmaster, Joseph Humphreys, is said to have brought the two-handed alphabet of the Edinburgh deaf institution to Claremont.¹¹¹ It was also used in the Belfast school, and remains used to this day by the British Sign Language-using deaf community of Northern Ireland.¹¹² It is probable that Humphreys also brought early BSL signed vocabulary items to Ireland from Scotland. Claremont Sign’s number system was very different to that used in male or female Cabra Sign, and indeed to the system used in most other varieties of BSL in England and Scotland; it is still used as the number system among deaf people in Northern Ireland, as well as some other parts of Britain.¹¹³

We have very little reliable evidence of what other signs in this early ‘Irish BSL’ looked like at the time, how widespread they were, or how closely they adhere to NI-BSL used today. Evidence suggests however that the signing used among deaf Protestants in Ireland, regardless of whether they were educated in Lisburn Road, Claremont or Strabane, was broadly mutually intelligible. This was due to several factors. One was the frequent movement of teachers, teaching assistants and deaf pupils between Protestant-run deaf schools in Ireland, and between such schools in Ireland and Britain.¹¹⁴ Most deaf schools in the wider United Kingdom used at least some form of signing until at least the 1880s.¹¹⁵ Teachers moving between deaf schools would have brought the signs that they knew, using them in their new schools with deaf pupils. Crucially, deaf people themselves – the native users and shapers of the languages – were involved in this process too, as teachers or teaching assistants.¹¹⁶ Pupils, also native signers,

¹¹¹ Pollard, *The Avenue*, p. 129.

¹¹² *Ibid.*, pp 119, 129.

¹¹³ *Ibid.*, p. 131.

¹¹⁴ Three of the earliest headmasters of the Claremont school – James Cook, James Foulston and Edward Chidley – had previously worked in schools elsewhere in Britain and therefore had previous knowledge of British Sign Language. *Ibid.*, pp 119–120. John Martin, having taught in the Ulster Institution for four years, took a position in Claremont in 1840, and his replacement at Belfast was Charles Rhind, former assistant at the Old Kent Road school in London, who adopted a system that was “the same as that pursued in the London Asylum, and does not materially differ, in general principles, from that hitherto in practice” in Lisburn Road. Ulster Society for Promoting the Education of the Deaf and Dumb and Blind, *Fourth Report* (Belfast, 1840), p. 7. George Downing began as a teacher in Claremont, then became the master at the Strabane deaf school, before becoming a missionary to the deaf in Manchester and then London. Pollard, *The Avenue*, p. 148; H. Dominic W. Stiles, ‘The Oldham Deaf and Dumb Society’ in *UCL Ear Institute & Action on Hearing Loss Libraries*, 2015 (<https://blogs.ucl.ac.uk/library-rnid/2015/11/13/the-oldham-deaf-and-dumb-society/>) (24 Aug. 2019). Later teachers in Strabane also had a background in other Irish deaf schools; Samuel Watson had been a teacher in the Ulster Institution for seven years, and Albert Woodbridge had taught in the Liverpool School for the Deaf and Dumb. *Londonderry Sentinel*, 13 June 1871, p. 1; Paul Cooper, ‘Samuel Watson (1842–1911)’ in *Philanthropists and Philanthropy in Australian Colonial History*, 2014 (<https://phinaucohi.wordpress.com/2014/08/26/samuel-watson-1842-1911/>) (2 Aug. 2016).

¹¹⁵ Mantin, ‘Educational Experiences of Deaf Children in Wales’, pp 69–70; Martin Atherton, ‘Interview, DHA Podcast’ in *Disability History Association Podcast*, 2021 (https://dishist.org/?page_id=735) (25 Apr. 2022).

¹¹⁶ An example is Cecilia White, a deaf female assistant teacher at Claremont, who transferred to the Edinburgh Institution for the Deaf for two years; from there she went to the Ulster Institution. Pollard, *The Avenue*, p. 245.

could be transferred between schools too, bringing the signs from their former institution to the new one.¹¹⁷

One piece of evidence for the intelligibility of 'Irish BSL' across the Protestant deaf Irish community is the frequent social mixing between ex-pupils of Claremont and Belfast schools. Accounts of events such as excursions and reunions seem to indicate that deaf Protestant communities in Belfast, Dublin, and Cork signed and understood each other well. One deaf excursion to Portrush in 1900, for example, included "old pupils of the schools for the deaf in Belfast and Dublin, as well as some who were educated at the school formerly existing at Strabane... it was pleasant to observe the warm greetings which passed between friends who had not met for many years, and who but for such an excursion might never have met again on this earth."¹¹⁸ A centralising and cementing influence was the presence of Protestant deaf community leaders such as Francis Maginn, the deaf Church of Ireland missionary who worked in Cork and Belfast from the 1880s, and Maurice Hewson, who held a similar role in Dublin. Both men interpreted public Church of Ireland services for deaf people in Belfast, Dublin, Cork and elsewhere, thereby regularly functioning as a type of community language model for Protestant deaf attendees.¹¹⁹ In their capacities as missionaries, they travelled Ireland widely, especially Maginn, who may have had a particular influence on the language as he encountered and signed with many rurally isolated deaf people. Hewson also kept in close contact with the Ulster deaf scene, including giving signed addresses during deaf excursions in the North.¹²⁰ Others such as Benjamin Payne, a deaf Irishman and former Claremont pupil who became the principal of Swansea's deaf school, also interpreted for Church of Ireland deaf services in Cork.¹²¹ Later on, at high-level national or international spaces, it was primarily this small class of Irish deaf Protestants who represented Ireland, addressing and socialising with other deaf BSL users.¹²² These influential and highly visible figures potentially assisted the spread of a widely-understood 'Irish BSL' among Protestant deaf people.

¹¹⁷ Claremont ex-pupils attended the Sunday school held in Belfast, as did at least one ex-pupil of Kilrea, Eliza McNeill, who began attending there from 1837: Ulster Society for Promoting the Education of the Deaf and Dumb and Blind, *2nd Report, 1838*. When the Strabane Diocesan School closed in 1871, its younger pupils were transferred to Claremont, again bringing contact between the regional variations from Strabane and adding them to Claremont Sign: *Londonderry Sentinel*, 13 June 1871, p. 1; *1871 Census of Ireland Report, Part II, Vol. 1*, p. 33; Pollard, *The Avenue*, p. 98.

¹¹⁸ *Londonderry Sentinel*, 30 August 1900, p. 5. It is more than probable the reference to the school for the deaf in Dublin meant Claremont, not Cabra.

¹¹⁹ *Cork Constitution*, 30 September 1893, p. 5.

¹²⁰ *Londonderry Sentinel*, 2 September 1902, p. 5.

¹²¹ *Cork Constitution*, 15 April 1884 p. 2; *Dublin Daily Express*, 17 April 1884, p. 2.

¹²² An example is the 1895 Congress of the British Deaf and Dumb Association, at which Maginn and Hewson were described as representing the Irish deaf organisations. Though the programme of the Congress included a visit to Cabra, no Catholic deaf people seem to have been mentioned as attendees. *Freeman's Journal*, 5 August 1895, p. 6.

An argument can also be made that Cabra Sign's male and female variants, or at least their users, remained distant from 'Irish BSL'. The frequent staff movements between Protestant-run deaf schools in Ireland and Britain did not take place between Catholic and Protestant-run deaf schools.¹²³ Transfer of pupils between Catholic and Protestant institutions was rare, grudging, and occasionally controversial.¹²⁴ While it would go too far to say that the languages never encountered each other, the clear divisions and segregated nature of Catholic and Protestant deaf communities, as we shall see in Chapter 2, created a situation that militated against any natural mutual influence between the two languages.

'Claremont Sign' in the Republic of Ireland has now all but disappeared. This is due to factors such as the school's switch to oralism in the 1880s, the closure of other schools (such as Strabane), the decline of the Church of Ireland population in the Republic, partition, and Claremont's eventual closure in 1978.¹²⁵ However, 'Belfast Sign' survived partition, and continues to be used in the Belfast school (now relocated to Jordanstown, Co. Antrim) and by its ex-pupils.¹²⁶

The use of a two-handed alphabet within Claremont Sign and Belfast Sign has been sufficient to lead many to describe them, rather simplistically, as mere forms of "British Sign Language".¹²⁷ Sign languages, however, are more than just fingerspelling systems. British Sign Language, the name of the signed language currently used in Britain by deaf people, demonstrates considerable regional variation. Belfast Sign's linguistic commonalities to it means it is broadly recognised as a dialect of BSL.¹²⁸ However, its considerable differences from 'mainland' BSL varieties means that it is sometimes termed 'Northern Ireland BSL' or 'NI-BSL'. Some have even described 'Belfast Sign' as distinct from BSL, calling it 'Northern Ireland Sign Language' (NISL).¹²⁹

¹²³ This was a fact confirmed by Br McDonnell of St. Joseph's in 1868, who stated to the Royal Commission of Inquiry into Primary Education (Ireland) that the Christian Brothers and Dominicans were considered "permanent teachers", and changes of personnel would be "[s]upplied by others from the same institution." *Royal Commission of Inquiry into primary education (Ireland). Vol. III. Containing evidence taken before the commissioners from March 12th to October 30th, 1868*, p. 696, H. C. 1870 (C. 6), ii.

¹²⁴ See for example O'Shea, 'A History of Deaf in Cork', pp 97–100.

¹²⁵ Pollard, *The Avenue*, p. 116.

¹²⁶ The school moved to Jordanstown in 1961. Elizabeth Parks and Jason Parks, *A survey report of the deaf people of Northern Ireland* (Belfast, 2012), p. 61 (<http://www-01.sil.org/SILESIR/2012/silesir2012-001.pdf>).

¹²⁷ Other signed languages, despite clearly displaying a historical relationship to BSL, and using its two-handed alphabet, are generally considered different languages to BSL, due to large scale vocabulary and grammatical differences, for example Australia's largest sign language, Auslan: Branson & Miller, *Damned for Their Difference*, pp 240–243.

¹²⁸ Adam Schembri, Rose Stamp, Jordan Fenlon and Kearsy Cormier, 'Variation and change in English varieties of British Sign Language' in N. Braber and S. Jansen (eds), *Sociolinguistics in England*, 2018, pp 165–188; Rose Stamp, Adam Schembri, Jordan Fenlon and Ramas Rentelis, 'Sociolinguistic variation and change in British sign language number signs: Evidence of leveling?' in *Sign Language Studies*, xv, no. 2 (2015), pp 151–181; Noel O'Connell, 'A Sociolinguistic History of British Sign Language in Northern Ireland' in *Sign Language Studies*, xxii, no. 2 (2022), pp 231–260.

¹²⁹ However, it does not seem that most of Northern Ireland's deaf community "supports the idea of their community's sign variety being entirely distinct from BSL or requiring a separate name of "Northern Ireland Sign Language" (NISL). Most prefer to identify their sign language as BSL or when wishing to emphasize that they have a unique Northern Ireland sign variant, using the term BSL-NI." Parks & Parks, *Deaf People of Northern Ireland*, p. 16. The term 'NISL' has been more forcefully challenged, on the grounds that

It is argued here that today it forms a vestigial remnant of a once-common sign language, 'Irish BSL', related to but distinct from 'British BSL'; it was used among ex-pupils of Protestant Irish deaf schools with its own unique and localised dialectal features, many of which are preserved in NI-BSL.¹³⁰ In this sense it can authentically be described as an 'Irish' sign language – complicated, of course, by NI-BSL's current accepted status as a dialect of modern British Sign Language. Dismissive references to Claremont Sign and Belfast Sign being used in this period as merely 'British Sign Language' seem oversimplistic, and like 'Irish Sign Language', even anachronistic. Such ahistorical use of terms may serve to dismiss genuine consideration of 'Irish BSL' all over Ireland, as well as any possible regional variation within 'Irish BSL' - Claremont Sign, Belfast Sign, Strabane Sign, etc. and their differences from other variants used in Britain.¹³¹

Conclusion

This chapter has described the broad outlines of how deaf children began to be educated in western Europe and North America, with a brief summary of the different philosophies around deaf education throughout the eighteenth and nineteenth centuries. The coming of residential deaf schools to Ireland has been described from the perspective of the numbers of schools and pupils, and a demographic breakdown in terms of religion and literacy of the deaf population of Ireland has been sketched. It has been shown that Ireland's deaf schools, despite the 1880 Milan Congress resolutions and the 1889 Royal Commission report, stayed in the main faithful to use of sign language, whether based on use of 'methodical signs' following de l'Épée's 'French method', as in Cabra, or the Belfast school's use of the 'combined method'; Claremont's switch to oralism was not initially deemed successful. New sign languages arising from the schools were then described – the male and female variants of 'Cabra Sign', ancestors of ISL; and the widely-used signed variants of Protestant-run deaf schools, termed 'Claremont Sign', 'Belfast Sign' etc., the sole descendant of which is NI-BSL. These languages were used by new communities, united not primarily by disability, but by their own language. Deaf children became deaf adults, leaving education, but continuing to associate with each other, using the same sign language they had used in school; in this way, they formed true Irish minority communities, cultural and linguistic

it "is not widely adopted either by the general population of signed language users, or in academic research where reference to it is limited to a single research project". Sally Gillespie, 'Linguistic Demographics, Resources and Deficit of Opportunity: Deaf Signed Language Users in Northern Ireland' (Unpublished PhD thesis, Queens University Belfast, 2018), p. 56.

¹³⁰ These differences persist today; one online remote interpreting service covering all the United Kingdom's BSL users receives many requests from Northern Ireland BSL-using callers for a specifically Northern Ireland based BSL interpreter, who is assured of understanding NI-BSL signs – something BSL interpreters from the rest of the UK often do not (personal communication, Janet Beck).

¹³¹ Francis Maginn, a deaf Church of Ireland minister from Cork who worked for many years in Belfast, possibly helped to introduce an American Sign Language 'twang' in Belfast Sign, given his involvement in Gallaudet University. Sally Gillespie raises the possibility that persistent vocabulary items in modern NI-BSL are borrowings from ASL which can be traced back to Maginn. Sally Gillespie, 'Dawg Vs Dog: Why Do Northern Irish British Sign Language users sign with an American twang?' in *Atlantic Communities: Translation, Mobility, Hospitality* (Vigo, Spain, 2016) (<http://tv.campusdomar.es/video/5620d6c11f56a83f76c069e5>).

in nature. A more detailed focus on these communities, and a deeper exploration of their emergence and evolution, is what we now turn to in the next chapter.

Chapter 2: The Irish Deaf Communit(ies?)

Introduction

This chapter looks at the formation of deaf communities of Ireland which arose from the establishment of deaf schools. It will describe educational, demographic, social and cultural developments within Irish deaf communities prior to, and during, the period 1851 to 1922. These communities will be profiled in terms of numbers, literacy and education, geographical location, religion, intermarriage, household structure and employment. It will be shown that religion, primarily by the medium of denominationally separate deaf schools, was a hugely influential factor in the shaping of separate deaf communities in Ireland, with their own clubs, societies and associations - and significantly, signed languages, the origins and development of which have been outlined. It will be shown that marriage rates among deaf people were low, notably among Catholic deaf people; however, the 1901 Census will be utilised to show that deaf people cohabited, both on family lines - with deaf siblings often living together – but also, especially in urban areas, married couples living with deaf friends, housemates and lodgers forming 'deaf households' that demonstrate the reality of these emerging minority communities, along with an increasing number of deaf intermarriages. Changing profiles of deaf employment will be traced, with particular trades - such as tailoring and shoemaking - becoming prominent and associated strongly with deaf men, though the presence of deaf people in the industries and shipyards of Ulster will also be highlighted. Discrimination against deaf workers will also be described as well as negative popular views of deaf people of the period.

The Deaf Population of Ireland

Table 5 below shows Irish population figures for 'deaf and dumb' people, by county, province, the country as a whole, and in major cities and towns, extracted from Census Reports. Taking 1861 as our starting point, a general population decline can be seen up until 1911, mirroring that of the general population, due mostly to emigration post Famine.¹ Most counties

¹ Figures from the 1861 Census serve as more accurate than those from 1851 for comparison with 1911 figures, and for this reason, figures and percentages discussed here primarily relate to the period 1861-1911. The overall figures obtained in the 1851 Census Report for 'deaf and dumb' people were to some degree questionable; when tabulated, a distinct jump in figures in most counties between 1851 and 1861 can be seen, despite an almost 14% drop in the Irish population in the same period. The 1861 Census Commissioners wondered at this discrepancy, believing it may have been related to high levels of emigration in which deaf people were left behind; or that it was simply a "lamentable fact". A more convincing explanation offered was simply that the increases were somewhat accounted for "by the belief that the present Census has been more accurate in its details than the former - a circumstance not to be wondered at, considering the state of the country in 1851." *The census of Ireland for the year 1861. Part III. Vital statistics. Vol. I. Report and tables relating to the status of disease*, 1863, p. 4 [3204-II] H.C. 1863, lviii, 1. The Report also notes that there were considerably less erroneous returns of individuals as 'deaf and dumb' than in 1851; *Ibid.*, p.2. This researcher concludes that the 1861 figures represent not an increase in deaf population from 1851, but rather the fact that the Census figures from 1861 on were a more accurate return of true numbers of deaf people.

experienced a drop in numbers of 'deaf and dumb' people between 1861 and 1911, the worst hit being Longford (a 71% drop from 85 to 19 individuals).² In three counties, however, the deaf population increased; these rises cannot be accounted for by numbers of deaf pupils from out of county attending schools, as their numbers have been excluded.³ Antrim's rise is exceptional; a 52% rise from 277 to 421 deaf individuals, making it the county with the highest absolute deaf population in 1911. County Dublin's deaf population went from 292 in 1861 to 299 in 1911, and County Galway's rise was similar (235 up to 239).

In cities and major towns, a similar pattern emerges. Numbers from 1901 show a 32% increase in Cork City's deaf population from 40 years previous, and Waterford City almost doubles in deaf population. Limerick City however saw a drop of nearly 20%.⁴ Figures for Galway, Kilkenny and Drogheda are available until 1871, and in this period also see an increase in their small deaf populations since 1861.⁵ Belfast, in particular, saw a significant leap - just 66 in 1861, rising to 262 in 1911. This seems much in line with Belfast's rapid expansion during the latter nineteenth century, which brought its 1841 population of 70,447 to 349,180 in 1901.⁶ The city's deaf population increase was the steepest such growth in Ireland in over 50 years, and made it the home of the largest deaf community on the island, considerably outstripping Dublin's deaf population in absolute numbers. Dublin City, somewhat surprisingly, recorded a 6.5% drop in its deaf population - from 214 to just 200 - with the size of its deaf population remaining relatively stable throughout the intervening period.⁷ However, examination of 1901 Census manuscript returns indicates that, notwithstanding Dublin attracted and retained deaf people from further and wider around the country to a greater extent than Antrim (or greater Belfast), which served as a regional deaf hub for the province of Ulster, but not necessarily a national one. 65% of the 1901 population of Dublin were born in the county, but among deaf people, the Dublin-born

² It is worth mentioning that deaf people were also emigrants; exact figures in this regard however are scarce. The 1851 Census found that 43 'deaf and dumb' individuals had emigrated in the year following Census night. The 1881 Census Report mentioned that 149 such people had emigrated in the decade since the previous Census of 1871. After 1881, such information was not reported on. *1851 Census of Ireland Report, Part III*, p. 3; *1881 Census of Ireland Report, Part II*, p. 40.

³ Census of Ireland reports from 1851 to 1911 aggregate figures of children attending deaf schools not in the numbers for the county the school was based, but under the counties in which they were born; this skews figures of deaf people living in each county. Thus, for the purposes of Figure 1, the numbers of children attending deaf schools have been subtracted out from county and city totals, leaving the numbers of deaf adults and children who are not attending school. These are the figures primarily discussed in this section.

⁴ For the cities of Cork, Limerick and Waterford, deaf population figures for 1911 are not available from the Census Report.

⁵ Figures for cities used in this section are those listed in various Census Reports directly in the name of the city or town e.g. 'Carrickfergus', 'Galway Town'. In Figure 1, where these figures are listed separately from the surrounding part of the county, they have been aggregated for the county total; e.g. Belfast Co. Borough's figures are added to Co. Antrim's, Drogheda Town's aggregated with Co. Louth, etc. The figures for towns and cities are also listed in Figure 1 disaggregated. For certain Census Reports, some figures for individual cities and towns are unavailable, for example in 1881 and 1891 where no city / town figures at all are available, only the overall county.

⁶ Jonathan Bardon, *Belfast: An Illustrated History* (Belfast, 1990), p. 89,122.

⁷ Dublin City figures here are taken from where they are available and listed separately from County Dublin under the headings of 'Dublin City', or 'Dublin Co. Borough'.

proportion was just 47%. 9% hailed from bordering counties, 36% natives of elsewhere in Ireland, and 6% born abroad. In contrast, Antrim's deaf community was 76% native-born, reasonably close to the county's general population (81%), with a large percentage of individuals (14%) coming from counties bordering Antrim, but comparatively few (5%) from counties further away.⁸

⁸ *1901 Census of Ireland Report, Part II*, pp 27, 436.

Deaf Worship, Clubs and Societies

Many deaf people were separated by long distances, living in rural areas with non-signing family members; such living arrangements meant that socialising with other deaf people was difficult. Signing with other deaf people – be it reuniting with classmates or meeting new signers - was hugely important to this emerging community.¹⁰ Towns and cities offered the numbers for deaf people to form local communities, facilitated (as we will see) by the presence of deaf missions and social clubs. Such structured opportunities to socialise began in the wake of the establishment of deaf schools, particularly in the form of deaf missions and prayer meetings. Teachers and missionaries began evening classes, Sunday schools, missions and social clubs for adult deaf people to attend and worship alongside each other, the key feature being sign language worship through missionary ‘interpreters’ or signing preachers. Catholic deaf men had a Sodality since the 1890s, which communicated with its network of pupils (reported in the region of 600 at one time) via newsletter, and was originally the brainchild of Patrick MacRory, a deaf teacher in St. Joseph’s, and a deaf-blind older pupil named Alexander McCarthy.¹¹ Such services were ostensibly provided for philanthropic reasons linked to spiritual and moral protection and guidance to deaf pupils who had left school - and orbited out of the watchful eye of teachers.¹²

While there are few contemporary accounts written by Irish deaf people about such get togethers, those that are extant show that such reunions, retreats and gatherings held huge significance for deaf people. John Neville, a deaf inmate of Birr workhouse, received permission to attend the 1896 Catholic deaf retreat at Cabra, and wrote of his delight at a theatrical performance held by deaf actors during the week: “I have not spent such a happy Christmas for twenty years... There were more than 200 deaf mutes present, they were in roars of laughter for over an hour, in which I heartily joined. I shall never forget that pleasant night. All were delighted.”¹³ Similar accounts written after the 1920s also illustrate the social and linguistic importance of such events. In 1946, an attendee of the Cabra retreat meets other deaf people

¹⁰ Graham O’Shea points to examples of rural deaf people travelling to nearby towns for the opportunity to sign with other Deaf people; ‘A History of Deaf in Cork’, p. 112.

¹¹ Christy Foran, ‘Our Sodality and its Magazine’ in *St. Joseph’s newsletter*, Christmas (1969), pp 4–6; Christy Foran, ‘Deaf Sodality and its Magazine’ in *Contact*, July / Aug (1992), p. 8; J. O. Fitzgerald, ‘History of Past Pupils Sodality’ in *St. Joseph’s newsletter*, Christmas (1971), pp 54–58.

¹² This sentiment is expressed well in an editorial of the *Freeman’s Journal*: “it has been found, by a large experience, that all the good is not done, and that all the evil has not been averted when the time has come for closing their careers in the institution. It is when they get out into the world that the real time for uneasiness about them has begun. Hitherto there has existed no way of exercising a genial control over them when they have left the schools, and in their isolation from companionship they run many risks... a club-room... would be an inestimable boon for those relatively helpless young men - would be a preservative for them from dangerous allurements - would refine them, and would gladden and console them with the consciousness that in their great bereavement they had the friendly sympathy of the community in the midst of whom their lot has been cast.” *Freeman’s Journal*, 17 October 1878, p. 5.

¹³ *Leinster Reporter*, 23 January 1897, p. 3.

at Nelson's Pillar: "You can imagine them making signs about old days and about how they live in their own counties. It really was delightful to meet a lot of my school mates."¹⁴ A prominent deaf community member, Peter Murray, wrote in 2015 of a meeting of Irish deaf people in London in the 1950s: "There were so many of us there - about 150 of us, and among them I saw and warmly greeted so many old school friends and people I knew. Within five minutes my hands were a blur, as we signed and chatted and caught up with each other. It was a magnificent sight altogether."¹⁵

In particular, for many decades, the pinnacle of Catholic deaf community life was the religious retreat for past pupils, held at Cabra. These were held every few years, and in 1884, 137 men and 143 women from across Ireland and Britain attended their (separate) retreats. By 1936, 310 deaf men were attending, a figure representing (going by 1911 population figures) some 15% of the entire Irish deaf male population. 210 deaf women attended the retreat in St Mary's two years later.¹⁶ The retreats offered the opportunity to see old friends, in some cases after years had elapsed since their last chance to use sign language: "Not alone has St. Joseph's the attractions for them that all men find in returning to their old schools, but their visit means that for five days they move in a world in which everybody uses the sign language, and they can enjoy general or particular conversations with fluency and ease."¹⁷

Protestant mission work among deaf adults in Dublin began as early as 1826.¹⁸ In the 1880s, the Dublin Protestant Deaf and Dumb Association was formed, with deaf missionary Maurice Hewson playing an important role.¹⁹ In Belfast, a Church of Ireland Mission to the Adult Deaf and Dumb was formed in 1888, which, under its deaf superintendent Francis Maginn, became hugely successful in providing a focal point for the Belfast deaf community over the next few decades.²⁰ John Kinghan, a teacher in the Lisburn Road school, had commenced a Belfast mission for deaf adults in 1857, which eventually moved to Sandy Row and a new building named the Bethel; this in turn moved in 1899 to a new building on Botanic Avenue, named the Kinghan Mission Hall.²¹

¹⁴ *Limerick Leader*, 14 September 1946, p. 12.

¹⁵ Peter Murray, 'The Story of my Life' in *Clonberne 2015*, 2015, p. 73.

¹⁶ *Irish Independent*, 7 August 1936, p. 13; *Irish Press*, 11 July 1938, p. 9; Catholic Institution for the Deaf and Dumb, *CID 35th Report, 1881*, pp 15–16; Catholic Institution for the Deaf and Dumb, *Thirty-Seventh Report for the Years Ending May 31, 1884 and 1885* (Dublin, 1885), p. 14.

¹⁷ *Irish Independent*, 7 August 1936, p. 13.

¹⁸ In 1826 William Overend, a deaf brother of the then Claremont principal, began a Sunday Bible class in St Thomas' church schoolhouse. This was followed by public worship of the deaf in the school of Claremont itself, interpreted into sign language by an assistant teacher. *Belfast News-Letter*, 27 March 1895; Pollard, *The Avenue*, pp 182, 211.

¹⁹ *Ibid.*, pp 212–216.

²⁰ Alison Jordan, *Who cared?: Charity in Victorian and Edwardian Belfast* (Belfast, 1993), pp 82–83.

²¹ Allen, *The soul of a silent mission: the history of the Kinghan Mission*, pp 5–6.

These missions often combined opportunities for worship with social and leisure activities, as well as the chance to catch up a 'club' setting. Catholic deaf 'clubs' (as opposed to purely religious services or retreats) were later in being established. In 1873 the dangers that non-supervised deaf Catholics apparently faced began to be raised.²² The example set by the progress of the Dublin Protestant deaf community impressed Catholic observers.²³ Catholic authorities saw the sense of providing organisation and guidance to deaf Catholics, although the idea of a growing urban Catholic deaf community was not necessarily to their liking.²⁴ The Deaf Mutes City Association was founded, financially supported by the CIDD and by 1883, renting premises on Marlborough Street.²⁵ This was a male-only club which met weekly on Sundays, though according to the recollections of elderly ex-members it was "not much of a club", its activities being mostly card-playing and sermons.²⁶ It moved to 5 D'Olier St in 1888, then returned to Marlborough St in 1892.²⁷ In 1902 the club moved to 12 North Great Georges Street where it remained until the 1940s. Deaf Catholic women, by 1887, were being provided with a room in St Mary's to meet up, apparently only three times yearly.²⁸ As late as the 1940s two separate clubs – St Philomena's for deaf men, and St John's for deaf women – were in existence; it appears that it was not until 1943 that deaf Catholic women got their own clubroom.²⁹

²² "At present, in Dublin and its immediate neighbourhood, there cannot be fewer than 100 adult Catholic Deaf-mutes of both sexes - in most cases former pupils of the Institution - and for this large number, exposed as they necessarily are to all the dangerous influences of a large city, there exists no opportunity for their receiving that instruction and advice which might best protect them from the dangers which constantly menace individuals of their age and position in life... in many other cities and principal towns of Great Britain where large numbers of the Deaf and Dumb have congregated for purposes of employment, societies have been originated to provide for their religious needs; and where such societies are efficiently maintained they prove of much utility to the adult Deaf and Dumb." Catholic Institution for the Deaf and Dumb, *Twenty-Seventh Annual Report*, 1873, pp 22–23.

²³ *Freeman's Journal*, 17 October 1878, p. 5.

²⁴ In 1867 it appeared that the CIDD were not necessarily supportive of the idea of a deaf community, drawn from around Ireland and forming in Dublin: "As to apprenticing large numbers of those children in Dublin, serious inconveniences must necessarily arise from such a course. Withdrawn from the control of their spiritual guide, the Rev. M. J. ANSBRO, Chaplain to the Institution... and exposed to whatever influences may surround them, they will, for good or evil, congregate together... Enjoying liberty, they cannot be kept in check by those who instructed them... The risk is too great, the danger too immanent, and the consequences would likely be most lamentable. Whereas if provided for in their native place, the superintending eye of parents or friends would be a powerful check to their natural inclinations, whilst their infirmity would render them special objects of attention both to the clergy of the parish in which they may reside, and to the virtuous portion of the community, who would take a lively interest in their welfare." Catholic Institution for the Deaf and Dumb, *Twenty-First Annual Report*, 1867, pp 20–21.

²⁵ Dublin Deaf Association, *Sixty Years of Friendship and Togetherness: Celebrating the Diamond Jubilee 1945 - 2005* (Dublin, 2005), p. 2.

²⁶ St Joseph's School for Deaf Boys, *St Joseph's Centenary Record*, p. 53; Christy Foran, 'The Origins of the Dublin Club' in *St. Joseph's newsletter* (1969), pp 11–12.

²⁷ The reason for the move was, apparently, not having enough room for a billiard table: Dublin Deaf Association, *Sixty Years of Friendship...*, p. 2. While very few written sources seem to exist for the Marlborough St club, there are even fewer for D'Olier St. Possibly its greatest exposure came in 1890 when a deaf man named James Brennan robbed a large sum of money from the club, of which he was apparently not a member: *Freeman's Journal*, 3 October 1889, p. 2; *Irish Times*, 24 October 1889, p. 3; *Irish Times*, 25 October 1889, p. 3.

²⁸ Catholic Institution for the Deaf and Dumb, *Thirty-Eighth Report* (Dublin, 1887), p. 15.

²⁹ However, mixed New Year's functions for both deaf men and women were held later on under the auspices of the Legion of Mary. Dublin Deaf Association, *Sixty Years of Friendship...*, p. 4. By 1964 the club was mixed and had moved to Rathmines: Eileen McCaul, 'History of the Development of Clubs for Deaf Women in Dublin' in Josephine O'Leary and Alvean E. Jones (eds), *Through the Arch: St Mary's School for Deaf Girls, Remembering 170 Years from 1846-2016* (Dublin, 2016), pp 183–184.

Other forms of cultural expression followed. Deaf people's use of sign language, which had publicly entranced so many at school exhibitions, developed into avenues such as signed versions of poems and addresses, which particularly talented deaf pupils would publicly perform at fundraising events.³⁰ Deaf schools began to organise public dramatic pieces utilising sign language, often with a teacher or volunteer providing interpretation into spoken English.³¹ Adult deaf clubs followed suit with the performance of sign language dramatic pieces, especially in Belfast.³² The emergence of newspapers and magazines specifically for deaf people, a 'Deaf Press', was an important development in the growth of deaf communities in Ireland as elsewhere.³³ They functioned not only to keep ex-pupils abreast of school news, but they also served "as the cultural connections that established and maintained group cohesion".³⁴ Dublin's Church of Ireland deaf were served by the *Irish Deaf-Mute Advocate and Juvenile Instructor* from 1886, while Belfast's *Silent Messenger*³⁵ (began in 1882 and edited by Francis Maginn), served both as an internal community newsletter, celebrating deaf marriages and baptisms of children to deaf couples, and as a means of spreading awareness among hearing people about the deaf community. The Catholic 'deaf press' was more limited in scope. A Circular for the Male Deaf Sodality began in 1895, which led to an ex-pupils' newsletter named *St Joseph's*, published from 1915 in various formats until the 1980s.³⁶ Participation in sport, particularly within distinct deaf sports teams, became an expression of deaf identity. St Joseph's in Cabra developed a tradition of soccer, and Irish deaf football teams were formed.³⁷ These teams competed against other deaf national or British city sides; Belfast's deaf football club, with Francis Maginn as chairman,

³⁰ This example is taken from a confirmation ceremony for deaf girls from the Rochfordbridge school: "One of the sisters recited a poem called 'Thoughts of the deaf mute child'... and two tiny little deaf mutes followed her by their own language of signs... the signs of the dear little mutes spoke so feelingly to the audience that many were almost moved to tears." *Freeman's Journal*, 21 June 1894, p. 7.

³¹ See for example the drama entitled 'Joseph Sold as a Slave by his Brothers', performed in Cabra 1902 and organised by the Christian Brothers. A production of 'Joan of Arc' was performed in 1923 in St Francis Xavier's Pioneer Hall, again, organised by the Christian Brothers: *Irish Independent*, 10 January 1923, p. 3; *Freeman's Journal*, 7 April 1923, p. 6. A later Cabra piece, a Christmas play 'The Three Kings', was performed in 1932 in sign language and voiced by Brother O'Callaghan. *Freeman's Journal*, 7 January 1902, p. 5; *Irish Independent*, 18 January 1932, p. 11.

³² See for example deaf adults performing a 'visual' version of 'Oliver Twist' for the public in 1912 at the Belfast Exhibition Hall: *Belfast Weekly Telegraph*, 6 April 1912, p. 10.

³³ Joseph John Murray, "'One touch of nature makes the whole world kin": the transnational lives of deaf Americans, 1870-1924' (Unpublished PhD thesis, University of Iowa, 2007), pp 47-53; Van Cleve & Crouch, *A Place of Their Own*, pp 98-100; Jack R. Gannon, *Deaf Heritage: a narrative history of Deaf America* (Washington, D.C., 2012), pp 237-251; Atherton, *Deafness, community and culture in Britain: leisure and cohesion 1945-1995*, pp 81-85.

³⁴ Van Cleve & Crouch, *A Place of Their Own*, p. 98.

³⁵ This publication began life as *Our Little Messenger to the Deaf and Dumb*, then the *Silent Messenger*, then finally in 1899 *The Messenger*.

³⁶ Foran, 'Our Sodality and its Magazine'; David Breslin, 'A history of some deaf publications' in Liam Breen, David Breslin, Séamus Clandillon, Val Quinn, Br. Fitzgerald and Patrick McDonnell (eds), *St. Joseph's School for Deaf Boys, Cabra, 1857-2007* (Dublin, 2007), pp 12-13.

³⁷ Although there was some early involvement with Gaelic football, the prospects of deaf boys injuring their fingers and being unable to sign fluently seems to have influenced a move towards soccer: James Woulfe, 'The Irish Deaf at Football' in *Contact*, no. 75 (1991), pp 22-24.

played a deaf Liverpool side in 1899, and a deaf Glasgow team in 1913.³⁸ A Dublin side was also formed, playing a Liverpool deaf Catholic team in 1920; a year later the Dublin Catholic Deaf-Mutes' AFC was formed.³⁹ A match between the Dublin and Belfast deaf football teams was first held in 1906 with a rematch in 1910; on both occasions the St Joseph's team won.⁴⁰

Ireland's Deaf Communities?

Contemporary evidence of social mixing between deaf Catholics and Protestants is very rare, and this indicates, given the establishment and operation of clubs and societies segregated by religion, two parallel, co-existing deaf communities. As with their hearing counterparts, the two communities seem to live in different worlds.⁴¹ However, the particular nature and background to inter-religious tension in Ireland's deaf community should be examined. Until 1846, no specifically Catholic institution for deaf children existed in Great Britain. Claremont, along with most of the small, short-lived deaf schools established during the 1830s and 1840s, began through private philanthropy; they generally advertised and followed a Protestant ethos, though they, like Claremont and the Ulster Institution, accepted pupils from any religious background.⁴² Claremont at least did initially appear to facilitate separate Sunday attendance of pupils at Protestant church and Catholic chapel respectively.⁴³ This arrangement hints that early Claremont committees may have pursued a philosophy of 'non-denominational' education, although its early reports do not explicitly indicate this. Non-denominationalism was a popular position which saw administrative expression in the 'Stanley Letter' and then implementation in the national school system established in 1831.⁴⁴ By 1843, however, no provision was being made for Catholic children at Claremont to be educated in their parents' religion. Instead the school was forthright in stating that "the education communicated to the objects of their care shall be based upon the Holy Scriptures" - which, in the context of the frosty inter-faith situation at the time, was very clearly an expression of the Protestant nature of the school's teaching.⁴⁵

³⁸ *Belfast Telegraph*, 5 Dec 1899, p. 4; *Belfast Telegraph*, 6 Jan 1913, p. 3.

³⁹ *Sport (Dublin)*, 22 May 1920, p. 4; P. Gaffney, 'Description of Catholic Deaf Mute Association Football Club' in *St. Joseph's newsletter*, Christmas (1940), pp 25–26.

⁴⁰ *Irish Independent*, 16 April 1906, p. 2; *Sunday Independent*, 5 June 1910, p. 4.

⁴¹ Donald H. Akenson, *Small Differences: Irish Catholics and Irish Protestants, 1815-1922: an International Perspective* (Dublin, 1991), pp 108–126.

⁴² By 1861 the Census Commissioners were reporting that "all the pupils in the Claremount [sic], Moneymore, Strabane and Ulster Institutions, no matter from what source received, have been reared in the tenets of the Established Church". *The census of Ireland for the year 1861. Part III. Vital statistics. Vol. I. Report and tables relating to the status of disease*, 1863, p. 9 [3204-II] H.C. 1863, lviii, 1.

⁴³ Pollard, *The Avenue*, p. 181.

⁴⁴ Akenson, *The Irish Education Experiment: The National System of Education in the Nineteenth Century*, pp 157–161.

⁴⁵ Letter from Lord Eliot, Chief Secretary of Ireland, to Claremont, 29 July 1843; letter from George T. D. Mangan, assistant secretary of Claremont, to Lord Eliot, 2 August 1843; *Deaf and Dumb Institution (Ireland). Copy of any correspondence between the Chief Secretary for Ireland and the Governors of the National Institution for the Education of the Deaf and Dumb Children of the Poor in Ireland, relative to any changes proposed in the principles and forms of education, 1843*, H.L. 1843 (587) I, 157.

The more Catholic children were sent there, the more Claremont was accused of proselytism - by a Catholic church which, in the wake of Emancipation, was re-energising, building chapels and churches, and becoming more belligerent about the educational fate of children of Catholic families. The Cabra deaf schools were established specifically to stop the practice of deaf schools following a Protestant ethos accepting - and attempting to convert - Catholic deaf children. The schools were set in motion when Fr Thomas McNamara, a Vincentian priest, while in charge of St Peter's parish in Phibsborough, noticed a group of children from the Claremont school outside the church. Their teacher proceeded "by fiendish gesticulations... to impress upon the poor creatures by pointing to the doors and then downwards, that all who entered the building should be damned."⁴⁶ A newly formed Catholic Institution for the Deaf and Dumb initiated much discussion about this issue in the press and at meetings, mentioning more examples of alleged proselytism, with incidents recounted of deaf children returning home from Claremont and violently reacting against the sight of Catholic imagery.⁴⁷

Public ill-feeling between supporters of Cabra and Claremont over alleged proselytism was a recurring feature of the nineteenth and early twentieth century in Irish deaf education.⁴⁸ It was stoked by particular incidents, such as the 1850 attack on a Catholic priest saying Mass in a chapel on Dublin's Whitefriar St by Thomas MacMahon, an ex-pupil of Claremont, suffering from mental health difficulties. The incident resulted in fierce back-and-forth criticism between newspapers with either Catholic or Protestant biases about the coverage of the attack, and the imputation that MacMahon acted as he did due to indoctrination by Claremont.⁴⁹ There was also a long public letter in 1869 from the Catholic archbishop of Dublin accusing Claremont of a wide range of proselytising practices, as well as a reply from deaf Claremont teacher Benjamin Payne refuting those accusations.⁵⁰ In their time, also, the other Protestant-run deaf schools were accused of proselytism of Catholic deaf children.⁵¹ These inter-faith suspicions were not peculiar to deaf education, and Maria Luddy has described how to Catholics at this time, "all Protestant philanthropy was eventually to become tainted with the stain of proselytism, precluding any interdenominational attempts at co-operation for the benefit of the poor and needy in Irish

⁴⁶ McNamara, *Letter to the Archbishops and Bishops of Ireland, in Vindication of a Dissertation, entitled Claims of the Uninstructed Deaf-Mute to be Admitted to the Sacraments*, p. 29; O'Dowd, 'The History of the Catholic Schools for the Deaf', p. 14. Of course, the point can be made that McNamara had no experience of deaf people or signed language at the time, and simply placed a malicious interpretation onto what he saw.

⁴⁷ Catholic Institution for the Deaf and Dumb, *CID 1st Report, 1847*, pp 19–21.

⁴⁸ O'Dowd, 'The History of the Catholic Schools for the Deaf', pp 10–12; Pollard, *The Avenue*, pp 185–192.

⁴⁹ See *Tuam Herald*, 18 May 1850, p. 2 and *Freeman's Journal*, 13 May 1850, p. 2 for examples of this coverage.

⁵⁰ *Freeman's Journal*, 16 April 1869, p. 7; *Dublin Daily Express*, 11 June 1869, p.4.

⁵¹ Accusations were levelled at Belfast and Moneymore: *Northern Whig*, 9 September 1851, p. 2; *The Ulsterman*, 29 January 1858, p. 2.

society".⁵² Catholic female philanthropy, in particular, was marked by a lack of co-operation with those of other denominations. Therefore the Dominican nuns going their own way in 1846 in terms of how to educate, communicate with and provide pastoral care to their female deaf charges in what became St. Mary's school, was probably to be expected.⁵³

From these beginnings in rival schools came apparent social separation after schooling ended. What became very distinctive were the different ways in which these separate Irish deaf communities organised and presented themselves in Irish public life. From the 1880s, the Protestant deaf community in Belfast had become a particularly thriving centre of deaf cultural activity. During the 1910s, the Belfast Mission Hall could boast of, among other ventures, a 'Literary Society' holding weekly presentations in sign language on a wide variety of current topics, a 'Christian Endeavour and Temperance' society, a football club, a series of bible classes, a chess and draughts club, a branch of the Ancient Order of Free Gardeners friendly society specifically for deaf people, a 'Missionary Society' collecting funds to assist in building deaf schools elsewhere in the British Empire, and a special fund to assist deaf people who were aged, infirm, poor, or unemployed.⁵⁴ The activities of all these groups and organisations was highly open and public in nature. Accounts and updates were published in the Mission's annual reports, and the pages of not only the *Silent Messenger* but also the *Belfast Newsletter* and *Northern Whig* were regularly and extensively used to advertise and report on Belfast's deaf activities. Maginn himself and others corresponded extensively in the pages of these Belfast papers, outlining his thoughts on employment of deaf people, hearing people learning the finger alphabet, and the Milan Congress and the perils of oralism. Visibility for deaf people and sign language in the press hit a high point when a photo of Maginn and fellow deaf teacher Benjamin Payne, demonstrating the signs for *DAILY* and *TELEGRAPH*, was reproduced on the front page of the *Daily Telegraph* and the *Larne Times*.⁵⁵ With a predominantly hearing board of management, of course the Belfast Mission was by no means devoid of 'hearing' influence, but a deaf 'voice' can certainly be seen at work at this point – willing to state broadly its concerns and priorities, and through its spokesman Maginn, able to fight its corner. The same can be said for Dublin and Cork's Protestant Deaf communities; Maurice Hewson performed a similar role to Maginn and, albeit on a smaller scale, the Dublin Protestant Deaf and Dumb Association utilised the *Irish Times* and *Dublin Daily Express* to advertise its existence.

⁵² Luddy, 'Religion, Philanthropy and the State in Late Eighteenth- and Early Nineteenth-Century Ireland', p. 158. See also Luddy, *Women and Philanthropy in Nineteenth Century Ireland*, pp 68–96.

⁵³ Luddy, 'Religion, Philanthropy and the State in Late Eighteenth- and Early Nineteenth-Century Ireland', p. 154.

⁵⁴ Mission Hall for the Adult Deaf and Dumb Belfast, *Report for year ending 31st December 1914* (Belfast, 1915); Mission Hall for the Adult Deaf and Dumb Belfast, *Report for year ending 31st December 1922* (Belfast, 1923).

⁵⁵ *Belfast Telegraph*, 22 October 1912, p. 3; *Larne Times*, 26 October 1912, p. 1.

In contrast, the Catholic deaf community's public 'presence' in the popular press remained quiet. When visible, it was almost completely mediated by the schools at Cabra and the CIDD, who were highly public facing in terms of their work; the exhibitions of pupils and annual meetings and reports were extensively covered in the press, as were appeals for funds. Other Catholic bodies involved in deaf education, such as the Sisters of Mercy, did not publish such regular reports.⁵⁶ While the past pupil retreats to Cabra became well-known, no regular accounts of Catholic deaf club activities appear in national or local newspapers during this period, and for the most part, the social and community life of Catholic deaf people remains hidden from public view - barely mentioned in CIDD reports, and certainly not in the press. This is not to say, of course, that a rich and vibrant social and even political life did not exist for deaf Catholics. A letter from the Catholic Deaf-Mute Association to recently elected Home Rule MP Richard Hazleton was published in the *Dundalk Democrat* in 1910, and declared that the club members were "as much interested in Home Rule as our speaking brethren, being aware that it will do the deaf mutes good as well as the speaking people."⁵⁷ Deaf Catholics were clearly engaged with the national politics of the day, but the political positions of their community rarely made it in this way to national or regional attention in the way those of Deaf Protestants did, despite the numerical imbalance between the two communities.

Deaf community leadership also took different forms. Within the Church of Ireland, the active leadership of Maginn in Belfast and Hewson in Dublin, and their dedicated community organisation and public political efforts, have few direct comparators in the Catholic deaf community of the time. It seems that the roles of Catholic deaf 'leaders' were filled to an extent by deaf teachers in the Cabra schools, who were regularly referred to in glowing terms in correspondence from ex-pupils to *St Joseph's* magazine. This reflected the peculiarly strong numbers of deaf teaching staff in Cabra compared to Belfast, or Claremont, after 1882.⁵⁸ Particularly revered in the Irish deaf community today is Thomas Mahon, whose reputation as both a fundraiser and teacher of language to deaf children has been celebrated; he gives his name to a major building in the present Deaf Village Ireland in Cabra.⁵⁹ Female deaf teachers in

⁵⁶ Luddy, 'Religion, Philanthropy and the State in Late Eighteenth- and Early Nineteenth-Century Ireland', p. 161.

⁵⁷ *Dundalk Democrat*, 17 December 1910, p. 13.

⁵⁸ While both Claremont and Lisburn Road had deaf teaching staff in the 1901 and 1911 Censuses, numbers were limited to just one or two teachers per school. The numbers in Catholic schools were high by contrast; St Mary's in Cabra had 14 female deaf staff marked as teachers living in the school in 1901, and 11 in 1911. National Archives of Ireland, 'Census of Ireland 1901 and 1911 Online website'. Deaf teachers seemed to become more represented in St Joseph's after 1911; at least 6 deaf teachers out of a total of 12 teaching staff were listed in a 1930 Department of Education file concerning the school. Yearly inspection report, 1930, NAI ED/12/22228, Box 493, file entitled 'St Joseph's Application for Recognition as National School'.

⁵⁹ David Breslin, 'Deaf Teachers and Painters in Cabra' in Liam Breen, David Breslin, Séamus Clandillon, Val Quinn, Br. Fitzgerald and Patrick McDonnell (eds), *St. Joseph's School for Deaf Boys, Cabra, 1857-2007* (Dublin, 2007), pp 123-127.

St Mary's (who had been trained there since at least 1854) have also in recent times been celebrated and remembered, particularly after a series of neglected graves in Glasnevin was discovered in 2016 containing the remains of 47 deaf women and girls – pupils, inmates and staff of St Mary's, including at least nine teachers.⁶⁰ These figures were seen to be carrying on a great tradition and lineage in the Cabra schools, as teachers of young incoming students and role-models for deaf children. Yet they were by no means political leaders, or public figures, in the way Maginn and to a lesser extent Hewson were.

It is highly significant that ex-pupils of Cabra seemed almost completely absent from formative deaf political events and movements in Ireland, Britain and elsewhere; instead of members of the significant majority of the Irish deaf educated in Cabra, Ireland tended to be represented all over the United Kingdom and on the international deaf stage by the likes of Hewson and Maginn. The 1880 National Deaf and Dumb Convention, held in Dublin, was attended by Maginn, Hewson, and deaf delegates from all over the United Kingdom, including the well-known Rev Samuel Smith. The event, however, focused on Protestant mission work, precluding deaf Catholic representation.⁶¹ For the 1895 Dublin Congress of the British Deaf and Dumb Association, delegates from all over Britain – Hewson from Dublin, Francis Maginn from Cork and later representing Belfast, and a host of others – took part in signed discussions about how to combat the threat of oralism to deaf schools. Delegates were apparently able to communicate well with each other in their own variants of BSL, though without any apparent Catholic deaf presence. At this highly significant event, other than a visit by delegates to the schools at Cabra was organised, but this aside, there was no apparent discernible involvement - as attendees, presenters, or organisers - of Cabra-educated deaf people at the Congress.⁶² For an international event held in a city whose deaf community was mostly Catholic, this seems incongruous. Mutual respect seemed plentiful, but not mutual company.

Suspensions between the communities remained present throughout the period. Belfast's William Eccles Harris, in a presentation to an international deaf conference in 1893, referred to the work of the Mission to the Adult Deaf and Dumb of Ireland, specifically in Cork: "There are in Cork a number of Roman Catholic deaf mutes with whom the Protestant Missioner has never had much intercourse. Any attempt to gather them together in secular meetings might have

⁶⁰ O'Leary & Jones (eds), *Through the Arch*, pp 52–53, 158, 244–250.

⁶¹ *Dublin Daily Express*, 20 August 1880, p. 6.

⁶² During this visit, only St Joseph's was visited, most of the Christian Brothers were away, and the pupils were home on holidays. *Freeman's Journal*, 7 August 1895, p. 5.

been misunderstood and proselytism suspected, where nothing of the kind was meant.”⁶³ Graham O’Shea mentions that mixing of Catholic and Protestant deaf people in Cork was (with some exceptions) rare, and some ill feeling between groups was present.⁶⁴ Catholic deaf pupils in the 1920s and 1930s were still being warned by their religious leaders away from too much social intimacy with Protestant deaf people.⁶⁵ Later on, those emigrating to Britain were encouraged to attend local Catholic, hearing emigrant organisations rather than Protestant deaf ones.⁶⁶

However, that the communities were separate does not entail that there was never contact. Evidence that churches, missionaries or chaplains actively discouraged or forbade such mixing is limited, and it is perhaps even more difficult to judge how successful any such efforts may have been. Mixed marriages occurred; Thomas Devine from Cabra, and Claremont ex-pupil Mary Gillespie, married in 1866 with Catholic chaplain Ansbro listed as a witness (and probably also as interpreter).⁶⁷ O’Shea notes that the Cork marriage of Alexander McCallum and Ellen Cogan in 1850 was also a mixed marriage, and that the plentiful deaf attendees at their wedding “may have been from both religious backgrounds, and got to know each other and sign together” and even “may have continued to interact with each other”.⁶⁸ By 1909 the pupils at Cabra were being taught the two-handed alphabet, “because in after life the boys meet deaf-mutes who know the latter only” – referring no doubt to those educated at Claremont, Lisburn Road, or in Britain.⁶⁹

In contrast to the sectarianism often associated with the city, Belfast seemed to represent a deaf ecumenism of sorts. As we will see, mixed-religion ‘deaf households’ existed in the Belfast area, and significantly, by the outbreak of World War I, the Mission Hall for the Deaf in Belfast

⁶³ William Eccles Harris, ‘Mission Work Among the Adult Deaf in Ireland’ in *Proceedings of the World’s Congress of the Deaf and the Report of the Fourth Convention of the National Association of the Deaf*, 1893, pp 76–77.

⁶⁴ O’Shea, ‘A History of Deaf in Cork’, pp 120–121.

⁶⁵ “Question - is it wrong to be friendly with a Protestant? Or to have a Protestant chum? Answer - It is not, but care should be taken that he does not bring you to Protestant meetings or give you tracts or Protestant publications to read, or influence you in religious matters... Question - if a Protestant Deaf Mute told me that my religion was wrong, and his was right, what answer should I make?

Answer - Don’t discuss the matter with him, but tell him you believe all the Catholic Church teaches... We should thank God every day for being members of the one true Church, and pray for those who are not.” *St Joseph’s newsletter*, Easter 1929, p. 5.

⁶⁶ “Question - In the town where I work in England there is a club for Protestant Deaf Mutes where they have games of all kinds; there is no club for Catholic Deaf Mutes who are only a few. Can we go to the Protestant Club to enjoy ourselves?

Answer - There might not be any harm, provided no prayers were said or lectures given at the meetings; yet, I feel, it would be highly dangerous, for, by doing so, one gradually imbibes a Protestant outlook, and becomes careless about his own religious duties... We must cling to our religion no matter what it may cost.” *St Joseph’s magazine*, Christmas 1942, p. 22.

⁶⁷ Marriage register, Catholic Parish of St Audeon, Dublin, 1 February 1866, IGN. See also Pollard, *The Avenue*, p. 247.

⁶⁸ O’Shea, ‘A History of Deaf in Cork’, pp 110–111.

⁶⁹ Kerr Love, ‘The Schools for the Deaf in Scotland and Ireland’, p. 167.

proudly listed in its annual Reports the Catholic members of the Mission who attended and used their services. This suggests that there was possibly more social interaction between deaf Catholics and Protestants in Belfast than elsewhere in the country.⁷⁰ Nationally, football matches between deaf Dublin and Belfast teams indicated that relations within the Irish deaf world by the turn of century were at least cordial.⁷¹ Indeed, the downplaying of denominational differences, at least among Protestants, was a feature of Edwardian Belfast. Indeed, Belfast's deaf community in 1901 vehemently united against attempts, by hearing missionaries and clergymen establishing separate Anglican and Presbyterian mission halls to pit Presbyterian and Church of Ireland deaf people against each other.⁷²

At the close of the period, the numbers of the Protestant deaf community in the new Irish Free State had declined severely. The Protestant proportion of the population of Ireland actually increased between 1861 and 1911, and the Irish Catholic community experienced a sharper decline in absolute population. But due to the Great Famine, emigration, and a whole range of factors, absolute numbers declined, the Anglican and Presbyterian population fell by 16.4% in the same period. By the time the new Irish Free State carried out the 1926 Census, Presbyterian numbers in the South had fallen to 71.3% of their 1911 total, and Church of Ireland numbers were just under 66% of what they had been fifteen years earlier.⁷³ This decline seems to have been mirrored in the Irish deaf population. Table 5 shows statistics comparing numbers of deaf Irish people by religion between 1861 and 1911.⁷⁴ All provinces outside Ulster saw Catholic deaf people increasing their share of the wider deaf population in Connacht to just under 98%. As a proportion of the deaf population, Catholics had grown very slightly by 1911, forming 77% on 1861's 75.7%. The number of Church of Ireland deaf adherents however had fallen from 14% to just over 11%, and in absolute terms had dropped from 791 to 522 - a drop of 43% over 50 years. Indeed the Church of Ireland saw its deaf representation drop radically in many counties; In Dublin City, where Catholic deaf formed nearly 90% of the 1911 total - up from 1861's 85% - the Church of Ireland deaf had decreased from 13% of the total to just under 8%. In Laois, Longford,

⁷⁰ See for example the Mission's 1914 Report, which lists the names of 17 Roman Catholics who attended during that year. Mission Hall for the Adult Deaf and Dumb Belfast, *Belfast Mission Hall report 1914*, pp 69–71.

⁷¹ See above, p. 37.

⁷² Even disagreements within Belfast's Deaf community were open to the public eye to a considerable degree. A major disagreement in 1901 between the Presbyterian Kinghan Mission and Maginn's Church of Ireland Mission Hall were the subject of ongoing published correspondence in the Belfast press. The Belfast Deaf community themselves met and issued a public "Declaration, something of a pledge" condemning interference in their affairs, and against what they saw as a multi-denomination Mission Hall on College Square, by the Kinghan Mission. This declaration was printed in the press, was "framed in our reading-room" and had been signed by "Presbyterians, Episcopalians, Methodists, and Roman Catholics... to show their determination to stand together when the Kinghan Mission tried to divide them." *Belfast News-Letter*, 27 May 1901, p. 9.

⁷³ Akenson, *Small Differences: Irish Catholics and Irish Protestants, 1815-1922: an International Perspective*, p. 157, Appendix C; David Fitzpatrick, 'Protestant depopulation and the Irish Revolution' in *Irish Historical Studies*, xxxviii, no. 152 (2013), p. 659.

⁷⁴ Figures given for religious professions of deaf people in the 1861 Census of Ireland Report gives totals for the entire group of 'deaf and dumb', 'dumb only', etc. The 1851 Census of Ireland did not give figures for religious denomination of deaf people.

and Roscommon the already small number of Church of Ireland deaf were reduced to zero, and in counties like Sligo, Monaghan, Limerick County and Wexford they were reduced to single digits. Ulster was different, and saw Catholic share of the community dropping from 48% to just over 42%, while the two largest Protestant denominations made slight increases. In absolute terms, Belfast's deaf community grew across all three faiths, especially Presbyterian. The only major denomination to actually increase in absolute numbers nationally were Methodists, going from 27 to 38 over the fifty years, though by 1911 this only formed just under 1% of the Irish deaf population. By the 1920s, these demographic changes were clearly having an effect on the deaf Protestant community remaining in the Irish Free State. There was only one Protestant-run deaf school remaining - Claremont, and the numbers attending had been in decline ever since the late nineteenth century. The school first relocated to smaller premises in Monkstown, Co Dublin, then finally closed in 1978 after 162 years.⁷⁵ The school's closure, combined with quite rigid adherence to oralism from the 1880s and consequent discouraging of sign language, meant that Irish use of 'Claremont Sign' was shrinking fast.⁷⁶

Marriage and Intermarriage

Historically low marriage rates for deaf people have been highlighted in other countries. Ylva Soderfeldt reports just one in five deaf German men were married in 1900, and just 13% of deaf women had been married, widowed or divorced compared to 40% of the general population.⁷⁷ Sofie de Veirman's research found that in East Flanders just 15% of deaf persons married, compared to two-thirds of their hearing siblings, with deaf women being 16 times less likely to have success on the marriage market than their hearing counterparts; furthermore, deaf people tended to marry at a later age.⁷⁸ Marriage was even more rare for deaf people in Ireland, even taking into account the generally low Irish marriage rate in the post-Famine period.⁷⁹ In 1851, 44.3% of Irish men and women aged seventeen and over were married, but among Irish 'deaf and dumb' men and women aged fifteen and over, the rate was only 3.1%.⁸⁰ The situation had not changed much by 1861, when just 3.9% of 'deaf and dumb' people were married, compared to 46.4% of the general population, making a 'deaf and dumb' person almost twelve times less

⁷⁵ Pollard, *The Avenue*, pp 107, 116.

⁷⁶ *Ibid.*, pp 126–128.

⁷⁷ Söderfeldt, *From Pathology to Public Sphere*, p. 44.

⁷⁸ De Veirman et al., 'Deaf and unwanted?', pp 251, 262.

⁷⁹ "By the end of the [nineteenth] century the average age at marriage was very high and permanent celibacy was extraordinarily wide-spread, with the result that Ireland had the lowest level of nuptiality recorded in any country in modern times." Brendan M. Walsh, 'Marriage Rates and Population Pressure: Ireland, 1871 and 1911' in *Economic History Review*, xxiii, no. 1 (1970), p. 148.

⁸⁰ These figures do not touch on widowed persons, statistics for which are not given for 'deaf and dumb' persons in the census Reports. Figures in the Reports are not granular enough to isolate the number of 'deaf and dumb' people aged seventeen and over, thus the figures used here - those aged 15 and over - may actually slightly inflate the true figure in terms of comparison with the 1851 general Irish population.

likely to be married.⁸¹ Analysis of online 1901 Census return transcriptions indicates these figures had doubled by 1901; 8.8% of deaf individuals aged 15 or older were either married or widowed, yet these percentages were in any case miniscule compared to those for the general population (37.7%). These gaps were also gendered, with deaf men five times less likely – and deaf women, six times less likely – to be married than their hearing counterparts.⁸² Another significant factor was religion, which seems to have proved highly decisive; deaf Protestants in 1901 were only half as likely to be married or widowed compared to their hearing counterparts (17.7% compared to 37.7%), but only 6.2% of deaf Catholics were married or widowed – just under three times less than non-Catholic deaf people, and six times less than the general Irish population.

However, this is not to say deaf people in Ireland did not marry. Examples of deaf people marrying can be found in Ireland as far back as 1747, when James Byrnes, “born deaf and dumb”, married Anne Hichlin, “an agreeable young Lady, with a handsome Fortune”, at Caledon, Co. Armagh.⁸³ Other examples are recorded in local parish registers and newspapers. In 1833, Joseph Wilson, deaf teacher at the Kilrea school in Derry, married Amalia McCloy in Kilrea First Presbyterian church; Margaret Keys, a 'deaf and dumb' bride, married John Lockhart in 1839 in Ballyshannon.⁸⁴ Many actively sought marriage via other means. The early 1900s saw advertisements published by deaf people in newspapers seeking matrimony; a 1915 *Drogheda Independent* advert for example brought notice that “A wife [was] wanted by a deaf and dumb mute in constant employment as gardener”.⁸⁵ Similar advertisements from deaf single people have also been located in Belgium and Germany.⁸⁶

Endogamous marriage among deaf people (i.e. marrying each other) is significant for discussion of deaf culture and communities. In 1887 Hiram Phelps Arms reported that in the United States, between 80-95% “of the deaf marry the deaf”, and an 1857 survey by David Buxton examining marriage rates among deaf people in the UK, the United States and Europe showed that in London, Liverpool, Manchester, New York, and other cities, deaf people were far more likely to

⁸¹ 1851 *Census of Ireland Report, Part III*, p. 10; *The census of Ireland for the year 1851. Part IV. General Report*, 1856, pp xlii – xliii, H.C. 1856, xxxi, 1; 1861 *Census of Ireland Report, Part III, Vol. 1*, pp. 8-9; *The census of Ireland for the year 1861. Part V. General report*, 1864, p. xl [3204-II], H.C. 1863, lviii, 1. After 1861, the Census General Reports do not give specific figures for deaf people's marriage rates.

⁸² 1901 *Census of Ireland Report, Part II*, p. 20.

⁸³ *Dublin Journal*, 25 April 1747, p. 2. It is more than likely that this is actually John Burns, mentioned earlier in the chapter, and who lived in Monaghan near Caledon.

⁸⁴ Church marriage record, 22 July 1833, Kilrea First Presbyterian Church, www.rootsireland.com; *Ballyshannon Herald*, 8 November 1839, p. 3.

⁸⁵ *Drogheda Independent*, 8 May 1915, p. 1.

⁸⁶ De Veirman et al., ‘Deaf and unwanted?’, pp 258–259; Söderfeldt, *From Pathology to Public Sphere*, p. 122.

marry deaf partners than hearing; the exceptions were the city of Gröningen, and Ireland.⁸⁷ This raised a concern for many that such marriages might produce children that were also deaf, and internationally renowned deaf educator Alexander Graham Bell was among those in the forefront of calling for marriages between deaf people to be outlawed.⁸⁸ On a Government policy level, the United Kingdom's 1889 Royal Commission's Report stipulated that "it is our opinion that the mixture of the sexes is in all cases unadvisable, as it leads to this result [i.e. deaf children being born], and we think that the intermarriage of the toto-congenital deaf should be strongly discouraged." Indeed the Report went further, stating that "the mixture of the sexes in school and especially in after life is, in all cases, unadvisable."⁸⁹ However, the Report was without teeth in this regard, and mixed deaf missions, clubs and communities tended to continue unimpeded around Britain and Ireland, with intermarriage being a strong cultural cementing factor for deaf communities. Certainly, evidence exists of deaf people's courting. When a deaf girl named Agnes Black was accused (in error, as it turned out) of stealing £10 in Belfast police court in 1869, another deaf boy named James Hoey was described as her "sweetheart" who she was "courting"; Hoey testified to giving Agnes the £10 "[b]ecause I want to marry her in a few days".⁹⁰ Michael Crowley, a Claremont ex-pupil, was drowned sailing out to Dinas Island off Kenmare in 1870, and his inquest heard of how he had been "paying his respects" to a "young woman of very prepossessing appearance" who "laboured under the same affliction... as himself", whose surname was Shea.⁹¹ The establishment of deaf schools where deaf boys and girls were brought together was no doubt an assistive factor in increased numbers of endogamous deaf marriages. Sofie de Veirman shows that deaf women married more frequently if they had moved away from the locality of their birth, particularly among female deaf migrants to the city of Ghent, and she posits the presence of a deaf school in the city as a factor contributing to this.⁹²

By 1851 six 'deaf and dumb' married couples were identified in the Census of Ireland. This had decreased to three couples by 1861, after which such statistics were not included in Census

⁸⁷ Hiram Phelps Arms, *The Intermarriage of the Deaf: its mental, moral and social tendencies* (Philadelphia, 1887), p. 5. David Buxton, *On the Marriage and Intermarriage of the Deaf and Dumb* (Liverpool, 1857), p. 13.

⁸⁸ Alexander Graham Bell, *Memoir Upon the Formation of a Deaf Variety of the Human Race. Paper presented to the National Academy of Sciences at New Haven* (1884) (<http://eric.ed.gov/?id=ED033502>); Arms, *Intermarriage of the Deaf*. Bell was certainly not the first to raise such concerns; for example, British deaf educator David Buxton attempted to prove in 1857 that while such a risk did exist, "there is no sufficient reason for prohibiting the marriages of deaf persons with the hearing; but that it is, at the same time, highly inexpedient that the deaf and dumb should marry with each other." Buxton, *Marriage and Intermarriage*, p. 16.

⁸⁹ *1889 Royal Commission*, pp. lxxxiii, xci.

⁹⁰ However, civil registration records indicate they did not in fact marry, possibly due to James' mother's stated opposition to the marriage in court: *Northern Whig*, 1 September 1869, p. 4; *Belfast Newsletter*, 1 September 1869, p. 4; *Belfast Morning News*, 1 September 1869, p. 4.

⁹¹ *Cork Examiner*, 4 April 1870, p. 2; *Tralee Chronicle*, 5 May 1870, p. 3.

⁹² De Veirman et al., 'Deaf and unwanted?', p. 257.

Reports.⁹³ By the 1901 Census, a slight majority (52.2%) of married Irish deaf people were living with a deaf spouse. Again, religion was a highly significant factor. Catholics were much less likely to be married to a deaf person, with only 35.8% of deaf intermarriages being between two Catholics (38 married deaf couples, as opposed to 68 non-Catholic deaf couples).⁹⁴ When such marriages took place, newspapers were fascinated; from accounts of deaf weddings, it is clear these occasions provided opportunities for deaf people to congregate and socialise with other deaf people in attendance. O’Shea describes one such wedding in Cork in 1850, noting that “word [may have] spread about the marriage in advance”, indicating that deaf people at the event, “and maybe throughout Cork generally had that sense of sharing information and gathering in the one place as a community”.⁹⁵ Smyth Davison married Bridget McCrory in 1852 in Moneymore; bride, groom, best man and bridesmaid were all deaf, and two interpreters signed the ceremony. The church “was crowded... [and a] number of other deaf and dumb persons were there”.⁹⁶ The following year, Thomas O’Malley, a deaf teacher at the Moneymore school, married a deaf ex-pupil, Catherine McKean, in Ardtrea, Co Armagh.⁹⁷ Most such weddings that hit the headlines were between Protestant deaf couples, and although deaf Catholic weddings also took place, they seemed to be more low-key. For such marriages, at least near Dublin, the Vincentian chaplains to the deaf community would often officiate, and possibly interpret.⁹⁸ Francis Maginn interpreted for such ceremonies for Protestant deaf couples, including for deaf-blind people.⁹⁹ Dublin deaf missionary Maurice Hewson performed the same function.¹⁰⁰ Not all deaf marriage ceremonies used signed language; several were conducted using writing for assenting to vows.¹⁰¹

Whether marriages were encouraged less, or actively discouraged, by Irish authorities with responsibility for spiritual welfare of deaf people in this period is not entirely clear. Claremont

⁹³ *The census of Ireland for the year 1851. Part III. Report on the status of disease*, 1854, p. 13 [1765], H.C. 1854, lviii, 1; *The census of Ireland for the year 1861. Part III. Vital statistics. Vol. I. Report and tables relating to the status of disease*, 1863, p. 21 [3204-II] H.C. 1863, lviii, 1.

⁹⁴ The Census records the marital status of individuals only on Census night, and deaf-deaf marriages have only been identified here when spouses are listed as living together on their Census forms. It is probable that some deaf widowed people had been married to (deceased) deaf spouses, or that deaf-deaf couples may have been living apart on the night of the Census; thus these figures given above are more than likely underestimates.

⁹⁵ O’Shea, ‘A History of Deaf in Cork’, pp 110–111.

⁹⁶ *Belfast Newsletter*, 4 Feb 1852, p. 4.

⁹⁷ *Newry Telegraph*, 5 April 1853, p. 3.

⁹⁸ For example, Martin Ansbro, chaplain for the deaf between 1861 and 1877, was present at least six weddings of deaf people in the Dublin area. Searching Ansbro’s name in the www.Irishgenealogy.ie church records website yields six marriages with him as a ‘witness’, all between deaf men and women whose names also appear in the Catholic Institute for the Deaf and Dumb’s records of pupils: Catholic Institution for the Deaf and Dumb, *Forty-Ninth report for Two Years ending May 31st, 1906* (Dublin, 1906).

⁹⁹ *Tyrone Courier*, 22 February 1906, p. 3.

¹⁰⁰ See for example *Irish Times*, 27 March 1888, p. 6; Pollard, *The Avenue*, p. 214.

¹⁰¹ One such wedding in 1912 between John Mills and Jane Hamilton, in Limavady, featured “all the questions specially typewritten, and the bride and groom answered these by writing.” *Belfast News-Letter*, 30 August 1912, p. 11. Catholic weddings also featured writing, such as that between Patrick Gallagher and Anne Gallagher in 1875 in Donegal: *Derry Journal*, 5 February 1875, p.2.

preferred not to “interfere in the matter... If we were perfectly satisfied that there was no danger of heredity [sic] we should not discourage such intermarriages.”¹⁰² More frequent Protestant deaf intermarriage was no doubt assisted through mixed get-togethers, opportunities for deaf worship that were public and high-profile, and deaf Missions that served for both men and women as focal points for deaf community activity. The *Silent Messenger* and *Deaf-Mute Advocate* journals often published and celebrated births and marriage notices among the Protestant deaf community.

Folk belief in the Irish deaf community of today sometimes holds that Christian Brothers, or Dominican nuns, discouraged deaf men and women from marrying. One writer feels this arose from a “mistaken belief that the deaf were incapable of responsible undertakings such as marriage or other tasks requiring considerable skill and hard work.”¹⁰³ There is some suggestion that deaf couples would on occasion marry in secret to avoid being prevented from doing so, though whether such attempts to prevent the marriages taking place were ever made is unclear.¹⁰⁴ However it is likely that there was never an ‘official’ line on the issue within the Cabra schools and the Vincentian chaplaincy. It may indeed have been the case that individual Christian Brothers or Dominicans expressed disapproval, and de Veirman cites examples of the same within Belgium’s deaf Catholic community.¹⁰⁵ But on a practical level, the teachers at Cabra, as the well-read and knowledgeable creators and distributors of a wealth of research and knowledge on deaf education, were completely *au fait* with the known genetic factors linked to deafness. They would have been more than aware that deaf intermarriage does not, in fact, result in any more than a handful of cases of deaf children being born, and therefore any message to deaf Catholics not to marry would likely not have been made on this basis. Very few allusions to any such discouragement can be seen in CIDD reports, or the lengthy speeches given at examinations of Catholic deaf pupils. Early *St Joseph’s* newsletters in the 1920s did not feature marriage or birth notices for deaf families, as their Protestant counterparts did, but editions from later decades featured extensive coverage of the weddings of deaf ex-pupils.¹⁰⁶

The more significant obstacle during this period may have been the far more limited opportunities for deaf Catholics to meet, court, and wed each other, compared to deaf

¹⁰² Evidence of H. H. Dickinson, *1889 Royal Commission*, pp. 640.

¹⁰³ [No Author], ‘Time when girls were not allowed to mix with the boys in the deaf club’ in *Link*, vii, no. 4 (1975), pp 6–7.

¹⁰⁴ Letter from Mary Sweeney, *Contact*, No. 77, November 1991, p. 9.

¹⁰⁵ De Veirman et al., ‘Deaf and unwanted?’, pp 246–247.

¹⁰⁶ See for example St Joseph’s School for Deaf Boys, *St Joseph’s Centenary Record*, pp 82–83. The *volte face* seemed complete in 1970 when the chaplain for the Beechpark school for deaf boys in Dublin declared, “Pick yourself a deaf partner if you are profoundly deaf and you will have less barriers between you through life. You will also have a thousand times [sic] bigger chance of living a happier life!” Fr. Cuffe, ‘Should the Deaf Marry the Deaf?’ in *St. Joseph’s Newsletter* (1970), pp 55–57.

Protestants. Catholic deaf education was marked by its effectively complete segregation of deaf boys and girls, having a marked effect by gender on the signed languages of Cabra pupils. Certainly, a segregated education was to be expected in an Irish Catholic context. While both Irish Protestants and Catholics preferred single sex education, the Catholic Church insisted on it to the greatest degree possible – almost regardless of consequences.¹⁰⁷ However in rural areas, many nominally Catholic national schools could, owing to lack of teaching staff, be effectively coeducational environments.¹⁰⁸ It is therefore arguable that educated deaf children, sent to single-sex deaf schools at an early age and having little or no experience of national school, had even less contact with pupils of the opposite sex on average than their Catholic hearing counterparts. Barbara LeMaster points to other issues outside the classroom as vital to understanding how Cabra Sign’s male and female variants maintained distance over a century; the long periods of the year spent in single sex residential schools, away from family members (including deaf siblings or elder relatives of the opposite sex), as well as the sequestration of the Dominican order until the 1960s, and differences in philosophy of education between Christian Brothers and Dominicans around class issues. These may have hampered any opportunity for the two schools to directly interact, and certainly for pupils to have any school-sanctioned contact with each other.¹⁰⁹ In fact it was recognised by the 1889 Royal Commission that the Catholic educational institution was almost tailor-made to prevent deaf people from marrying; “[s]o far as the Roman Catholic schools are concerned, the system of religious Orders necessarily leads to complete separation of the sexes, and thus avoids to a great extent the evils attending the ordinary social intercourse of the deaf and dumb in a mixed institution”.¹¹⁰

The nature of adult deaf Catholic life was a further factor. At the end of their education, many pupils were sent home to remain in rural settings with family, with few other deaf signers around. Those that did not return home often fell into – or had arranged for them by the schools - work placements within institutions which were, by their gendered nature, also a disincentive to marriage. The Dominican nuns were heavily involved in sourcing employment for deaf Catholic girls, which often meant working and residing in institutional settings as laundresses, servants, and so on, where fraternising with the opposite sex – deaf or hearing - was impractical,

¹⁰⁷ Jane McDermid, ‘Girls at School in Nineteenth-Century Ireland’ in Brendan Walsh (ed.), *Essays in the History of Irish Education* (London, 2016), pp 111–112.

¹⁰⁸ Margaret Ó hÓgartaigh, ‘A Quiet Revolution: Women and Second-Level Education in Ireland, 1878–1930’ in *New Hibernia Review*, xiii, no. 2 (2009), p. 40.

¹⁰⁹ LeMaster, ‘The Maintenance and Loss...’, pp 54–55; LeMaster, ‘Sex differences in Irish sign language’, p. 69; LeMaster, ‘Language Contraction, Revitalization, and Irish Women’, p. 214.

¹¹⁰ 1889 *Royal Commission*, pp. cxiii.

discouraged, or impossible.¹¹¹ The 1901 and 1911 Census reveals small clusters of Catholic deaf women working in institutions formed miniature communities using female Cabra Sign, but domestic servants existed in a very controlling space which did not approve of courting or marriage; therefore, these women had less chance of ever meeting Catholic deaf men at all, let alone understanding the male Cabra Sign variant.¹¹² Organised adult socialising was also segregated; the major deaf Catholic cultural and social events were religious retreats and social clubs, both segregated by gender. In the Dublin Catholic deaf club, deaf girls were admitted to the Club once a month on a Sunday, but “the boys were to keep away until 7pm, by that time all girls were expected to have left”, and girls were not to be invited to events organised for the members: “One or two individuals were known to have been reprimanded for organising dancing classes as it would mean the girls could not be excluded.”¹¹³ Deaf women, while having a strong network of correspondence with past pupils and the Dominicans, did not have their own newsletter, the St. Joseph’s newsletter focusing exclusively on male ex-pupils.¹¹⁴

Thus, linguistic divisions worked alongside a more practical separation of men and women.¹¹⁵ Opportunities for socialising with other deaf signers were rare outside the major cities and given the geographically rural, scattered nature of the Catholic deaf community, most deaf men and women simply did not have the opportunity to meet and marry each other. It may be overstating things to suggest that the CIDD, Dominicans, Christian Brothers or chaplains deliberately or strategically engineered matters to keep men and women apart, but there certainly seemed to be no publicly-expressed appetite on the part of influential Catholic authorities working with deaf people for creating or allowing for space for such relationships to develop.

Living Arrangements, Household Structure, and Community

Some of the sources previously mentioned can be productively co-analysed to reveal examples of a desire among deaf people to associate with each other, to find a shared sense of identity and an ease of communication not found in interactions with hearing people. The 1901 Census

¹¹¹ Mona Hearn, ‘Life for Domestic Servants in Dublin, 1880–1920’ in Maria Luddy and Cliona Murphy (eds), *Women Surviving: Studies in Irish Women’s History in the 19th and 20th Centuries* (Dublin, 1990), pp 148–179.

¹¹² *Ibid.*, pp 149, 155–156.

¹¹³ [No Author], ‘Time when girls were not allowed to mix with the boys in the deaf club’.

¹¹⁴ In 1937, St. Joseph’s included some information about St. Mary’s but this was not repeated as apparently, “the nuns at that time resented this intrusion”. Foran, ‘Our Sodality and its Magazine’, p. 6.

¹¹⁵ Though retreats eventually became mixed attendance, and were held by the National Chaplaincy for Deaf People (NCDP) regularly until the 1980s, Anne Coogan reports that two sign language interpreters were present at later mixed retreats: one male (usually a Christian Brother using the male Cabra Sign variant), and a female interpreter using female variant. ‘Irish Deaf Women: The Appropriateness of their Education?’ (Unpublished MPhil thesis, Trinity College Dublin, 2003), p. 12. Gender segregation at retreats was implemented outside of Cabra also; regular retreats for deaf Catholic women were also held at St Marie of the Isle in Cork City, but males over 9 were not permitted to attend, at least during the 1890s. O’Shea, ‘A History of Deaf in Cork’, pp 117–118; Cork Examiner, 16 November 1894, p. 2.

manuscript returns can be used to identify and categorise deaf individuals in relation to living arrangements and cohabitation patterns. In exploring how deaf people lived with each other, we can begin to practically show aspects of the existence of this emerging community. One rough indicator of social status might be gauged simply by examining who filled in the Census form. The 1901 Census returns show a total of 90 households around the country where a deaf person was listed as the 'head of family', with at least one other hearing household member present (i.e., not living alone). Just over 7% of deaf individuals were 'heads of family', compared to just under 20% of the general population, indicating that deaf individuals were less than half as likely to head or manage a household themselves.¹¹⁶ Table 6 below lists several specific kinds of household arrangements or types where deaf people were found to live.

'Deaf and dumb' / 'dumb' individuals, Census night, 30 April 1901	3,656	
Living in households with no other deaf people	2,176	59.5%
Residential deaf schools (pupils, inmates or staff)	522	14.3%
Living in households with other deaf people	514	14.1%
Lunatic asylum inmates	176	4.8%
Workhouse inmates	117	3.2%
Living alone	95	2.6%
Workers in institutions with other deaf people	40	1.1%
Residential school pupils (other)	8	0.2%
Hospital inmates	4	0.1%
Inmates of other institutions ¹¹⁷	3	0.1%
Prisons or Gaols	1	0.0%

Table 6: Deaf individuals in 1901 Census – numbers living in different types of household or institution, 30 April 1901

Combining those living without other deaf individuals with those living alone, we see that 62% of deaf people did not share a house or live in an institution with another deaf person (at least not on the night of 30 March 1901). Yet we can quantify the households and living arrangements where deaf people living together, no doubt, used signed language to communicate: pupils in deaf schools, groups of deaf workers in institutions, and households with other deaf people; it can also be observed that deaf people living under the same roof was relatively common.¹¹⁸ A total of 29.4% of deaf individuals lived in such settings in 1901. A frequent living arrangement

¹¹⁶ A rough calculation based on numbers of 'heads of family' (874,052) taken from 1901 / 1911 Census website and based on this figure as a percentage of the number of people (4,429,782) whose records have been transcribed onto the website.

¹¹⁷ For example, Magdalene laundry institutions, or inebriate reformatories

¹¹⁸ Deaf parents with deaf children at home were rare, but this can be partially explained by deaf children being recorded at deaf schools. Deaf people, of course, may have encountered each other in institutions such as workhouses, prisons and asylums, but such contact may have been curtailed by workhouse classification systems and separate wards, and other features of asylums and prisons. Also excluded are households with both deaf inhabitants and 'visitors', as this does not represent a stable and lasting cohabitation arrangement.

was cohabiting deaf siblings, whether with or without other hearing family members.¹¹⁹ Nearly 9% of all deaf individuals lived with one or more siblings who were also deaf.¹²⁰ A small number of these individuals (1.15%) lived together with deaf siblings independently, with no hearing household members.¹²¹

As well as 54 married deaf couples recorded as cohabiting in 1901, we can identify 86 deaf individuals living in 'deaf households' – where deaf people chose to live with, or work in-house for or alongside, other deaf people. This could take the form of a household with a deaf boarder, lodger or servant, or occasionally more than one. 'Deaf households' could also form around a deaf married couple; an example was in Belfast, at the Coyle Street household of Esther and Thomas Watson, who had three male deaf boarders. Some Belfast 'deaf households' were mixed along religious lines. Sarah Jane Park Ervine had a household on Lisbon St, with four deaf boarders - two men and two women, two Catholics and two Presbyterians, while Ervine herself was Church of Ireland.¹²² These 'deaf households' were prevalent in the Belfast area, with 41 such homes among the suburbs of the city in counties Antrim and Down. In comparison, just 19 'deaf households' are recorded in Dublin, with 3 each in Limerick, Cork and Derry; somewhat surprisingly, Mayo records 10.

Institutionalisation

Another notable pattern was the clusters of Catholic deaf women, living and working as servants or domestic staff in large institutions such as convents or Catholic hospitals, particularly in the Dublin area. In 1901 these clusters included no less than fourteen laundresses, housemaids, cooks and kitchenmaids in the Mater Hospital; five in the Stanhope St convent near Smithfield; six in St Vincent's Hospital on Stephen's Green; and five in the Sacred Heart orphanage in Drumcondra.¹²³ Another large institutional cluster can be found in St Mary's school, Cabra, with 14 deaf female teachers living with 321 female pupils in 1901.¹²⁴ Smaller groups of deaf women were to be found working in service in households, convents and other institutions around the

¹¹⁹ This arrangement was characteristic of both deaf Catholics and Protestants; 74% of deaf siblings who lived with each other were Catholic, and 26% Protestant, showing generally equal propensity among both religions to live together as siblings.

¹²⁰ Of 148 such households, 233 contained two deaf siblings; 88 contained three; and in one household, four siblings lived together.

¹²¹ 17 such households were composed of two cohabiting deaf siblings, with three households of groups of three siblings.

¹²² Ervine was the mother of well-known Northern Ireland dramatist, critic, and biographer, St John Greer Ervine, whose childhood recollections mentioned Belfast deaf missionary Francis Maginn. Patrick Maume, 'St John Greer Ervine' in *Dictionary of Irish Biography*, 2009 (<https://www.dib.ie/biography/ervine-st-john-greer-a2943>) (8 July 2021) Belfast Telegraph, 15 June 1945, p. 4.

¹²³ The Sacred Heart Home, through sheer coincidence, later became St Vincent's Deaf Club: O'Leary & Jones (eds), *Through the Arch*, pp 109–110.

¹²⁴ National Archives of Ireland, 'Census of Ireland 1901 and 1911 Online website', <http://www.census.nationalarchives.ie/pages/1901/Dublin/Castleknock/Cabragh/1268766/>.

country, occasionally as inmates of institutions such as Magdalene laundries.¹²⁵ Such institutional patterns generally did not appear among deaf Protestants, although similar patterns can be found. The Jubilee Home opened in Belfast in 1904, which provided a charitable, institutional setting for unmarried deaf Presbyterian women; by 1913, 27 women and girls had used the Home, and it housed 14 female boarders in 1911.¹²⁶ The Belfast Mission Hall for the Deaf also eventually provided temporary live-in accommodation for deaf people, and had 15 Protestant deaf men and women staying there on the night of the 1911 Census.

Notable is a high rate of deaf residency in workhouses. Just 0.96% of Irish people were recorded in 1901 as being workhouse inmates; this compared to 3.2% of deaf individuals, a proportion over three times greater.¹²⁷ This will be explored in depth in Chapter 4. An even larger discrepancy can be seen with lunatic asylums. In 1901 just 0.4% of Ireland's population were recorded as inmates, whether in public, private or workhouse wards; 4.8% of deaf individuals were inmates of such asylums, a proportion ten times that of the general population.¹²⁸ While this rate of institutionalisation seems high, it is worth comparing to East Flanders in Belgium; de Veirman states that deaf people were to be found in a range of institutions from the mid-nineteenth century, and indeed by the century's end, more than half resided in some kind of institution, including deaf schools.¹²⁹ However, Soderfeldt finds the opposite in 1900 Germany, where institutional confinement for deaf adults was relatively uncommon.¹³⁰

Deaf Community and Cohabiting

Census returns are limited in the 'snapshot' view they present, not to mention the potential arbitrariness of such definitions of notions such as 'household', and how these might or might not interact with real-world socialising or community formation.¹³¹ Other genealogical sources, used concurrently with the Census, such as Irish civil and parish records, can help to reveal deeper connections over time which illuminate deaf community, socialisation and

¹²⁵ O'Leary & Jones (eds), *Through the Arch*, p. 111. The authors of this piece see the reason for such high institutionalisation of deaf women as being the fact that such women were single. However this does not address the fact that institutionalisation affected deaf women of different religious backgrounds in different ways.

¹²⁶ *Belfast News-Letter*, 30 September 1904, p. 3; Kinghan Mission for the Deaf and Dumb, *Report for 1913. The Kinghan Mission for the Deaf and Dumb, Botanic Avenue, Belfast* (Belfast, 1913), p. 6.

¹²⁷ 43,043 men and women are recorded in Irish workhouses in 1901 out of an Irish population of 4,458,775. *1901 Census of Ireland Report, Part II*, p. 112.

¹²⁸ 19,834 'lunatics' are recorded in the Census in 1901 out of an Irish population of 4,458,775. *1901 Census of Ireland Report, Part II*, p. 470-471.

¹²⁹ De Veirman, 'Breaking the silence', p. 449.

¹³⁰ Söderfeldt, *From Pathology to Public Sphere*, p. 44.

¹³¹ David Wright, 'Getting out of the asylum: understanding the confinement of the insane in the nineteenth century.' in *Social history of medicine: the journal of the Society for the Social History of Medicine / SSHM*, x, no. 1 (1997), pp 151-2 (<http://www.ncbi.nlm.nih.gov/pubmed/11619188>); Lawrence Stone, 'Family History in the 1980s: Past Achievements and Future Trends' in *Journal of Interdisciplinary History*, xii, no. 1 (1981), pp 51-87; Lutz K. Berkner, 'Review: The Use and Misuse of Census Data for the Historical Analysis of Family Structure' in *Journal of Interdisciplinary History*, v, no. 4 (1975), pp 721-738.

intermarriage, and demonstrate how deaf people's lives became intertwined with each other. It can clearly be seen that deaf people not only married each other, but also chose to live with or near each other, sometimes over long periods of time. While the mundane facts of school friendships and sibling relationships may have influenced such arrangements, it seems more than probable that sharing a common language, ease of communication, and shared cultural connections were prime motivations.

An example is Mary Ryan and William O'Shaughnessy in Limerick. Mary was a local Limerick girl, sent to St Mary's in Cabra with her deaf sister Bridget in 1860. William was sent from Tuam in Co. Galway to the Prospect school in Glasnevin (the forerunner of St Joseph's) in 1854.¹³² After completing his education, William took up the trade of bootmaker and moved to Limerick, where he met Mary. When they wed in 1869, the vows were written out and signed by the couple.¹³³ However William died in 1876. Ten years after, Mary remarried, to another deaf man, Michael Ryan, originally from Ennis and an ex-pupil of St Joseph's.¹³⁴ In both 1901 and 1911, Michael and Mary shared their home with Mary's deaf sister Bridget, who by 1911 had become deafblind.¹³⁵ Their marriage witnesses – John Doyle and Hanora Clanchy – had also both been deaf; John and Hanora were also from Limerick and ex-pupils of Cabra, and had married each other in 1884.¹³⁶ Another deaf woman named Letitia Hyfield also lived with the Doyles in the city in 1901. A decade later Hanora Doyle, now a widow, lived on Ellen Street in the same building as Michael and Mary Ryan.¹³⁷

A Belfast example is the three Creaney siblings - Mary, John and Thomas, sent to Cabra during the 1860s.¹³⁸ All three returned to Belfast after finishing school, and all three married - Thomas to a hearing woman, but both Mary and John to deaf partners. Mary married David McCormick, also a Cabra ex-pupil.¹³⁹ John appears to have been married three times - to Ellen Madden and

¹³² Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, pp 43 entry 179,180, 67 entry 76.

¹³³ *Bassett's Chronicle*, 16 January 1869, p. 2; William O'Shaughnessy & Mary Ryan, 14 January 1869, civil marriage record, IGN.

¹³⁴ Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 71 entry 294. See also Michael Ryan & Mary O'Shaughnessy, civil marriage record, 6 November 1886, IGN.

¹³⁵ 1901 Census of Ireland, Patrick Street, Limerick City,

http://www.census.nationalarchives.ie/pages/1901/Limerick/Limerick_No_3_Urban_District/Patrick_Street/1499581/; 1901 Census of Ireland, Ellen Street, Limerick City,

http://www.census.nationalarchives.ie/pages/1911/Limerick/Limerick_No_3_Urban/Ellen_Street/628530/.

¹³⁶ Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, pp 68, 42 (entries 164, 132). See also John Doyle & Hanora Clanchy, civil marriage record, 12 July 1884, IGN.

¹³⁷ 1901 Census of Ireland, Fish Lane, Limerick City,

http://www.census.nationalarchives.ie/pages/1901/Limerick/Limerick_No_1/Fish_Lane/1497019/; 1901 Census of Ireland, Ellen Street, Limerick City, http://www.census.nationalarchives.ie/pages/1911/Limerick/Limerick_No_3_Urban/Ellen_Street/628531/.

¹³⁸ Mary, John and Thomas Creaney, church baptism records, 1863, 1865 and 1867 respectively, in Roman Catholic parish of St Patrick's, Belfast. www.RootsIreland.ie. Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, pp 49, 76, 78 (entries 494, 594, and 689). It appears Mary did not complete her education.

¹³⁹ Thomas Creaney & Ellen McVicker, civil marriage record, 29 September 1887; Mary Creaney & David McCormick, civil marriage record, 3 February 1886, IGN.

Catherine Graham (who both died at a young age), and Ellen Connell.¹⁴⁰ Both Ellens were deaf and had attended St Mary's.¹⁴¹ A witness at John Creaney and Ellen Connell's wedding, Kate Goldrick, was also deaf, an ex-pupil of St Mary's, and had been living with John and several other deaf people in a mixed-religion 'deaf household' at 24 Lisbon St, Belfast, a couple of months prior to the wedding in 1901.¹⁴² John, wife Ellen, and brother Thomas were also regular 'members and adherents' of the Belfast Mission Hall for the Adult Deaf and Dumb at College Square, where their community expanded to include deaf Protestant adults using a different signed language – Belfast Sign, or 'Irish BSL'.¹⁴³

Employment

Many writers have described industrialisation as being decisive and impactful in its effects on conceptions of disability, hypothesising that the advent of industrial society resulted in deleterious effects on social networks and employment prospects among people with disabilities.¹⁴⁴ This has been questioned by, among others, Sofie de Veirman, who found in her study that "the assertion that deaf people led relatively 'ordinary' lives during the pre-industrial period before succumbing to the pressures of the job market as it evolved during the Industrial Revolution appears unfounded"¹⁴⁵. It is worth considering if Ireland, slow to industrialise and even then doing so unevenly and in a geographically disparate manner, also presents a rather different picture. Access to education for deaf people in Ireland through this period led to increased literacy and industrial skills, and therefore improved prospects for employment. The new deaf schools gradually added industrial and vocational training elements to their curricula; industrial education in Cabra was the most intense, with St Mary's providing a graduated course in domestic work, needlework, knitting, crochet, dressmaking, cooking and laundry work; in St Joseph's, tailoring, harness making, baking, farming and woodworking were taught. By 1911 Lisburn Road taught 'household work', sloyd carpentry and tailoring to boys, along with sewing, darning, knitting and sewing machine skills to girls. Rochfordbridge taught its girls a range of similar skills to St Mary's; Claremont provided some training in gardening, woodcarving and

¹⁴⁰ John Creaney & Ellen Madden, civil marriage record, 5 November 1888; John Creaney & Catherine Graham, civil marriage record, 27 November 1893; John Creaney & Ellen Connell, civil marriage record, 8 July 1901, IGN; Catherine Creaney, 6 November 1900, civil death record; Ellen Creaney, 17 March 1892, civil death record, IGN.

¹⁴¹ Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, pp 49, 53 (entries 530, 735).

¹⁴² *Ibid.*, p. 52 (entry 701). See also 1901 Census of Ireland, Lisbon Street, Belfast, http://www.census.nationalarchives.ie/pages/1901/Down/Pottinger/Lisbon_Street/1214931/.

¹⁴³ Mission Hall for the Adult Deaf and Dumb Belfast, *Report for year ending 31st December 1916* (Belfast, 1917), p. 63.

¹⁴⁴ Brendan Gleeson, *Geographies of Disability* (London, 1999); Stone, *The Disabled State*; De Veirman, 'Deaf and disabled?'

¹⁴⁵ De Veirman, 'Deaf and disabled?', p. 472.

needlework.¹⁴⁶ Over time, many of these occupations became somewhat characteristic of deaf people and associated strongly with them.¹⁴⁷

The detailed Census of Ireland *Reports on the Status of Disease* and *General Reports* contain detailed sets of information regarding deaf people's occupations, and it is these sources that are analysed and reported on here.¹⁴⁸ Again, the drawbacks of the sources must be borne in mind. Analysis is hampered in that for almost this entire period, adult deaf people were overwhelmingly listed as having 'no occupation'.¹⁴⁹ Over time this proportion of deaf adults decreased steadily, from 60% in 1851 to 34% in 1911. This shift was clearly gendered, in that only 15% of deaf men's occupations were unspecified in 1911, whereas a majority of deaf women - 56% - had no specified occupation. Here I intend to primarily focus on a contrast between the 1851 and 1911 Censuses, bookending the period under investigation, beginning with the ten most common specified occupations of deaf people in both Censuses.

¹⁴⁶ *1911 Census of Ireland Report*, pp 178-179. The 1861 *Census Report on the Status of Disease* recorded that the smaller schools – such as the Dublin Day School, the school at Moneymore, and the Diocesan Institution at Strabane – primarily taught farming and gardening to boys, and a range of domestic industrial skills to girls such as needlework, knitting and sewing. Some schools had particular skills; for example Moneymore was associated with wood-carving. *1861 Census of Ireland Report, Part III, Vol. 1*, pp 30-31.

¹⁴⁷ The schools fell short of actually apprenticing their deaf pupils; even those who were highly trained at school in trades such as leatherworking or shoemaking still had to serve apprenticeships, and come up with apprenticeship fees.

¹⁴⁸ *1851 Census of Ireland Report, Part III*, pp 10-11; *1861 Census of Ireland Report, Part III, Vol. 1*, pp 12-13; *1871 Census of Ireland Report, Part II, Vol. 1*, pp 10, 12-15; *1881 Census of Ireland Report, Part II*, pp 42, 292-293; *1891 Census of Ireland Report, Part II*, pp 41-42, 419-420; *1901 Census of Ireland Report, Part II*, pp 41-42, 461-462; *1911 Census of Ireland Report*, pp xxxix, 171-172.

¹⁴⁹ Another issue is that straightforward tracking of shifts and changes on deaf employment from census to census is made complex by changes in how occupations are classified. Certain categorisations shift and regroup, with each Census changing, dropping or adding new occupations. On occasion, occupation figures for deaf people use slightly different groupings than those for the general population, making it difficult to follow and compare patterns of particular professions and occupations over the 70 years of data.

1851 Census	Men	%
Labourer	636	49%
Servant	100	8%
Mendicant and Stroller	78	6%
Farmer	74	6%
Boot and Shoe maker / dealer	68	5%
Weaver	41	3%
Tailor / tailoress	27	2%
Carpenter	14	1%
Herdsmen and Shepherd	14	1%
Sailor and Fisherman	10	1%

1911 Census	Men	%
Labourer	394	34%
Farmer	214	19%
Tailor	169	15%
Boot and Shoe maker / dealer	106	9%
Saddler, harness maker	47	4%
Carpenter	25	2%
Ship's carpenter	15	1%
Factory Worker (incl. winder, reeler, spinner, millworker etc.)	15	1%
Servant	13	1%
Baker	11	1%

Table 7: Ten most common specified occupations of 'deaf and dumb' males, indicating number engaged in occupation, and as percentage of total returns of 'deaf and dumb' men specifying occupations, 1851 & 1911 Census of Ireland¹⁵⁰

1851 Census – Deaf Women	F	%
Servant	160	25%
Milliner and Seamstress	111	18%
Mendicant and Stroller	57	9%
Lace Worker and Embroiderer	51	8%
Spinner	44	7%
Labourer	25	4%
Weaver	25	4%
Knitter	16	3%
Laundress	11	2%
Boot and Shoe maker / dealer	4	1%

1911 Census – Deaf Women	F	%
Servant	166	35%
Milliner, dressmaker	66	14%
Laundress	58	12%
Seamstress, shirtmaker	45	10%
Factory Worker (incl. winder, reeler, spinner, millworker etc.)	19	4%
Lacemaker / laceworker	17	4%
Embroiderer	13	3%
Teacher, schoolmistress	12	3%
Housekeeper	12	3%
Tailoress	11	2%

Table 8: Ten most common specified occupations of 'deaf and dumb' females, indicating number engaged in occupation, and as percentage of total returns of 'deaf and dumb' women specifying occupations, 1851 & 1911 Census of Ireland¹⁵¹

From Tables 7 and 8, several changes can be seen between 1851 and 1911 in the relative percentages of the deaf community holding particular occupations. Noticeable is the increase

¹⁵⁰ The 1851 Census Report lists 'at school' as an occupation; for clarity, this category has been removed from the above table.

¹⁵¹ The 1851 Census Report lists 'at school' as an occupation; for clarity, this category has been removed from the above table.

(4% to 14%) of 'deaf and dumb' people identifying as farmers, as opposed to agricultural labourers, indicating an increase in the amount of deaf people occupying and farming land, as opposed to simply working it. Conversely, the proportion of deaf men listed as 'labourers' dropped considerably, from 49% to 34%.¹⁵² Significantly, though 8% of deaf men were described as a 'servant' in 1851, only 1% were thus described in 1911. Deaf females described as 'servants', however, increased from an already considerable 25% to 35% in 1911. The increase in proportion of deaf women working as laundresses also went up steeply, from 2% to 12% of all deaf women. Other lines of work that became characteristically 'deaf' also saw increases. Among deaf men, tailoring went up from just 1% in 1851 to 11% in 1911. Other related trades increased, such as boot and shoemaking (5% to 9%) and harness making and saddling (under 1% to 4%). For women, clothing-related trades such as millinery and dressmaking / seamstressing increased also, from a combined 18% of deaf women in 1851, to 24% in 1911; lacework and embroidery, taken together, represented a combined 8% of deaf women in 1851, and remained strong at 7% in 1911.¹⁵³ In industrial occupations, factory work among deaf women stood at 4% in 1911, and a further 2% worked as machinists; similar lines of work such as spinning (7%) and knitting (3%) had also been strong in 1851.

Despite the positive developments, the deaf occupation profile diverged somewhat from that of the Irish populations as a whole, with the 1881 Census, for example, showing that certain occupations were overrepresented among 'deaf and dumb' people. Almost 27% of 'deaf and dumb' were listed in the category including 'general labourer'¹⁵⁴, as compared to just under 7% of the general population. Those in the category including 'farmers' represented over 40% of the general population of those giving occupations, but only 14% of the 'deaf and dumb' population; again, deaf people are as likely to have worked on a farm, but were far less likely to have owned and ran one.¹⁵⁵ Even by 1911 over 18% of 'deaf and dumb' persons with a specified occupation are in the category including 'general labourer', as compared to just over 9% of the general populace; just under 14% of 'deaf and dumb' persons' occupations are listed in the order which includes 'farmer', compared to over 41% of the general population.

¹⁵² The term *farmer* in the 1911 Census was "to be applied only to the occupiers of land... Agricultural labourers, Shepherds, and others employed on Farms, but not living in the Farmer's house, should be described as Agricultural Labourers, shepherds, &c." *1911 Census of Ireland Report*, p. 578.

¹⁵³ Figures for these occupations are combined here, as they have been conflated in the 1911 Census figures for deaf peoples' occupations.

¹⁵⁴ The 1881 Census report makes the assumption that the majority of general labourers are agricultural labourers; *1881 Census of Ireland Report, Part II*, p. 112n.

¹⁵⁵ De Veirman finds similar in Belgium, where a high number of unskilled deaf labourers "may indicate that deaf men were less likely to own land and were thus more likely to be consigned to the uncertainty of day-labour". De Veirman, 'Deaf and disabled?', p. 470.

Deaf people were more likely to be involved in a line of work involving clothing; in 1881 nearly 19% with stated occupations fell into this category, covering tailors and tailoresses, seamstresses, boot and shoemakers and milliners, while under 7% of the general working population worked in these occupations. By 1911 24% of 'deaf and dumb' people with stated occupations were listed as persons working and dealing in dress, compared to just over 5% among the general population with stated occupations. They were also more likely to have been returned as being in some form of domestic service; over a quarter (26%) of 'deaf and dumb' people with specified occupations were returned in this category, as opposed to 11% of the general population. In 1911 this proportion had fallen to just under 15% (compared to just over 8% of the general population).

These sectors of the economy that became characteristically 'deaf jobs' no doubt represented advances from the mid-nineteenth century and an increasing willingness to pay and employ deaf tradespeople. Indeed, this pigeon-holing can also be seen as specialisation; in some cases, deaf people were preferred by employers, due to good reputations in their trades, and were seen to have advantages over hearing workers.¹⁵⁶ Employers in some large industrial nations are known to have specifically sought deaf employees, and there are hints that in certain circumstances, Irish employers also specifically sought deaf workers.¹⁵⁷ The Franklin Steam Laundry company advertised looking for 'deaf mute girls who are intelligent and teachable' in Belfast in 1885,¹⁵⁸ while in 1918 one *Irish Independent* ad sought harness makers with "deaf mutes preferred".¹⁵⁹ On a smaller scale, a "deaf-mute middle-aged Woman or strong Girl" was sought for cow-milking and laundry duties in the pages of the *Freeman's Journal* in 1877.¹⁶⁰ Deaf people themselves actively sought employment too, through classified advertisements, openly referring to themselves as 'deaf and dumb' or 'deaf mute'. Yet the absence of deaf workers in administrative and clerical domains speaks to continued barriers. Much as Soderfeldt found in Germany, Irish deaf people "attended to the basic needs – agriculture, clothing, and cleaning – but were rarely found in those sectors that connected, administered and supervised the system."¹⁶¹

¹⁵⁶ An example from the 1950s of this is an interview with a harness-maker named J. J. Hackett, where he described his three 'deaf mute' co-workers as "the elite of harness makers." Bunbury, 'Interview with J. J. Hackett (1937-2017)'.

¹⁵⁷ Robert M. Buchanan, *Illusions of Equality: Deaf Americans in School and Factory, 1850-1950* (1999); Söderfeldt, *From Pathology to Public Sphere*, pp 77–80.

¹⁵⁸ *Belfast News-Letter*, 18 May 1885, p. 4.

¹⁵⁹ *Irish Independent*, 21 October 1918, p. 6.

¹⁶⁰ *Freeman's Journal*, 22 June 1877, p. 1.

¹⁶¹ Söderfeldt, *From Pathology to Public Sphere*, p. 43. This is not to say that deaf people could not rise to, or were forbidden to, work in an administrative capacity; John Moore Napier served as a clerk in the Irish Quartermaster-general's office for twelve years, "one of the most distinguished civil servants, a son of Sir William Napier... was known to be a most efficient and meritorious public servant." Napier was dismissed due to his deafness upon a new superior arriving to the office. *Dublin Evening Mail*, 16 April 1855, p. 4.

It is harder to quantify levels of unemployment among deaf people, given that censuses recorded not active employment status, but 'rank, profession or trade', meaning a deaf cobbler may have been unemployed for a decade but still fill in the form as 'cobbler' accurately. De Veirman found that in East Flanders, deaf people, especially deaf women, were far more likely to be unemployed than their hearing counterparts, a disparity that widened through the nineteenth century.¹⁶² Despite advances in training and employment, discrimination against deaf workers was still widespread. Francis Maginn actively campaigned for greater employment opportunities for deaf people.¹⁶³ He campaigned in the pages of the *Northern Whig* in 1893 about the limited opportunities available to deaf potential apprentices; "I could name numerous deaf mutes who have distinguished themselves as draughtsmen, architects, accountants, chemists, assayers, lawyers, teachers, clergymen, &c... how is it that certain masters have managed rather cleverly to get it into their heads, without making inquiries beforehand, that the deaf mutes are of no use?"¹⁶⁴ In 1897 the North Antrim MP, Col. McCalmont, raised in parliament the case of Thomas Stephens, forced to leave his job in a foundry in Belfast, due to his deafness, but the reply from Home Secretary, Matthew White Ridley, was dismissive: "It is obvious that in certain circumstances the employment of a deaf mute near machinery might be attended with serious danger."¹⁶⁵

Uneducated Deaf People

In many ways, the above figures show an improvement in terms of deaf people's ability to gain an education, and improved employment prospects. Yet deaf people were still the subject of discrimination and ridicule. Social stigma towards deafness often resulted in deaf children being mistreated, and not being sent to be educated. As late as 1889, Patrick Keenan, Resident Commissioner of National Education in Ireland, giving evidence to the Royal Commission, stated that he had "heard from a Roman Catholic authority of great eminence that these poor deaf and dumb children are often hid in corners of houses in the country like lepers."¹⁶⁶ Such children left uneducated could face very pervasive discourses that described their nature as being animal-like. As an 1927 *Irish Monthly* article put it, "[w]ithout instruction ... the 'dummy' must remain to the end an untutored savage - a human with animal instincts, yet totally lacking that moral

¹⁶² De Veirman, 'Deaf and disabled?', pp 467–8.

¹⁶³ Bob McCullough, 'Pioneer's work lost in mists of time' in *Belfast Telegraph*, 2008, pp 1–2 (<https://www.belfasttelegraph.co.uk/imported/pioneers-work-lost-in-mists-of-time-28237232.html>); Graham O'Shea and Noel O'Connell, 'Saluting a Corkman who devoted his life to Deaf community' in *Evening Echo*, 2021 (<https://www.echolive.ie/nostalgia/arid-40271618.html>).

¹⁶⁴ *Northern Whig*, 14 December 1893, p. 5.

¹⁶⁵ *Hansard Parliamentary Debates* (London, 1897), pp 858 – 859.

¹⁶⁶ Evidence of Patrick Keenan, *1889 Royal Commission*, pp. 781.

and religious training which helps so powerfully to keep these instincts within due control.”¹⁶⁷ A clear dichotomy was established between the ‘humanised’ educated deaf, and the beast-like beings who were uneducated - but whom formed the majority of Ireland’s deaf population until the turn of the century. The problem of uneducated deaf people continued into the years of the Irish Free State. Compulsory attendance for deaf children was not ushered in, even with the Saorstát Eireann School Attendance Act of 1926.¹⁶⁸ This is in contrast to the new statelet of Northern Ireland which by 1927 had instituted compulsory education for all deaf and blind children.¹⁶⁹ As late as 1936 the CIDD reported that “some parents from one cause or another neglect taking the necessary steps to have their children placed in the Institution, at an age when they can obtain the full benefit of the training there given; not infrequently adults may be seen in the Classes, their ages varying from 20 to 40 years, with little ones of tender years, who soon outstep them in acquiring a knowledge of language”. These older deaf pupils, indeed, felt the weight of their position: “the older ones feel their position keenly, and express their regret by natural signs at not having been sent when young.”¹⁷⁰

Conclusion

This chapter has shown that the deaf schools established in Ireland from 1816 onwards fostered the creation of communities of ex-pupils, using signed languages, that spread throughout the country and beyond. However, despite the increasing number of deaf children attending schools, two factors remained constant: the divide between 'Cabra Sign' used by Catholic deaf men and women (whose gendered variants of sign languages diverged considerably), and 'Irish BSL', used by the pupils of not just Claremont but other Protestant-run deaf establishments. The creation of opportunities for deaf worship - along strictly confessional lines - and deaf socialisation in the form of clubs and missions led to fervently active but nonetheless distinct deaf communities, although some limited interaction between them has been evidenced. Deaf occupations have been described, along with the changing profile of such occupations; by 1911 it was clear that tailoring and shoemaking, among other trades associated with clothing, were heavily represented among deaf Irish people, in contrast to a wide spread of highly diverse occupations in mid-century. In terms of the public sphere, the Protestant deaf community proved more outward facing than the far larger, but geographically scattered and low-profile, Catholic deaf community. Among Irish deaf people, the rate of marriage was lower than

¹⁶⁷ 'Eithne', 'Unwanted Ones: VII' in *The Irish Monthly*, lv, no. 649 (1927), p. 365.

¹⁶⁸ "The Saorstát Eireann School Attendance Act (No. 17 of 1926), whilst making elementary education compulsory in a general way, makes no specific reference to 'afflicted children.'" Ibid., p. 367.

¹⁶⁹ McClelland, 'The development of educational facilities...', pp 147–149.

¹⁷⁰ Catholic Institution for the Deaf and Dumb, *CID 55th Report, 1936*, p. 10.

average; among Protestants, deaf people began to marry each other in greater numbers, but marriage rates were particularly low for Catholic deaf men and women, whose segregation by gender – initiated in Catholic deaf schools – continued with distinct gendered patterns of employment and habitation, as well as rural isolation from each other. 'Deaf households' existed in Ireland - particularly in Belfast - where deaf siblings, co-workers, friends and spouses lived together, showing evidence of vibrant and growing communities, and indeed crossing religious lines in the process. Yet these co-existed with a high level of institutionalisation. Census returns demonstrate that, almost a century after Irish deaf education began, proportionally far more deaf people were to be found in workhouses and lunatic asylums than among the general population. Uneducated deaf people were still numerous in the country, and discussed and described in terms that seemed almost to deny their humanity. In the next chapter, the topic of education – the deaf schools, the wellspring of Irish deaf culture - will be revisited from the perspective of the new Irish Poor Law, and it will be shown that the decisions, assumptions and prejudices of Irish middle-class guardians of the poor ended up having a decisive impact on the makeup of the Irish deaf community.

Chapter 3: Deaf Children and the Irish Poor Law

Introduction

This chapter will focus on issues around Poor Law funding being used by Irish Boards of Guardians to send children to deaf schools. During this period, the education of deaf people in Ireland became intimately entangled with - and ultimately dependent on – the Irish Poor Law, and the decisions of Boards of Guardians around the country. Deaf schools were of huge importance as education represented the means by which deaf people could survive in the hearing world surrounding them. This meant that the impact of Boards of Guardians' decisions on the future well-being of individual deaf people and, by extension, the deaf community, was decisive. This intersection of local government, middle-class Irish public opinion, and deaf cultural history takes on a great deal of importance. After a brief description of how this funding route was initiated in 1843, and gradually spread and evolved, the varying conditions affecting Poor Law support for deaf education around Ireland will be described. It will be shown that local Boards of Guardians displayed diverse and regionally-conditioned responses to the matter. A thematic analysis of Boards of Guardians meeting reports in local Irish newspapers will examine the attitudes, actions, and priorities of guardians. Concerns among guardians were primarily rooted in economic and religious matters. Of particular importance was a shifting interpretation of the term 'destitute' within Board discourse as a criterion for funding such education, and how the term was considered to apply (or not) to individual families attempting to have their children educated. It will also be shown that a multitude of other factors, such as the age of pupils, the presence of any learning disability, and the precedent set by other pupils previously sent by the guardians, also affected the length of time that Boards of Guardians were willing to fund deaf children's education.

Mainstream historiography on the Irish Poor Law tends to lump in provisions for deaf people with those for other groups with disabilities, the 'sick' and the 'infirm', and even then the topic of people with a disability is covered sparsely.¹ The relationship between Poor Law Unions and the deaf schools is described in more detail within the small but growing academic literature on Irish deaf history, as well as research from a longer tradition of amateur history within the deaf community. Michael O'Dowd and Patrick McDonnell have carried out postgraduate thesis work in this area, looking at general financial issues facing schools for deaf children through the

¹ See for example Virginia Crossman, *Poverty and the Poor Law in Ireland* (Liverpool, 2013), pp 139–167.

nineteenth century including the Poor Law. In the main, this work uses institutional sources arising from the deaf schools.² The funding relationship between the poor-rate and the deaf schools is also mentioned in passing in Barbara LeMaster's thesis on male and female signs in ISL, Rachel Pollard's work on Claremont, and in more detail in Graham O'Shea's thesis on deaf pupils and schools in Cork.³ The recent *Through the Arch* collection of historical pieces about St Mary's school in Cabra also incorporates many aspects of the relationship between Boards of Guardians, the school, and the families of deaf girls sent there.⁴ Some theses have been written which take a combined look at the Poor Law treatment of deaf, blind and physically disabled paupers in England and Wales.⁵ Other work has also been done on the experiences of deaf English and Welsh people in workhouses.⁶ However, this thesis represents the first academic work exclusively looking at the Poor Law, the Boards of Guardians, and the experiences of Irish deaf people produced to date.

The Irish Poor Law

Along with some voluntary charitable relief and parochial collections, Ireland had a number of city workhouses and Houses of Industry before 1838, and indeed legislation was passed in 1772 encouraging their establishment. Beyond this, no established nationwide welfare system for the poor existed in Ireland – certainly nothing like a 'poor law' of the kind present in England and Wales since at least 1601.⁷ The British government realised the growing need to deal with the dire problems of poverty in Ireland in the decades up to the 1830s.⁸ A Royal Commission of Inquiry into the Condition of the Poorer Classes in Ireland was established, chaired by the Church of Ireland Archbishop of Dublin, Richard Whately, which sat between 1833 and 1836 and published three highly detailed final reports.⁹ These recommended that the English workhouse-

² O'Dowd, 'The History of the Catholic Schools for the Deaf'; McDonnell, 'Establishment and Operation of Institutions'.

³ LeMaster, 'The Maintenance and Loss...', pp 54–59; Pollard, *The Avenue*, p. 183; O'Shea, 'A History of Deaf in Cork', pp 76–78, 101–105.

⁴ O'Leary & Jones (eds), *Through the Arch*.

⁵ Lysons, 'The development of social legislation...'; Amanda Nichola Bergen, 'The Blind, the Deaf and the Halt: Physical Disability, the Poor Law and Charity c. 1830- 1890, with particular reference to the County of Yorkshire' (Unpublished PhD thesis, University of Leeds, 2004).

⁶ Martin Atherton, 'Deserving of Charity or Deserving of Better? The Continuing Legacy of the 1834 Poor Law Amendment Act for Britain's Deaf Population' in *Review of Disability Studies*, vii, no. 3 & 4 (2011), pp 18–25; Martin Atherton, 'Choosing to be deaf: leisure and sport in the deaf community of north-west England, 1945–1995' (Unpublished PhD thesis, De Montfort University, Leicester, 2005); Kitzel, 'Chasing Ancestors'. See also Lucas Rivet-Crothers, 'Uncovering the Muted History of the Deaf at the Tonbridge Union Workhouse' in *Paper delivered at 'Field School in Deaf Geographies' event* (Kingston, Ontario, Canada, 12 July 2013).

⁷ Gray, *The Making of the Irish Poor Law, 1815-1843*, pp 9–12; David Dickson, 'In search of the old Irish poor law' in Rosalind Mitchison and Peter Roebuck (eds), *Economy and Society in Scotland and Ireland 1500-1939* (Edinburgh, 1988), pp 149–59; Mel Cousins, 'The Irish Parliament and relief of the poor: the 1772 legislation establishing houses of industry' in *Eighteenth Century Ireland*, xxviii (2013), pp 95–115.

⁸ Crossman, *Poverty and the Poor Law*, pp 12–13.

⁹ *First report from His Majesty's commissioners for inquiring into the condition of the poorer classes in Ireland, with appendix (A.) and supplement*, 1836, H.C. 1835 (369); *Second Report of the Commissioners for inquiring into the condition of the poorer classes in Ireland*, 1837, H.C. 1836 (68), XXXI, 587; *Third report of the commissioners for inquiring into the condition of the poorer classes in Ireland* [43], H.C. 1836, xxx, 1.

based system of poor relief not be followed. Instead, relief would be offered only to the poor who had permanent disabilities; outside this, a major proposed programme of national development and improvement was proposed, including assistance for the 'able bodied' poor to for emigrate.¹⁰

The government, however, went down a different route. After conducting a short tour of the country, George Nicholls, an English Poor Law Commissioner, submitted an alternative report that recommended a more limited system of poor relief, essentially replicating the system put in place to deal with poverty in England and Wales – centred around the workhouse. The subsequent *Act for the More Effectual Relief of the Destitute Poor in Ireland*, passed in 1838, put Nicholls' suggestions into effect.¹¹ Ireland was divided into 130 Poor Law Unions, and a new tier of local government was formed – the Boards of Guardians. These bodies would run the new Union workhouse, funding their endeavours by means of a local tax, or 'poor rate', on occupiers of land in Ireland over a certain acreage. Initially they reported to the Poor Law Commission in England, until 1847 when a Poor Law Commission in Ireland was established, and after 1872, the Local Government Board.¹² They were composed of local figures elected by the ratepayers in each Union, along with local Justices of the Peace who were made *ex officio* members.¹³ In each Union, a workhouse was constructed – intended to be an institution where the poor would be maintained, and staffed by poor law officers such as masters, matrons, teachers, and porters. Initially, workhouses were the sole form of poor relief offered to the destitute. It was not until the depths of Famine in 1847 swamped the workhouses that an amending Extension Act was passed, allowing for 'outdoor relief', or a small cash payment made to the poor outside the workhouse, for certain categories of the poor.¹⁴ However, in the decades that followed the Famine, outdoor relief was often given only grudgingly, and for many people in poverty, entering the workhouse and registering as a 'pauper' was the only assistance the Poor Law had to offer.¹⁵

¹⁰ Niall Ó Ciosáin, *Ireland in official print culture, 1800-1850: a new reading of the Poor Inquiry* (Oxford, 2014); John Paul McGauran and John Offer, 'Christian political economics, Richard Whately and Irish poor law theory' in *Journal of Social Policy*, xlv, no. 1 (2015), pp 43–61; John Paul McGauran and John Offer, 'A Philosophy of Charity and the Debates over the English and Irish Poor Laws in the 1830s' in *Social Policy and Administration*, li, no. 5 (2017), p. 728; Laurence M. Geary, *Medicine and charity in Ireland, 1718-1851* (Dublin, 2004), p. 157.

¹¹ 'An Act for the more effectual Relief of the destitute Poor in Ireland', 1 & 2 Vict., c. 56 (31 July 1838).

¹² Crossman, *Politics, Pauperism and Power*, pp 12, 16.

¹³ McDowell, *The Irish administration*, p. 175; McDowell, 'Administration', pp 554–558; John O'Connor, *The workhouses of Ireland: the fate of Ireland's poor* (Dublin, 1995), pp 68–76.

¹⁴ 'An Act to make further Provision for the Relief of the destitute Poor in Ireland', 10 Vict., c.31, (8 June 1847).

¹⁵ Virginia Crossman and Donnacha Seán Lucey, "'One huge abuse": The Cork board of guardians and the expansion of outdoor relief in post-Famine Ireland' in *English Historical Review*, cxxvi, no. 523 (2011), pp 1408–1429.

Over time, the poor law system began to be allotted further responsibilities, including public health and sanitation, as well as housing.¹⁶ Its Boards of Guardians, initially a mixture of the local landowners and ex officio members such as local Justices of the Peace, began to become a more democratically-elected set of bodies, gradually representing to a greater extent the Catholic middle classes.¹⁷ Absolute numbers of pauper inmates declined over the decades, as did the profile of those within the workhouse, as less able-bodied poor and more elderly and disabled people entered and stayed.¹⁸ The workhouses and Boards of Guardians were abolished by the new Irish Free State government in 1923. There was a fierce resentment of the workhouses themselves among the Irish populace, and many of them were attacked and destroyed during the War of Independence and after.¹⁹ However, many of the guardians remained largely respected figures in the local community, and the Boards of Public Assistance and Health that replaced them carried on much of their welfare-related work after the workhouses closed in the Irish Free State.²⁰

The 1843 Act and Progress

The original 1838 Irish Poor Law Act did not explicitly mention deaf people as a particular category worthy of special treatment.²¹ This was to change in 1843, when the then Chief Secretary, Lord Eliot, introduced a Poor Law Amendment Bill. When passed by the Commons, this became the first piece of legislation to explicitly connect the Poor Laws to deaf people. Section 14 of the Act stated that the “guardians of any union may send any destitute poor deaf and dumb or blind child under the age of eighteen to any institution for the maintenance of the deaf and dumb or blind which may be approved of by the [Poor Law] commissioners, with the consent of the parents or guardians of such child, and may pay the expense of its maintenance there out of the [poor] rates”.²² But newly-established Boards of Guardians, the bodies elected by and representing the ratepayers of poor law districts, watched with interest. As locally-

¹⁶ Crossman, *Politics, Pauperism and Power*, p. 15; Laurence M. Geary, ‘The Medical Profession, Health Care and the Poor Law in Nineteenth-Century Ireland’ in Virginia Crossman and Peter Gray (eds), *Poverty and Welfare in Ireland 1838-1948* (Dublin, 2011), pp 189–206.

¹⁷ William L. Feingold, *The Revolt of the Tenantry: the Transformation of Local Government in Ireland, 1872-1886* (Boston, 1984); Crossman, *Politics, Pauperism and Power*, pp 38–43.

¹⁸ Chris Gilleard, ‘The other Victorians: age, sickness and poverty in 19th-century Ireland’ in *Ageing and Society*, xxxvi, no. 6 (2016), pp 1157–1184; Donnacha Seán Lucey, ‘“These schemes will win for themselves the confidence of the people”: Irish independence, poor law reform and hospital provision’ in *Medical history*, lviii, no. 1 (2014), p. 50.

¹⁹ O’Connor, *The workhouses of Ireland*, p. 199.

²⁰ Adrian Kelly, ‘Social Security in Independent Ireland, 1922-52’ (Unpublished PhD thesis, St Patrick’s College, Maynooth, 1995), p. 72; Virginia Crossman, ‘Local Government in Nineteenth-century Ireland’ in Terrence McDonough (ed.), *Was Ireland a Colony? Economics, politics and culture in nineteenth-century Ireland* (Dublin, 2005), p. 115.

²¹ Gray, *The Making of the Irish Poor Law, 1815-1843*; R. D. Collison Black, *Economic Thought and the Irish question, 1817-1870* (Cambridge, 1960), pp 115–122.

²² ‘An act for the further amendment of an Act for the more effectual relief of the Destitute Poor in Ireland’, 6 and 7 Vict. c. 92 (24 August 1843), sec. 14. The development of schools for blind children in regards to poor law funding progressed in parallel with schools for deaf children, and they are often grouped together in poor law discussions around this legislation and funding; nevertheless that development has not been traced in detail here.

elected bodies charged with the building and running of Ireland's new workhouses, and responsible for the collection and careful disbursement of the poor rate which all occupiers of land above a certain acreage had to pay, any potential rise in this local taxation was on the guardians' radar.²³ Over the coming eighty years, several separate institutions serving deaf children and adults were approved by the Poor Law Commissioners (and later the Local Government Board) as suitable to receive poor rates for the purpose of education. By 1910, these institutions were the two Catholic schools at Cabra – St Mary's and St Joseph's; the Protestant-run school at Clarendon in Glasnevin; the Ulster Society (Lisburn Road, Belfast) school; and the Sisters of Mercy school for deaf girls in Rochfordbridge, Westmeath. Once legislation in 1878 enabled Boards to contribute towards deaf people aged over 18, institutions with a wider remit serving deaf adults, such as Belfast's Mission Hall for the Adult Deaf and Dumb, and the Belfast-based Jubilee Home for adult deaf Presbyterian women, were also approved.²⁴

It is important to note that the wording of the 1843 Act's provision imposed no obligation on Boards of Guardians to pay for deaf childrens' schooling. Yet although the Act enabled, rather than enforced, poor-rate contributions in this regard, it was nevertheless utilised increasingly over the next 80 years by poor law unions across the country. Absolute spending of Irish poor law monies on deaf education rose sharply from the 1860s. Table 9 below shows overall sums expended from national poor-rates on education of deaf children more than doubling between 1866 and 1874 - an average yearly rise of 29% over eight years. The increase is notable when compared to the sums spent on education of blind children in the same period, covered by the same legislation as deaf children, and patients of Unions in specialist 'extern' hospitals based outside the Union workhouse.²⁵ Although unfortunately such figures are unfortunately unavailable to us outside a small eight-year window, it is clear that in this period, spending on deaf education was not only rapidly rising, but outstripping other associated categories of relief.²⁶

²³ Even while the Poor Law Amendment Bill was still being debated, there were concerns about the provisions sanctioning spending on deaf education among Boards of Guardians. The Belfast Union attempted to soften the possible financial impact of the Act on the Boards, suggesting in a petition to Lord Eliot that such power to pay out of the poor-rate for the education of deaf and dumb and blind destitute children be limited to "all cases where the convenient proximity of such institutions, and considerations of economy, render such a course, in their opinion, advisable." *Northern Whig*, 27 April 1843, p. 2. South Dublin Union's guardians were unhappy at the proposed addition of powers, and made more direct objections, passing the following resolution: "That the principle of the poor law was to provide for the destitute... we do not object to the deaf and dumb as proper objects of relief within the house, but that to make them the subject of expensive experiments in education, while the great mass of the able-bodied poor are left in a state of suffering poverty is foreign to the purposes of the poor law act, and seems to be a sarcasm on its existence." *Freeman's Journal*, 12 May 1843, p. 1.

²⁴ *Irish News and Belfast Morning News*, 4 October 1909, p. 3.

²⁵ This was a category of poor relief often aggregated with deaf and blind education spending in Poor Law related reports.

²⁶ Similar figures are not reproduced in Local Government Board or Poor Law Commissioners reports prior to this short period. Figures after 1874 in the annual Local Government Reports aggregate these three categories.

	<i>Blind Asylums</i>	<i>Deaf and Dumb Asylums</i>	<i>Patients in Extern Hospitals</i>	<i>TOTAL</i>
1866	£2,436.00	£1,960.00	£1,780.00	£6,176.00
1867	£2,539.00	£2,512.00	£1,093.00	£6,144.00
1868	£2,459.00	£3,066.00	£756.00	£6,281.00
1869	£2,427.00	£3,548.00	£720.00	£6,695.00
1870	£2,549.00	£3,720.00	£737.00	£7,006.00
1871	£2,503.00	£4,060.00	£665.00	£7,228.00
1872	£2,557.00	£4,249.00	£1,537.00	£8,343.00
1873	£2,666.00	£4,301.00	£943.00	£7,910.00
1874	£2,608.00	£4,551.00	£1,243.00	£8,402.00

Table 9: Monies spent on relief in blind, 'deaf and dumb' asylums, and patients in extern hospitals, 1866-1874.
Source: Annual Reports of the Commissioners for Administering the Laws for Relief of the Poor in Ireland, 1867 - 1875

We can also track the increase over time in total numbers of deaf children availing of the rates and being sent to be educated by using the detailed data, given from 1864 onward, in annual Reports of the Poor Law Commission (or Local Government Board Reports after 1872). Figure 3 below illustrates how numbers steadily rose, more or less steadily.

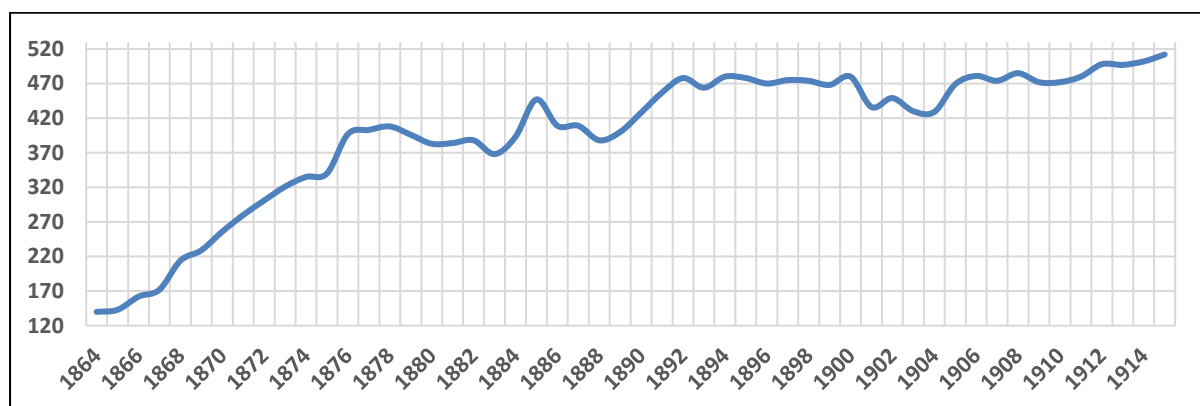


Figure 3: No. of Deaf and Dumb persons maintained by the Guardians in Institutions under Sec. 11 of 6 & 7 Vic, c.92, and Sec. 3 of 41 & 42 Vic, c.60 (based on figures for each final week of March, 1864-1915)

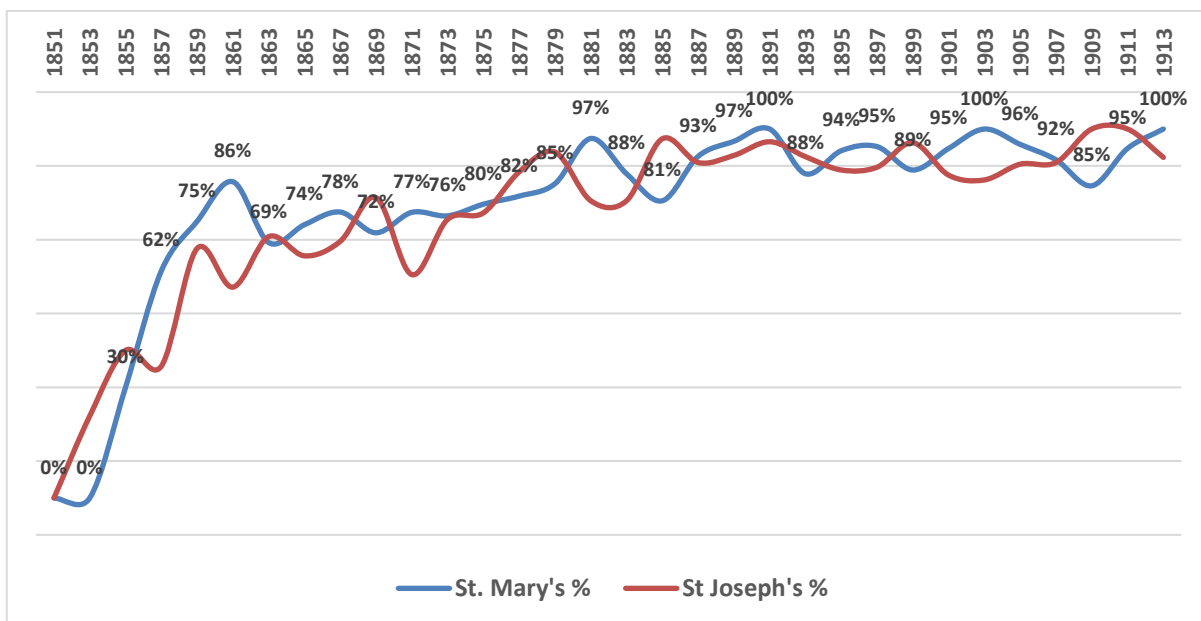


Figure 4: Percentage of new pupils admitted to Cabra schools 'recommended by' Boards of Guardians every 2 years, 1851 – 1913. Source: Annual Reports, 1847-1914, Catholic Institution for the Deaf and Dumb

Certain schools for deaf children, particularly the Catholic Cabra schools, became particularly dependent on Poor Law funding. By at least 1863, according to Charlotte Stoker, very few deaf pupils in deaf schools depended on the charity of Boards of Guardians, other than those in Cabra; 82 deaf children were provided for under the Act - 80 in Cabra, but just 1 in Belfast, and 1 in Strabane.²⁷ Figure 3 shows that by the close of the 1850s, the majority of new Cabra pupils enrolled each year were entering via the poor law 'route' (being referred by one of the Boards of Guardians). Between about 1880 and 1913, this proportion of new pupils never dropped below 80%, as illustrated in Figure 4 above. The schools themselves acknowledged this gradual shift. By 1877 the CIDD committee was able to "speak with unbounded gratification of the practical co-operation which their exertions have received from the Boards of Poor Law Guardians, almost without exception, throughout the length and breadth of the land."²⁸ By 1893, the CIDD could express gratitude that the "discretionary power given to them by Act of Parliament to contribute towards the maintenance of the Deaf-mutes is exercised almost universally by the Boards of Poor Law Guardians".²⁹ Yet to deaf schools and their supporters, such progress still felt glacial. Hundreds of deaf people remained uneducated, by 1911, with a total of 1,600 uneducated 'deaf and dumb' people recorded in the census (including 441

²⁷ Charlotte M B Stoker, 'On the necessity of a state provision for the education of the deaf and dumb of Ireland' in *Journal of the Statistical and Social Inquiry Society of Ireland*, III, no. XXV (1863), p. 457. Claremont at this point apparently had no pupils paid for in this manner.

²⁸ *Freeman's Journal*, 16 January 1877, p. 5.

²⁹ Catholic Institution for the Deaf and Dumb, *Forty-First Report* (Dublin, 1893), p. 14.

children under 15), compared to 2,299 who were educated.³⁰ It had only been in 1901 that a slim majority of 53% of 'deaf and dumb' and 'dumb, not deaf' persons were listed in the Census as educated, compared to 44% in 1891.³¹

Much effort on the part of campaigners and supporters of deaf education went into persuading the public and guardians of the justness of this cause. A point consistently made by the deaf schools over the years was that paying for such education from the poor rates for a short period of years was less of a long-term burden than leaving them uneducated, and possibly becoming long term workhouse inmates: "by relieving them temporarily off the rates [Unions] took away the possibility of their being permanent burdens for life. So both in a Christian and in an economic point of view, the sending of [deaf] children could be well justified."³² These comments reveal that Irish deaf people were not envisaged to be useful or productive members of society, and it is particularly common in contemporary newspaper reports to see the phrase "a burden on the rates" being used to describe deaf people deprived of education. The proof of this for many was to be seen among uneducated deaf people in the workhouse; reams of descriptions exist that portray such people as barely human - both base and cunning. Speakers at fundraising meetings for deaf schools had "witnessed deaf-mutes under ... circumstances that tend to develop the selfishness and evil propensities which ever characterise the untrained and untaught of this class" in the Union workhouses, where "those afflicted creatures can be seen in their primitive condition, lower, possibly, than the brutes of creation, because they are so little removed from them in intelligence, and because they are devoid of training, but with all the capabilities of committing mischief, and of making themselves scourges of society."³³

Many of these descriptions were employed to argue for the religious instruction for deaf children, but there were occasional hints of a purely economic approach to the question. James Tillinghast, the principal of the Belfast school, wrote in 1898 that the "uneducated deaf-mute is a 'non-producer,' an indigestible unit in the social organism, incapable of productive employment, and helplessly dependent on society in one way or another for support... But by undertaking the initial expense of educating the deaf child of nine or ten years before maturity he is converted into a 'producer', and the State is henceforth relieved of his support for many

³⁰ *1911 Census of Ireland Report*, pp 176-177.

³¹ *1901 Census of Ireland Report, Part II*, pp 466-467.

³² *Tuam Herald*, 18 December 1875, p. 2.

³³ *Dublin Weekly Nation*, 7 July 1860, p. 7; *Galway Vindicator and Connaught Advertiser*, 12 January 1876, p. 3. It may indeed also have been the case that such strong metaphor and description may have been slightly exaggerated, and calculated to assist the fund-raising strategies of the speakers.

years.”³⁴ Such inmates contributed less to the running of the institution, which concerned some guardians; one Nenagh guardian lamented in 1858 how they had “a grown mute” in the workhouse, whom he described as being “wholly unprofitable”.³⁵

The Census Commissioners were among those to nudge local guardians into utilising the 1843 Act. The Census Commissioners drew gentle attention to the Act in 1851, suggesting that as “Mute children, permitted to grow up in ignorance and poverty, must remain a permanent tax upon their respective Unions... it might be found an eventual economy to have them sent to some of the existing seminaries, that they may receive both a literary and industrial education.”³⁶ The Census Report of 1861 urged Unions to do better on this front, ‘naming and shaming’ thirteen Unions who had still not utilised the 1843 Act for deaf children in their workhouses.³⁷ Twenty such Unions were also cited in the 1871 Census report, which called again for action: “By affording them a literary and industrial education, [deaf children] are not only enabled to earn their own livelihood, but are elevated to the ordinary level of humanity.”³⁸

The plight of deaf children was compared to that of the target populations of convict prisons, reformatories and workhouse schools, who, it was argued, while being far less morally worthy of such State financial support, nevertheless received it, in the form of newly-built, exchequer-funded institutions. Mark O’Shaughnessy, discussing a paper given by Charlotte Stoker to the Statistical and Social Enquiry Society, drew unfavourable comparisons between the State’s treatment of deaf children as opposed to others: “There was fully as much necessity for some State provision for the training and instruction of the deaf mute as there was for the criminal or the vagrant. If the Legislature seemed it expedient to educate that vagrant lad, and to train the juvenile criminal in a reformatory, he could not conceive why they could not act in a similar manner with the deaf mute.”³⁹ Even when the sector was improving, there was still a perceived need to make such funding permanent and compulsory. In his 1876 paper to the Statistical Society, W. Neilson Hancock used the 1871 Census to show that 70% of those in deaf schools were paid for by the poor rates; he also emphasises that less than one-third of deaf children across the country were being educated at all. He concludes that “whilst recognising how much has been done by private charity, and how much by the Guardians under the Act of 1843, we think that the care of the deaf and dumb is so important that the Guardians of the Irish unions

³⁴ *Belfast News-Letter*, 19 March 1898, p. 6.

³⁵ *Nenagh Guardian*, 6 November 1858, p. 2.

³⁶ *1851 Census of Ireland Report, Part III*, p.35.

³⁷ *1861 Census of Ireland Report, Part III, Vol. 1*, p. 10.

³⁸ *1871 Census of Ireland Report, Part II, Vol. 1*, p. 10.

³⁹ Stoker, ‘On the Necessity of a State Provision’, pp 457–458.

should be under a legal obligation to send all the children under their care to special schools, in order that they may become self-sustaining members of the community.”⁴⁰

In addition, the Elementary Education (Blind and Deaf Children) Act was passed in 1893 on foot of the Government's Royal Commission Report in 1889.⁴¹ This made school attendance compulsory for all deaf children between 7 and 16 in England and Wales, and importantly, moved authority and funding from poor law guardians to school boards.⁴² No such law was passed or extended to Ireland, meaning for deaf children of poor families, the Boards of Guardians remained in control of the purse strings. Continuing difficulty in funding deaf children's education through capricious decisions of Boards of Guardians led to calls for direct state aid in granting financial assistance, through a compulsory tax, and calls for legislation to make it mandatory for deaf children to be educated. Many Boards of Guardians concurred with calls for such measures, and some gradually adopted a political and public advocacy role in amplifying such calls by passing resolutions on deaf education, as they did for other political causes at the time.⁴³ Unions across Ireland as a whole broadly supported such calls; of course, it is relatively easy to explain this as at least partially arising from a desire to keep their local poor-rates low.

Prior to the disestablishment of the Church of Ireland, Cardinal Cullen had publicised recommendations that part of the surplus from disestablishment be used for deaf education.⁴⁴ This spurred an early resolution by the Naas guardians in 1871, where the government was asked “to appropriate the surplus revenues of the Irish Church to the relief of the burdens which at present press so heavily on the owners and occupiers of land, as well as to the relief of persons afflicted with blindness, lunacy and the deaf and dumb.”⁴⁵ North Dublin Union, where the Cabra and Claremont schools were located, became a particular friend of deaf schools, passing numerous resolutions urging the State to fund deaf education. One such resolution in 1910

⁴⁰ W. Neilson Hancock, ‘On the legal provisions in Ireland for the care and instruction of imbeciles, idiots, deaf and dumb, and blind, with suggestions for amended legislation’ in *Journal of the Statistical and Social Inquiry Society of Ireland*, VII, no. XL (1876), pp 31–32.

⁴¹ Elementary Education (Blind and Deaf) Children Act, 56 and 57 Vict. c.42 (12 September 1893).

⁴² Mantin, ‘Educational Experiences of Deaf Children in Wales’, p. 78; Carmen M. Mangion, ‘“The business of life”: educating Catholic deaf children in late nineteenth-century England’ in *History of Education*, xli, no. 5 (2012), p. 581.

⁴³ Mel Cousins, *Poor Relief in Ireland, 1851-1914* (Oxford, 2011), pp 218–222.

⁴⁴ O’Dowd, ‘The History of the Catholic Schools for the Deaf’, pp 87–89.

⁴⁵ *Leinster Express*, 21 October 1871, p. 5. However the resolution, which also mentioned the general level of poverty in Ireland, seemed originally not to have mentioned the ‘deaf and dumb’ at all, but the county infirmaries and lunatic asylums; the committee formed to word the resolution added it, in what may have been an after-thought. *Leinster Express*, 7 October 1871, p. 6. There seemed to be wider anticipation that the disestablishment of the Church of Ireland would benefit deaf education; in an 1869 probate court case, the deceased “had had some intention of leaving his property to the Cabra Deaf and Dumb institution, but in consequence of the Irish Church Bill being advanced so rapidly he came to believe that the surplus funds of the establishment would materially keep such institutions, and that the Cabra institution was not in need.” *Nenagh Guardian*, 2 June 1869, p. 3.

referenced the 1889 Royal Commission and called on the Government to give effect to its recommendations, “as local taxation is so heavily burdened by the expenditure consequent upon this maintenance”.⁴⁶ But no such legislation was passed for Ireland to ensure either compulsory sending of deaf children to be educated, nor indeed any central exchequer funding.⁴⁷ Local taxation through the poor rates remained the only public funding option available for deaf schools. This meant that, as Pat McDonnell has written, “[h]aggling with the Boards of Guardians over payments and admissions was a major feature of the history of the [Deaf schools] for most of the nineteenth century.”⁴⁸ By the advent of Irish independence, it was still not compulsory for deaf children to attend school, and no reliable funding mechanism was in place to ensure all deaf children could be educated in Ireland.

Regional Variation

The identification of regional distinctions in how boards of guardians viewed, discussed and provided poor relief in England and Wales has been extensively researched.⁴⁹ Similarly, in Ireland, it has been recognised that “administration of the poor law system... was highly localised, and characterised by diversity and irregularity”, and “what was in theory a uniform system... permitted considerable local variation both between regions and in them.”⁵⁰ Irish historiography has tentatively identified regional differences in patterns of poor relief in Ireland, particularly in the 2011 volume edited by Virginia Crossman and Peter Gray.⁵¹ Within that volume, Donnacha Seán Lucey found the West of Ireland’s poor law unions’ poverty and low taxation base, combined with other factors such as wider geographic dispersal of population from workhouses, resulted in lower admissions to the house and an increasing level of outdoor relief.⁵² Olwen Purdue explored whether a “distinct welfare regime” existed in northern unions, and found evidence that “levels of both indoor and outdoor relief in the north, as well as levels of expenditure, are consistently lower than in other parts of the country - something which remained the case throughout the period”. Variations in poor law practice also differed

⁴⁶ North Dublin Poor Law Union, Board of Guardians Minutes, 12 October 1910, p. 297, *Dublin Poor Law Unions Board Of Guardians Minute Books*, FMP; *Daily Express*, 13 October 1910, p. 9.

⁴⁷ O’Dowd, ‘The History of the Catholic Schools for the Deaf’, pp 89–96, 140–151.

⁴⁸ McDonnell, ‘Establishment and Operation of Institutions’, p. 30.

⁴⁹ Steven King among others has identified two “distinct cultures of welfare” in eighteenth and early nineteenth-century England: “a harsher one in the north and west of the country and a more generous one in the south and east”. Steven King, *Poverty and Welfare in England, 1700–1850: A Regional Perspective* (Manchester, 2000); Andy Croll, “‘Reconciled gradually to the system of indoor relief’: the poor law in Wales during the “crusade against out-relief”, c. 1870 – c. 1890’ in *Family & Community History*, xx, no. 2 (2017), p. 121. “There are certainly good grounds for considering large areas of Wales to have constituted a welfare region with its own characteristic patterns of poor relief”; *Ibid.*, p. 140.

⁵⁰ Crossman, ‘The Growth of the State in the Nineteenth Century’, pp 543, 556.

⁵¹ Virginia Crossman and Peter Gray (eds), *Poverty and Welfare in Ireland, 1838 - 1948* (Dublin, 2011).

⁵² Donnacha Seán Lucey, ‘Poor Relief in the West of Ireland, 1861-1911’ in Virginia Crossman and Peter Gray (eds), *Poverty and Welfare in Ireland 1838-1948* (Dublin, 2011), pp 37–52.

substantially between urban and rural Northern unions.⁵³ This can be traced to the composition of Ulster boards of guardians, still largely dominated by landlords by the end of the nineteenth century, as opposed to guardians elsewhere being increasingly drawn from the tenant classes, with greater sympathies for those applying for such relief.⁵⁴ Mel Cousins finds that three regions of the country differed from each other in terms of the level of poor rates and type and amount of relief offered: peripheral western unions, southern unions, and northern unions (mostly in Ulster), notable for providing low levels of outdoor relief. He has also examined differences between urban centres in nineteenth-century Ireland and finds some differences in the poor relief structures of Northern industrial areas and southern, service-orientated urban areas.⁵⁵

A regional pattern also suggests itself when considering which poor law unions around the country seemed to be more or less willing to pay for their deaf children to be educated. As the national level of poor law funding in the area increased through the 1860s, these variances emerged more clearly. Gentle but firm hints were dropped by the CIDD in 1866 about less cooperative regions of the country – particularly, the North of Ireland. “There are a few [unions] in the North of Ireland that are an exception to the general rule, but it is to be hoped that they will, ere long, be as merciful as others”.⁵⁶ Four years later, the CIDD’s tone was more critical: “The majority of the Unions in Leinster and Munster, are truly liberal in forwarding to the Institution the Deaf Mute children brought under their notice; but, with a few honourable exceptions, those of Ulster and Connaught remain deaf to every appeal made to them on this head, and treat with indifference even the remonstrances of the Poor-Law Commissioners.”⁵⁷

The unwillingness of Northern Unions to pay was also noticed by Belfast’s Lisburn Road deaf school.⁵⁸ By the mid-1860s, they had become critical of Ulster guardians’ parsimony, stating in 1866 that “except in a few cases they refused to incur the necessary expense.” In 1867 at a National Association for the Promotion of Social Science meeting at Belfast, John Kinghan

⁵³ Olwen Purdue, ‘Poor Relief in the North of Ireland, 1850-1921’ in Virginia Crossman and Peter Gray (eds), *Poverty and Welfare in Ireland 1838-1948* (Dublin, 2011), p. 23.

⁵⁴ Virginia Crossman, ‘The humanization of the Irish Poor Laws: Reassessing developments in social welfare in post-Famine Ireland’ in Lutz Raphael, Andreas Gestrich and Steven King (eds), *Being Poor in Modern Europe: Historical Perspectives 1800-1940* (Oxford, 2006), pp 232–233.

⁵⁵ Cousins, *Poor Relief in Ireland, 1851-1914*, pp 31–60; Mel Cousins, ‘Occupational structures, migration, religion and poor relief in nineteenth century urban Ireland’ in *Munich Personal RePEc Archive (MPRA) website* (2011) (<http://mpra.ub.uni-muenchen.de/28734/>) (26 Mar. 2017).

⁵⁶ Br MacDonnell to audience at Letterkenny examination. *Freeman’s Journal*, 5 October 1866, p. 4.

⁵⁷ Catholic Institution for the Deaf and Dumb, *CID 24th Report, 1870*, pp 19–20.

⁵⁸ The school’s own history of the period offers the opinion that though the school’s Committee “made efforts to induce Boards of Guardians in Ulster to take advantage of the enactment”, this was of “little avail due mainly to the impoverished state of the country during and after the famine years”. [No Author], ‘Jordanstown: History & Governance’, p. 14. In contrast, the reports of the school up to the late 1860s are virtually silent about the 1843 Act or the Poor Law route to the school, indicating very little effort in this regard.

bemoaned the fact that “all that the forty-four Poor-law Unions in Ulster [were] contributing towards the education of the deaf and dumb and blind children through the Ulster Institution is £12 per annum for one pupil.”⁵⁹ As a response, the Ulster Society decided to fix their annual fee per pupil at £12 (£3 cheaper than Cabra’s nominal fee at the time.)⁶⁰ However the following year not much had changed: “owing to the refusal of the Guardians generally to defray the annual charge for pupils in your institution, [the relevant provision of the 1843 Act] was acted on a very limited extent.”⁶¹ The school publicly drew attention to the provision thereafter; matters improved, and several Northern unions were name-checked in the 1867 annual meeting of the school as having agreed to pay towards pupils in Belfast.⁶² But through the late nineteenth century, the topic of Ulster guardians’ refusal to contribute became more deeply felt and resented by the school. Reverend Hannay expressed himself forcefully on this topic at the school’s 1884 annual meeting:

Poor-law guardians seemed to think that they existed merely for the purpose of keeping down rates; but it was just possible to carry the principle too far... it was carried a great deal too far when deaf and dumb children, for the purposes of keeping the rates down, were excluded from such an institution as that... [The guardians] were the administrators of public charity - of the money entrusted to them for the maintenance of the poor, and by special Act of Parliament of the deaf and dumb - and he was sure they need not fear that a Christian and philanthropic public would cry out against them for increasing the rates when the object was such a charitable one, as that undoubtedly was.⁶³

By 1886 more pupils were being sent to the Belfast Institution via Boards of Guardians, “but there are still eighteen unions in Ulster from which no help has been given in any case during the forty-two years that have elapsed since [1843], and in some of the remaining unions help has only been given during the same period in the case of one child.”⁶⁴ Rev John Kingham confirmed to the Educational Endowments Commission the same year that Unions were still “very chary about paying in a number of instances.”⁶⁵ Towards the turn of the century the school felt the need to initiate a petition “humbly suggesting an alteration of the Poor-law Amendment Act of Ireland ... making it obligatory on Poor-law Guardians, instead of optional, to contribute a payment of not less than £15 per annum for such deaf mute or blind child between the ages

⁵⁹ *Londonderry Sentinel*, 24 September 1867, p. 1.

⁶⁰ *Belfast News-Letter*, 28 December 1866, p. 3.

⁶¹ It is noteworthy to see frequent comparisons by the Lisburn Road school authorities to what ‘a certain other school in Dublin’ had received from Boards of Guardians: in 1868 “while the Boards of Guardians in Ulster had ... allowed the act to remain almost entirely in abeyance, it was extensively availed of in the other three provinces, and that as many as 160 deaf-mutes, sent by Boards of Guardians, were in one institution near Dublin, supported by payments amounting to upwards of £2,000 annually, or about an average of £14 to £15 a year for each child.” *Newry Telegraph*, 4 January 1868, p. 4. In 1866 the mere £12 per annum coming into Lisburn Road from just one Union (Newtownards) was compared with the £2,300 each year going towards Cabra from Poor Law boards. *Belfast News-Letter*, 28 December 1866, p. 3.

⁶² *Newry Telegraph*, 4 January 1868, p. 4.

⁶³ *Northern Whig*, 23 December 1881, p. 6.

⁶⁴ *Northern Whig*, 1 January 1886, p. 7.

⁶⁵ *Belfast News-Letter*, 14 October 1886, p. 8.

of seven and sixteen ... [and] a further sum of not less than £1 for each pupil between the ages of seven and sixteen shall be provided by parliamentary grant or otherwise as may be determined".⁶⁶

The reluctance of Ulster guardians to pay for Catholic deaf children to be educated, until the end of the 1870s at least, can be illustrated in material terms in Table 10 below. The table shows the numbers of Catholic deaf children applying to be sent to Cabra up until 1879, per 1,000 of the Catholic population for each province of Ireland. Population figures are taken on a county basis from the 1881 Census, and number of pupils sent from each Union between 1846 and 1879 to either St Joseph's and St Mary's, from the CIDD's own public records of admission. Even taking into account that these figures are per 1,000 of the Catholic population in each county, rather than the entire county's population, it can still be seen that between 1846 and 1879, Ulster unions were far less likely to send a child to Cabra than those of the rest of the country. Mel Cousins suggests that sectarianism may have been a contributory factor for the different profile of poor relief in Ulster, particularly given many boards of guardians' majority of Protestants and overrepresentation of Catholics.⁶⁷

<i>Province</i>	<i>Pupils sent per 1,000 Catholic population</i>
Munster	0.73
Leinster	0.71
Connacht	0.70
Ulster	0.46

Table 10: Deaf children/adults sent to Cabra schools by Poor Law Unions (by province), 1846-1879, per 1,000 of Catholic population⁶⁸

Another noticeable pattern saw urban Unions being more overtly generous in their spending on deaf education than rural Unions. During an 1866 public exhibition of Cabra pupils, the CIDD singled out "the gentlemen constituting the Boards of the North and South Dublin Unions, of Cork and Limerick, and scores of other places".⁶⁹ The Dublin unions received a particularly glowing public commendation: "The gentlemen constituting the boards of guardians of the North and South Dublin Unions are models in this respect. Never is there a question raised as to what class or creed the applicant belongs. To be deaf and dumb secures the unanimous consent

⁶⁶ *Belfast News-Letter*, 16 March 1898, p. 7.

⁶⁷ Cousins, *Poor Relief in Ireland, 1851-1914*, pp 54–60.

⁶⁸ *1881 Census of Ireland Report, Part II*; Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*. Please note that for these calculations, poor law unions straddling the borders of provinces are taken as being part of the county that the majority of the Union's population lies in, according to the 1881 Census.

⁶⁹ *Dublin Evening Post*, 9 October 1866, p. 4.

of all to admit him to the enjoyment of what is granted by act of Parliament.”⁷⁰ Graham O’Shea also notes that Cork City’s guardians were more willing to spend money in this regard than other Unions in County Cork.⁷¹

Different Approaches of Deaf Schools

Though most Irish deaf schools were to some extent beneficiaries of the 1843 Act’s provision, the manner and extent to which they desired to utilise the Poor Law Unions to fund their educational endeavours varied. Deaf schools around the country were distinct in their approaches to requesting Poor Law support and how strongly they encouraged those interested in the welfare of deaf children to adopt the Poor Law ‘route’. From the outset, the committee of Claremont seemed unimpressed with the possible dilution of religious, and specifically Protestant, motive and influence on deaf education if the Poor Law Bill passed.⁷² Lord Eliot wrote to Claremont in July of 1843, seeking to address concerns that as Claremont was a Protestant institution, sending Catholic deaf children there meant “conversions to Protestantism would be the probable consequence”, and asking if arrangements could be made for Catholic deaf children there to be educated “in the doctrines of that church.” George Mangan’s reply on behalf of Claremont was frosty. Claremont, “having been founded and maintained by the voluntary contributions of private individuals ... upon the express understanding that the education communicated to the objects of their care shall be based upon the Holy Scriptures, which principle has never been departed from, the committee do not feel themselves at liberty to make any alteration on a point which they consider of essential importance”, and it was hoped that “in framing any clause in the Poor Law Amendment Act ... nothing may be introduced to prevent such Boards of Guardians as may approve of the principles on which the Claremont Institution is founded having the option of selecting it if they think proper.”⁷³ It appears maintaining Claremont’s religious independence, and separation from any hint of Catholic teaching inside the school’s walls, outweighed the benefits of a prospective cash injection.

⁷⁰ Br MacDonnell to audience at Letterkenny examination. *Freeman’s Journal*, 5 October 1866, p. 4.

⁷¹ O’Shea, ‘A History of Deaf in Cork’, pp 101–105.

⁷² Claremont’s George Mangan made it clear at the school’s annual meeting in May that the new Irish poor law was seen less as a potential new source of funds, and more as a system that might establish competing forms of education for deaf children. He “trusted persons would not be foolishly led into the opinion that education to be wished for - Scriptural education - would be given to those children... What guarantee have the public that future commissioners may not be men whose opinions were anti-Gospel - whose sentiments would be directly contrary to Scripture; and was it to them, and their discretion, should be left the education to be given to the deaf and dumb children?” *Statesman and Dublin Christian Record*, 2 May 1843, p. 1.

⁷³ Letter from Lord Eliot to Rev. Charles Stuart Stanford, 29 July 1843; letter from George Mangan, Assistant Secretary, to Lord Eliot, 2 August 1843, in *Deaf and Dumb Institution (Ireland). Copy of any correspondence between the Chief Secretary for Ireland and the Governors of the National Institution for the Education of the Deaf and Dumb Children of the Poor in Ireland, relative to any changes proposed in the principles and forms of education, 1843*, H.L. 1843 (587) I, 157. See also Pollard, *The Avenue*, p. 183.

The Claremont and Lisburn Road schools, and others such as the schools in Strabane and Moneymore, made the Protestant nature of their teaching very clear in reports and speeches at annual meetings and examinations. It is true however that the Protestant-ethos deaf schools generally accepted pupils from any denomination, and in fact Claremont admitted that by 1843 a “large majority of the pupils hitherto educated in their institution have been Roman-catholics, and ... very few instances have occurred during the whole course of its existence ... in which the parents or guardians have refused to avail themselves of the advantages which the institution affords, from objection to the principles on which it is founded”.⁷⁴ Such an approach contrasted favourably, for many Protestant guardians, with Cabra, which accepted only children from Catholic families, and made no secret of its teaching of Catholic doctrine only. This exclusive approach to admissions led to some accusations in the early years of the Cabra schools of being ‘sectarian’ in comparison to Claremont and Belfast. However, the vital point here is the denominational nature of class instruction, rather than the creed of parents; regardless of a pupil’s stated religion when they entered a Protestant-run deaf school, it often seemed the fervent hope of the school that they be Protestant when they left. This roundabout definition of sectarianism – and the threat on both sides of proselytism – could complicate Board discussions.

There were differing attitudes to Poor Law entanglement with deaf education between deaf schools that were Catholic and Protestant, in a way that very much aligns with T. P. O’Neill’s description of broadly ‘Catholic’ and ‘Protestant’ approaches to charity in Ireland.⁷⁵ The approach of Protestant-run deaf schools was marked by a strong focus on voluntary, private charity, often utilising wide networks of fundraising ‘auxiliaries’ and selecting children to be sent via a ‘voting’ system. This was combined with a greater reluctance to approach Boards of Guardians for funding. The school in Claremont, and to a lesser extent Belfast, were more reticent to publicly call for poor law assistance; while the schools certainly accepted the children of poor families, they were far more likely to emphasise the need for private charity to meet this purpose, than levy the charge on the funds of ratepayers. Despite Census Commissioners since 1871 calling for compulsory powers being given to Boards of Guardians, by 1889 Claremont itself had done little to push this agenda with the government, given that it was

⁷⁴ *Ibid.*; see also *Ibid.* See also O’Connell, ‘A Tale of Two Schools’, pp 4–5.

⁷⁵ Timothy P. O’Neill, ‘The Catholic Church and the Relief of the Poor 1815-45’ in *Archivium Hibernicum*, xxxi (1973), pp 132–145. See also Ciarán McCabe, *Begging, charity and religion in pre-Famine Ireland* (Liverpool, 2018), pp 187–251; Cousins, *Poor Relief in Ireland, 1851-1914*, p. 56n.

“sufficiently generously supported not to make it an imperative necessity”, and they admitted that “it ought to be taken up by the Roman Catholics, upon whom the necessity really presses”.⁷⁶

While also constantly soliciting for private charitable donations, the Catholic schools at Cabra were much more proactive and consistent in pushing for greater awareness of the powers of Poor Law Boards to fund deaf education, and for a greater level of such spending. The Rochfordbridge school in Westmeath run by the Sisters of Mercy, too, almost immediately on its foundation in 1892, began intensively lobbying Boards of Guardians all over the country looking for pupils and funding. The difference in Catholic approaches to the issue was perceived by an Armagh guardian in 1863: “the Protestant [institutions] are supported by voluntary contributions, while [Cabra] is supported from the poor rates of several unions.”⁷⁷ One reason advanced for this was simply that the Catholic community as a whole could less afford such voluntary donations for the upkeep of their deaf schools. In 1891, Ballycastle Union’s chairman - a Church of Ireland landowner - informed the guardians that for deaf Protestant children “there is an institution for the deaf and dumb, and I am a subscriber to it; they are kept up in that way.” Guardian Clarke replied, “But we (Catholics) are generally poor, and are not so able to keep up a place of that description.”⁷⁸ Even starker was the response in 1890 of Patrick Clarke, chairman of Bailieborough Union. A guardian remarked that “[n]o Protestants or Presbyterians are ever sent [to deaf schools] by this Union, and I think the Catholics should do the same”, but Clarke replied (perhaps oversimplifying the issue somewhat) “Well, the Protestants and Presbyterians have plenty of money.”⁷⁹ It seems, therefore, to have been a case of ‘needs must’ - a poorer segment of the population finding that it had to more frequently seek assistance from the poor law for such ends.

In contrast to Protestant-run deaf schools, Cabra was less inclined in its early years to directly campaign for State aid from the exchequer, as opposed to locally raised poor rates. The Protestant institutions called loudly and consistently from early on for such State aid. Michael O’Dowd puts this down to “a relic of the days of the Penal laws against Catholics [who]... seemed satisfied with tolerance from a government which had persecuted them for over two centuries. That government was not Irish, they knew, so they did not look to it for such benefits as financial aid in their works of charity.”⁸⁰ O’Dowd sees Cabra’s eventual joining of these calls as following

⁷⁶ *1889 Royal Commission*, pp. 642.

⁷⁷ *Ulster Gazette*, 7 March 1863, p. 3.

⁷⁸ *Northern Constitution*, 2 May 1891, p. 7.

⁷⁹ *Anglo-Celt*, 15 February 1890, p. 3.

⁸⁰ O’Dowd, ‘The History of the Catholic Schools for the Deaf’, p. 86.

the lead of Protestant schools, who felt no doubt more comfortable appealing to Westminster. However, another factor may have been that as the nineteenth century progressed, the religious and political complexion of the guardians in local government sitting around tables of Poor Law unions became more Catholic and middle-class.⁸¹ Catholic schools and supporters no doubt felt increasingly empowered to publicly call for a growing share of Irish poor rates, collected from an increasingly Catholic rate-paying populace.

Boards of Guardians: Thematic Analysis

We turn now to a thematic analysis of newspaper reports of Board of Guardians meetings between 1851 and 1922 discussing contributions towards local deaf children's education. Two main sets of concerns on the part of guardians emerge: *religious* concerns – not only the importance of teaching deaf children the basics of religion, but crucially, which religion would be taught; and *economic* concerns - the proposed expense to the rates, versus the potential future savings to ratepayers of educating and giving a trade to local deaf children. Just as boards of guardians around Ireland acted in ways that can be considered regionally marked, each board was a collection of very different personalities, and political, social and economic views of guardians differed widely around the table. This was as apparent when the education of deaf children was discussed as it was when other, wider issues were considered. These views, with religious and financial concerns, the guardians' discretion as to when the 1843 Act could be utilised for destitute deaf children - and what 'destitute' could mean in a given situation - all had a significant impact on the future chances of deaf children.

In general, sending deaf children to be educated came to be perceived in Irish society as a charitable deed which was celebrated. It was mostly recognised by guardians that a workhouse was no place for a deaf child, and educationally, nothing could be done for them there, or in schools for hearing children, concurring with the 1851 Census of Ireland report that they could not "be properly instructed except in schools specially constituted for the purpose".⁸² Many guardians agreed that a workhouse was an inherently unsuitable place to keep deaf children, and that they should be placed somewhere more amenable. In 1880 the Thomastown guardians were unanimous in wanting to send Mary Power to Cabra. "Faraway better" was this option than the workhouse; there was "no comparison between the two places in any respect... Every advantage should be taken of the chance of getting her away from here."⁸³ The long-term

⁸¹ Feingold, *The Revolt of the Tenantry*.

⁸² *1851 Census of Ireland Report, Part III*, p.35.

⁸³ *Kilkenny Moderator*, 18 December 1880, p. 3.

financial significance of education was also recognised; a Cork guardian in 1860 felt that “it is much better, when the law allows it, to send persons to an institution like this than to keep them a burden on the house”.⁸⁴ However, by 1887 there were still 22 'deaf and dumb' pauper children in Irish workhouses who had not been sent to deaf schools - 16 under no instruction whatsoever, with six attending workhouse schools.⁸⁵ These schools for pauper children within workhouses were recognised as being poorly resourced and staffed, with outcomes for girls particularly backward.⁸⁶ Doubt was expressed during the 1889 Royal Commission hearings by one witness as to whether the workhouse schools were of any use for deaf children present: “I apprehend they are not taught; I fancy they are simply present.”⁸⁷

Religious Concerns

Hand in hand with more prosaic concerns about following proper Poor Law procedure and gaining value for money in the spending of the rates, was a fervent wish by the guardians to enable deaf children to know their Maker. A concern with the spirituality, or more precisely the religion, of deaf children, was possibly the most salient feature of Board discussions in press coverage. This intertwined with the sectarianism within Irish politics of the time around poor law provision and education in general. Ensuring the education of deaf children was seen as a path to spiritual as well as intellectual salvation, and especially so compared to the consequences of leaving deaf children in spiritual darkness in the workhouse (where they would also remain a burden on local tax). Castlecomer guardians urged in 1862 that young James Quigly be sent to Cabra, as there he “would be taught to love the Supreme Being, and if he were left to roam the streets the idea could never enter his head.”⁸⁸ Canon Sheehan, parish priest of Bantry, pleaded the case of young Bridget Cottrell in 1874 to the Bantry guardians in particularly strong terms: “of all helpless creatures, the deaf mute is the most destitute - deprived of all power of communicating by language with those around them, and so rendered all but worthless for the practical purposes of life.” But Sheehan placed Bridget’s spiritual health above her acquisition of language – which was “the least disadvantage under which this most afflicted

⁸⁴ *Cork Examiner*, 28 September 1860, p. 4.

⁸⁵ Number of 'deaf and dumb' children in receipt of relief above 5 and under 15 years of age: *Blind and deaf-mute persons (England, Wales, and Ireland). Return to an address of the Honourable the House of Commons, dated 2 September 1887; for, "return of blind and deaf-mute persons in England and Wales, and in Ireland, who are assisted from the poor rates: and, similar return for the deaf and dumb"*, 1887, H.C. 1887 (326) lxx, 1. Although in general workhouse schools were considered unsuitable for educating deaf children, some workhouses reported success in teaching deaf children. An infirmary nurse named Mary Cahill apparently succeeded in teaching two 'deaf and dumb' children to read in Carrick-on-Suir Union: *Munster Express*, 17 June 1871, p. 7. A 'deaf and dumb' nurse was apparently utilised in 1851 in Roscrea workhouse to work with four hearing children, in an experimental attempt to discover the 'natural language of man', but there appears to be no record in the Roscrea Union minutes of this possibly apocryphal experiment: *Dublin Weekly Nation*, 26 July 1851, p. 13.

⁸⁶ Meg Gomersall, *Working-class girls in nineteenth-century England: life, work and schooling* (London, 1997), pp 100–103; Joseph Robins, *The Lost Children: A study of Charity Children in Ireland, 1700-1900* (Dublin, 1980), pp 222–228.

⁸⁷ Evidence of Patrick Keenan, *1889 Royal Commission*, p. 781.

⁸⁸ *Kilkenny Journal & Leinster Commercial and Literary Advertiser*, 4 October 1862, p. 4.

class is made to labour” compared to the “light of religious knowledge ... wholly shut out - because under ordinary circumstances there is no way of communicating to the deaf mute, an idea of God and His attributes, or of His mercies, and so the afflicted creature is deprived of all the consoling truths, which constitute the grounds of Christian hope.”⁸⁹

A feeling within Irish society that became more widely shared, and explicitly articulated, was that a moral duty and responsibility to these deaf children devolved onto the Poor Law authorities. An 1857 editorial in the *Newry Examiner* exemplifies this, discussing whether the Dundalk guardians should send Rose Haughey and Mary Hamill to Cabra:

Let us only imagine for a moment how dreary and miserable would be the fate of the two deaf mute girls if their parents were constrained to bequeath them as legacies on the poor rates. Here there are no facilities whatever for their instruction. They would be little more than creatures of merely animal instincts, ignorant of religion and of a future state. What a charity then is it to open to these poor creatures, avenues of intellectual, moral, and religious information, to engrave, as it were, on their blank minds the words of life, and to inspire them with conceptions of the eternal happiness that will be their future lot, and the reflection on which will sustain them under physical afflictions, and reconcile them to the privations and trials of this life.⁹⁰

This duty began to be felt by some guardians. When young James Besford was proposed to be sent to Cabra in 1867, Kilkenny guardian O’Donnell felt that he and his fellow Board members “were placed as Guardians of the poor, and a poor child's education like this should not be neglected... Let [the guardians] be the fathers of the poor and [also] the child's salvation depended on it... We should not neglect anything that would tend to instil into the mind of this poor child a Christian knowledge and education.”⁹¹

High-minded guardians, and newspaper editors, criticised those who placed worldly or petty fiscal concerns over the overarching spiritual aspects of deaf education. Guardian Carroll of Limerick Union objected about a deaf girl being sent to Cabra on the basis of cost, making guardian Goggin enraged: “I find Mr Carroll making his calculations on this subject as he would about rents in Vize's fields ... He requires us to abandon a creature who did not know her God, because she had not the means. She required the instruction of the institution, but the institution did not require her.”⁹² Similarly, Bailieborough guardian Chambers disputed the sending of a woman in her 40s to Cabra, and the *Anglo-Celt's* editorial was scathing: “A mighty man is Tom Chambers. Short work is made of the case of the deaf and dumb girl... Father

⁸⁹ *Cork Examiner*, 5 November 1874, p. 3.

⁹⁰ *Newry Examiner and Louth Advertiser*, 21 February 1857, p. 2.

⁹¹ *Kilkenny Journal & Leinster Commercial and Literary Advertiser*, 29 June 1867, p. 3

⁹² *Tipperary Vindicator & Limerick Reporter*, 19 July 1861, p. 3.

McCabe wishes to have this poor creature in the end of her days placed under the care of the good sisters that she may know even a little of her Creator. Mr Tom is not at all a bigott [sic], not he. He orders off the poor mute - let her die in darkness.”⁹³

Even if the general direction of a deaf pupil’s education was unpromising, guardians defended retaining them in school, on spiritual grounds. Biddy Reilly, in her 50s, was sent by Oldcastle guardians to St Mary’s, to “learn to be a Christian, if nothing else.”⁹⁴ William Carroll, sent from Ballina Union in 1876, was a year later “unable to express himself, or receive the Sacrament of Penance, *except by signs*; there was no hope of his being able to write.” [author’s emphasis] While this may have indicated a partial grasp of Irish Sign Language by William, sufficient to receive confession, his case was instead presented as a failure of his education. However, a Ballina guardian felt that William could at least “be taught his religion, which was a very considerable thing, and if it was for no other object, they ought to leave him there.”⁹⁵

The obverse of such spiritual philanthropy was sectarianism. The 1838 Poor Law attempted to take a neutral position on religious matters, and forbade clergymen to sit on Poor Law boards, but sectarian controversy reared its head nonetheless. Meetings of Guardians could descend into argument and strife over religious division, and this was particularly the case when the religion of children under the care of the Poor law was in question, in matters such as the registration of religion of foundlings, orphans, or children to be boarded out of the workhouse.⁹⁶ The early years of the Cabra school were marked by accusation and counter-accusation of proselytism between supporters of Cabra and Claremont, gaining local and national press attention. Given this, it was perhaps inevitable that Boards of Guardians could become involved. Discussions on paying for the education of deaf children using the Poor-rate often broke into high-pitched debates on the propriety or efficiency of using public money to educate the children of poor people, or accusations of sectarianism and proselytism. Cardinal Cullen’s campaigning on reforming the Irish Poor law generated much Protestant animosity during the 1850s and 1860s, which no doubt influenced such discussions and led to commentary tinged

⁹³ *Anglo-Celt*, 1 March 1890, p. 3.

⁹⁴ *Drogheda Independent*, 3 May 1890, p. 6.

⁹⁵ *Connaught Telegraph*, 4 August 1877, p. 3.

⁹⁶ Joseph A. Robins, ‘Religious Issues in the Early Workhouse’ in *Studies: An Irish Quarterly Review*, lvii, no. 225 (1968), pp 54–66; Patrick Durnin, ‘Aspects of Poor Law Administration and the Workhouse in Derry 1838-1948’ in Gerard O’Brien (ed.), *Derry and Londonderry: History and Society* (Dublin, 1991), pp 567–563; Mel Cousins, ‘Registration of the religion of children under the Irish poor law, 1838-70’ in *Journal of Ecclesiastical History*, lxi, no. 1 (2010), pp 107–124; Cousins, *Poor Relief in Ireland, 1851-1914*, pp 86–89; Anna Clark, ‘Orphans and the Poor Law: Rage against the Machine’ in Virginia Crossman and Peter Gray (eds), *Poverty and Welfare in Ireland 1838-1948* (Dublin, 2011), pp 103–105.

with anti-Catholic sentiment.⁹⁷ A significant driver of some Protestant guardians' opposition was the very fact that Cabra, a Catholic body, was requesting public funds to pay for its pupils, rather than depending on private charitable contributions, as the Protestant-run schools generally did. In 1850, shortly after Cabra's opening, the *Warder* warned its Protestant readers that "the Roman Catholic institution will probably soon be filled out of the workhouses, and supported by the rates; thus leaving the contributions of the faithful to be diverted into other channels."⁹⁸ Protestant-run deaf schools instead strove to maintain private charitable donations, enabling them to accept pupils into their schools while utilising far less funding from poor rates. Thus, these schools could be pointed to as admirably thrifty, 'free' options, leading to misapprehension around Union boardrooms when poor families sought potentially costly Catholic education for their deaf children.

This confusion could lead to children not being educated at all. An early example from 1849 concerned young Michael Walsh from Kilrush. A 'benevolent lady' named Mrs Blair showed an interest in Michael, at the time living in the town's workhouse, and the process to admit him to Claremont (with his mother's approval) was progressed. However, when parish priest Fr. Kelly discovered this, he induced Michael's mother to refuse permission, and to make a "rather novel application" to the guardians - £10 a year for Michael to attend the new Catholic deaf school in Prospect, Glasnevin.⁹⁹ There was strong Board reluctance to do so, and the Chairman pointed out that Claremont would take Michael for free. Kelly responded that "even if it were so, yet he thought if it cost £100 it should be given rather than allow the boy to be proselytised." The *Clare Journal* opined that

had the priest undertaken to have the boy trained at the Institution to which he referred, there the matter would have ended. The affair assumes a different complexion, however, when application is made to have the funds of the Union devoted to that purpose. The Guardians should certainly be cautious of voting any sum of money to an Institution concerning whose operations they knew nothing. And how far they would be justified in giving their funds to any decidedly sectarian Institution is another point.¹⁰⁰

Though they were not the only Boards to oppose deaf children being paid for from the ratepayer's purse, there was a distinctive sectarian flavour to Northern Board discussions, as well as local newspaper commentary. Some editorials viciously attacked the efforts of Catholics to obtain such sanctions. Bernard Boyle, a Catholic boy, had his case pleaded in front of the

⁹⁷ Virginia Crossman, "'Facts Notorious to the Whole Country': The Political Battle over Irish Poor Law Reform in the 1860s" in *Transactions of the Royal Historical Society, Sixth Series*, xx (2010), p. 166.

⁹⁸ *Warder and Dublin Weekly Mail*, 22 June 1850, p. 5.

⁹⁹ The CIDD's school for deaf boys was located first in Prospect from 1851 under the Carmelite Brothers, before being handed over to the Christian Brothers in 1857 and its official opening as 'St Joseph's'. Matthews, *Irish Deaf Community, Vol. 1*, pp 64–67.

¹⁰⁰ *Clare Journal and Ennis Advertiser*, 12 November 1849, p. 3.

Lurgan guardians; the local parish priest Fr Byrne raised “every objection to send him to the Institution in Belfast, as he would not be brought up in the Roman Catholic faith” and “his religion would be tampered with at the Belfast Institution”. One Protestant guardian quoted mockingly from a recent CIDD Report’s mawkish description of a deaf pupil holding a crucifix at her death; the “tendency of such teaching to children, inculcating superstition and false doctrines” into their minds, was criticised.¹⁰¹ The *Portadown News* was scathing at the temerity of Byrne’s request: “A devoted body of priestly Sappers and Miners are engaged in a siege of the Irish Poor-Law Unions. As the poor became fewer the poor rates are coveted for higher chaplains’ salaries, vestments, and other addenda of the Church of Rome... A trifle is wanted from the Guardians to swell the funds of the Catholic Deaf and Dumb Institution at Cabra.” The editorial peevishly admitted the legality of the admission, but insisted that the child be first admitted to the workhouse and that the guardians would have to keep a close eye on his costs to the ratepayers, “which in the workhouse would be about five pounds a-year only”.¹⁰² Such insistence on workhouse admission was not insisted on, however, by the Poor Law Commissioners, who eventually admitted they did not require it.¹⁰³

Such concern for overspending and insistence on the ‘letter of the law’ in some cases resembled bigotry dressed as economy.¹⁰⁴ James McKenna’s case, brought by the Catholic Archbishop Dickson to the Armagh guardians in 1863, provoked vicious editorialising from the *Protestant Watchman*; they proclaimed that “[t]his attempt to provide funds wherewith to educate a Romanist who is not a pauper, must not be permitted to succeed”. Dickson was “attempt[ing] to extract £10 a-year more from the pockets of the ratepayers. *He demands it as a right*” [my emphasis]. The comparison was made between Protestant institutions, “supported by voluntary subscription, where deaf and dumb, and blind, receive secular and religious instruction”, and the Catholic approach: “People who can at will raise any amount of money for His Holiness at Rome ought not to come, hat in hand, to solicit alms from a Board of Guardians.” The Cabra Institution was “rich and flourishing, and £10 a year is a most exorbitant sum for the maintenance of a single inmate”, claimed the *Ulster Gazette*: “No such sum is claimed for the support of an inmate in any similar Protestant establishment”.¹⁰⁵ This was despite the Belfast

¹⁰¹ *Portadown News*, 10 March 1860, p. 2.

¹⁰² *Portadown News*, 11 February 1860, p. 2.

¹⁰³ See p. 135.

¹⁰⁴ It should be noted that for some guardians, spiritual considerations genuinely mattered little compared to material ones, and the bottom line was more persuasive than talk of soul-saving. In Schull Union in 1863, guardian Somerville found the proposition of £10 per year to send young John Crowley to Cabra “most unpardonable. That is my unalterable opinion. Not that I care whether the boy is a Roman Catholic or a Protestant - you may make a Jew of him if you like, so long as you do not tax people who are already barely able to pay their present rates.” *Skibbereen & West Carbery Eagle*, 5 September 1863, p. 4.

¹⁰⁵ *Ulster Gazette*, 14 March 1863, p. 2.

institution stating quite clearly a few years before that the “charge for Deaf and Dumb Boarders, in the Institution, shall not exceed the sum of £18 per annum”.¹⁰⁶

Armagh was a particularly problematic Union in this respect. In 1871, when the sister of a Catholic girl named Bridget Traynor asked the Armagh guardians to admit her to the workhouse and thence to Cabra, the suggestion immediately arose that Bridget be sent instead to Lisburn Road, with guardian Stronge, a ‘life member’ of the Belfast Institution, promising to use his influence to admit her there. The Board then “refused to entertain the application to send her to Cabra.”¹⁰⁷ The CIDD contacted the Board, and asked that Bridget be sent to a Catholic school, but the response merely stated that the guardians did not wish to incur the expense.¹⁰⁸ The workhouse's Catholic chaplain then objected, and the guardians decided to drop the entire matter: “the best thing is not to send her [to school]. It will just save us the trouble. She is not an inmate of this house; she is not destitute, and we have nothing to say to her.”¹⁰⁹ Even the Poor Law Commissioners at this point objected to sending Bridget to Belfast, but were simply told that, as Bridget was not a workhouse inmate, “the Guardians do not consider themselves called upon to make any decision in her case.”¹¹⁰

Over the decades, in most Unions, guardians eventually became respectful of religious differences as and when they arose in this regard, and began to ensure that children were sent to a deaf school of the same religion as their parents.¹¹¹ However, even when the guardians themselves had a clean conscience, others outside the Boardroom could have different motives. North Dublin Union became embroiled in controversy when young Catherine Adams was found wandering around Broadstone railway terminus in the summer of 1869. Catherine had been sent to the Claremont Institution from Ballinasloe Union by a dispensary doctor named Edward Sharkey, but ended up in the workhouse. When her religion was being ascertained, she responded to gestures by blessing herself - taken as being proof enough she was Catholic - and was sent thence to Cabra. An inquiry by the guardians found that Catherine's mother, Bridget Flanagan, was Catholic, but had felt unable to care for Catherine; Dr Sharkey, a Protestant, had

¹⁰⁶ Ulster Society for Promoting the Education of the Deaf and Dumb and Blind, *Report for the Year Ending 31st December, 1858*, 1858.

¹⁰⁷ *Ulster Gazette*, 2 December 1871, p. 2.

¹⁰⁸ *Ulster Gazette*, 16 December 1871, p. 2.

¹⁰⁹ *Ulster Gazette*, 23 December 1871, p. 2.

¹¹⁰ *Ulster Gazette*, 30 December 1871, p. 3.

¹¹¹ The issue could still occasionally rear its head; a Church of Ireland clergyman became involved in 1902 in assisting Francis and John McEvoy, two deaf brothers born of a mixed marriage, to be sent to Claremont. The issue came before the North Dublin Union where some Catholic guardians made assumptions about the motives of the clergyman involved: “he wants the children sent to Claremont Institution. We all know what it is.” “It is a question of trafficking in the religion of these children”, exclaimed another guardian. *Freeman's Journal*, 30 January 1902, p. 7.

suggested that Catherine be sent to Claremont.¹¹² The Poor Law Commissioners wished Sharkey to explain his actions.¹¹³ Sharkey's justifications were satisfactory neither to the guardians nor Commissioners, and the Dublin guardians complained they were now out of pocket: "by Dr Sharkey's improper conduct we of the North Dublin Union have been fixed with the support of this deaf Mute at the Cost of £15 per annum and an outfit".¹¹⁴ The matter drew the attention of the *Nation*, which in an article entitled *The Shark and its Prey*, made much of the doctor's surname: "the sharks of proselytism are odious creatures anywhere; but what is not to be tolerated is that they should be free to pursue their prey while entrusted with the duties of a public office, and in receipt of a salary drawn from the pockets alike of Protestant and Catholic ratepayers."¹¹⁵

The Deaf 'Workhouse Test'

Conditions in the workhouses, dire at the best of the times, were particularly horrendous for children, and mortality rates were high - a fact eventually recognised by many guardians themselves.¹¹⁶ Yet at the outset of this period, the Poor Law Commissioners saw the necessity of deaf children formally becoming pauper inmates before such relief was granted. An 1843 Circular from the Commissioners recommended that deaf children be registered as workhouse inmates, and to spend a single night in the workhouse, before being sent to school:

[t]he maintenance of any deaf and dumb, or blind child, who may be sent by the Guardians to any institution for the maintenance of the deaf and dumb, or blind, will be properly charged to the Maintenance Account of the electoral division, or to that of the Union at large, as the case may be, precisely as it would be charged if the person were maintained as an inmate of the workhouse; *and in these cases the Commissioners think it will be convenient that the order of the Guardians should always be preceded by admission to the workhouse, and registration in the register of paupers, in the usual way.*"[emphasis author's]¹¹⁷

At this early stage, matters were complicated by the fact that deaf children who were not orphans or deserted were initially unable to enter the workhouse by themselves; in order to become eligible for workhouse aid, their entire family would have to enter with them.¹¹⁸ The notorious 'quarter-acre' clause of the 1847 Poor Law Act directly referred to the notion of

¹¹² *Freeman's Journal*, 1 July 1869, p. 4; *Daily Express*, 7 July 1869, p. 3.

¹¹³ *Dublin Evening Mail*, 23 July 1869, p. 3; *Irish Times*, 26 July 1869, p. 3; *Saunders's News-Letter*, 26 July 1869, p. 1; *Dublin Evening Post*, 29 July 1869, p. 3.

¹¹⁴ North Dublin Poor Law Union, Board of Guardians Minutes, 4 August 1869, p. 285, *Dublin Poor Law Unions Board Of Guardians Minute Books*, FMP.

¹¹⁵ *The Nation*, 7 August 1869, p. 8.

¹¹⁶ Clark, 'Orphans and the Poor Law: Rage against the Machine', pp 100–101.

¹¹⁷ Extract from circular letter of the Commissioners, dated 25th September, 1843, Poor Law Commissioners, *Tenth Annual Report*, 1844, p. 206, appendix A.

¹¹⁸ Robins, *The Lost Children*, p. 176.

'destitution'¹¹⁹, and meant that a family entering the workhouse occupying land more than a quarter of a statute acre was ineligible for relief, and had to relinquish their holdings. It was unlikely for a family to adopt this course just for the sake of their deaf child's schooling.¹²⁰ This approach seems to have been rarely suggested, let alone pursued, but not only were some parents willing to consider the option, but some guardians may indeed have encouraged it. A month after his mother Mary entered North Dublin Union workhouse with her four children in 1855, Patrick Gilleece was sent to St Joseph's. Four days later, Mary and her remaining three children left the workhouse. Patrick's education was left charged on the North City electoral division without his mother still being a workhouse inmate. When the matter was raised a year later, the North Dublin guardian Arkins openly stated that it had all been his idea; he had realised that Patrick could not be admitted to the workhouse (and thence to Cabra) had he been on his own, but if Mary entered with her children, "he was sure the board would admit the deaf and dumb child, inasmuch as it was a common practice" and Mary could thereafter leave the house.¹²¹

From relatively early on, there were flexible official attitudes of the Poor Law Commissioners themselves around deaf children becoming workhouse inmates. In 1848 Rev Thomas McNamara of the CIDD asked the Commissioners if admission to the house could be waived for families of deaf children, or if Poor Law Unions which did not follow the strict letter of the law in such cases would be interfered with. The Commission's secretary, William Stanley, replied that "the legal authority of the Guardians to send any destitute poor Deaf and Dumb or Blind child (under the age of 18) to any Institution for the maintenance of the Deaf and Dumb or Blind... is *irrespective of the point whether such child is, or is not, an inmate of a workhouse...* therefore... a Board of Guardians have ample power on this subject at present, which will not require the interference of the Commissioners to carry out your benevolent intentions." [*my emphasis*]¹²² Essentially, under the Act, the Guardians had legal authority to pay for the maintenance and instruction of a deaf child - regardless of the child or their family being in the workhouse.¹²³

¹¹⁹ "[N]o person in the occupation of more than a quarter of a statute acre of land shall be deemed to be a destitute person; and that no person occupying more than that quantity shall obtain relief either in or out of the workhouse." Commissioners for Administering the Laws for Relief of the Poor in Ireland, *First Annual Report* (Dublin, 1848), p. 13.

¹²⁰ O'Connor, *The workhouses of Ireland*, pp 139–140.

¹²¹ *Freeman's Journal*, 27 June 1856, p. 4; *Freeman's Journal*, 4 July 1856, p. 4; *Freeman's Journal*, 24 July 1856, p. 4. See also O'Dowd, 'The History of the Catholic Schools for the Deaf', p. 81.

¹²² Letter from William Stanley, secretary of the Poor Law Commission, to the Catholic Institution for the Deaf and Dumb, 21 August 1848. Catholic Institution for the Deaf and Dumb, *Thirty-Second Report for the Years Ending May 31, 1877 and 1878* (Dublin, 1878), p. 22.

¹²³ Quoted in McDonnell, 'Establishment and Operation of Institutions', p. 25.

The precedent began to be picked up on. In 1855 the Dundalk guardians asked the Commissioners if they could legally send Margaret King to be educated out of the rates, “a deaf and dumb child who is not an inmate of the workhouse, but living with its parents who are very poor, and barely able to maintain themselves and family”. Stanley replied that “if in the exercise of their discretion, the Guardians consider the child in question to be destitute, they have the power to send to the Deaf and Dumb institution”.¹²⁴ Margaret entered St. Mary’s in September 1855.¹²⁵ Not for the first time, William Stanley’s letter gathered an import all its own; as it “establishe[d] an important rule”, the *Newry Examiner* reprinted it for the benefit of other Boards of Guardians.¹²⁶ In February of the following year, Ardee Union adopted a similar course with James Kelly, citing the Dundalk case as a precedent. One guardian felt it was “the duty of the board to render that assistance which *such a case of destitution* required. True, in a certain respect, *their regulations opposed a bar to his admission, as by them the parents were required to become inmates; but in such a case too much stringency ought not to prevail*”.¹²⁷ [author’s emphasis] The Poor Law Commissioners granted the request.¹²⁸

However, this change of Commission policy was apparently unaccompanied by a new, clarifying Circular or officially communicated to Unions. As a result, other deaf children’s applications were blocked. In 1863 a majority of Armagh guardians initially refused to send James McKenna to Cabra, on the basis of the old 1843 circular’s insistence on registration in the workhouse.¹²⁹ After James’ mother then presented James to the Board asking for his admission as an inmate, openly admitting she wished him to eventually be sent to Cabra; she was then told that James “being under the prescribed age, [was] inadmissible to the house, his parents refusing to accompany him, and neither the boy nor his parents being destitute.”¹³⁰ The new approach was communicated more formally in an 1865 circular, in which the Commission’s chief clerk formally advised Poor Law boards that registration of the deaf child as a workhouse inmate was not necessary. Omitting to refer to their own previous lack of clarity, the Commissioners pointed instead to guardians’ misunderstanding: “it appears that the precise limits of the powers of Boards of Guardians in regard to the sending of young persons to asylums for the maintenance of the deaf and dumb, or blind, are not, in all cases, fully understood”. They drew the conclusion

¹²⁴ Letter from W. Stanley, Secretary, Poor Law Commission, dated 18 July 1855. Reproduced in *Newry Examiner and Louth Advertiser*, 21 July 1855, p. 2.

¹²⁵ *Ibid.*; Catholic Institution for the Deaf and Dumb, *Thirteenth Annual Report* (1859), Names of Children Admitted since the Foundation of the Institution.

¹²⁶ *Ibid.*

¹²⁷ *Dundalk Democrat, and People’s Journal*, 9 February 1856, p. 5. It appears from this same report of proceedings that Dundalk Union had had such a situation before where the case was disallowed.

¹²⁸ *Newry Examiner and Louth Advertiser*, 27 February 1856, p. 3.

¹²⁹ *Armagh Guardian*, 20 March 1863, p. 5.

¹³⁰ *Armagh Guardian*, 3 April 1863, p. 5.

from the 1843 Act's wording that "it is not necessary, as has been sometimes supposed, that the person to be sent to the asylum should be, or have previously been, an inmate of the Workhouse", and the only conditions were:

1. That the child shall be a destitute poor child.
2. That, at the time of sending any such person to the institution, he or she shall be under the age of eighteen years.
3. That the institution shall be one approved of by the Commissioners.
4. That the parents or guardians of the child shall be consenting parties.¹³¹

This Circular was reproduced in the national and local press, as was later PLC correspondence on the subject in relation to similar cases from other Unions. By 1906 official manuals intended for guardians were printing, on page 5 – the advice that Unions could "send any destitute poor deaf and dumb or blind child, *whether an inmate of the Workhouse or not*" [italics in original].¹³² Despite this, some guardians and Poor Law officers continued to insist that deaf children become workhouse inmates prior to being sent to the schools. Michael O'Dowd stresses the reluctance of parents of deaf children to apply to Poor Law unions in the 1840s and 1850s, through a mistaken belief that in order to qualify for the Act's benefits, either the child or its parents had to become workhouse inmates.¹³³ Yet quite aside from the law's wording or the unwillingness of the parents to apply, Poor Law guardians themselves could often remain under an ostensibly mistaken belief, and in these cases the barrier to being educated remained solid.

This ignorance of, or unwillingness to recognise and utilise the powers given to them by law, mirrored a selectivity among many guardians at this time for offering outdoor relief, as opposed to the workhouse, and a corresponding lack of knowledge that they were able to offer the former.¹³⁴ Those applying for outdoor relief from the 1870s were often judged according to standards based more on political, or even moral, criteria and notions of respectability than strict legal definitions of eligibility; Virginia Crossman comments on "the dexterity with which nationalist guardians were able to adapt Poor Law principles, and Poor law language, to pursue their own agenda."¹³⁵ Much of the discourse around such applications parallels that of families

¹³¹ Circular letter from B. Banks, Chief Clerk, Poor Law Commissioners, dated 10 January 1865. Commissioners for Administering the Laws for Relief of the Poor in Ireland, *Eighteenth Annual Report* (Dublin, 1865), p. 29.

¹³² John Ralph Dagg, *The guardians' manual (Ireland), containing the Workhouse rules (order of 1849) with an epitome of the powers and duties of guardians* (2nd ed., Dublin, 1906), p. 5.

¹³³ O'Dowd, 'The History of the Catholic Schools for the Deaf', p. 81.

¹³⁴ Crossman, "Facts Notorious to the Whole Country", p. 165.

¹³⁵ Crossman, 'The humanization of the Irish Poor Laws', pp 235–241.

applying to have their deaf children educated. Questionable national and political affiliations of families such as fathers working as soldiers or bridewell keepers, or recent land purchases by the child's family from evicted tenants, could lead to objections to fee payments for deaf children of those families.¹³⁶

The importance of poor law clerks, the 'administrative memory' of the guardians, and their knowledge or otherwise of Poor Law policy and precedent, was vital in this regard.¹³⁷ Official manuals for guardians very clearly spelled out the position, and emphasised that deaf children need not be inmates. However, boards of guardians continued to have unclear or mistaken notions on this point for decades to come.¹³⁸ In 1879, the Lurgan Union guardians were divided down the middle on a proposed motion that they would no longer send children to deaf or blind schools unless they were first admitted to the workhouse - even though it was later shown that this was potentially contrary to the spirit of the Poor Law.¹³⁹ As late as 1916, some boards showed ignorance of what was, by then, well-established Poor Law precedent, insisting that deaf children enter the workhouse before their education was paid for.¹⁴⁰

The 'Destitution Test'

The 'workhouse test' was partially sidestepped by the Poor Law Commission's 1865 circular, but a significant barrier remained; consideration of whether a family was 'destitute' enough to warrant payment of school fees from the poor rates. This decision was ultimately left to the discretion of individual Boards of Guardians, "the sole judges, in each individual case that may come before them, of the question whether the child can be regarded as a destitute poor child within the meaning of the Act, and a fit object for the description of relief contemplated."¹⁴¹

What destitution meant 'within the meaning of the Act' was, however, contested. Virginia

¹³⁶ A Kerry farmer named Patrick Doyle and his deaf sons resisted a night-time attack by 'moonlighters' in 1885, and in the subsequent press coverage of the trial of the attackers, it was revealed that Doyle had purchased the holding of a recently evicted local farmer, and was possessed of cheques of between £500 and £1,000. Although this was ostensibly the reason why the Killarney Board of Guardians rescinded their contribution to Doyle's two children then being educated in Cabra, it was felt by some that Doyle was being punished for his political stance. *Kerry Sentinel*, 26 January 1886, p. 4; S. M. Hussey, *The reminiscences of an Irish land agent, being those of S. M. Hussey*, ed. Home Gordon (London, 1904), p. 250; Donnacha Seán Lucey, 'The Irish National League and Moonlighters: Agrarian Violence during the Home Rule Period, 1885-6' in *Land, Popular Politics and Agrarian Violence in Ireland: The Case of County Kerry, 1872-86* (Dublin, 2011), p. 189.

¹³⁷ Inga Brandes, "'Odious, degrading and foreign" institutions? Analysing Irish workhouses in the nineteenth and twentieth centuries' in Andreas Gestrich, Lutz Raphael and Steven King (eds), *Being Poor in Modern Europe: Historical Perspectives 1800-1940* (Oxford, 2006), pp 210-211.

¹³⁸ "The Guardians of any Union may send any destitute poor deaf and dumb or blind child, *whether an inmate of the Workhouse or not*, under the age of eighteen, to any Institution for the maintenance of the Deaf and Dumb or Blind, which may be approved of by the Local Government Board, with the consent of the parents or guardians of such child, and may pay the expense of its maintenance there out of the rates." Emphasis is taken from the original. Dagg, *The guardians' manual (Ireland), containing the Workhouse rules (order of 1849) with an epitome of the powers and duties of guardians*, p. 5.

¹³⁹ *Portadown News*, 18 October 1879, p. 5.

¹⁴⁰ *Anglo-Celt*, 30 September 1916, p. 6.

¹⁴¹ Circular letter from B. Banks, Chief Clerk, Poor Law Commissioners, dated 10 January 1865. Commissioners for Administering the Laws for Relief of the Poor in Ireland, *Eighteenth Annual Report*, p. 29.

Crossman has claimed that within the new Poor Law, “[d]estitution was easier to define [than poverty]”, as meaning “lacking the necessities of life”, but such a definition was not utilised in practice by boards of guardians in the context of deaf children.¹⁴² ‘Destitute’ was a contested notion of poverty, incorporating subjective judgments of how relatively poor a family was, how much land they occupied, and even including their reputation in the locality. At times, destitution was conceived of as an inevitable consequence for a person with a disability – an unavoidable destitution arising from a physical condition. How such parameters were evaluated and discussed varied widely among individual guardians, Boards, and regions of Ireland.

A definition of ‘destitute’ was never formally given by the Poor Law Commissioners or Local Government Board, or defined further in law or circular. The Commission offered little in the way of standards or guidelines in this regard, though occasionally they gave a definitive opinion on a case. In some early cases, occupation of more than a quarter-acre of land was used as a criterion for destitution. Ardee’s guardians were told by the Commissioners in 1851 that as Patrick and Anne McEntaggart’s father held three acres of land, he was therefore not in destitute circumstances, and the guardians were not authorised to pay for his children’s schooling in Cabra.¹⁴³ In 1861 the Commission wrote to the Listowel guardians about their resolution to send Honora Harrington to Cabra, informing them that as her father held 18 acres of land, the Board had ‘no power’ to do so.¹⁴⁴ Evidence to the 1861 Select Committee on the Poor Law mentions an example from Inishowen, where an “industrious poor man” with four deaf children was anxious to send his daughter to school. However, “one of the guardians of the electoral division in which the family resided objected... On inspecting the man’s residence, I found that the potato garden attached to his house was more than a quarter of an acre, and on this ground the Poor Law Commissioners decided that she could not be sent as a destitute person.”¹⁴⁵ However, such cases do not appear often in newspaper reports; the Poor Relief (Ireland) Act 1862’s removal of the notorious ‘quarter acre’ clause seems to have ended this objection.¹⁴⁶

Over time, many guardians and Unions came to utilise in practice a liberal interpretation of the Act, whereby parents were considered ‘destitute’ when they simply could not afford to send

¹⁴² Crossman, *Poverty and the Poor Law*, p. 40.

¹⁴³ *Dundalk Democrat*, 27 September 1851, p. 2.

¹⁴⁴ *Kerry Evening Post*, 30 March 1861, p. 2.

¹⁴⁵ Evidence of Denis Phelan, former medical inspector of the Poor Law Commission, *Report from the Select Committee on Poor Relief (Ireland), together with the proceedings of the Committee, minutes of evidence, and appendix*, 1861, p. 164, HC 1861 (408), xx, 222 (hereafter *1861 Poor Relief (Ireland) Report*).

¹⁴⁶ ‘An Act to amend the Laws in force for the Relief of the destitute Poor in Ireland, and to continue the Powers of the Commissioners’, 25 & 26 Vict., c. 83 (7 August 1862)

their deaf children to be educated.¹⁴⁷ This still left much room for subjectivity, and in practice families often ended up paying anything up to or even more than half of the fees themselves, with guardians contributing the remainder. Throughout the life of the Irish Poor Law, unions never came under a legal compulsion to send deaf children in their areas to educational institutions, and squabbling over payment of fees and the definition of 'destitution' would continue. As late as 1921, Listowel guardians were complaining that the son of an apparently well-off local farmer was taking advantage of the provision: "It is certainly very unfair, I consider, for the ratepayers to have to pay for one of the biggest farmers in Duagh". Such relief for deaf children was "only for the children of the poor, and not for the children of farmers", agreed the Clerk.¹⁴⁸

Even if a family was judged to be destitute, progress was considerably hindered by disagreements between the electoral divisions within Poor Law unions as to which should pay. Until 1876, the costs associated with sending deaf and blind children to deaf or blind schools fell on the electoral division within each poor law union where the child's family were resident. This made it difficult for poorer or highly-rated divisions to countenance paying, and ratepayers in hard-pressed divisions could express strong resistance to extra costs falling directly onto them. In many areas of the west and southwest of Ireland, where the value of property was small compared to population numbers, a convincing case could be made that such costs were altogether beyond the ratepayers to afford.¹⁴⁹ This was a situation that concerned the deaf schools; the CIDD in 1870 worried about "the whim or caprice of some rural Guardian, who will not burthen the rates of his Electoral Division with a few pence extra in the pound, for an object which he considers to be quite unworthy of such expenditure."¹⁵⁰ During the 1861 Select Committee on Poor Relief evidence hearings, Denis Phelan gave evidence that "there was a very considerable objection to send blind, or deaf or dumb persons, from several unions to the institutions for them... [from] the electoral division guardians and with parties connected with the electoral division on which the pauper was to be placed." He wished that deaf children be "made union paupers [and then] there would be far less objection to send them to any place where they were to be paid for, and that may now be done by an amendment of the Act."¹⁵¹

¹⁴⁷ O'Dowd, 'The History of the Catholic Schools for the Deaf', p. 82.

¹⁴⁸ *Cork Examiner*, 11 July 1921, p. 2. Such objections continued even after Irish independence. In 1927, when the Irish Free State was overhauling the entire system of poor laws and workhouses, the inheritors of the old system – the Boards of Health – were still hesitating to assist deaf children whose families were not clearly 'destitute' enough. "It has been represented to us on behalf of the Committee of the Catholic Institution for the Deaf and Dumb at Cabra, that some of the Boards of Health are inclined to take a narrow view of their powers in regard to the deaf-mute child of parents who, although not destitute, are unable to pay for the child's training." Commission on the Relief of the Sick and Destitute Poor, *Report*, 1927.

¹⁴⁹ O'Dowd, 'The History of the Catholic Schools for the Deaf', p. 38.

¹⁵⁰ Catholic Institution for the Deaf and Dumb, *CID 24th Report, 1870*, pp 19–20.

¹⁵¹ Evidence of Denis Phelan, *1861 Poor Relief (Ireland) Report*, p. 164.

Later, the same issue was raised by a number of witnesses to the Select Committee on Operation of Law relating to Area of Rating in Ireland, with many guardians giving evidence in favour of union rating.¹⁵²

These concerns are reflected in contemporary press coverage of meetings of guardians. The ratepayers of Margaret McCormack's division made it clear to the guardians in 1876 that they "would no longer pay for her support" in Cabra.¹⁵³ An application in 1874 to Bantry Union to have Bridget Cottrell sent to Cabra was queried, and it was suggested by the Chairman that private charity be instead sought: "if a collection were made it would be far more feasible than to have the unfortunate child charged on the division... It is very hard on the division, which is very small... I do not wish to tax my tenants in the neighbourhood."¹⁵⁴ John Crowley was an inmate of Schull Union workhouse in 1863, and when it was proposed he be sent to Dublin to be educated, guardian Somerville was determined that his division pay not a penny towards it. He stated that the Board could "[g]et rid of the child as you like; but I will oppose any expense being placed on the ratepayers by his removal. If the cost falls on [the boy's] Electoral Division ... you may act as you please, but if it is to be a Union charge, I object to pay towards his removal."¹⁵⁵ Discussions on these cases were frequently held over if guardians for the division in question were absent; it was thought disrespectful to come to such decisions without their presence.¹⁵⁶ Ratepayers and other influential figures used written submissions or even the press to express strong approbation towards spending their division's poor-rate contributions on what they felt were reckless or 'illegal' disbursements. The Wexford guardians opposed sending Joseph Elliott to Claremont in 1870, due to resistance from the division's ratepayers, who had organised a written petition expressing their dissatisfaction.¹⁵⁷

The passing of the new Poor Law Rating (Ireland) Act in 1876 saw the introduction of union rating, where "[r]elief to destitute poor deaf and dumb, or blind persons in the workhouse, or in deaf and dumb or blind asylums (including the cost of conveyance to such asylums), is made

¹⁵² *Report from the Select Committee on Law of Rating (Ireland); together with the proceedings of the committee, minutes of evidence, and appendix*, p. 7, H. C. 1871 (423) x, 1. W. P. O'Brien, Poor Law Inspector, stated in evidence that "the tax comes rather sharply upon a small division, and the guardians in those cases object to the extra expense of keeping them at the asylum... the ratepayers even in a large division would be likely to object to [paying maintenance], and the guardian would be afraid of running counter to the wishes of his constituents... the board had ... a latent feeling that as a matter of fair play it is not right to put their hands into other people's pockets." *Ibid.* pp 106-7, 116.

¹⁵³ *Nenagh Guardian*, 27 May 1876, p. 3.

¹⁵⁴ *Cork Examiner*, 5 November 1874, p. 3.

¹⁵⁵ *Skibbereen & West Carbery Eagle*, 29 August 1863, p. 1; *Skibbereen & West Carbery Eagle*, 5 September 1863, p. 4.

¹⁵⁶ *Tuam Herald*, 18 Oct 1873, p. 2. For other examples see: Westport Union, *Mayo Constitution* 26 January 1869, p. 3; Newry Union, *Newry Examiner and Louth Advertiser* 14 August 1867, p. 3; Wexford Union, *Munster Express*, 22 October 1870, p. 7.

¹⁵⁷ *Munster Express*, 29 January 1870, p. 7; *Waterford Mail*, 9 February 1870, p. 4.

chargeable to the whole Union.”¹⁵⁸ When the new Act came into force, the extent to which such charges were felt by individual divisions dropped significantly, as the Chairman of Ballinrobe Union noted; it would “not be much felt by anyone” whereas “formerly ... the cost of each person came very heavy on some persons in a division.”¹⁵⁹ This marked the end of such squabbling about Union finances – at least between electoral divisions.

‘An Eventual Economy’?

Cost cutting and keeping the local poor-rates low – thereby assisting the re-election of guardians - remained a consistent, and at times overarching, preoccupation for Poor Law boards.¹⁶⁰ This became decisive for poor deaf children’s education. Particularly in earlier decades, the very idea that Union monies might be used for improper purposes could generate severe opprobrium among guardians. Many were prone to fears that paying for deaf children would open the floodgates to a torrent of such requests from families, leading to higher rates being struck to cover the costs.¹⁶¹ Negotiation between the Union and the deaf schools, and personal connections of guardians (often subscribers or friends of the deaf institutions) were utilised to obtain reduced fees. Whether this strategy was successful depended on each school’s own financial situation, which throughout the period were never less than precarious. One Wexford guardian, and long-time subscriber to Claremont, endeavoured in 1870 to get Joseph Elliott into that Institute on favourable terms of half or even one-third of the regular yearly fee.¹⁶² In practice, a tradition was implemented of the family paying half where they could. There were also arrangements in the early decades where guardians would agree to pay fees for a limited number of years – leaving more money in the accounts of the Union, but hampering efforts by deaf schools to fully educate their charges over the recommended six-year term.¹⁶³

These attempts at cost-cutting could put the schools in a difficult position. Initially, the 1850s saw Cabra showing flexibility and negotiation around fees, but eventually they held firm in

¹⁵⁸ Poor Law Rating (Ireland) Act, 39 & 40 Vict., c. 50 (1876); Poor Law Commissioners, *Fifth Annual Report*, 1877, p. 52 Appendix A.

¹⁵⁹ *Ballinrobe Chronicle*, 12 July 1879, p. 1.

¹⁶⁰ Brandes, “‘Odious, degrading and foreign’ institutions?”, pp 204–205.

¹⁶¹ Such arguments were put forward even when it was quite clear that the numbers of deaf children were miniscule, and when Census of Ireland reports were available to show this. Sligo’s guardians had this discussion in 1882, and a local Justice of the Peace, Nelson, agreed that the guardians should not be “opening the way to other applications of a like nature. There may be 50 or 150 deaf and dumb children whose parents would like to see them maintained and educated on the same principle.” *Sligo Champion*, 7 January 1882, p. 4. Given there were a mere 87 ‘deaf and dumb’ people of all ages in the whole county of Sligo in 1881, Nelson’s figures seemed to be hopelessly exaggerated: *1881 Census of Ireland Report, Part II*, p. 288.

¹⁶² *Wexford Constitution*, 26 January 1870, p. 2.

¹⁶³ As early as 1872 this term was seen by the Cabra schools as insufficient in itself, and the CIDD annual meeting of that year passed a resolution to extend it: “That as the period for which pupils are at present allowed to remain in the institution is too limited, this Meeting call upon Boards of Guardians and others interested in the welfare of the Deaf and Dumb, to extend the term of instruction to eight years, so that sufficient time may be afforded for the education of these children.” *Freeman’s Journal*, 3 July 1872, p. 1.

requesting no less than £15 per annum for each child accepted.¹⁶⁴ The CIDD utilised the power of precedent to persuade reluctant Unions to pay; in August 1865 when the Galway guardians offered just £10 per annum for Mary Anne Walsh's schooling, the CIDD replied that the "fact was, and is now patent, that our institution could not educate and support pupils at £10 a-year", and that the unions of "Tuam, Tulla, Kinsale, New Ross, and numbers of other unions, though comparatively poor, [had] readily entered into the new arrangement".¹⁶⁵ After a long subsequent period without change, Cabra's fees increased in 1915 to £20 per annum. In a circular to all unions, the CIDD explained that this was due to a number of factors, including the extra time needed to teach deaf children: their education "must of necessity be more expensive and tedious than that of children gifted with speech". Also cited were increased numbers in the school, and the "abnormal conditions now prevailing", no doubt a reference to the Great War then raging.¹⁶⁶ The comments and decisions of boards of guardians around the country reproduced in the press were largely supportive of the rise.¹⁶⁷ Nevertheless, some Unions engaged in some hard-nosed cost-benefit analysis. Some Boards seemed surprised at this reminder that they were still paying for deaf children in these schools; Omagh's guardians promptly requested progress reports for their deaf children before agreeing to the raise.¹⁶⁸ Lurgan Union passed a motion to decline the increase, as the guardians felt the £15 a year which they paid for the maintenance of these children in the institution was "quite sufficient", and immediately asked Cabra (and other such institutions) to send a six-monthly report on their deaf children, "and the prospects of their improving or otherwise in the near future".¹⁶⁹ Some Unions insisted the increase be a temporary one. The Magherafelt guardians agreed to pay temporarily, "for three years, or until conditions take a favourable change".¹⁷⁰ Donegal Union tried a horse-trading response, offering £7 10s, and when Cabra refused, they responded by informing Cabra that the deaf school in Rochfordbridge had accepted that sum.¹⁷¹ It was even proposed that the increase be passed on to families of deaf children; the Chairman of Schull board of guardians felt that the Union "must decline to pay anything extra. If the father of the child that is in Cabra likes, let him pay the extra £5. But if they don't accept what we give them let them send him

¹⁶⁴ O'Dowd, 'The History of the Catholic Schools for the Deaf', pp 85–86.

¹⁶⁵ *Galway Vindicator and Connaught Advertiser*, 12 August 1865, p. 3.

¹⁶⁶ *Sligo Champion*, 17 July 1915, p. 5.

¹⁶⁷ In any case, boards of guardians, in this matter at least, did not necessarily feel obligated to go along with prevailing national feeling on this issue. The auditor to Donegal Board of Guardians had indicated to the Clerk that "several unions had protested against the increase", but the Chairman "did not believe that it would be the thing to protest just because other unions had done the same thing." *Fermanagh Herald*, 21 August 1915, p. 6.

¹⁶⁸ *Strabane Chronicle*, 10 July 1915, p. 6.

¹⁶⁹ *Lurgan Mail*, 10 July 1915, p. 4.

¹⁷⁰ *Derry Journal*, 6 August 1915, p. 3.

¹⁷¹ *Londonderry Sentinel*, 19 October 1915, p. 7.

home. We are paying a good deal for these four children and we can't burden the ratepayers with any further expense."¹⁷²

Other deaf schools faced similar issues, and similar reactions. Belfast's Lisburn Road school found themselves also having to request an increase in December 1915. The Coleraine guardians wanted a report on the progress of a girl they had sent to Belfast before agreeing to the rise.¹⁷³ Sligo's board of guardians were well-disposed and voted the increase, but one guardian queried whether the Union could not instead have deaf children maintained and educated cheaper in the workhouse.¹⁷⁴ When the school at Rochfortbridge asked for an increase in the same month, the Mountmellick guardians questioned whether any real improvement in the deaf child was obtained for their money, and suggested the school might reduce their spending; "that institution is a religious institution, and they are not supposed to pay the officials the same as we are here... they are supposed to be saving souls."¹⁷⁵ Five years later, another request came from Cabra for a fee increase to £25 per annum per child. This time, however, the rise went by almost unmentioned in national newspapers' reports on meetings of guardians. No doubt the chaotic progress of the War of Independence was a distraction - combined with decreasing effectiveness of the entire Poor Law structure in much of the country.¹⁷⁶

If a Board did decide to contribute to a child's education, but refused to pay the full amount, an arrangement was often proposed where guardians covered a proportion of the fee, while families paid the balance; on occasion, other local parties (such as parish priests or local members of the gentry or the middle-classes) also pledged to part-pay fees with the Union. This was considered common enough by 1876 for the Omagh guardians to pronounce the fifty-fifty arrangement the norm; James and Ellen Quinn were sent that year to Cabra, and the guardians agreed to pay three-quarters of the cost, the guardians' "departure... from the rule laid down" being remarked upon.¹⁷⁷ However in 1880 the Omagh guardians were informed that "the rule throughout Ireland was that where the parents were really unable to pay, the Guardians paid the whole sum".¹⁷⁸

¹⁷² *Southern Star*, 4 September 1915, p. 2.

¹⁷³ *Londonderry Sentinel*, 7 December 1915, p. 7.

¹⁷⁴ *Sligo Champion*, 25 December 1915, p. 8.

¹⁷⁵ *Nationalist and Leinster Times*, 18 December 1915, p. 6.

¹⁷⁶ Lucey, *The End of the Irish Poor Law? Welfare and Healthcare Reform in Revolutionary and Independent Ireland*, p. 141.

¹⁷⁷ *Londonderry Sentinel*, 14 November 1876, p. 1.

¹⁷⁸ *Tyrone Constitution*, 26 November 1880, p. 3.

Not 'Defective' Enough

The deaf children who applied to be sent in this way to schools for deaf children included some who were not born deaf, but whose hearing had been lost after disease or other incident. Newspaper reports on Poor Law guardian meetings featured references to such children. In 1899 in Cavan Union, the case was discussed of a girl whose "affliction was brought on by scarlatina when very young, therefore she is not completely a deaf mute, but can only be taught through the medium of the dumb alphabet."¹⁷⁹ Another girl in Limerick had "lost her power of speech about two years ago as the result of a fright. She could hear a little."¹⁸⁰

While unions generally recognised the potential value of deaf schools for such children, they could also be scrupulous in their compliance with the letter of the law - especially if it meant drawing on less poor-rate funds. Thus the hearing and speech abilities of children coming before boards of guardians was scrutinised in relation to the 1843 legislation, which clearly referred to "deaf and dumb" children. References can be found to children whose hearing was 'partial', along with concerns that this meant they could not avail of the Act's provision. The Local Government Board on occasion pointed this out to unions who had already approved a child's being sent to be educated. Elizabeth Maguire's 1914 application to be sent to the Rochfortbridge deaf school in Westmeath was agreed by the Donegal Union guardians, but queried by the LGB, as Elizabeth was described initially as "dumb but not deaf".¹⁸¹ The LGB wrote that Elizabeth, "not being deaf and dumb, does not come within the class of persons who can be legally maintained in such an institution under the [1843 Act] which refers to persons who are both deaf and dumb."¹⁸² However, the Rochfortbridge doctor certified to the Union that he had examined Elizabeth Maguire, already sent to the institution, "and found her hearing to be very defective", which seemed to satisfy the LGB.¹⁸³ Such LGB interference was annoying to the guardians at times. In 1882 the Nenagh guardians approved James Ryan being sent to Cabra, "dumb and partially deaf" and "very hard of hearing", whereupon the LGB promptly wrote a similar letter to the guardians as the one above; this annoyed one Nenagh guardian who felt that "we ought to be better judges of our own affairs here than the Local Government Board." The Chairman pointed out that the LGB were "only laying down the law for us. [James] may be defective both in hearing and speech, but not enough."¹⁸⁴

¹⁷⁹ *Anglo-Celt*, 21 October 1899, p. 3.

¹⁸⁰ *Limerick Leader*, 17 July 1912, p. 3.

¹⁸¹ Donegal Board of Guardians, minutes, 17 October 1914, p. 59, *Donegal Workhouses Registers And Minute Books*, FMP.

¹⁸² *Strabane Chronicle*, 12 December 1914, p. 3.

¹⁸³ *Fermanagh Herald*, 19 December 1914, p. 6.

¹⁸⁴ *Nenagh Guardian*, 29 July 1882, p. 3.

It was often expressed by guardians that it was the deaf schools that would advance objections. Indeed, one perhaps confused guardian believed that the objection to receiving them was that it was “very difficult to teach them when they can hear anything.”¹⁸⁵ However that seemed not to be borne out by comments such as the CIDD’s collector, John Roe, who in 1875 told the Castlebar guardians that “those of a proper age, who were deaf and dumb, *and partially deaf and dumb* and not idiotic, would only come before them. To bring other cases would only entail trouble and annoyance on the guardians and himself.”¹⁸⁶ [author’s emphasis]

A Concern for their Investment

Even though many deaf children sent to the institutions became little more to the Union than a half-recalled outgoing expense, to be queried occasionally when finances became tight, guardians did on occasion display a concern for their deaf pauper children beyond a mere return on investment. As they were not registered as national schools, deaf schools were not subject to Education Commission inspections, and recognition by the Poor Law Commissioners did not imply regular visits from Poor Law inspectors either.¹⁸⁷ Instances of insufficient medical care, or outright mistreatment of pupils, could result in guardians demanding an inquiry. When Ann Gildea was sent back from St Mary’s in 1887 to Claremorris Union suffering from scrofula, a guardian opined that it was “a rather serious matter to them to be sending children and paying for them if they were not well cared [sic].” The clerk was asked to write to Cabra to know “if it was there the disease was contracted”, and “as the girl was in good health when admitted, to what cause is her present ailment attributable.”¹⁸⁸ The health of another St Mary’s pupil, Mary Jane Fitzgerald, was taken extremely seriously by Lurgan Union in September 1911; her father Robert wrote to the Union that she was in “a very poor state of health. It was quite evident from her condition and appearance that she had not been properly cared for.” Mary Jane, who entered St Mary’s in 1900, returned home in 1911, having lost the sight of one eye and almost lost the sight in the other.¹⁸⁹ The matter was raised with the Local Government Board, and a medical report was commissioned that suggested Mary Jane’s eye condition was “constitutional” and that “absolutely no negligence could be attributed to those in charge of her”. In response, the Chairman queried whether an independent report on St Mary’s could be

¹⁸⁵ *Leitrim Advertiser*, 18 December 1890, p. 3.

¹⁸⁶ *Mayo Examiner*, 13 December 1875, p. 3.

¹⁸⁷ Sometimes workhouse officers would check in with their charges in institutions if they happened to be travelling to Dublin. See for example *Clare Journal and Ennis Advertiser*, 14 June 1860, p. 3; the Ennis chairman visited both deaf and blind institutions and saw two young pupils who were now “a credit to the establishment” and “getting on remarkably well”.

¹⁸⁸ *Connaught Telegraph*, 12 November 1887, p. 5; *Ballinrobe Chronicle*, 12 November 1887, p. 1.

¹⁸⁹ Catholic Institution for the Deaf and Dumb, *Fifty-Third Report for Two Years ending May 31st, 1914* (Dublin, 1914), p. 31, no. 1277. *Northern Whig*, 15 September 1911, p. 8.

obtained: “Are these institutions inspected by officers of the Local Government Board? ... We are paying the ratepayers' money away with the very laudable object of trying, if possible, to prevent persons of this class from being a burden on the rates all their lives, and we should see to it that the money is fairly well spent.” The clerk wondered whether the Local Government Board should be asked to supply a regular quarterly report on the condition of patients who the Board were paying for in Cabra and elsewhere.¹⁹⁰ The following summer when another deaf child was to be sent from Lurgan to Cabra, it was unanimously agreed to again ask the LGB for half-yearly inspections of the schools, although this did not follow.¹⁹¹

Early Withdrawal

The length of time deaf children spent at school was monitored closely by the guardians who sent them. Deaf children or adults who spent what were perceived as overly long periods in school, or who seemed to make little progress, became subjects of contention in Board meetings. On occasion, the perceived lack of progress of the child seemed to spell less value for money for the Union, and could lead to abrupt withdrawal from school. This issue was recognised in the 1889 Royal Commission report, and witnesses recommended a form of national rate (with a reduced local contribution) to change the funding system and reduce the likelihood of such early withdrawals.¹⁹² But no change to the system took place before 1922.

Current research into education for deaf children indicates that even given a learning environment and teaching methods and modalities that are conducive to language acquisition, its success is nevertheless still based on a wide range of factors, such as individual talent and intelligence, possible presence of learning disability¹⁹³, and crucially for deaf children, the age at which their education begins.¹⁹⁴ A range of such factors could influence the success of a deaf

¹⁹⁰ *Irish Times*, 6 October 1911, p. 8.

¹⁹¹ *Portadown News*, 8 June 1912, p. 5. The matter led to a Parliamentary Question on the subject being put by Sir William Mitchell-Thomson, Unionist MP for Down North, in 1913. He asked “the number of pupils who are at present maintained, wholly or partially, at the expense of boards of guardians in the Cabra Deaf and Dumb Institution, the Ulster Deaf, Dumb, and Blind Institution, and any other Irish institutions for similar purposes, respectively... whether such institutions are inspected by Local Government Board inspectors; whether any complaints have been received with regard to the treatment of pupils in any of such institutions; and what standard of qualification, if any, is exacted by the Local Government Board from members of monastic or conventual institutions who act as teachers in institutions for the deaf, dumb, or blind?” *Hansard*, H.C. Deb 28 March 1913 vol 50 cc1977-8W, <https://api.parliament.uk/historic-hansard/written-answers/1913/mar/28/deaf-and-dumb-and-blind-institutions>; *Daily Express*, 1 April 1913, p. 4.

¹⁹² *1889 Royal Commission*, pp. cxiv-cxvi.

¹⁹³ “About one third of Deaf and hard of hearing children have other complex needs (HSE, 2011); these can include physical, intellectual, emotional and behavioural difficulties, and autistic spectrum disorder. Children can also have a combination of hearing and visual impairment, now commonly referred to as Deafblindness.” National Council for Special Education, *The Education of Deaf and Hard of Hearing Children in Ireland* (Dublin, 2011), p. 44 (<https://ncse.ie/wp-content/uploads/2014/09/DeafEducationReport.pdf>).

¹⁹⁴ It has been found for deaf children in the present day that “late acquisition or language deprivation may have a serious effect on cognition, particularly when language is delayed beyond the ‘critical period’ (0–3 years).” Leeson & Saeed, *ISL: A Cognitive Linguistic Account*, p. 27.

child's education - factors rarely appreciated by guardians. Updates on the progress of pupils were generally available whenever unions requested them, and the detail of such updates allude to the multitude of issues facing deaf educators – even though these factors frequently meant little to money-conscious guardians. Therefore, deaf children were by no means guaranteed to stay the full term in deaf schools once sent by their local Union.

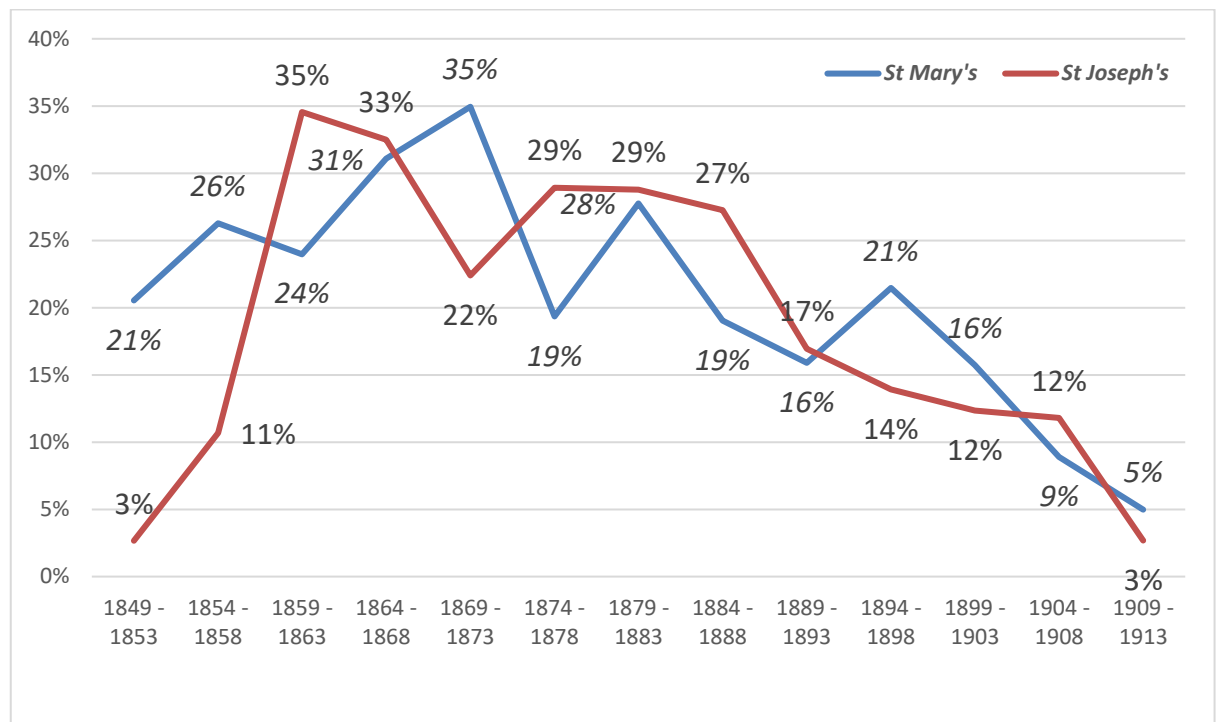


Figure 5: Average percentage for each five-year period between 1849 and 1913 of newly enrolled Cabra pupils who 'left before expiration of the usual period'¹⁹⁵

Looking at the CIDD's figures for pupils leaving school before their education was finished in Figure 5 above, it is clear that large proportions of pupils admitted each year ended up leaving early. It was acknowledged by the CIDD themselves in 1887 that 28% of entrants to Cabra remained less than 3 years.¹⁹⁶ In both St Mary's and St Joseph's, this proportion of children withdrawn was particularly high during the 1860s and 1870s – rising at times to over a third of all pupils admitted – before the phenomenon began to decline in the 1880s. However, while these numbers were high, an analysis of admissions to 1906 show that withdrawal before full term was in fact far more likely for pupils paid for by families and local patrons, rather than Boards of Guardians. This is most evident in St Mary's: 37.8% of privately-funded girls between 1846 and 1906 left school early, a figure twice that of the 17.4% of girls funded by the Boards

¹⁹⁵ Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, pp 40, 66; Catholic Institution for the Deaf and Dumb, *CID 53rd Report, 1914*, pp 30, 37.

¹⁹⁶ Catholic Institution for the Deaf and Dumb, *38th CID Report, 1887*, p. 31.

of Guardians.¹⁹⁷ This means that of the deaf Catholic children whose education was paid for solely by family members, wealthy patrons or the clergy, at least one-third did not complete their education.¹⁹⁸ Between the schools' establishment in 1846 and 1851 respectively and 1906, the overwhelming majority of Cabra pupils were at least partially paid for by Boards of Guardians – 78.1% of girls and 78.4% of boys. It seems therefore for this majority, admission via the Poor Law 'route' represented a far more secure and dependable route to the completion of a deaf child's education. Nevertheless, more particular factors could threaten such a child's staying on for the full term, as we shall see.

'Incapable of Teaching'

Highly frequent in Ireland and elsewhere, was the encountering of children, and adults, for whom being sent to a deaf school did not result in success due to what we would today term learning disability or mental health issues.¹⁹⁹ The reasons why deaf children and adults were "incapable of being taught", to take the official Cabra description of this category, were manifold.²⁰⁰ The multiple forms of learning disability that a deaf child may have presented with were unrecognised at the time, and generally grouped together into the description of 'imbecile' or 'idiot', terms which corresponded to general Poor Law classification systems followed within workhouses.²⁰¹ The Claremont Institution made clear in 1818 that "[n]o child shall be admitted, but such as are both Deaf and Dumb, and who are not deficient in intellect", repeating in their 1825 Report that the "*Eligibility of Candidates, as indigent boarder pupils, depends on their being Deaf and Dumb [and] not Idiotic*" [italics in original].²⁰² In Cabra also from its earliest days, a similar approach was taken; in 1850 a pupil was sent home to his parents a short time after his admission, "it having been ascertained by his superiors and teachers that he had not sufficient intellect to enable him to make any proficiency in learning."²⁰³ From at least the late 1850s, the CIDD declared that "[n]o child shall be admitted into the Institution unless... two

¹⁹⁷ 'Children Admitted since the Foundation', Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, pp 40–97. The corresponding percentages for St Joseph's are similar at 18.7% and 33.9%.

¹⁹⁸ These figures do not include 'parlour boarders', fully private pupils "whose expenses are defrayed by their parents. Those boarders, not being in any way dependent on the funds of the Charity, are not enumerated in the statistics [elsewhere]; neither is there further reference made to them in this Report." Catholic Institution for the Deaf and Dumb, *CID 53rd Report, 1914*, p. 10.

¹⁹⁹ In Germany during the same period, Ylva Soderfledt estimates that the "insufficiently educated and uneducated" formed a "substantial fraction" of the total, potentially outnumbering deaf children educated in special schools. However in Germany, decisions regarding the capability of a deaf child to be educated were based on their ability to speak, which was not generally a factor during this period in Ireland. *From Pathology to Public Sphere*, pp 105–106.

²⁰⁰ Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 40n.

²⁰¹ David Wright, 'Learning Disability and the New Poor Law in England, 1834 – 1867' in *Disability & Society*, xv, no. 5 (2000), pp 734–735.

²⁰² National Institution for the Education of Deaf and Dumb Children of the Poor in Ireland, *Second Report* (Dublin, 1818), p. 29; National Institution for the Education of Deaf and Dumb Children of the Poor in Ireland, *Tenth Report* (Dublin, 1825), p. 3.

²⁰³ Catholic Institution for the Deaf and Dumb, *Fifth Annual Report, 1851*, p. 22.

respectable householders shall give security, *in case of deficiency of intellect*, sickness, or death, to remove such Child from the Institution” [emphasis author’s].²⁰⁴

In such cases, the CIDD would write back to the relevant board of guardians informing them of the issue and the deaf pupil was returned to them. The CIDD also made it clear that refusal to admit a child on such grounds was also for the benefit of the Union; “if their mental condition were not such as to give hopes of their being capable of learning, they would not admit them, as it would only be giving rise to additional and unnecessary expense”, the Castlebar guardians were told in 1884.²⁰⁵ In 1876, the Swinford guardians were told quite simply that “it has been found that the deaf mute, Michael Hughes, is incapable of learning anything. Under these circumstances, our Committee consider it would be unjust to your Board to put them to any further expense in his regard, and I am therefore directed to kindly request that you will send some person to Dublin to take him home.”²⁰⁶ The Cavan guardians were informed in 1897 that “Rose Smith, is deficient in intellect, and too weak physically to do anything more for her [*sic*] [and so] she will be discharged from the Institution ... and sent to her family.” Rose had been sent seven years previously to Cabra, but beyond the brief detail above, this sudden removal apparently warranted no further explanation.²⁰⁷

In other cases, it was the teachers requesting to continue with these difficult educational placements, and detailed rationales were sent to the guardians. In 1906 the Tuam guardians were sent a letter from St Mary’s, informing them that Mary O’Brien, sent three years earlier, could receive the sacraments if left in the school for a little longer, even though the “poor girl ... is somewhat defective, being incapable of being taught. ... I may add this case is about one of the most difficult to deal with in our experience. However, since something can be done further for the case, it would be a great pity if the poor girl was taken home now without getting all that is capable of [*sic*].²⁰⁸ The school would on occasion seek an extension of time on such grounds after the pupil’s term was expired. After Margaret Stewart of Ballymoney Union had completed her six years in Cabra, the CIDD wrote to the guardians and reported her to be “not at all fit to be discharged from the Institution ... the poor child came here at an early age, and was possessed of a weak intellect. She was consequently unable to make any great progress at study until within the last few years. We think some time longer at school would be of inestimable

²⁰⁴ Catholic Institution for the Deaf and Dumb, *CID 13th Report, 1859*, p. 11.

²⁰⁵ *Connaught Telegraph*, 21 June 1884, p. 2.

²⁰⁶ Letter from Daniel O’Brien, secretary, Catholic Institute for the Deaf and Dumb, to Swinford Board of Guardians. *Connaught Telegraph*, 20 May 1876, p. 4.

²⁰⁷ *Anglo-Celt*, 4 December 1897, p. 4. Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 58, entry no. 1042.

²⁰⁸ Catholic Institution for the Deaf and Dumb, *CID 53rd Report, 1914*, p. 34, entry no. 1398. *Tuam Herald*, 6 February 1909, p. 4.

advantage to her, as she might be then able to make out a livelihood for herself either by needlework or as a servant.” The guardians stretched the point and paid for another year.²⁰⁹

Other children were declared unfit at present, but offered a trial further down the line. Thomas Landers was sent to St Joseph's in 1905 by Dingle Union, and was quickly deemed by teachers to be “incapable of being taught at present, but later on may develop more favourably”. In a few years, the school wrote to the Dingle guardians, Thomas “may show some signs of development mentally, and if so, they will be disposed to give him another trial, but at present he is incapable of being taught, and consequently unfit for their institution.”²¹⁰ Conversely, others were found to be unsuitable only after an extended period; Anne Lowry, sent by the Abbeyleix guardians to St Mary's in April 1888, was found to be “an unfit subject for that institution” – almost a decade later, in 1897. This caused anger among the guardians: “This deaf and dumb girl has been ten years in this institution, and we have been paying for her all this time.”²¹¹ As poor law unions become more aware of this issue, they themselves implemented checks on school candidates. The Boyle guardians took one deaf girl into the workhouse hospital for two weeks prior to sending her to Cabra, so that “an opinion could be formed as to whether she was an idiot or not as if she was she would not be allowed into the institution at all.”²¹²

Pupils being deemed ‘incapable’ was a growing issue for the Cabra schools; even as the proportion of pupils withdrawn early decreased, the number found 'incapable' rose slowly in the decades up to 1913 with numbers slightly greater for St Joseph's throughout. Figure 6 below illustrates this. This suggests that as the likelihood of deaf pupils being able to complete their full term of schooling increased, a greater number of them may have eventually been identified as having additional disabilities. It perhaps also indicates a growing skill over the years among school staff in identifying children whose education would be problematic for these reasons.

²⁰⁹ *Northern Constitution*, 18 December 1880, p. 6.

²¹⁰ *Kerryman*, 4 February 1905, p. 6; *Kerryman*, 15 July 1905, p. 6; *Kerryman* 29 July 1905, p. 7; *Kerryman*, 5 August 1905, p. 3.

²¹¹ *Leinster Express*, 25 September 1897, p. 3; Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 57, entry no. 984.

²¹² *Roscommon & Leitrim Gazette*, 17 July 1869, p. 3.

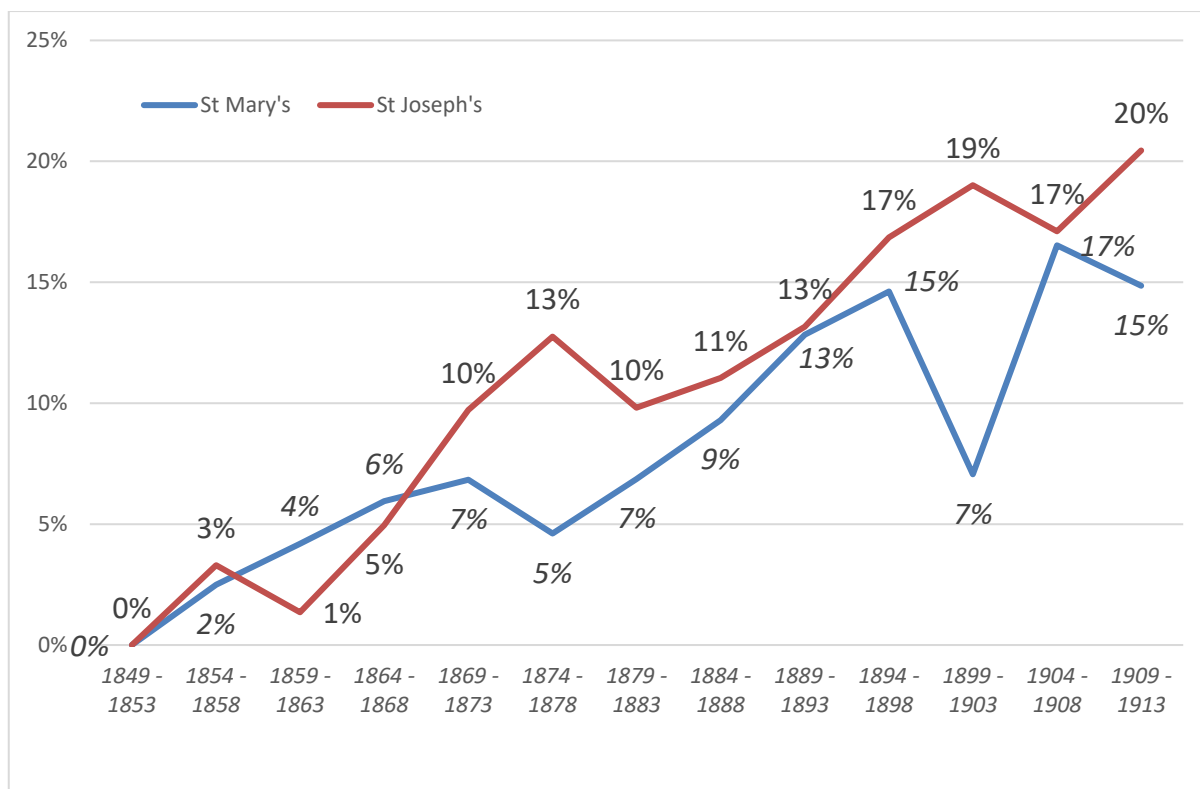


Figure 6: Average percentage for each five-year period between 1849 and 1913 of newly enrolled Cabra pupils who 'left incapable of being taught'

General physical health of pupils was also a factor. The first yearly report from St Mary's for Bridget Fearon, sent to the Newry guardians in 1896, illustrates the interplay of issues facing deaf people sent to be educated:

With regard to the deaf mute, Bridget Fearon, I cannot say what degree of proficiency she will have attained at the completion of the usual school term of six years. She is now advanced in years, and her training has been utterly neglected at home. She is dull, and consequently will be slow in going through her school course. However, I hope she will be able to learn all that is necessary in the six years. Every attention will be given to her industrial training, and as far as possible she will be prepared to earn her living. Much will depend on her health. It has been good since she came to school, but her mother gave us to understand she was very delicate growing up. In case any delicacy develops later on it will prevent her from applying to the ordinary course of school work, and consequently retard her progress.²¹³

Bridget's case illustrates the myriad factors influencing each case coming to the deaf schools; lack of previous attempts to educate the child, their natural academic ability, the child's physical and mental health. Yet in Bridget's case, admitted after many years without any educational or linguistic stimulation, the decisive factor was the sheer length of time the pupil had been left uneducated – a feature common to many other cases, as we shall now see.

²¹³ *Newry Reporter*, 1 December 1896, p. 3.

Adult Pupils

Alongside more recognisable forms of learning disability a pupil may have presented with, was also a form of learning disability that was, in a sense, acquired: the cumulative effects of living in an environment without accessible language. When Irish deaf schools opened for the first time, and relief via the Poor Laws to pay for their education was available, many families with deaf children finally had a route to their education; but their age and the effect of this linguistic deprivation could prove a barrier. The sheer number of years without any accessible education often militated against their being able to reap much educational advantage from schooling. Many of the older deaf children sent to the deaf schools were simply sent too late to benefit, in the eyes of the school, from their education. Simultaneously, lack of timely achievement on the part of such pupils could cause frustration among guardians. Therefore, the age of the deaf child, or indeed adult, at the time the case was brought before the Guardians was another crucial factor.

The ages that pupils were sent could vary hugely, with children as young as 4 and adults as old as 60 being applied for. Their acceptance depended on the institution. The Ulster Society in Belfast, in contrast, did not seem to display any flexibility around their own limits of eight and thirteen years old.²¹⁴ At the outset, Cabra had been very strict in admitting pupils no younger than eight or older than twelve. However, from 1859, this upper age limit began to be relaxed, and pupils were accepted only until the age of fourteen, but “under peculiarly urgent and extraordinary circumstances, the Committee shall have a discretionary power to deviate from the last foregoing rule.”²¹⁵ By 1864, no less than twelve pupils had been admitted who were adults.²¹⁶ Internally, there was some uneasiness at the admission of pupils so old, and the Dominican nuns believed - at least in 1860 - there was little or no hope of girls aged over 20 benefitting, save perhaps to be able to perform the Catholic sacraments.²¹⁷ Nevertheless Cabra came to display a continued willingness to accept older pupils.²¹⁸ Anne Clane, aged 22, was sent in 1869 by the New Ross guardians after they were informed that “[the school] took in persons

²¹⁴ Ulster Society for Promoting the Education of the Deaf and Dumb and Blind, *Ulster Society, 1858 Report*, p. 1; Ulster Society for Promoting the Education of the Deaf and Dumb and Blind, *Report for the Year ending December 31st, 1881* (Belfast, 1882), p. 3.

²¹⁵ Catholic Institution for the Deaf and Dumb, *CID 21st Report, 1867*, pp 9–10. This upper age limit had been increased after 1859 from twelve years old; see Catholic Institution for the Deaf and Dumb, *CID 13th Report, 1859*, pp 10–11.

²¹⁶ O’Dowd, ‘The History of the Catholic Schools for the Deaf’, p. 83.

²¹⁷ *Ibid.*, pp 83–84.

²¹⁸ It was acknowledged by the CIDD in 1887 that one-third of entrants to Cabra were over 14 years of age, and that 28% remained less than 3 years. Catholic Institution for the Deaf and Dumb, *38th CID Report, 1887*, p. 31. In 1906, 219 pupils of St Mary’s in the ‘Children Admitted since the Foundation’ were listed without a status, indicating they were still in the school in some capacity. 106 of these had been admitted to the school more than six years previously. These women may have worked in the school as teachers or other staff such as laundresses or kitchen staff, but a number of them may have been long term adult pupils: Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*.

over 40 years of age, when they showed any degree of intelligence.”²¹⁹ In 1875, the CIDD’s collector John Roe visited the Tuam guardians and secured the sending of a pair of twins named Winnie and Mary Ruane, 18 years of age. “Are they not too old?” asked one guardian. “I have a firm belief that I can make good dressmakers of them. I will never refuse them if I think there is any prospect of their being trained”, replied Roe. “Not particular to a shade with regard to age”, the guardian remarked.²²⁰

A frequent question posed by guardians at different times and in various Unions was whether the outlay on yearly fees in Cabra, Belfast or Claremont was greater than the cost of keeping a deaf child in the workhouse. When deaf children were seen to be slow in progressing in school, as happened frequently with older pupils sent, such thoughts were more openly expressed. In Cavan Union in 1899, exception was taken by some guardians to the sheer length of time pupils spent in Cabra, where some had apparently not progressed. Catherine McConnell had been there for 22 years; a pupil named Lawlor had been admitted in 1889 and was “an old man now”. One guardian quickly saw the economic advantage of withdrawing Lawlor: “There is no possibility of his ever learning anything. I think that if they can be supported here at a cost of £8 we should not be spending £13 a year when it is doing them no good to keep them there.... Couldn't these people be kept here without danger?” As a result of the discussion, three Cavan pupils’ fees were discontinued.²²¹ If potential candidates for deaf schools were clearly too young or too old for the schools to accept them, many Boards of guardians learned to drop the matter without further consideration, no doubt inspired by a reluctance to waste ratepayer funds. When a young Traveller boy was brought before Ballina Union in 1910, the Chairman opined that “it was rather late to make the application when the boy was 15 years of age... He is one of those itinerant tinkers, and the application is made now when he has acquired all the bad habits he could possibly acquire.”²²²

Many older deaf people did benefit from being sent for education, but those over eighteen could not initially be paid for legally by guardians; the original clause of the 1843 Act placed an upper limit of 18 years of age under which children could be assisted from the rates. This was perceived as unfair in wider circles. John Lentaigne addressed the Statistical and Social Inquiry Society of Ireland on the subject and described what was presumably a common barrier - boards of guardians “crippled in their powers for good by the absurd provisions of the statute”, and

²¹⁹ *Waterford Chronicle*, 28 September 1869, p. 4.

²²⁰ *Tuam Herald*, 18 December 1875, p. 2.

²²¹ *Anglo-Celt*, 4 November 1899, p. 4; *Anglo-Celt*, 21 October 1899, p. 3.

²²² *Western People*, 2 July 1910, p. 13.

described the 1843 Act in this regard as “perhaps one of the most cruel of the incomprehensible enactments for Ireland, which would not be tolerated in any other part of the United Kingdom”.²²³ Some welcome clarity was brought when the 1878 Poor Afflicted Persons Relief (Ireland) Act was passed, authorising the Guardians “to provide for the reception, maintenance, and instruction of any blind or deaf and dumb pauper *above the age of eighteen* in any hospital or institution established for the reception of persons suffering under such infirmities, and to pay the cost of the conveyance of such pauper to and from the same, as well as the cost of his maintenance, support, and instruction therein—the amount to be paid for the reception, maintenance, and instruction of every such pauper not to exceed five shillings weekly”, or £13 per annum.²²⁴ While this clarity was no doubt welcome, it also meant that Poor Law expenditure on deaf adult pupils was now capped at a rate below that of deaf children.²²⁵ Regardless of the funding situation, in some cases adult pupils were simply too old to educate, and unions were informed that they would be sent back; it is likely they represented simply too much of a challenge for the staff to manage. Ellen Rourke was returned to the New Ross Union in 1866, after St Mary’s found her “too advanced in years to bend to school discipline, [she] will not learn, and her example is found to be pernicious amongst the children”.²²⁶

Ex-Pupils and Precedent

The above factors, through no fault of the deaf pupils and in many cases, no fault of their families, led to a ‘mixed bag’ of results from the various Boards sending deaf children to be educated. Many guardians utilised local knowledge of the children the Union had previously sent, and how it had turned out. Successful pupils were held up by guardians as exemplars of why deaf children should be sent to school. Pupils who turned out to be academically more successful than the average were sometimes made ‘pupil teachers’, or monitors, within deaf schools, which could then lead to an offer to the guardians of a reduction or even cessation of fees. Catherine Sutton from Waterford Union was offered such a position after seven years in St. Mary’s.²²⁷ Christopher Smith was made a pupil-teacher after just four years in St Joseph’s, and the Kells guardians were no doubt gratified to hear that as a result he would be educated and maintained free of expense for the following two years.²²⁸

²²³ John Lentaigne, *Address to the Statistical and Social Inquiry Society of Ireland* (Dublin, 1877), pp 8–9.

²²⁴ Poor Afflicted Persons Relief (Ireland) Act, 41 & 42 Vict., c. 60 (1878); Local Government Board for Ireland, *7th Annual Report* (Dublin, 1879), pp 47–48.

²²⁵ Commission on the Relief of the Sick and Destitute Poor, *Report*, p. 5. See also McDonnell, ‘Establishment and Operation of Institutions’, p. 30.

²²⁶ *Waterford Mail*, 28 September 1866, p. 3.

²²⁷ *Waterford News*, 7 August 1863, p. 3; Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 42 entry no. 102.

²²⁸ *Meath Herald and Cavan Advertiser*, 26 July 1873, p. 2.

However, other guardians, ignorant of the many complex factors affecting the education of the deaf child, often cited the lack of success of previous deaf children sent by the Union, utilising them as yardsticks for the efficacy of schooling deaf children at all. Guardian Meehan of New Ross fiercely attacked the notion of sending a young deaf boy named Dunphy to Cabra in 1882; he referred to another deaf boy, previously educated but by then back in the workhouse, as “perfectly useless and incapable, for whom £400 of the ratepayers' money had been paid”, and who was “now, as then, a burden on the ratepayers”. He cited another workhouse inmate “who had been put in Cabra 14 years, and who left it as he went into it”.²²⁹ Westport Union's chairman was critical in 1887 that one girl, paid for in St Mary's for over ten years, had subsequently been described by the school as having limited amount of skill in handiwork. The Chairman described it cynically as “a nice thing that a girl costing the union £150 could be able to knit and sew a little.”²³⁰ It was, in the view of another Westport guardian a year later, a “public humbug” to support deaf pupils in Cabra at the ratepayers’ expense for these long periods.²³¹

Conclusion

This chapter has shown that the majority of children in Irish deaf schools came to rely on the Poor Law for at least part-payment of their education. However, complicating this was a combination of inconsistent and regionally varying use of the Boards of Guardians’ discretionary powers, Board ignorance of relevant statute and subsequent Poor Law guidance and policy, and the priorities and prejudices of individual guardians (shaped by the mores and changing political landscapes of Irish society). Deaf children’s families were unable to take advantage of the free National School system of education, and poor law guardians were empowered, but not obliged, to use the rates to support them. Their discretion in this regard was influenced by religious, and especially economic, considerations, in a way that meant deaf children depended on the caprices of local guardians for their education in a way that most hearing children did not, a fact recognised by witnesses to the Royal Commission in 1889.²³² Regional disparities in willingness to grant such relief meant that geographical disadvantage also came into play; the rural unions of Ulster were singled out frequently as being more reluctant to pay, and analysis herein of Poor Law spending on Catholic deaf children’s education confirms this.

Guardians were mostly agreed on the desirability of deaf children being educated, and largely in agreement that the workhouse was no place for them. However the playing out of sectarian

²²⁹ *Wexford People*, 28 January 1882, p. 6.

²³⁰ *Connaught Telegraph*, 5 March 1887, p. 5.

²³¹ *Connaught Telegraph*, 19 May 1888, p. 5.

²³² Evidence of H. H. Dickinson, *1889 Royal Commission*, pp. 638.

scripts in the discussions and decisions of Boards of Guardians could jeopardise their access to schooling. Perceived cost implications posed a danger; all poor-rate expenditure needed justification, and deaf education had to be argued for. Boards of Guardians' parsimonious impulses could lead to payment of a fraction of overall fees - leaving families to shoulder a considerable financial burden; often the result was the eventual cutting short of a deaf child's education, or simply paying nothing for the child at all. The operation of an unofficial 'destitution test', and the inconsistent meanings given to this term, suggests that deaf children of lower middle-class backgrounds may in fact have had a harder time covering school fees than those from the poorest backgrounds, where 'destitution' was more obvious. Those from well-off households or paid for by local patrons were, in theory, able to afford fees more easily, but the higher proportion of children paid for in this manner being withdrawn early suggests that individual families' changing circumstances could pose risks in this regard.

In sum, access to education for Irish deaf children was highly conditional, often limited in terms of its duration, and in the final analysis, unequal. The fragility of the Irish deaf school experience, and the ease by which it could be cut short, placed deaf children in a far more unpredictable and precarious situation with regard to their future prospects – not to mention their basic ability to use language - than hearing children, whose free access to national schools had been unquestioned since 1831. It has also been shown that significant proportions of deaf children did not complete their education due to other factors, such as being sent at too advanced an age, or the presence of learning disabilities (leading to being deemed incapable of being educated, and sent back home from the schools). The above findings imply that statistics of enrolments in deaf schools cannot be seen as representing corresponding numbers of literate, comprehensively educated graduates. Significant numbers of partially-educated pupils returned to their families, communities, or workhouses, without either fluent written English language skills, or appropriate socialisation into a deaf community. The significance of this partial education is vital when considering the cohesiveness of early Irish deaf communities. It is relevant to the study of the relationship between Irish deaf people, crime and the legal system, which will be the focus of a later chapter. It is also of relevance when considering the issue of poverty among deaf people, and the following chapter will examine the experiences of deaf men and women in Ireland's workhouses.

Chapter 4: Deaf People in Irish Workhouses

Introduction

This chapter will look at the experiences of deaf people in Irish workhouses. It will be shown that throughout the period, the proportion of deaf people who were inmates in workhouses remained considerably higher than for the general proportion of the population. The admissions and discharges of deaf people within selected sets of indoor relief registers for Irish workhouses will also be analysed, and patterns of admission will be traced. Reasons as to why deaf people used the workhouses will be explored, using individual examples of deaf inmates and their admission patterns. Attention will also be drawn to the use of vocabulary items to describe deaf people in the registers. It will be shown that no shared, common Poor Law administrative approach towards deaf inmates as being conclusively 'disabled' or 'able-bodied' is evident in the records scrutinised. Using newspaper reports alongside institutional records, a thematic analysis will describe specific aspects of the workhouse system which were salient and consequential for deaf inmates. It will be shown that while the experience of deaf inmates was highly varied, the deaf workhouse experience was heavily marked by communication problems, harsh punishments, violence and prosecution, with mental health being a further, prominent theme. While some deaf inmates were given meaningful work or even regular positions, others were exploited; it will be shown that deaf female inmates were vulnerable to sexual exploitation.

Numbers of deaf people in Irish workhouses

The 1838 Irish Poor Law Act created an Irish workhouse system, and its passing into law led to the establishment of 130 (following the Irish Famine, 163) Poor Law Unions, each with a workhouse funded by locally-raised 'poor rates' and managed by a partially-elected Board of Guardians.¹ From their establishment in 1838, to the onset of the Irish Famine in 1845, workhouses across the country were generally not filled to capacity; despite widespread poverty, the poor showed a general reluctance to enter.² However, examination of indoor relief registers shows deaf individuals being admitted to workhouses during this early stage. Indeed, the old Dublin workhouse and House of Industry, as well as other similar institutions, had also frequently admitted inmates who were recorded as being 'dumb' and 'deaf and dumb' during

¹ O'Connor, *The workhouses of Ireland*; Gerard O'Brien, 'The Establishment of Poor-Law Unions in Ireland, 1838-43' in *Irish Historical Studies*, xxiii, no. 90 (1982), pp 97-120; Gray, *The Making of the Irish Poor Law, 1815-1843*.

² Robins, *The Lost Children*, p. 169.

the eighteenth and early nineteenth centuries.³ One 'deaf and dumb' inmate – James Back, aged 35 – was transferred to the new South Dublin Union workhouse from the old House of Industry in May 1840, just a couple of months after the new workhouse was declared open for reception of paupers.⁴ A 'dumb' man named Michael Walsh was apparently the very first inhabitant of the house Waterford workhouse when it first opened.⁵

The passing of the 1838 Act did not in itself usher in a new approach or system to deal with the deaf poor, and the act does not mention deaf people specifically, but only “destitute poor persons as by reason of old age, infirmity, or defect”.⁶ It was not until the 1843 Poor Relief (Ireland) Act⁷ that deaf people are referred to - when Boards of Guardians were empowered to pay for deaf education out of the poor rates; deaf workhouse inmates are not specifically mentioned at all. In 1847, the Poor Law Amendment Act introduced provisions enabling “Destitute poor persons who are permanently disabled from labour by reason of old age, infirmity or bodily or mental defect” to avail of outdoor relief.⁸ This may have meant it became easier for poor deaf people to stay out of the workhouse. Certainly there are early occurrences of deaf poor people applying for, and being granted, outdoor relief, as opposed to insistence on their entering the house. For example in 1851, the Roscommon guardians allowed a “deaf and dumb girl... 8d per week in preference to making her an inmate of the house.”⁹

Counts of 'deaf and dumb' individuals in Irish workhouses were cited within the Census of Ireland's lavishly detailed *Reports on the Status of Disease* between 1851 and 1871. Thereafter, Census reports merely aggregated the numbers of deaf workhouse inmates into the figures of 'sick' or 'infirm' present, although tables of blind paupers in workhouses continued to be presented in the Census reports.¹⁰ Another source exists – an 1887 Parliamentary Return which

³ An early eighteenth-century source lists 3 'dumb' individuals within the population of 222 in the Dublin Workhouse. *A List of the poore in the City Work-house, from their Several Parishes. With their Age & Qualitys*, 20 March 1725-26'. ML Z3.1.1(148); see <https://www.marshlibrary.ie/catalogue/Record/34867>, and Burke, *The People and the Poor Law*, pp 52–53. At least 14 individuals listed as either 'deaf' or 'dumb' (but curiously, none listed as both) can be found between 1775 and 1782 in the registers of the Limerick House of Industry: David Fleming and John Logan (eds), *Pauper Limerick: The Register of the Limerick House of Industry, 1774-93* (Dublin, 2011). Between 1806 and 1817, newspaper reports on the Dublin House of Industry reported 'deaf and dumb' as a sub-category of inmates, numbering as many as 14 out of 1,796 in August 1806: *Freeman's Journal*, 9 August 1806. Pollard reports that in 1816, the Dublin House of Industry had '21 deaf' inmates: Pollard, *The Avenue*, p. 59.

⁴ Burke, *The People and the Poor Law*, p. 64. See also South Dublin Union, Indoor Relief Registers, 28 April 1840, BG/79/G/1A, entry no. 122, *Dublin Workhouses Admission & Discharge Registers 1840-1919*, FMP.

⁵ Walsh died in February 1872 after a stay of 31 years: *Waterford Mirror and Tramore Visitor*, 7 February 1872, p. 3; Michael Walsh, 28 January 1872, civil death record, registration district of Waterford, IGN.

⁶ 'An Act for the more effectual Relief of the destitute Poor in Ireland', 1 & 2 Vict., c. 56 (31 July 1838), s. 41, 57.

⁷ 'An act for the further amendment of an Act for the more effectual relief of the Destitute Poor in Ireland', 6 and 7 Vict. c. 92 (24 August 1843), sec. 14.

⁸ 'An Act to make further Provision for the Relief of the destitute Poor in Ireland', 10 Vict., c.31, (8 June 1847). See also Crossman & Lucey, "'One huge abuse": The Cork board of guardians and the expansion of outdoor relief in post-Famine Ireland', p. 1409.

⁹ *Roscommon Messenger*, 8 March 1851, p. 2.

¹⁰ *1881 Census of Ireland Report, Part II*, p. 40.

gives numbers of both blind and ‘deaf and dumb’ recipients of relief in England and Ireland. This return fails to distinguish, however, between those sent to deaf schools paid for out of Union rates, and those that remained in the workhouse, meaning estimates of the numbers of deaf people who were inmates of workhouses cannot be made with confidence based on the Return.¹¹

In the absence of official statistics after 1871, other sources and approaches can assist in identifying deaf inmates workhouses. Tracking deaf paupers via 1901 and 1911 Census manuscript returns is a valuable way to gain insight into how widespread their use of workhouses was. This was done via locating all ‘Form E’ workhouse returns that were able to be located on the Census of Ireland website.¹² These scanned manuscript forms were examined for the presence of inmates listed as ‘deaf’, ‘dumb’, ‘deaf and dumb’, or variants thereof.¹³ Workhouse asylum wards utilised a separate ‘Form I’, intended for mental institutions such as public district lunatic asylums, and private asylums. These scanned manuscript ‘Form I’s were also identified, and the numbers of any deaf inmates there recorded separately.

Description	1901	1911
<i>Deaf and Dumb</i>	130	158
<i>Dumb</i>	62	55
<i>Dumb Only</i>	17	18
<i>Deaf Only</i>	177	131

Table 7: Numbers of workhouse inmates described as ‘deaf’ / ‘dumb’ / ‘deaf and dumb’ in 1901 and 1911 online Census of Ireland¹⁴

If we examine the 1901 and 1911 figures together with those published in the Irish Census Reports between 1851 and 1871, we see a broadly similar pattern throughout: small (and diminishing) *absolute* numbers, but a consistently high *proportion*, of ‘deaf and dumb’

¹¹ *Blind and deaf-mute persons (England, Wales, and Ireland). Return to an address of the Honourable the House of Commons, dated 2 September 1887;--for, “return of blind and deaf-mute persons in England and Wales, and in Ireland, who are assisted from the poor rates:-- and, similar return for the deaf and dumb, 1887, H.C. 1887 (326) lxx, 1.*

¹² Not all workhouse Form E or Form I returns were available on the Census of Ireland website, meaning that overall figures for Irish workhouses may represent underestimates. A small number of 1901 Census Form Es could not be located online, for the union workhouses of Castlecomer, Clonmel, and Schull. A larger number of workhouse asylum Form I returns could not be located on the website, for the following unions: (1901) Ballymahon, Ballymoney, Bawnboy, Carrick-on-Shannon, Castlederg, Clonmel, Dromore West, Dunmanway, Glin, Killarney, Kilmallock, Letterkenny, Mullingar, Schull, Strokestown; (1911) Ballycastle, Ballymahon, Castlecomer, Clogher, Clonakilty, Glenamaddy, Glin, Killala, Kinsale, Londonderry, Omagh, Schull. It is possible that some of these small workhouses simply had no inmates in a lunatic ward or did not possess them.

¹³ The actual descriptions in the ‘Disability’ column were analysed, and these present a very wide range of descriptions that expand on these core categories. References to visual impairments and learning difficulties / cognitive disabilities have been included by focusing on references to the core categories, e.g. inmates described as ‘blind and deaf’ or ‘blind deaf and dumb’ have been taken as *deaf* and *deaf and dumb* respectively; ‘dumb idiot’ (*dumb*), ‘deaf mute imbecile’ (*deaf and dumb*), etc.

¹⁴ National Archives of Ireland, ‘Census of Ireland 1901 and 1911 Online website’.

individuals as workhouse inmates compared to the general population. Table 8 shows considerably more 'deaf and dumb' workhouse inmates than one might otherwise predict, given numbers of 'deaf and dumb' people in Ireland, and numbers of Irish population in workhouses.

Year	General Population	Total population in workhouses	Total number of 'deaf mutes' in population, according to Census of Ireland	Expected total number of deaf people in workhouses	Actual total number of deaf people in workhouses
1851	6,552,385	249,877	4,747	181	296
1861	5,798,967	49,994	4,930	43	223
1871	5,412,377	48,926	4,467	40	253
1901	4,458,775	42,932	3,076	30	130
1911	4,390,219	38,313	3,145	27	158

Table 8: Numbers in general population, in workhouses, returned as 'deaf mute' etc., and expected versus actual numbers of 'deaf mutes' in workhouses, Census of Ireland 1851-1871 and 1901-1911

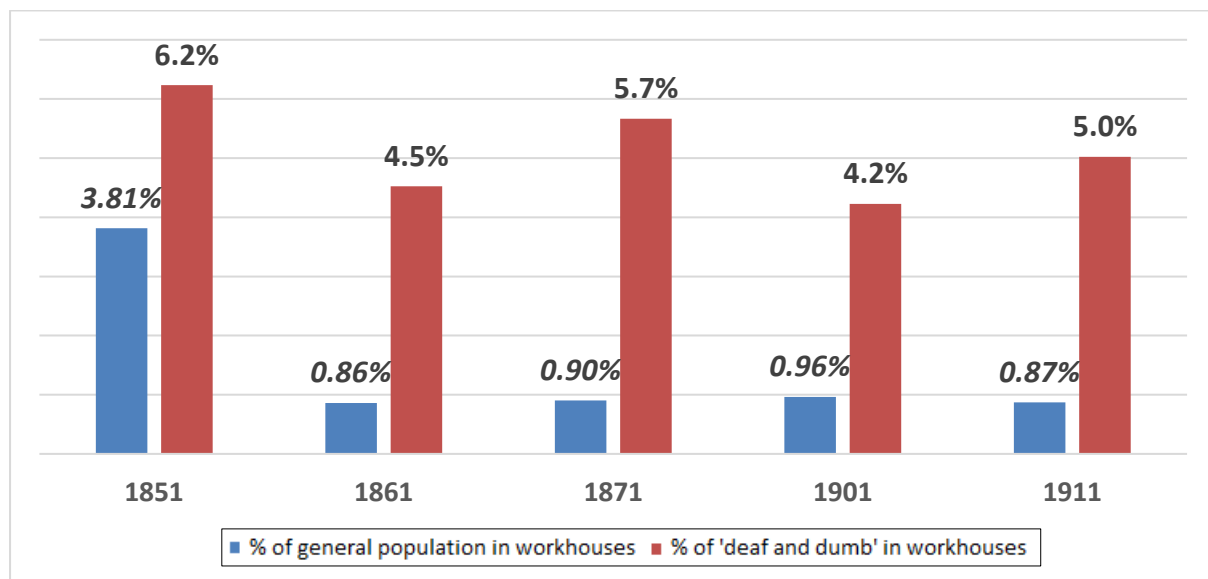


Figure 9: Proportion of general population, and proportion of 'deaf and dumb' population, in Irish workhouses, 1851-1871 and 1901-1911

Figure 9 above shows that in each Census for which we have data, the proportion of workhouse inmates who were 'deaf and dumb' outstrips the proportion of workhouse inmates within the general proportion. Absolute numbers in workhouses in Ireland dropped decade on decade as the after-effects of the Famine subsided, but the proportion of 'deaf and dumb' people in

workhouses remains relatively stable.¹⁵ It is clear therefore, that in Ireland, the proportion of the deaf population who were workhouse inmates was consistently and considerably higher than that of the general population, right up until at least 1911. This gap in fact widens rather than narrows at times over the entire period, and at its greatest in 1871, it is more than six times more likely that a 'deaf and dumb' person is a workhouse inmate, than a member of the general population. This was by no means unique to Ireland within the United Kingdom. Census compilers for England and Wales did not pursue such statistics about deaf people with as much zeal as did the Irish Census Commissioners.¹⁶ However the 1871 Census of England and Wales does enumerate 'deaf and dumb' people in workhouses, and the given figures, again, indicate an over-representation. Of the 11,518 of the general population who were 'deaf mutes', 529 – 4.6% of all 'deaf mutes' – were workhouse inmates, compared to just 0.7% of the general population.¹⁷ Therefore, 'deaf mutes' were seven times more likely to be found in a workhouse in 1871.

Workhouse Indoor Relief Registers: Analysis

We now attempt to uncover more information about patterns of workhouse usage among deaf people. To achieve this, indoor relief registers, recording the admission and discharge of paupers to and from workhouses, are utilised. Where still extant, they can provide a wealth of information about the profile, lives, and habits of workhouse inmates. Registers for most Irish unions have been lost or destroyed, but a number of archives retain runs of registers (particularly for Ulster, most of county Dublin, and much of County Cork). The last decade has seen a number of registers being digitised and made available on archive or genealogical websites, some having been transcribed, indexed and made searchable.¹⁸ While analyses of extant indoor relief registers have been carried out within Irish historiography, these focus

¹⁵ However it should be noted that the falling population of the country due to emigration between 1861 to 1911 belied the declining absolute numbers on indoor relief, and meant that in fact there was a slight rise in indoor relief per head of population in the period, and a considerable rise between 1859 and 1907; see Cousins, *Poor Relief in Ireland, 1851-1914*, pp 19–20, 23.

¹⁶ The initial excuse was lack of manpower; in 1851 the Irish Census Commissioners had "fortunately no difficulty in pursuing the subject to its full extent", due to the assistance of the Royal Irish Constabulary for follow-up questioning regarding 'deaf and dumb' individuals; but in England and Wales it was not "found practicable at a later period to enter upon a further investigation of the cases in reference to these and other questions of undoubted interest." This was confirmed by the 1889 Royal Commission report, which recommended "fuller and more accurate returns" of deaf people in the next (1891) Census - an idea which does not seem to have been taken up. *Census of Great Britain, 1851. Population tables. II. Ages, civil condition, occupations, and birth-place of the people: with the numbers and ages of the blind, the deaf-and-dumb, and the inmates of workhouses, prisons, lunatic asylums, and hospitals. Vol. I*, 1853, p. cix [1691-I], H.C. 1852-53; *1889 Royal Commission*, p. xliv.

¹⁷ Of a total population in England and Wales of 22,712,266, there were 148,201 workhouse inmates (0.7% of the population). *Census of England and Wales. For the year 1871. General report. Vol. IV*, 1873, p. lxiii [C-872-I], H.C. 1873.

¹⁸ Crossman et al., 'Sources for the history of the Irish poor law in the post-Famine period', pp 199, 203. Findmypast.ie, 'Find your ancestors in Dublin Workhouses Admission & Discharge Registers 1840-1919' in *Findmypast.ie website*, 2020 (<https://www.findmypast.ie/articles/world-records/full-list-of-the-irish-family-history-records/institutions-and-organisations/dublin-workhouses-admission-and-discharge-registers-1840-1919>) (23 Nov. 2020); Wicklow County Council, 'Workhouse Registers' in *Wicklow County Council - Arts, Heritage & Archives website*, 2020 (<https://www.wicklow.ie/Living/Services/Arts-Heritage-Archives/Archives/Collections/Workhouse-Registers>) (23 Nov. 2020).

primarily on registers for the Famine years, rather than on the more neglected – and far longer – post-Famine phase of the Irish Poor Law. As part of the National Famine Research Project, registers were examined between 1845 and 1851 for Unions such as Enniskillen, North Dublin, Parsonstown, Ballina and Ennistymon.¹⁹ Basic analyses of later periods have also been published for Ballycastle, North Dublin and Thurles Unions.²⁰ Olwen Purdue's work on Ulster workhouses, including Clogher, Ballycastle, and in particular Ballymoney, utilises in-depth analysis of indoor registers.²¹ Purdue has also given specific attention to Belfast's urban context and analysed its workhouse admission records.²² Simon Gallaher has recently examined registers for Antrim, Ballymena, and Ballymoney with a focus on the familial circumstances of children.²³ Virginia Crossman's analysis is probably the most comprehensive, incorporating relief registers from workhouses in Cork, Thurles and Donegal, and finding differences in patterns of duration of stay between rural and urban workhouses, and between northern workhouses and those in the south.²⁴

Within much of this work, the increase in the proportion of 'aged, sick and infirm' inmates of the workhouses over the decades is commented on.²⁵ However, little direct attention has been given to inmates with a disability within such analyses of workhouse registers. An exception is Helen Burke, who notes that in 1840, the first year of operation of the South Dublin Union workhouse, 50% of the 2,187 admissions were recorded as having some kind of identifiable sickness or disability when admitted.²⁶ Unfortunately, Burke reinterprets and reorganises the actual descriptions of disability used in the registers to conform to a medicalised taxonomy of physical conditions, aggregating all mention of 'deaf', 'dumb' etc. inmates into a category named 'disorders of nervous system, sense organs'.²⁷ Such recategorization serves to obscure, rather than illuminate, the presence of deaf people within the workhouse system. If we directly examine the descriptions in the South Dublin indoor registers for 1840 reveals eight admissions for seven individuals described variously as 'Dum' [*sic*], 'Deaf and Dumb', 'Dummy & Deaf',

¹⁹ Guinnane et al., 'Agency and famine relief...'; Timothy W. Guinnane and Cormac Ó Gráda, 'Mortality in the North Dublin Union during the Great Famine' in *Economic History Review*, lv, no. 3 (2002), pp 487–506; Andrés Eiríksson, 'IVRLA Research Report: Irish Famine', 2009 (<https://researchrepository.ucd.ie/rest/bitstreams/5718/retrieve>).

²⁰ See e.g. Crossman et al., 'Sources for the history of the Irish poor law in the post-Famine period', pp 203–209.

²¹ Purdue, 'Poor Relief in the North of Ireland'; Olwen Purdue, 'Poverty and power: the Irish Poor Law in a north Antrim town, 1861–1921' in *Irish Historical Studies*, xxxvii, no. 148 (2011), pp 567–583.

²² Olwen Purdue, "'A gigantic system of casual pauperism': The contested role of the workhouse in late nineteenth-century Belfast" in B. Althammer, A. Gestrich and J. Gründler (eds), *The Welfare State and the 'Deviant Poor' in Europe, 1870–1933* (London, 2014), pp 42–57; Olwen Purdue, 'Surviving the industrial city: the female poor and the workhouse in late nineteenth-century Belfast' in *Urban History*, xlv, no. 01 (2017), pp 69–90.

²³ Simon A. Gallaher, 'Children and families in the workhouse populations of the Antrim, Ballymena, and Ballymoney Poor Law Unions in the mid-nineteenth century' in *Local Population Studies*, xcix, no. 1 (2017), pp 81–94.

²⁴ Crossman, *Poverty and the Poor Law*, pp 107–111, 121–125.

²⁵ *Ibid.*, p. 129.

²⁶ Burke, *The People and the Poor Law*, p. 75.

²⁷ *Ibid.*, pp 75, 77.

'Dummy & Idiot', and a 'Dumb Cripple'. These seven individuals represent 0.32% of the total number of individuals admitted during 1840.²⁸ This apparently modest proportion (of a very small and possibly unrepresentative sample) is nonetheless more than three times the proportion of people who were 'deaf', 'dumb', or 'deaf and dumb' (0.07%) among the general population in the 1851 Census of Ireland.²⁹ From the very outset, then, deaf people were to be found in Irish workhouses in greater numbers than their share of the populace would indicate.

Some recent work undertaken from a deaf cultural perspective has begun recognising the value of these sources. Lucas Rivet-Crothers has utilised workhouse admission and discharge books to seek deaf people within the walls of Tonbridge Union workhouse in Essex, gathering information about deaf individuals who came to the workhouse, and positing possible reasons leading to their stay.³⁰ In an Irish context, this methodology was pioneered by Graham O'Shea in his examination of the Cork deaf community. He includes an appendix of deaf signers' admissions into the Cork Union workhouse between 1841 and 1852, and provides figures for deaf signers entering other workhouses in County Cork for which registers still exist (Kinsale, Macroom, Midleton and Youghal).³¹ In an attempt to construct a picture of how deaf signers may have utilised the workhouse system between 1851 and 1922, I have largely followed O'Shea's methodology, and have selected and examined a number of indoor relief registers from a group of Irish workhouses. Given the limited number of workhouse indoor registers still in existence, there were restrictions in which registers could be selected, and Table 11 below lists the unions selected plus the timeframes searched. A number of factors together dictated these choices. Availability was a key factor, given the uneven regional distribution of surviving registers. Comparison of urban and rural workhouse patterns was achieved by selecting unions that covered cities (Dublin, Belfast), towns (Strabane, Downpatrick, Kinsale and Sligo) and more rural districts (Rathdrum, Glenties) in an attempt to represent the country as broadly as possible. Not all of these Unions had existing registers that covered evenly the entire period 1851 to 1922; others (particularly Belfast and South Dublin) had very lengthy runs, and analysing all register books would have been massively time consuming. Given that the 1901 and 1911 Censuses were available to give a picture of urban workhouse usage after 1900, the decision was taken to examine city workhouse registers only up to and including 1891.

²⁸ Ibid., pp 73–77. South Dublin Union, Indoor Relief Registers, 1 Jan 1840 – 31 December 1840, BG/79/G/1A, *Dublin Workhouses Admission & Discharge Registers 1840-1919*, FMP. One of these is a readmission.

²⁹ 5,180 individuals (including 'deaf and dumb' and 'dumb, not deaf') from a total population of 5,111,557. *1851 Census of Ireland Report, Part III*, pp 6-7.

³⁰ Rivet-Crothers, 'Uncovering the Muted History...'

³¹ O'Shea, 'A History of Deaf in Cork', pp 133–6; Appendix 15, pp 163–6.

Belfast Union, Co. Antrim / Down ³²	1886-1894
Glenties Union, Co. Donegal ³³	1851-1866; 1884-1895; 1899-1907; 1914-1921
South Dublin Union, Co. Dublin ³⁴	1851-1891
Kinsale Union, Co. Cork ³⁵	1852-1858; 1860-1861; 1862-1885; 1888-1898; 1899-1903
Sligo Union, Co. Sligo ³⁶	1851-1859
Strabane Union, Co. Tyrone ³⁷	1862-1906
Downpatrick Union, Co. Down ³⁸	1851-1899
Rathdrum Union, Co. Wicklow ³⁹	1851-1865; 1868-1902

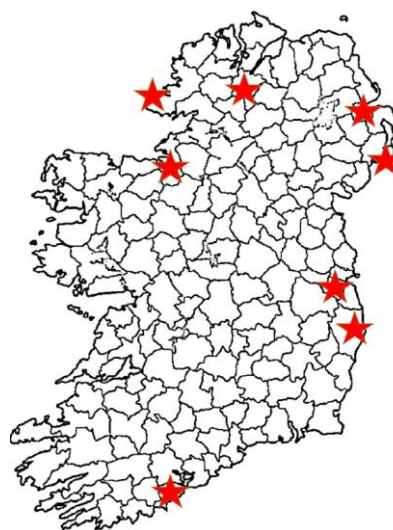


Table 11: List of workhouses for which indoor relief registers were examined, with timeframe and gaps

These registers were examined in their microfilmed, scanned, or original manuscript formats, depending on the form in which they were available, and the column referring to 'Disability', as well as the 'Observations' column, were examined.⁴⁰ Admissions were noted for individuals described as *deaf and dumb*, *deaf mute*, *mute*, *dumb*, *deaf*, *dummy*, or any other descriptions pertaining to hearing loss or inability to speak; dates of admission and discharge, along with all other information on the inmate, were collated. Damage to the original documents, poor quality microfilming, or information omitted from the registers, resulted in certain pieces of information being illegible or irretrievable on occasion.⁴¹ Given this, additional strategies were utilised to maximise identification of deaf inmates, particularly the use of online searchable versions of the registers on the FindMyPast website.⁴² Once deaf individuals had been identified

³² Indoor registers, Belfast Union workhouse, PRONI BG/7/G/3-27.

³³ Indoor registers, Glenties Union workhouse, DCA BG/92/3/1-4; indoor registers, Glenties workhouse, *Donegal Workhouses Registers and Minute Books*, FMP.

³⁴ Indoor registers, South Dublin Union workhouse, NAI MFGS 52/29-46; indoor registers, South Dublin Union workhouse, *Dublin Workhouses Admission & Discharge Registers 1840-1919*, FMP.

³⁵ Indoor registers, Kinsale Union workhouse, CCA BG/108/G/1-13.

³⁶ Indoor registers, Sligo Union workhouse, *Sligo Workhouse Admission and Discharge Registers 1848-1859*, FMP.

³⁷ Indoor registers, Strabane Union workhouse, PRONI BG/27/G/1-15.

³⁸ Indoor registers, Downpatrick Union workhouse, PRONI BG/12/G/2-11.

³⁹ Indoor registers, Rathdrum Union workhouse, WCC PLUR WR 02-23, <https://www.wicklow.ie/Living/Services/Arts-Heritage-Archives/Archives/Collections/Digitised-Collections/Wicklow-Workhouse-Records>.

⁴⁰ Workhouse register volumes were eventually standardised, and in any case always had two columns headed 'If disabled, the description of Disability', and 'Observations on Condition of Pauper when Admitted', respectively. Irish Poor Law Commissioners, *Compendium of the Irish Poor Law: containing the acts for the relief of the destitute poor in Ireland, and various statutes connected therewith*, ed. B. Banks (Dublin, 1872), p. 804.

⁴¹ In a small number of cases, the discharge date is not noted, even where there is a subsequent admission for the individual; in such cases it is unknown exactly how many nights the individual spent in the workhouse after admission before the left, died, or were transferred to another institution. These admissions have been included in later totals for admissions, but not used to calculate average stays.

⁴² Specifically the indoor relief registers for North Dublin, South Dublin, Rathdown, and Sligo. See <https://www.findmypast.ie/articles/world-records/full-list-of-the-irish-family-history-records/institutions-and-organisations/dublin-workhouses-admission-and-discharge-registers-1840--1919> and <https://www.findmypast.ie/articles/world-records/full-list-of-the-irish-family-history-records/institutions-and-organisations/rathdown-workhouse-admission-and-discharge-registers-1840--1919>

in the indoor registers, online searches could be carried out to locate other entries for the same individual elsewhere, matching for name, age, possible overlap of dates of admission / discharge, last given address, and other available detail. The advantage to this was it picked up on many individuals of interest in the North Dublin Union and Rathdown Union workhouses also, for which indoor relief registers are also available on Findmypast.ie. In this way, a more expansive and accurate dataset of admissions of deaf people in Dublin workhouses was compiled. The entire dataset was then examined to see how many distinct individuals were referred to in the entries, by matching for name, rough years of birth, and other clues such as occupation, religion, and address or home townland.⁴³ A decision was then made, looking at the various ways in which admittees were described, to categorise them as *deaf*, *dumb*, or *deaf and dumb*; in general, even a single reference to them as *deaf and dumb* or *deaf mute*, across a series of varying admissions details, led to them being classified as *deaf and dumb*. A summary of the results can be seen in Table 12 below.⁴⁴ On top of this, many individuals have been traced in online FindMyPast workhouse registers for South Dublin, North Dublin and Rathdown workhouses, as well as others in County Donegal, for the purpose of illustration of the deaf experience in the workhouse. The analysis shows that people labelled 'deaf', 'dumb', and 'deaf and dumb' made use of workhouses all around Ireland in this period, some frequently. This will be explored below.

[records/full-list-of-the-irish-family-history-records/institutions-and-organisations/sligo-workhouse-admission-and-discharge-registers-1848-1859.](#)

⁴³ Where it was ambiguous if two admission entries referred to the same individual, it was assumed that admissions referred to separate individuals.

⁴⁴ For original or microfilmed registers that contained alphabetical indexes at the start of each volume, indexes were sometimes consulted with a view to locating more deaf signing individuals, but with mixed results. For workhouses with a larger volume of admissions, discovery of new individuals who were deaf signers would have necessitated re-checking indexes for potentially decades' worth of records. Some microfilmed or original registers simply did not contain index entries. Using indexes was most effective when examining registers for rural workhouses, where one or two individuals (especially those with distinctive names) made many admissions over the years; it became easier to recognise these names when inspecting the registers even when deafness was not mentioned.

<i>Workhouse</i>	<i>Period</i>	<i>Admissions</i>	<i>Individuals (Total)</i>	<i>Individuals (Deaf)</i>	<i>Individuals (Dumb)</i>	<i>Individuals (D&D)</i>	<i>Transfers to Deaf Schools</i>	<i>Average Stay (in days)</i>	<i>Longest stay (in days)</i>	<i>Longest stay (in years)</i>
South Dublin	1851 - 1891	319	160	18	17	125	37	313	15,983	44
Rathdrum	1851-1865; 1868-1902	86	23	2	3	18	3	370	20,659	57
Strabane	1862-1906	112	36	14	4	15	0	134	2,437	7
Belfast	1886-1894	118	56	24	3	29	0	214	5,248	14
Glenties	1851-1866; 1884-1895; 1899-1907; 1914-1921	36	16	2	5	9	1	195	1,897	5
Sligo	1851-1859	23	8	1	1	6	0	89	775	2
Downpatrick	1851-1899	175	21	9	4	8	0	77	2,454	7
Kinsale	1852-1858; 1860-1861; 1862-1885; 1888-1898; 1899-1903	144	11	0	0	11	0	52	785	2

Table 12: Analysis of admissions and numbers of 'deaf' / 'dumb' / 'deaf and dumb' individuals to eight workhouses

Descriptions of Inmates

The information given about inmates in admission entries is somewhat minimal, and occasionally, information that the printed register volumes asked for was omitted entirely. This is noted in the historiography; workhouse clerks were no doubt hard-pressed to record every detail of incoming paupers in periods when the volume of admissions was high, especially (but not limited to) the Famine period. Helen Burke notes that in 1840, the 'Disability' column was not filled in for over 57% of admissions; Guinnane *et al* encountered the same issue in Enniskillen's Famine-era registers, with the issue getting worse as the famine progressed.⁴⁵ Olwen Purdue notes that later in the century, a rise in indoor paupers in Belfast's workhouse meant that the system of recording admissions, "normally highly regulated, broke down under the weight of the sheer numbers turning up at the doors each day."⁴⁶ Virginia Crossman notes that in North Dublin in 1891, compared to thirty years earlier, indoor register detail of any illnesses and medical complaints possessed by inmates was "largely missing".⁴⁷

The analysis carried out for this research shows that admissions of deaf people were recorded in what we might consider a quite haphazard manner. Instead of the column intended to record any 'Disability', clerks frequently noted that inmates were 'deaf and dumb' (or variations thereon) in other columns headed 'Observations', 'Employment', or elsewhere. Such entries can slip past an inspection of the registers. In the earlier decades, if a deaf inmate's name was unknown, a designation, such as 'Deaf and Dumb Woman', was entered instead.⁴⁸ The actual descriptions recorded also offer us some insight into how deaf signers were viewed by workhouse authorities; there is no clear indication from them whether deaf inmates were conclusively viewed as 'disabled', 'able bodied', or the 'deserving poor', or seen another way entirely. Deaf inmates are described in indoor registers using an array of terms that we have already seen; however, deafness or ability to speak is recorded inconsistently. In cases where it can be reasonably assumed that there are multiple admissions of the same individual to a workhouse, the labels used to describe and record admission of the inmate change frequently.⁴⁹

⁴⁵ Burke, *The People and the Poor Law*, p. 76; Guinnane et al., 'Agency and famine relief...', pp 24–5. Burke also states that the 'Disability' column in the South Dublin Union registers was barely used after 1840, but if the use of this column in the South Dublin registers is examined closely, there is a reasonable consistency over the decades in its recording whether an admitted inmate was 'deaf and dumb' or 'deaf mute'.

⁴⁶ Purdue, 'A gigantic system...'

⁴⁷ Virginia Crossman, 'Workhouse Medicine in Ireland: a Preliminary Analysis, 1850-1914' in Jonathan Reinartz and Leonard Schwarz (eds), *Medicine and the Workhouse* (Rochester, NY, 2013), p. 126.

⁴⁸ For example, a 'Deaf and Dumb Woman' admitted in 1851 to the South Dublin Union, brought in by a police constable, who stayed a month. South Dublin Union, Indoor Relief Registers, 27 November 1851, BG/78/G/9, entry 1893, *Dublin Workhouses Admission & Discharge Registers 1840-1919*, FMP.

⁴⁹ In such cases, admission details were checked carefully to match for age and address, as well as ensuring no overlapping of dates of admission and discharge.

This is most apparent when looking at deaf inmates who regularly were admitted to workhouses. Bessie Beers' admission records exemplify this high variability. Her somewhat unique name and matching age details in the indoor registers mean it is relatively easy to assume that admissions under this name refer to the same person. She attended the Strabane Deaf and Dumb Institution, but her description in the Strabane Union indoor register's 'Disability' column in fact never describes her once as 'deaf and dumb'. Twice she is described as 'dumb', on nineteen other admissions as 'mute'; nine entries do not refer to her deafness or ability to speak at all. Entries for William Blow to Downpatrick also display this variance; out of 130 admissions, 54 (41.5%) describe him as 'deaf and dumb', and a similar number – 56 (43.1%) – describe him as 'dumb'. 19 entries (14.6%) do not mention his deafness at all; given that other information about his appearance and medical complaints is included in these same entries, this omission may not have been just a clerical oversight.⁵⁰ John Reilly's admissions into Kinsale use both 'Disability' and 'Observations' columns to record his deafness, and just over 70% of admissions refer to his deafness or inability to speak, with the remainder not mentioning it all. Interestingly, almost 40% of his admissions explicitly record him as 'able' (-bodied); more than half of these admissions *also* mention his deafness elsewhere in the register entry. This inconsistency is significant; signing, or least non-speaking, deaf workhouse inmates could be explicitly recorded as 'able-bodied'. Clearly, such varying descriptions show that these deaf individuals were viewed and conceptualised by workhouse staff in different ways. Even given the possibility of accidental clerical omission, this indicates the possibility that deaf signing inmates formed a liminal, ill-defined category for workhouse authorities - occasionally perceived as not quite 'disabled' enough to mention at all, or at the very least, not 'disabled' in the sense that Poor Law authorities broadly conceived it.⁵¹

Frequency and Duration of Stay

The evidence contained in indoor relief registers indicates considerable variation in patterns of how deaf people used workhouses. Although Table 3 above gives averages for length of stay for each of the eight workhouses, the presence of a small number of extremely long stays functions to skew averages, and may mislead as to typical patterns of deaf workhouse usage. Table 13 below shows data from the South Dublin Union, illustrating that although there was variation in

⁵⁰ Downpatrick Union, Indoor Relief Registers, 1849-1891. PRONI BG/12/G/2 - BG/12/G/9.

⁵¹ Mel Cousins notes that too much attention can be given to such categorisations used by the poor law bureaucracy; at least by 1909, the term 'able bodied' was not used in any kind of meaningful sense beyond whether a pauper was on a special medical diet or not: *Poor Relief in Ireland, 1851-1914*, p. 21. Rivet-Crothers points to data relating to dietary within English workhouses as indicating that deaf inmates were classed, and treated, as 'able bodied'. On this basis he finds "[n]o evidence indicating that Deafness seemed to be an issue, nor something the workhouse was concerned about", and as a possible explanation states that the "[d]iscourse of Deafness as a disability [had] not reached the heavy bureaucracy of the Workhouse"; Rivet-Crothers, 'Uncovering the Muted History...'

how often ‘deaf’, ‘dumb’, and ‘deaf and dumb’ individuals used the workhouse, the vast majority of inmates (77%) entered only once, and a further 18% returned up to five times. The total percentage of individuals who used the workhouse more than this was less than 5%.

Number of Admissions	Individual workhouse inmates	%
1 admission	124	77.0%
2 - 5 admissions	29	18.0%
6 - 10 admissions	4	2.5%
11 - 15 admissions	2	1.2%
30 - 35 admissions	2	1.2%

Table 13: Number and percentage of individual ‘deaf’, ‘dumb’, and ‘deaf and dumb’ individuals admitted to South Dublin Union workhouse arranged by number of admissions between 1851-1891

There was also variation in terms of duration of stay. Figure 10 below shows that in the South Dublin Union, 42% of stays by deaf individuals lasted under a month, and just under 67% were under 6 months. Stays of more than 5 years in the South Dublin Union were quite rare – about 5% of deaf admissions. It is thus apparent that long-term stays of deaf inmates in the workhouse were not the norm.

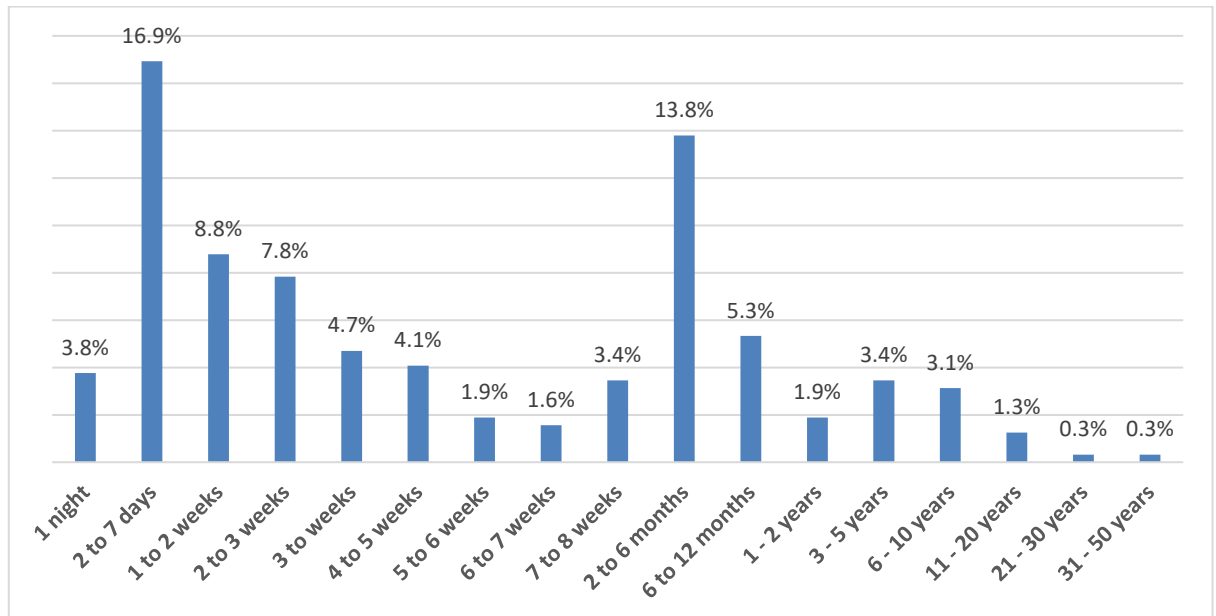


Figure 10: Percentage of admissions of ‘deaf’, ‘dumb’, and ‘deaf and dumb’ individuals to South Dublin Union workhouse arranged by duration of stay, 1851-1891

Some inmates made long-term use of workhouses; using them frequently, but leaving and returning often, with short stays each time. This can especially be seen when deaf inmates identified in South Dublin are traced using Findmypast’s online workhouse database across the other Dublin workhouses. James Salt was a deaf brushmaker, later a porter, who between 1854

and 1881 was admitted to Dublin workhouses 15 times. He spent 771 nights, or just over two years, in the North and South Union workhouses.⁵² Between 1867 to 1887 John Chubb, described as a shoemaker and later, a servant or groom, was a regular inmate of South Dublin Union, with 33 admissions totalling 5,033 nights (or almost 14 years) in the house, with an average stay of 153 nights (just under 5 months). His longest stay lasted 8.3 years following admission to the Hardwicke Hospital with fever; most of his stays, however, lasted between four days to a week. He died in the South Dublin Union in 1896.⁵³

Similar patterns emerged in workhouses near towns or in rural areas, with patterns of multiple admissions over many years. John Reilly was described in Kinsale's indoor relief registers as a 'mendicant', with 128 admissions recorded between 1853 and 1882. He spent a total of 5,097 nights in Kinsale workhouse. His average stay was 40 nights, and his longest stay lasted 264 nights. He died in the workhouse in 1882.⁵⁴ Joseph Cooper, between 1871 and 1895, was admitted 41 times to Rathdrum Union. In total, he spent 2,730 days (around 7.5 years) in the workhouse, with an average stay of just under 48 days. He died in the workhouse aged 87 in 1898.⁵⁵ Northern towns saw similar patterns. Beginning in 1849, William Blow, educated at Claremont and listed as a 'shoemaker', was admitted to Downpatrick workhouse 130 times, staying a total of 4,075 nights. His death in the workhouse in November 1891 followed a long stay beginning in 1887; prior to this, his average stay had been just under 18 days.⁵⁶

Deaf female inmates also displayed similar patterns of admission. Mary Arnold entered the North Dublin workhouse a total of 20 times between 1862 and 1893. She was described as a servant, and during the 1880s appears to have returned to St Mary's in Cabra on a few occasions, possibly taken in by the Dominican nuns for general servant work. For the vast majority of the period however, Mary remained within the workhouse. She left the North Dublin Union workhouse in 1893 and died in 1897.⁵⁷ Susan Sparks, described alternately as a millworker and a prostitute, had multiple admissions to Belfast workhouse, at least 14 times between February

⁵² Indoor relief registers: North Dublin Union workhouse, 1875-1880, BG/78/G/32-39; South Dublin Union workhouse, 1854-1875, BG/79/G/13-42, *Dublin Workhouses Admission & Discharge Registers 1840-1919*, FMP.

⁵³ South Dublin Union, indoor relief registers, 1867-1887, BG/79/G/31-65, *Dublin Workhouses Admission & Discharge Registers 1840-1919*, FMP; John Chubb, 18 October 1896, civil death record, registration district of South Dublin, IGN.

⁵⁴ Kinsale Union, Indoor Relief Registers, 1853-1882. CCA BG/108/G/4 - BG/108/G/10; John Reilly, 23 November 1882, civil death record, registration district of Kinsale, IGN. See also O'Shea, 'A History of Deaf in Cork', p. 134.

⁵⁵ Rathdrum Union, Indoor Relief Registers, 1849-1895. WCC PLUR WR 08-16; Joseph Cooper, civil death record, 27 February 1898, District of Rathdrum, IGN.

⁵⁶ Downpatrick Union, Indoor Relief Registers, 1849-1891. PRONI BG/12/G/2 - BG/12/G/9; William Blow, civil death record, 8 November 1891, District of Downpatrick, IGN.

⁵⁷ North Dublin Union, indoor relief registers, 1862-1893, BG/78/G/21-60, *Dublin Workhouses Admission & Discharge Registers 1840-1919*, FMP; Mary Arnold, 8 January 1897, civil death record, registration district of North Dublin, IGN.

1890 and August 1892, staying on average eight days each time.⁵⁸ In Downpatrick, William Blow's deaf sister Mary was also a frequent inmate of the workhouse, but as men and women were kept apart in separate wards, was not allowed communicate with her brother.⁵⁹ Mary, initially described as a 'servant' in 1851 but thereafter not listed as having a profession, was admitted a total of 20 times. She stayed a total of 1,175 nights in the workhouse over a period of 36 years, with an average stay of just under 59 days. While this was a considerably longer average stay than her brother William, the length of her stays gradually shortened as the years went on, until her death in 1887.⁶⁰ Bessie Beers was educated at the Derry and Raphoe Diocesan Institution for the Education of the Deaf and Dumb.⁶¹ Strabane indoor registers show Bessie was a frequent visitor to the workhouse over four decades, first admitted in 1862 and ending her days there in 1905.⁶² Bessie was consistently described as a 'servant' and 'charwoman', and left the house for relatively long periods, in which she may have been engaged in domestic service, returning to the workhouse when this came to an end. She gave birth to a daughter, also called Bessie, in the workhouse in 1877, who died there in 1883, aged five.⁶³ In total, 30 admissions are recorded for Bessie, who stayed in the workhouse for a total of 6,873 nights, or about 18 and a half years, over a 43-year period. Her average stay was 237 days, but these varied widely in duration, from just a few days, to one stay beginning in 1893 of six years.⁶⁴

It is clear from the indoor relief registers that while they were in the minority, some deaf people entered and subsequently stayed in workhouses for very long periods. One young deaf woman entered the South Dublin Union in 1885, aged 19, from the Providence Home on Richmond Street for young orphan Protestant girls.⁶⁵ She stayed a total of 15,983 days without interruption - almost 44 years - before being sent on to an asylum in 1929.⁶⁶ A 'dumb' woman named Anne Byrne is recorded as an inmate in the Rathdrum Union workhouse for 56 years, entering at the age of 15 in 1855 and dying there in 1912.⁶⁷ 8 'dumb' or 'deaf and dumb' inmates of the eight

⁵⁸ Belfast Union workhouse, indoor relief registers, 1890-1892, PRONI BG/7/G/11-19. Susan may have used an alias of her name, as within the same time frame, several admissions for Catherine, Sarah and Jane Sparks can be found, with non-overlapping dates of entry and discharge and similar details given. This may have been a strategy of giving false information to officials, as described in Crossman, *Poverty and the Poor Law*, p. 124.

⁵⁹ Malachy Powell, 'The Workhouses of Ireland' in *University Review*, iii, no. 7 (1965), pp 3-16.

⁶⁰ Downpatrick Union, Indoor Relief Registers, 1849-1891. PRONI BG/12/G/2 - BG/12/G/9; Mary Blow, civil death record, 13 June 1887, District of Downpatrick, IGN.

⁶¹ *Londonderry Sentinel*, 5 March 1852, p. 1. Records for the school do not seem to survive, and therefore beyond the newspaper mention of her enrolment, we cannot confirm anything more about her schooling, or whether she completed her education in Strabane.

⁶² Bessie Beers, civil death record, 19 November 1905, District of Strabane, IGN.

⁶³ Bessie Beers, civil birth record, 25 June 1877; civil death record, 8 March 1883, District of Strabane, IGN.

⁶⁴ Strabane Union Workhouse, indoor relief registers, 1868 - 1905. PRONI BG/27/G/1 - BG/27/G/13.

⁶⁵ Oonagh Walsh, 'Protestant Female Philanthropy in Dublin in the Early 20th Century' in *History Ireland*, v, no. 2 (1997), p. 30.

⁶⁶ South Dublin Union, Indoor Relief Registers, 14 May 1885, BG/79/G/62, entry 3733, *Dublin Workhouses Admission & Discharge Registers 1840-1919*, FMP.

⁶⁷ Anne Byrne, civil death record, 7 March 1912, registration district of Rathdrum, IGN.

workhouses analysed stayed for more than ten years, six of these in South Dublin. Four died in the workhouse, and three others were sent to lunatic asylums after these long stays.

Reasons for Entry

Entering the workhouse was, by design, an unappealing and gruesome prospect; in this, the central English New Poor Law concept of ‘less eligibility’ – where workhouse conditions were intended to be lower than those of the poorest labourers outside the house - was transplanted successfully to Ireland.⁶⁸ The poor conditions, inadequate dietaries, high mortality rates, and strict disciplinary character of both English and Irish workhouses have been extensively described.⁶⁹ However, the majority of the historiography also has an intense focus on the “disciplining, punishing, and deterrent character” of these institutions, generally due to its concentration on the years of the Famine.⁷⁰ Why, then, would deaf signers enter the workhouse, often for long periods? It is vital to remember that inmates were not ‘sent to’ or ‘placed’ in Irish workhouses; similarly, while they were harsh environments, it was not compulsory for deaf inmates to remain, and they could in theory leave whenever they wanted. Martin Atherton cites Arthur Dimmock as stating that at this time, “deaf people who could work were being placed in the workhouse on the grounds of their deafness, and not because of any physical inability to work”. Atherton expresses doubt that this was the case for all deaf workhouse inmates, but his contention that deaf people were still “being placed in workhouses” in 1861 assumes that deaf people were ‘placed’ there - rather than *deciding* to enter, or indeed, being left with no option but to.⁷¹

A notable counter-current within poor law historiography questions received notions of the ‘cruel’, ‘diabolical’ workhouse and the revulsion felt by the poor towards it, in England and Wales as well as Ireland. This emphasises the highly localised and varied nature of workhouse relief, as well as the evolution of poor law services over time.⁷² Recent historiography has moved discussion of the English New Poor Law away from an exclusive focus on policy, towards one on practice, stressing issues of agency, self-determination and empowerment among those in

⁶⁸ Gertrude Himmelfarb, *The idea of poverty: England in the early industrial age* (London, 1984), p. 165; Gerard O’Brien, ‘Workhouse management in pre-Famine Ireland’ in *Proceedings of the Royal Irish Academy. Section C: Archaeology, Celtic Studies, History, Linguistics, Literature*, 86C (1986), p. 132; O’Connor, *The workhouses of Ireland*, pp 44–45.

⁶⁹ Just a few examples include Norman Longmate, *The Workhouse* (London, 2003), pp 82–97; O’Connor, *The workhouses of Ireland*, pp 104–110; Crossman, *Poverty and the Poor Law*, pp 101–107.

⁷⁰ Ina Scherder, ‘Galway workhouses in the nineteenth and twentieth centuries: Function and strategy’ in Lutz Raphael, Andreas Gestrich and Steven King (eds), *Being Poor in Modern Europe: Historical Perspectives 1800-1940* (Oxford, 2006), p. 182.

⁷¹ Atherton, ‘Choosing to be Deaf’, p. 77; Arthur F. Dimmock, ‘A Brief History of RAD’ in *Deaf History Journal*, no. Supplement-X: Occasional Papers and Works (2001), pp 16–24 (<http://royaldeaf.org.uk/>). It should also be clarified that Dimmock does not make this assertion in the article cited, and only mentions deaf people ‘having to return to’ workhouses.

⁷² For more critical examination of conditions and popular feeling towards workhouses, see Ursula Henriques, ‘How Cruel Was the Victorian Poor Law?’ in *The Historical Journal*, xi, no. 2 (1968), pp 365–371; Brandes, “‘Odious, degrading and foreign’ institutions?”

receipt of poor relief, and the active role of paupers in selecting between forms of charity and poor relief provision.⁷³ More recent work in the Irish context has taken these cues and sought to examine the later decades of the Irish Poor Law in a more balanced light, analysing the varied reasons for use of workhouses and the agency of pauper inmates.⁷⁴ For many people, “casual usage of the workhouse at different periods shows not only the vulnerability of the poor to changing economic circumstances, but that the workhouse was less degrading than those who rejected it believe.”⁷⁵ This kind of casual usage, given some of the workhouse stay patterns already discussed, can be seen among deaf people also, who apparently used the workhouse - or other institutions - for relief of poverty and accommodation when it suited them.

Some deaf signers may simply have felt in need, and were seen to be deserving, of indoor relief. Workhouse usage was certainly highly stigmatised, but less so for the more obviously ‘deserving’ poor. It seems to have been relatively easy for some poor people, such as those with a disability, to gain entry to a workhouse and stay within its walls for weeks or months at a time.⁷⁶ Inga Brandes finds that “the old, infirm and sick were pitied instead of frowned upon. If the capability and willingness to work was seen as the crucial criterion to label people as ‘deserving’ and ‘undeserving’ poor, it is not surprising that old, infirm and sick persons were not condemned for their poverty.”⁷⁷ Graham O’Shea also suggests that the workhouse offered a no doubt attractive key feature: security. Deaf signers may have found it difficult to gain employment, and a sense of institutional dependency, fostered in the deaf schools they had attended, was transferred to the workhouse.⁷⁸

One motivator for entry was the prospect of the deaf person being sent on to school. In 41 admissions, deaf children were subsequently transferred to one of the deaf schools, in Cabra, Belfast or Claremont.⁷⁹ Most of these transfers occurred from the South Dublin union. In most cases (31), the recorded number of days stayed in the workhouse was zero, in that the date of admission and leaving were the same. This was no doubt a token ‘registration’ of the child in the books of the Union while not having the child stay there (see Chapter 3, p. 136). However, ten cases saw children spending longer stays. Four stayed for just one night, with five others spending between two nights and three weeks in the house before being sent; one child stayed

⁷³ For example see Shave, *Pauper Policies: Poor Law Practice in England, 1780–1850*; Tomkins & King (eds), *The poor in England 1700-1850: An economy of makeshifts*.

⁷⁴ See for example Purdue, ‘Surviving the industrial city’.

⁷⁵ Brandes, “‘Odious, degrading and foreign’ institutions?’, p. 218.

⁷⁶ Crossman, *Poverty and the Poor Law*, p. 120.

⁷⁷ Brandes, “‘Odious, degrading and foreign’ institutions?’, p. 222.

⁷⁸ O’Shea, ‘A History of Deaf in Cork’, p. 133.

⁷⁹ See Chapter 3 above.

71 nights, and another 129, before they were sent. Sometimes reference to hearing or speech was not noted in any column for these deaf children. In these cases, the final column only was used to note transfers to a 'deaf and dumb institution'.⁸⁰

The patterns of frequent workhouse admission and discharge revealed in Table 3 above hints at something broader and more varied than mere dependency and helplessness. As we have seen, the question of whether deaf signers were seen as fully 'able bodied', and thus 'able' to work, had several answers, depending on which official was recording their admission. Deaf signers of all social classes were no doubt under similar economic pressures as their hearing neighbours, and may have often entered workhouses for the same reasons. Seasonal work patterns influenced workhouse admissions, with most labourers having to enter the workhouse for short periods or apply for outdoor relief during the year.⁸¹ It is probable that such shifts in work availability led many deaf labourers to the workhouse in a similar way. John Neville, deaf inmate of Birr workhouse, often wrote to the Board of Guardians declaring his intention to leave and seek work; while he always seemed to return, he may indeed have got short spells of seasonal work on the outside.⁸² Bessie Beers seemed to come and go from Strabane workhouse in a manner that suggested she was working on the outside, and returning when work became slack.

Pregnancy and childbirth were other important factors; Bessie, along with at least three other pregnant and single deaf women, used the workhouse healthcare services, such as they were, to give birth, a practice common among poor unmarried women as Dymphna McLoughlin describes.⁸³ 19 other admissions show deaf men and women bringing their children to the workhouse. In a handful of admissions deaf children are brought into the workhouse by parents along with other family members, but these are rare within the dataset of admissions researched in this dissertation. Deaf homeless people may also have used workhouses, as many others did, for temporary shelter on their travels. Dymphna McLoughlin writes of the use of workhouses by homeless paupers, who "wandered the length and breadth of the country entering the workhouse in times of need", who because of "the subsistence nature of their lives, as beggars, travellers, and wandering hucksters" had a "frequent and temporary need for the

⁸⁰ Even these transfers are not consistently recorded. Deaf school admission records, stating the poor law union funding the child's education, were tracked back to workhouse registers, which accurately record the child's date of discharge but omit any reference to the deaf school.

⁸¹ Crossman, 'The humanization of the Irish Poor Laws', p. 242.

⁸² *Midland Tribune*, 1 March 1913, p. 3.

⁸³ Dymphna McLoughlin, 'Women and sexuality in nineteenth century Ireland' in *Irish Journal of Psychology*, xv, no. 2-3 (1994), p. 273; Dymphna McLoughlin, 'Workhouses and Irish Female Paupers, 1840-70' in Maria Luddy and Cliona Murphy (eds), *Women Surviving: Studies in Irish Women's History in the 19th and 20th Centuries* (Dublin, 1990), p. 122.

institution of the workhouse... incorporated into their travelling life.”⁸⁴ There are references in the Dublin workhouse registers to other institutions which inmates left for or returned from. Deaf inmates apparently made use of other institutions for the poor or homeless, such as St. Joseph’s Night Refuge, Cork St.⁸⁵ The Bow Street Night Asylum also appears. As this hostel-type establishment generally imposed a one-month limit on stays, the workhouses may have been used by deaf signers when their time in the Night Asylum had expired.⁸⁶ Ylva Soderfeldt describes deaf people in Germany who, unable to obtain work or assistance from their old deaf schools or urban deaf clubs, became beggars or criminals; indeed deaf people were seen by the police as “especially prone to vagrancy”.⁸⁷ The patterns of workhouse usage by Cornelius Flahavan illustrate well how they could be utilised in this manner. Cornelius stayed in workhouses in South Dublin, North Dublin and Rathdown between 1888 to 1894, mostly staying for a single night at a time.⁸⁸ He also utilised various other workhouses on his travels, often returning to one or more of the Dublin workhouses (particularly Rathdown). He appears in the workhouse registers of Strabane in March 1894, Glenties in 1895, and Belfast in August 1903. In 1906 he stayed on a number of occasions in Wicklow’s Rathdrum workhouse. In 1907 he travelled further afield, appearing in Dunfanaghy; in 1910, Ballyshannon; in 1911 and 1914, Letterkenny; in 1914, also, Donegal Union, where he entered the workhouse several times right up until 1920, after which workhouse registers become unavailable. Other than two stays of just over three weeks - South Dublin in 1891 and Rathdown in 1904 - the vast majority of these stays identified were for just one or two nights.⁸⁹ Soderfeldt argues knowledge of poor relief structures and options was a vital resource that uneducated deaf vagrants were shut out of, but the Irish context shows us that some educated deaf homeless people like Flahavan actively sought out workhouses on his cross-country travels. Even illiterate Irish deaf people seemed to know the purpose and location of the nearest workhouse.⁹⁰

⁸⁴ McLoughlin, ‘Workhouses and Irish Female Paupers’, p. 124.

⁸⁵ Robert Gahan, ‘Old Alms-Houses of Dublin’ in *Dublin Historical Record*, v, no. 1 (1942), pp 35–37.

⁸⁶ *Ibid.*

⁸⁷ Söderfeldt, *From Pathology to Public Sphere*, pp 107–108, 125.

⁸⁸ Cornelius also made an appearance in the London workhouse of St George-in-the-East in 1886, arriving 24 August and being discharged on 20 October, when he was ‘removed to settlement’ - in other words back to Ireland. Ancestry.com. *London, England, Workhouse Admission and Discharge Records, 1764-1930* [database on-line].

⁸⁹ Indoor relief registers: Ballyshannon Union workhouse, 1910, BG/38/7/2, *Donegal Workhouses Registers and Minute Books*, FMP; Belfast Union workhouse, 1903, PRONI BG/7/G/60; Donegal Union workhouse, 1914-1920, BG/75/2/7, *Donegal Workhouses Registers and Minute Books*, FMP; Dunfanaghy Union workhouse, 1907, BG/81/3/6, *Donegal Workhouses Registers and Minute Books*, FMP; Glenties Union workhouse, 1895, DLA BG/92/3/2; Letterkenny Union workhouse, 1911-14, BG/109/3/8, *Donegal Workhouses Registers and Minute Books*, FMP; North Dublin Union workhouse, 1894-1908, BG78/G 67-99, *Dublin Workhouses Admission & Discharge Registers 1840-1919*, FMP; Rathdown Union workhouse, 1891-1918, BG 137/G24-39, *Dublin Workhouses Admission & Discharge Registers 1840-1919*, FMP; Rathdrum Union workhouse, 1906, WCC PLUR WR 03a; South Dublin Union workhouse, 1888-1898, BG79/G 67-83, *Dublin Workhouses Admission & Discharge Registers 1840-1919*, FMP; Strabane Union workhouse, 1894, PRONI BG/27/G/10.

⁹⁰ Söderfeldt, *From Pathology to Public Sphere*, pp 124–143.

Beginning with the 1851 Medical Charities Act, Ireland through its poor law system began to develop an extensive set of free medical care services to the poor.⁹¹ Following the 1862 Act amending the poor law, sick persons could also avail of free hospital services in workhouses, without they or their family having to register as pauper inmates.⁹² Examining original 1901 and 1911 Census returns for Irish workhouses, along with indoor relief registers, reveals the extent to which deaf inmates sought admission to the workhouse for the provision of free medical care. An analysis of Census Form E and Form I returns shows that in 1901, as many 24% of deaf workhouse inmates were listed as being hospital inmates, and in 1911 the figure was 20%.⁹³ In indoor relief registers, 67 admission entries refer to apparent acute illness or injury in the disability column, with brief descriptions such as 'sick', 'fever', 'sore leg', 'pains', 'haemorrhage', or reference to particular medical conditions or diseases that may have led them to seek workhouse medical treatment. The workhouse was also where many of them died. 52 inmates (15.6% of all deaf inmates) died at some point after entering; in seven of these cases, death occurred less than ten days after admission, indicating that they may have sought medical care in the workhouse after being injured or ill before admission.⁹⁴ Rivet-Crothers has also identified use of free medical facilities as a reason for entry of deaf paupers into English workhouses.⁹⁵ However, it is unclear if medical care was given in a context where deaf inmates understood the language of medical staff and assistants. Irish workhouse infirmary conditions were in general substandard, and a major investigation undertaken as late as 1895 concluded that the vast majority of infirmaries were not fit for purpose.⁹⁶ Given such general squalid conditions, it seems unlikely that much additional time and care would be taken to communicate effectively with deaf patients. The death of a deaf inmate named Thomas Kelly in Callan workhouse infirmary in 1852 triggered a poor law inquiry and much controversy in the press. The official report described many of his signs, and workhouse personnel's interpretation of them; although the true meaning of Kelly's gestures was known for certain by none of the people around him leading up to his death.⁹⁷

⁹¹ 'An Act to provide for the better distribution, support and management of medical charities in Ireland; and to amend an act of the eleventh year of her majesty, to provide for the execution of the laws for the relief of the poor in Ireland', 14 & 15 Vict., c. 68, s. 9, 7 August 1851; Catherine Cox, 'Access and Engagement: The Medical Dispensary Service in Post-Famine Ireland' in Catherine Cox and Maria Luddy (eds), *Cultures of care in Irish medical history, 1750-1970* (Basingstoke, 2010), pp 57–78.

⁹² 'An Act to Amend the Laws in Force for the Relief of the Destitute Poor in Ireland, and to Continue the Powers of the Commissioners', 25 & 26 Vict. c. 83, 7 August 1862. See Scherder, 'Galway workhouses', p. 184; Crossman, 'Workhouse Medicine in Ireland'; Geary, *Medicine and charity in Ireland, 1718-1851*, p. 215.

⁹³ These are cases where the Census return Form E column headed 'In Hospital' is filled in 'Yes'. In many such forms, the column is left blank.

⁹⁴ The percentage of specifically 'deaf and dumb' inmates who died in workhouses is slightly lower: 31 inmates, just under 14%. However, the more advanced age of the 'deaf' inmate category may have resulted in a higher death rate within workhouses.

⁹⁵ Rivet-Crothers, 'Uncovering the Muted History...'

⁹⁶ Geary, 'The Medical Profession, Health Care and the Poor Law in Nineteenth-Century Ireland', pp 198–201; Crossman, 'Workhouse Medicine in Ireland', pp 128–129.

⁹⁷ *Callan Union Workhouse. Copy of the report of the master of the workhouse of the Union of Callan, in the county of Kilkenny, relating to the death of Patrick Kelly, who died on the 19th day of August 1852, in the said workhouse; and minutes and*

Entering the Workhouse

The majority of the new network of workhouses, which spread across Ireland after 1838 at surprising speed, had a uniform design by architect George Wilkinson.⁹⁸ Finding a workhouse was possibly rendered easier by the very recognisable form of the building, assisting the wandering, uneducated deaf poor in finding the local workhouse. Gaining admission to the institution was a further challenge. Prospective inmates were quizzed by the workhouse master, or board of guardians, to ascertain their last residence, the electoral division their relief would be charged to, and the reasons for entering.⁹⁹ The difficulties this process represented for people with a hearing loss were illustrated in the evidence of Alfred Power, Chief Commissioner of Poor Laws in Ireland, during hearings of the Select Committee on Law of Rating Ireland) in 1871:

many of those [questioned] are a little elderly, and some of them a little hard of hearing, and that when they are called upon by a set of gentlemen sitting all round a table to give a history of their lives for the last three years, an uneducated **and especially a deaf person** is apt to be puzzled ... I wish to point out ... the difficulty of eliciting from these ill-educated and sometimes deaf people the real facts respecting their residence during the last few years ... the individual claimants are often so puzzled and worried that they will not give any more answers...¹⁰⁰ [my emphasis]

John Hewson's evidence corroborated this: "I have seen a poor half deaf creature there in the board-room, and half-a-dozen guardians crying out and putting leading questions to him or her."¹⁰¹ For deaf people who signed, one can imagine thorough confusion in such situations. Mary Blow experienced this in Downpatrick in 1868, when the local guardians quizzed her on her movements over the last seven years, but as "she was a mute, she could not herself give an accurate account of where she had been residing" – or perhaps more accurately, the guardians were unable to put forth the question in an intelligible way for Mary, or did not understand the account she may have given in sign language.¹⁰² Some deaf applicants tried to communicate in the way they knew best; William Blow, applying for entry into Downpatrick in 1871, made "numerous and very amusing gesticulations to impress upon the guardians that he was both

correspondence, &c. relating thereto, H. C. 1852-53 (330), lxxxiv, 633; Myra D. Kavanagh, 'A troublesome death in Callan Poorhouse, 1852' in *Old Kilkenny Review*, lxxviii (2016), pp 132–144. Another deaf patient, in Dromore West Union workhouse in 1903, could "give no account of the accident" that caused the compound fracture in his leg. It seems fair to assume that similar difficulty was found in communicating the decision to amputate the leg, if an attempt was made at all. *Western People*, 28 March 1903, p. 3.

⁹⁸ Peter Gray, 'Conceiving and constructing the Irish workhouse, 1836–45' in *Irish Historical Studies*, xxxviii, no. 149 (2012), p. 24.

⁹⁹ Some boards of guardians seemed merely to require applicants to be present during discussion of their case. Crossman, *Poverty and the Poor Law*, p. 112. The new Poor Law Rating (Ireland) Act meant that from 1876, deaf paupers were charged to the 'union-at-large' in all cases, and chargeability ceased to be a factor for deaf applicants to workhouses.

¹⁰⁰ *Report from the Select Committee on Law of Rating (Ireland); together with the proceedings of the committee, minutes of evidence, and appendix*, pp. 34-35, H. C. 1871 (423) x, 1. Hamilton, MP for County Tyrone, was himself Chair of the Board of Guardians for Strabane Union in the 1860s and no doubt had seen such interrogations himself.

¹⁰¹ *Report from the Select Committee on Law of Rating (Ireland); together with the proceedings of the committee, minutes of evidence, and appendix*, p. 190, H. C. 1871 (423) x, 1.

¹⁰² *Downpatrick Recorder*, 8 August 1868, p. 1.

deaf and dumb”.¹⁰³ Graham O’Shea suggests that in other cases, insurmountable issues in communication may have led guardians to automatically admit deaf signers into the workhouse, avoiding a drawn-out examination.¹⁰⁴

Often, a deaf signer was a well-known character in the union’s hinterland, and this local familiarity could hasten admission - or refusal.¹⁰⁵ William Blow was often refused admission by the Downpatrick guardians, who believed “he was not a fit object for relief as he could earn a sufficient livelihood” at shoemaking; he appeared to have “given himself to idleness, and been frequently found drunk and punished”.¹⁰⁶ On another occasion the guardians judged there to be “a good deal of knavery about him”; one guardian had seen Blow “from day to day diverting himself through Downpatrick. He is not destitute at all, and I move he be refused admission for one month... He is found in every part of the town amusing himself.” Another guardian concurred: “He is able to get money for drink, at all events. They say he is a kind of pugilist.”¹⁰⁷

After 1876, union rating was introduced for ‘deaf and dumb’ paupers (see above, p. 141), and as with children proposed to be sent to deaf schools, exact levels of hearing and speech ability came into play in terms of payment for deaf workhouse inmates. In 1896 for example, it was highlighted by the Local Government Board that John Cooley, a “dumb inmate” of Carrickmacross workhouse, was not eligible to have his expenses made a Union charge, “as he is not deaf and dumb”, with the cost of the relief instead being determined by his previous residence.¹⁰⁸

The Workhouse Regime

Once admitted, the next hurdle for deaf inmates was knowing how to navigate life within the house without breaking the many regulations. The *General Order for Regulating the Management of Workhouses in Ireland* contains a set of articles detailing and defining disorderly conduct, as well as more serious ‘refractory’ behaviour.¹⁰⁹ These describe a system difficult to negotiate for deaf people, who if not aware of the rules, might find themselves unwittingly engaging in punishable behaviour, which could lead to criminal prosecution. In the disciplined

¹⁰³ *Downpatrick Recorder*, 22 April 1871, p. 1.

¹⁰⁴ O’Shea, ‘A History of Deaf in Cork’, p. 133.

¹⁰⁵ *Ibid.*, p. 134.

¹⁰⁶ *Downshire Protestant*, 7 May 1858, p. 3.

¹⁰⁷ *Downpatrick Recorder*, 22 April 1871, p. 1.

¹⁰⁸ *Dundalk Democrat*, 4 January 1896, p. 3.

¹⁰⁹ Arthur Moore (ed.), *Compendium of the Irish Poor Law: Containing the Statutes for the Relief of the Destitute Poor in Ireland, and the General Orders Issued by the Poor Law Commissioners to Unions in Ireland, &c.* (2nd editio, Dublin, 1846), pp 293–324.

spaces of the workhouses, sound and speech were part of the infrastructure regulating the lives and movements of pauper inmates, as these regulations make clear - and in ways that placed deaf inmates at an immediate disadvantage:

All the paupers in the workhouse, **except those disabled by sickness or infirmity**, persons of unsound mind, and children, shall rise, be set to work, leave off work, and go to bed, at such times, and shall be allowed such intervals for their meals, as the Board of Guardians shall... direct; and these several times **shall be notified by the ringing of a bell...** Half an hour after the bell shall have been rung for rising, **the names of the paupers shall be called over...** in the several wards; when **every pauper belonging to each ward must be present, to answer his name**, and to be inspected...
[my emphasis]¹¹⁰

It is unclear whether 'able-bodied' paupers who could not hear were exempt from these regulations. Another rule stated that paupers "who shall make any noise when silence is ordered to be kept" were deemed disorderly.¹¹¹ This opened up numerous potential situations where deaf signing inmates, through no fault of their own, could be subject to disciplinary action if they were unaware of noise or vocalisations they were making. In fact, deaf inmates engaging in other conduct classed as more serious, 'refractory' behaviour could then fall foul of a harsh related provision: "if [a refractory] pauper ...persist[s] in creating a noise or disturbance so as to annoy a considerable number of the other inmates... it shall be lawful for the Master, without any direction of the Board of Guardians, immediately to place such refractory pauper in confinement for any time not exceeding twelve hours". The Articles do not specify that the 'separate room' for confinement is to be darkened, but the rules do state that "no child under twelve years of age shall be confined in a dark room, or during the night" - suggests that refractory inmates over this age experienced both. No doubt confinement, for an offence committed perhaps unknowingly, would be a frightening experience for any deaf inmate.¹¹²

In theory, all inmates could access the workhouse rules in a written form; the Master would "cause a legible copy of the regulations respecting disorderly and refractory paupers ... to be kept suspended in the dining-hall of the workhouse, in the school-room or school-rooms, and in the probationary wards".¹¹³ However at least in England, similar provisions were sometimes not observed strictly.¹¹⁴ Educated, literate deaf signers obviously benefitted by this provision, although the quite legalistic language used in the articles may have caused confusion in the finer detail of workhouse procedures. However, literacy among deaf signers, especially in the early

¹¹⁰ Irish Poor Law Commissioners, *1872 Compendium of the Irish poor law*, p. 762.

¹¹¹ *Ibid.*, pp 767–768.

¹¹² *Ibid.*, pp 769–771. Gerard O'Brien notes that in even in early, pre-Famine workhouses, such confinements required the sanction of the Board of Guardians, although he also notes that deviations from these regulations were "particularly horrific." O'Brien, 'Workhouse management in pre-Famine Ireland', p. 126.

¹¹³ Irish Poor Law Commissioners, *1872 Compendium of the Irish poor law*, p. 773.

¹¹⁴ Williams, 'Paupers behaving badly: Punishment in the Victorian workhouse', p. 769.

decades of the poor law system, was not guaranteed, and uneducated 'deaf and dumb' people were at a complete disadvantage. It was not until the turn of the century that most deaf signers in Ireland were educated, but illiterate deaf people - seemingly without any language at all - could still be found utilising workhouses.¹¹⁵

It was highly unlikely that the features of the system of educational or spiritual benefit to inmates, such as religious services or workhouse schooling, were in any way accessible to deaf signing inmates.¹¹⁶ Although it came to be widely recognised by guardians around the country that deaf children could not be educated effectively in a workhouse school, nevertheless in 1887, six 'deaf and dumb' children aged between five and fifteen were reported to attend Irish workhouse schools. Moreover, sixteen others were specifically listed as "not under instruction", receiving no education at all within the workhouse.¹¹⁷

Leaving the Workhouse

In theory, entry to and exit from the workhouse was entirely voluntary. Unlike prisons and lunatic asylums, the idea of workhouses was not to deprive paupers of their liberty, and herd or warehouse them together by force. Three hours' notice was all that required for paupers to leave the institution.¹¹⁸ There existed no law to compel deaf people to enter a workhouse, even for those in dreadfully poor situations. In 1868, Rose Hamilton, an orphan, wished to enter the Dundalk workhouse with her uneducated Deaf adult sister, who "positively refuse[d] to go there." A local priest used "every means ... to induce her, but, like all uneducated deaf mutes, she is very self-willed, and ... there is no law to compel her to enter."¹¹⁹ The Dungannon Board had a similar case in 1901 when Hannah Tolbert, a recipient of outdoor relief, was recommended to be brought into the house by the relieving officer, but Hannah "had resisted all attempts to bring her in", and the guardians concluded that they had no power to force the

¹¹⁵ One such woman was admitted in 1904 to the Belfast workhouse, but on her discharge the next day, "she wandered about the streets, and returned to the house in about an hour." The help of Francis Maginn, a well-known local deaf missionary, was sought to try and ascertain the woman's name and origin, but "as she had never been to school, it was impossible to converse with her save in the rudest of gestures... she does not know her name and cannot tell from where she comes!" Maginn commented that such a fate was somewhat inevitable when "[a]t present we have no place for aged deaf-mutes, except the Workhouses." *Northern Whig*, 29 September 1904, p. 11.

¹¹⁶ Irish Poor Law Commissioners, *1872 Compendium of the Irish poor law*, pp 764, 767.

¹¹⁷ Figures from *Blind and deaf-mute persons (England, Wales, and Ireland). Return to an address of the Honourable the House of Commons, dated 2 September 1887;--for, "return of blind and deaf-mute persons in England and Wales, and in Ireland, who are assisted from the poor rates:-- and, similar return for the deaf and dumb"*, 1887, p. 101, H.C. 1887 (326) lxx, 1. Reasons given for non-instruction of the sixteen deaf children included the children being 'imbeciles', 'idiotic', 'weak mind', 'under medical treatment', 'incapable of receiving instruction' (without any further detail of how this diagnosis was ascertained by workhouse staff), and 'No person in workhouse qualified to impart suitable instruction'.

¹¹⁸ Article 24 of the Workhouse Rules stated that "[a]ny pauper may quit the workhouse upon giving the Master three hours' previous notice of his wish to do so ; but no such pauper shall carry with him any clothes or other articles belonging to the Board of Guardians, without the express permission of the Master or Matron." Irish Poor Law Commissioners, *1872 Compendium of the Irish poor law*, p. 764.

¹¹⁹ *Dundalk Democrat*, 8 February 1868, p. 7.

matter.¹²⁰ There was little will among guardians to retain troublesome deaf inmates, who were threatened not with incarceration, but ejection. When Pat Meehan asked to leave Tobercurry's workhouse in 1896 to go to England, despite a risk that he would 'go astray' if allowed, one guardian opined, "So much the better for us. He would never trouble us again."¹²¹ Yet in a world of limited employment prospects and widespread poverty, whether entry to a workhouse truly represented *free* choice by a deaf person - or indeed any poor person seeking admission - is very much open to debate.

Communication with Officers

We have seen how communication posed difficulties for deaf people entering the workhouse; within the house, at various points, communication with workhouse staff – the master, matron, and other officers – also posed difficulties. Inmates who fell foul of the workhouse rules, or felt wronged by the system of discipline in the house, had an opportunity for redress: "Every pauper ... punished since the last ordinary meeting of the Guardians, or who may be reported as refractory or disorderly, shall be brought into the Board-room during the sitting of the Board of Guardians, at their next ordinary meeting, whether he may request it or not, and shall have an opportunity of complaining to the Guardians of any undue punishment, or of any unjust charge".¹²²

In practice, far from being brought to such meetings against their will, the presence of deaf inmates for such discussions before the guardians was inconsistent. Newspaper coverage indicates that deaf inmates were not always afforded the right to be heard that the workhouse rules explicitly afforded them. In 1896, the Macroom workhouse master accused Michael Murphy of "refus[ing] to go to work, and threaten[ing] to strike him". In the local petty sessions court, the magistrates queried why the procedure provided for by the workhouse regulations had not been followed for Murphy; "the law requires that the accused should be brought before the Guardians, to hear what he has to say in his defence." It appears that such a step had not been taken for quite a while:

[Magistrate] Barrett - The man was tried behind his back without being there at all. [The magistrates] should not make an order without hearing what he had to say.

[Magistrate] Kelleher - The report was made by the master, and the guardians made their order upon it.

Barrett - But did they not hear what the man had to say?

¹²⁰ *Mid-Ulster Mail*, 28 September 1901, p. 2.

¹²¹ *Western People*, 13 June 1896, p. 6.

¹²² Irish Poor Law Commissioners, *1872 Compendium of the Irish poor law*, p. 773.

[Solicitor for Guardians] Purcell - Its *[sic]* the practice carried out for years.

Barrett - Its wrong... I think it ought to be done right.

Chairman - I think it is proper when a charge is made against an inmate he should be brought before the guardians... From time to time I see trivial charges brought here against inmates, and I really think if the guardians saw the accused they would not order a prosecution.¹²³ ***[author's emphasis]***

Difficulties remained for deaf inmates who were present, and wished, or were required to, give evidence against workhouse staff or other inmates, whether in such hearings or in official poor law inquiries into alleged breaches of regulations. Deaf inmates could find it nigh impossible to effectively understand – let alone challenge – a decision made. This was especially the case if the inmate was uneducated or illiterate; this said, even for literate deaf signers, use of written English proved on occasion not to be an optimum means to communicate with workhouse authorities.

Educated deaf signers sometimes took a more official route to resolving grievances, by writing letters. Michael Kenny, an inmate of Boyle workhouse, who was “deaf and dumb but can write and make himself understood”, sent numerous letters to both local guardians and central Poor Law authorities in relation to his grievances. In 1871 Kenny was refused entry to the workhouse, and in response he wrote to the Poor Law Commissioners on the issue; two months later Kenny again contacted the Commissioners and wrote a statement against the Master, accusing him of forcing Kenny to pump water, and not giving him tobacco or shoes.¹²⁴ This willingness to challenge conditions through correspondence means we can view deaf signing inmates as more than mere meek, grateful recipients of charity. The literacy of deaf signers enabled them, in theory, to make requests of poor law authorities, or challenge their decisions. We might thus consider deaf inmates, along with other kinds of paupers and inmates, as “active players in the Poor Law regime rather than simply as passive subjects of relief measures”, in the words of Inga Brandes, who were “willing and able to challenge the administration and demand different styles of treatment, even though they usually lost”.¹²⁵ Much like other paupers and inmates, rather than meekly submit to authority, deaf inmates could feel that “it was worthwhile to write to [poor law authorities,] and that the poor’s voice and opinion could not be ignored.”¹²⁶

It could be argued that the ability and wherewithal to appeal to higher authorities represents a ‘structural literacy’ on the part of these educated deaf paupers, similar to that “ability to

¹²³ *Southern Star*, 26 September 1896, p. 8.

¹²⁴ *Roscommon & Leitrim Gazette*, 7 October 1871, p.3; *Roscommon & Leitrim Gazette*, 25 November 1871, p. 3. Kenny’s writing talents also extended to suspected forgery of supporting letters for admission.

¹²⁵ Brandes, ““Odious, degrading and foreign” institutions?”, pp 223–224.

¹²⁶ *Ibid.*, p. 220.

recognise and negotiate the often hostile social, cultural, legal, institutional and affective structures” of the workhouse described by Eloise Moss.¹²⁷ Yet the precise manner in which these challenges had to be made by deaf signers, and their inherent limitations, resulted in qualitatively different outcomes. Kenny’s 1871 letters were dismissed as “statements of a rambling character”, indicating they may not have been fully coherent.¹²⁸ The writing style of Kenny can be seen directly in 1877 when he wrote the following to the Local Government Board:

MY DEAR GENTLEMEN of Local Government Board, Ireland, I beg of you your feal very kind as to receive me one paper of money, and or some money stamps in a letter for me in Boyle, and for to get keep poor support myself without hungry. I am in truble, and very poor work to get food with hungry, and I'm nearly blind and deaf and dumb, some Catholic people would do not keep me and kicked me out because I am true Protestant, when I was learned to school at Claremount near Glasnevin and left here. I beg of your great respectfully and never be refused to me, and I will bless so to the gentleman. I will be very thankful that if you would be pleased to receive me money in a letter for in Boyle. I can give of a truth that my deaf and dumb people are very trubled that their friends quarrelling with them, and died with hungry. But some deaf and dumb people must take this time of grace, and it is a fearful thing to die without reconciliation.¹²⁹

As Kenny’s letter shows, literacy skills - among even educated deaf people - could be uneven, and no doubt on this basis could be ignored or even ridiculed by guardians unconcerned with the issues raised. Furthermore, the terms and writing style used in poor law correspondence, inquiries and hearings were often convoluted, and at times quasi-legal; after potentially years of neglect in a workhouse setting, the literacy skills of individual deaf inmates, and their ability to confidently engage with such discourse, could suffer.

Others presented a very different picture. Anna Eakins in Carrickmacross workhouse wrote eloquent letters to the guardians; herself and another inmate wrote to the board complaining of their dietary, but were reprimanded for their conduct.¹³⁰ On another occasion, when summoned before the board on a charge of assault, she produced the following letter “in splendid handwriting”. It is an intriguing example not just of the literacy standards of educated deaf people – even those who were inmates of workhouses – but also of Anna’s resistance to the injustice she perceived at the hands of other inmates and the figure of the Matron, and her determination to tell her side of the story:

On the evening of last Monday, the 24th day of September, a wee yellow tramp woman named Mrs Finegan beat me very badly for no reason. She threw stones at me, the brush, fire poker, and everything she could find about the wards. She threw a big jug and a glass framed picture at me

¹²⁷ Moss, ‘Sexual Harassment, Victimhood and Affective Self-Fashioning in Victorian England: The Bolton Workhouse Scandal, 1889–1890’, p. 466.

¹²⁸ *Roscommon & Leitrim Gazette*, 7 October 1871, p.3; *Roscommon & Leitrim Gazette*, 25 November 1871, p. 3. Kenny’s writing talents also extended to suspected forgery of supporting letters for admission.

¹²⁹ *Roscommon & Leitrim Gazette*, 4 August 1877, p. 3.

¹³⁰ *Dundalk Democrat*, 17 January 1903, p. 5.

and wounded my arm, which bled too much. All the other tramps helped her to beat me and throw stones and other things at me. After all was over they said they would not do the like of that only for the matron told them, because I hate her. The wee yellow tramp woman, Mrs Finegan, said the matron and all the other tramps to swear it was me that did all. I never did anything like that, and God knows I am telling the truth.¹³¹

Another example is that of John Neville, educated at Cabra and an inmate of Parsonstown (later Birr) Union workhouse from 1875 to 1921. He regularly wrote letters to the guardians, and among his letters were pieces of advice on how to manage unruly inmates, and appeals - apparently approved by the guardians - to allow inmates to go to bed later in the evening.¹³² One one occasion, Neville's letter-writing got him into hot water. He wrote directly to the Local Government Board in 1900 to complain that an 11-year-old workhouse child, sent out to work for a local man in Birr, was being mistreated. The LGB wrote promptly to the Birr guardians to inform them that workhouse children had to be over 12 to be hired out. Furious that Neville had gone over their heads, the guardians took away his position as messenger, demoting him to regular inmate status. Neville wrote a long missive of apology: "Allow me again to humbly ask the Guardians for their pardon... I will promise never to write to Local Government Board, or I will never mind about any person again". Neville was reinstated.¹³³

Deaf Inmates as Workers

Workhouses were intended as places of work, another feature of the system intended to deter the wandering poor. Work given to inmates varied, and included stone breaking, bone crushing, and field or farm work. Female inmates were tasked with cleaning, housework and nursing for the children and sick inmates.¹³⁴ It was uncommon for the 'aged' and 'infirm' categories of inmate to be given physical or manual labour, but this did not exempt blind or deaf inmates from being assigned work.¹³⁵ Deaf inmates of workhouses were sometimes given semi-regular jobs or positions such as shoemaker or tailor, or odd jobs around the house. Many workhouse infirmaries and hospital wards utilised the services of pauper inmates as nursing assistants, and there is evidence of many female deaf inmates working in this capacity.¹³⁶ A 'dummy' named Mary Bree, who could 'speak a little', worked as a servant to an assistant nurse in the Sligo workhouse in 1880; a woman "almost deaf and dumb" worked as an infirmary assistant in

¹³¹ *Dundalk Democrat*, 29 September 1906, p. 3.

¹³² *Leinster Reporter*, 1 May 1920, p. 1; *Midland Tribune*, 10 May 1888, p. 3; *Midland Tribune*, 30 June 1894, p. 3.

¹³³ *Leinster Reporter*, 18 August 1900, p. 3; *Midland Tribune*, 1 September 1900, p. 5.

¹³⁴ Scherder, 'Galway workhouses', p. 187.

¹³⁵ Blind people were given work to do in workhouses, including, in 1858, working as assistants to nurses and the infirmary. Some specific training was also given to them in making mats, shows and baskets, as well as musical instruction in the Tipperary Union workhouse. Poor Law Commissioners (Ireland), *Twelfth Annual Report*, 1859, pp 149–150.

¹³⁶ A 'deaf and dumb' nurse was apparently utilised in 1851 in Roscrea workhouse to work with four hearing children, in an experimental attempt to discover the 'natural language of man', but there appears to be no record in the Roscrea Union minutes of this possibly apocryphal experiment: *Dublin Weekly Nation*, 26 July 1851, p. 13.

Ballymoney workhouse in 1897, who apparently bore “a good character, and does her work efficiently”.¹³⁷ Many unions continued to utilise untrained pauper nurses right up to the turn of the century, although the practice became increasingly criticised and restricted over the years. In 1897 and 1898, the Local Government Board tightened regulations around the use of workhouse inmates as nurses or nursing assistants.¹³⁸ No doubt this reduced the opportunity for deaf inmates to undertake such work, though their lower status as ‘attendants’ may have left some such opportunities open.¹³⁹

The workhouse employed a range of salaried officials, each with their own role.¹⁴⁰ For deaf people, such formal paid positions were largely out of reach. This did not stop them from applying when they became aware of positions open to pauper inmates. The Galway Union guardians were unanimous in appointing Bridget Sweeney as wardmaid above a hearing applicant in 1910; Bridget was “deaf and dumb, but educated and a good worker”.¹⁴¹ Anna Eakins considered herself eminently eligible for a Carrickmacross wardmaid position in 1908, and indeed showed a perception that her work had been unappreciated:

Dear Sirs, I have heard you were wanting a woman to go as wardmaid for the hospital at £10 a year. I offer to go to that place for that salary. I am the kind of a woman to be appointed, because I am a splendid worker, and have been about this Union about thirteen years, knitting, sewing, washing, scrubbing, and doing all kind of work without ever getting a pay. [Other female inmates who are paid] never have to work as hard as me, and the little bit of work they do is never done as well as the big work I do.¹⁴²

John Neville became a workhouse messenger for the Birr Union, a non-salaried position that nonetheless had perks such as more freedom to come and go from the workhouse. Though looked on as something of a figure of fun by the Birr townsfolk and the Board of Guardians, he nevertheless came to be considered invaluable to the workhouse. He was described by the Union clerk as “a tip-top messenger, in fact a most extraordinary man,” and his “services as workhouse messenger cannot... be dispensed with on any account”.¹⁴³ Neville's work on replacing windows

¹³⁷ *Sligo Champion*, 27 November 1880, p. 3; *Larne Times*, 21 August 1897, p. 2.

¹³⁸ Crossman, *Poverty and the Poor Law*, pp 144–9; Ciara Breathnach, “... it would be preposterous to bring a Protestant here”: religion, provincial politics and district nurses in Ireland, 1890–1904’ in Donnacha Seán Lucey and Virginia Crossman (eds), *Healthcare in Ireland and Britain from 1850: Voluntary, regional and comparative perspectives* (London, 2014), pp 166–7. Crossman, ‘Workhouse Medicine in Ireland’, pp 129–131.

¹³⁹ Another inmate, James Malumby, was “in charge of a number of idiots” in Carrick-on-Suir workhouse, though it is not clear if this was a once-off responsibility. *Munster Express*, 25 June 1898, p. 6.

¹⁴⁰ A good summary of the range of Irish workhouse officer paid positions and their duties is given in Brandes, ““Odious, degrading and foreign” institutions?’, pp 207–215.

¹⁴¹ *Galway Express*, 21 May 1910, p. 7.

¹⁴² *Farney Leader*, 17 October 1908, p. 3. See also Róisín Lafferty, ‘Annie Eakins, a Deaf Mute’ in *Genealogical Society of Ireland Journal*, xv (2014), pp 61–75; Alvean Jones and Cormac Leonard, ‘The Irish Deaf Archives: Anna Eakins, a Deaf woman in the “Idiot Ward”’ in *Irish Deaf News* (2013).

¹⁴³ *Leinster Reporter*, 30 June 1894, p. 1; *Midland Tribune*, 1 November 1888, p. 4.

also saved the guardians the expense of a tradesman, a fact he used to request the purchase of glazer's tools from the guardians.¹⁴⁴ He applied for the positions of caretaker, wardsman, porter and chimney sweep – leading the local press to remark on his enthusiasm; “we believe he would apply right away were the office of Master or Clerk to fall vacant”.¹⁴⁵ By the time of his death he was also responsible for some clerical work, as he had “education and intelligence enough to do a certain class of union clerical work, and his services in this connection were frequently requisitioned by various officials”.¹⁴⁶

Other deaf inmates were singled out for praise, and their contribution recognised as a saving. James Brennan, a deaf inmate of Clones Union, was described as “the most useful man in the house.”¹⁴⁷ However, such cheap deaf labour could be exploited. A Longford Board of Guardians meeting in 1911 revealed that one “dummy” inmate, along with a “lunatic”, had been “employed to perform most offensive and objectionable work in the infirmary by the attendants whom you employ and pay to do this work. Advantage seems to be taken of these poor creatures' want of sense to make them perform this class of work... They were placed in your charge to be fairly and properly treated. They are not so treated when doing the work referred to.”¹⁴⁸

Discipline and Violence

All workhouse inmates were faced with the threat of criminal prosecution for breaching workhouse discipline, and it was not uncommon for deaf inmates to fall foul of the regulations. Theft of workhouse property, often on foot of leaving the workhouse without permission, was one such offence. William Blow was tried in 1852 at the Down Assizes for stealing clothes from the workhouse, and received 12 months' imprisonment with hard labour.¹⁴⁹ Two years later, he was up for the very same crime at the Downpatrick Quarter Sessions, but was acquitted as “he might have supposed that the clothes were given to him”.¹⁵⁰ James Malumby was also prosecuted in 1893 by the Carrick-on-Suir Union for larceny of a workhouse uniform.¹⁵¹ Absconding with giving notice was also a breach of the regulations, and James Malumby was

¹⁴⁴ *Midland Tribune*, 1 September 1900, p. 5; *Leinster Reporter*, 27 December 1902, p. 3.

¹⁴⁵ *Leinster Reporter*, 23 March 1901, p. 2; *Midland Tribune*, 21 September 1901, p. 3; *Leinster Reporter*, 28 September 1901, p. 3.

¹⁴⁶ *Leinster Reporter*, 27 August 1921, p. 3; *Midland Tribune*, 29 May 1909, p. 6.

¹⁴⁷ *Anglo-Celt*, 23 May 1914, p. 13.

¹⁴⁸ *Longford Leader*, 19 August 1911, p. 2.

¹⁴⁹ *Downpatrick Recorder*, 13 March 1852, p. 1.

¹⁵⁰ *Downpatrick Recorder*, 14 October 1854, p. 2.

¹⁵¹ Clonmel Gaol registers 1893 (Entry 92), 1894 (Entry 323), 1896 (entry 470), *Irish Prison Registers 1790-1924, FMP*; *Munster Express*, 25 June 1898, p. 6.

sentenced to 14 days imprisonment after being apprehended absconding from the workhouse in 1896; he absconded again in 1898.¹⁵²

More common was violence. Deaf inmates were accused of, and punished for, violence towards other inmates or staff. This was not in itself unusual, given that friction between inmates and officials was a common feature of workhouse life in this period.¹⁵³ What is noteworthy is the frequent willingness of guardians and other workhouse staff to treat deaf inmates leniently in such cases, out of pity or paternalism. Equally, there was a frequent tendency of workhouse authorities and others to characterise deaf people as wild, uncontrollable and troublesome by their very nature. This double-edged 'benefit of the doubt' can be seen in 1896, when the Clonmel guardians were told that Mary Sullivan, having given another inmate a black eye, "has been repeatedly complained of as violent and troublesome", but because of her "want of speech and hearing her acts in this respect have been from time to time condoned."¹⁵⁴ Certain deaf signing inmates, however, caused a high level of disruption to the order of the workhouse, and became notorious for repeated violence. William Blow was charged with assaulting two other inmates of Downpatrick workhouse in 1855, with the Master asking for more severe punishment than the workhouse rules allowed, "in regard to Blow's character for violence and frequent insubordination".¹⁵⁵ Michael Kenny caused headaches for the Boyle guardians, at one stage in 1861 having "threatened to cut the throats of the old men in the infirm ward". The Master reported that "a few months since he became very sulky and stubborn, doing everything to annoy the paupers, pulling the sheets off the beds", but had become quiet and had recently "wrote on a slate begging pardon."¹⁵⁶ In 1865 he was prosecuted for breaking the door and floor of the workhouse lock-up.¹⁵⁷

Michael Murphy had a series of similar altercations in Macroom workhouse.¹⁵⁸ In 1894, he was prosecuted for assault by the workhouse master, who gave evidence that when "the healthy [*sic*] inmates were at breakfast... [the Master] motioned to defendant to take off his hat, and defendant struck him in the face and chest." Murphy attempted to defend himself in court in writing, although had limited effectiveness; he wrote on a piece of paper – "Milk cold; no fire

¹⁵² Clonmel Gaol registers 1893 (Entry 92), 1894 (Entry 323), 1896 (entry 470), *Irish Prison Registers 1790-1924, FMP; Munster Express*, 25 June 1898, p. 6.

¹⁵³ Mel Cousins, 'Collective action and the Poor Law: the political mobilisation of the Irish poor, 1851-78' in William Sheehan and Maura Cronin (eds), *Riotous assemblies: rebels, riots and revolts in Ireland* (Cork, 2011), p. 116.

¹⁵⁴ *Tipperary Nationalist*, 29 February 1896, p. 3.

¹⁵⁵ *Downpatrick Recorder*, 24 February 1855, p. 1.

¹⁵⁶ *Roscommon & Leitrim Gazette*, 7 December 1861, p. 1.

¹⁵⁷ Boyle Petty Sessions, 19 July 1865; Boyle Petty Sessions, 2 August 1865, *Ireland, Petty Sessions Court Registers, FMP*.

¹⁵⁸ Murphy had entered St Joseph's in August 1853 and completed his education. 'Children admitted since the foundation - 1846', Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 67, entry no. 63.

and cold". This may have been an attempt to explain his actions by referring to poor conditions in the workhouse. It did not save Murphy from a month's imprisonment.¹⁵⁹ Troubles arose again in 1896 when Murphy "would not go to work [and] was violent in his demeanour... all [the Master] wanted was that the defendant would do his work". This time, pity and paternalism rather than procedure was foremost in the minds of the magistrates. The Chairman framed the problem in terms of Murphy's being 'deaf and dumb', and suggested that as "dummies are a difficult class of people to arrange... a little consideration would go very far in making them amenable... some arrangement should be made by which the dummy class of inmates would get tobacco." It is unclear whether such generous treatment was ever actually afforded to deaf inmates in Macroom; in the interim, Murphy was sentenced to a further month in prison.¹⁶⁰

Mental Health

A trend which becomes apparent by examination of the 1901 and 1911 Census returns is the huge extent to which deaf people in workhouses were admitted to, or eventually moved to, the workhouse's 'lunatic wards'. The 1901 Census shows that in workhouses across the country, a little over 30% of 'dumb' and 'deaf and dumb' workhouse inmates were not in the main body of the workhouse, but in workhouse asylum wards. The corresponding percentage for the 1911 Census is just over one-third.¹⁶¹ Many people with intellectual disabilities found themselves in workhouses when no other accommodation was available; this was particularly the case before the advent of special schools in the 1880s and 1890s, a period when, as Oonagh Walsh writes, "the primary locus of care for the intellectually disabled was the workhouse."¹⁶² New inmates suspected to be "lunatics" were generally examined by the medical officer as soon as possible after they were admitted. If the inmate had a mild mental illness, then as well as basic food and shelter, they could be provided with additional supervision.¹⁶³ Deaf adult inmates in fact were sometimes given charge of inmates like these, in a caring role.¹⁶⁴ Yet for these "harmless lunatics", it appears that the freedom of inmates to leave the workhouse did not apply if they were found by the medical officer to be insane. Certainly in England and Wales, the practice had been that "[w]hen persons of unsound mind found their way the workhouse they were to be detained."¹⁶⁵ Thus when the mental state of a deaf inmate was in question, and restraint or

¹⁵⁹ *Southern Star*, 1 September 1894, p. 1. See also O'Shea, 'A History of Deaf in Cork', p. 132.

¹⁶⁰ *Southern Star*, 21 November 1896, p. 8.

¹⁶¹ Incidentally, this is one area where 'deaf' inmates differ significantly. Only 9% of 'deaf' workhouse inmates in 1901 were in asylums, compared to 34.6% of 'deaf and dumb' inmates, though by 1911 the gap had narrowed to, respectively, 19.8% and 27.8%.

¹⁶² Oonagh Walsh, "A person of the second order": the plight of the intellectually disabled in nineteenth-century Ireland' in Laurence M. Geary and Oonagh Walsh (eds), *Philanthropy in nineteenth-century Ireland* (Dublin, 2015), p. 168.

¹⁶³ Brendan D. Kelly, 'Mental illness in 19th-century Ireland: a qualitative study of workhouse records' in *Irish Journal of Medical Science*, clxxiii, no. 1 (2004), p. 54.

¹⁶⁴ *Connacht Tribune*, 5 March 1910, p. xxx; *Munster Express*, 25 June 1898, p. 6.

¹⁶⁵ Sidney Webb and Beatrice Webb, *English Poor Law Policy* (London, 1910), p. 50.

committal to an asylum was a possibility, the truth of whether they felt free to - and were permitted to - leave the workhouse at any time, remains murky.

From the 1850s, some unions began to use disused wards or separate accommodation for these people such as old sheds. Gradually, the numbers of people in Irish workhouses classified as “lunatics” increased threefold between the 1850s and the early 1890s.¹⁶⁶ This was helped along by the 1875 Lunatic Asylums (Ireland) Act, which provided for “chronic lunatic[s], not being dangerous” to be transferred from district lunatic asylums to local workhouses, with the consent of the guardians and dependent on whether the patient was destitute.¹⁶⁷ This trend may have included deaf prisoners with mild learning disabilities or mental health issues, some examples of which are given in Chapter 6. Medical officers may have judged them in the same light as “harmless lunatics” on their admission, and many others had been sent from asylums to workhouses under the 1875 Act. Virginia Crossman also notes that city workhouses contained large numbers in lunatic wards, which seems borne out with regards to deaf inmates; in 1911 North and South Dublin Unions each had 13 deaf individuals in lunatic wards, and Belfast and Cork Union each had five.¹⁶⁸ If, however, such inmates caused persistent breaches of discipline, workhouses might seek to have them transferred to a local district lunatic asylum. This had been done relatively easily under the Criminal Lunatic Act of 1838, which enabled workhouse masters to have them transferred to an asylum; although “[m]any of these persons could have indeed been troublesome, [they] perhaps did not suffer from insanity of the degree which required detention in an asylum”.¹⁶⁹ However, after the passing of the 1867 Lunacy (Ireland) Act, “dangerous lunatics” could be admitted into an asylum based on the order of two magistrates and a doctor's certification, and this meant that getting troublesome inmates committed (and out of the workhouse) required overcoming the hurdle of getting them medically certified as insane.¹⁷⁰

This is, it seems, where workhouse authorities had issues with a number of deaf inmates who were repeatedly insubordinate, disorderly and violent, but nevertheless when inspected by medical personnel, they were found not to be insane, and therefore could not be committed to

¹⁶⁶ Crossman, *Poverty and the Poor Law*, p. 159.

¹⁶⁷ ‘An Act to amend the Laws relating to Private and District Lunatic Asylums in Ireland’, 38 & 39 Vict., c.67 (2 August 1875); Brendan D. Kelly, ‘Mental health law in Ireland, 1821 to 1902: building the asylums.’ in *The Medico-legal journal*, lxxvi, no. Pt 1 (2008), pp 19–25 (<http://www.ncbi.nlm.nih.gov/pubmed/19263791>); Crossman, *Poverty and the Poor Law*, p. 158; Mauger, *The Cost of Insanity in Nineteenth-Century Ireland: Public, Voluntary and Private Asylum Care*, p. 74.

¹⁶⁸ Crossman, *Poverty and the Poor Law*, p. 159.

¹⁶⁹ Criminal Lunatics (Ireland) Act, 1 & 2 Vict., c.27 (11 June 1838); Jennifer Brown, ‘The Legal Powers to Detain the Mentally Ill in Ireland: Medicalism or Legalism?’ (Unpublished PhD thesis, Dublin City University, 2015), pp 34, 37.

¹⁷⁰ *Ibid.*; Lunacy (Ireland) Act, 30 & 31 Vict., c. 118 (1867).

an asylum. Anna Eakins was transferred to the lunatic ward in Carrickmacross workhouse, but the medical officer admitted that “it would be more desirable if we had special apartments and special attendants for her, as she is not a proper inmate for a workhouse, and could not be committed to a lunatic asylum.”¹⁷¹

In 1896 Mary Mulhern was prosecuted for assaulting another inmate in Sligo workhouse. The prosecution gave evidence that Mary was “a very violent person”, and was at the time placed in a separation ward in the workhouse, but that “the doctor would not certify that she was insane so she could not be sent to an asylum.” Mulhern received a month in prison.¹⁷² She was eventually sent to Sligo District Lunatic Asylum and died there in 1905.¹⁷³

John Blake was charged in 1889 with assaulting another inmate in Fermoy workhouse. It was the first of eight court proceedings for assaults and insubordination that resulted in a total of a year in Cork Prison for Blake.¹⁷⁴ He was described in 1891 as a “deaf and dumb idiot” by the workhouse master, “most violent in his temper... a terrible character, who had two or three times assaulted him”. Nonetheless he had apparently not been declared insane, instead being sent “two or three times to the lunatic asylum and returned as cured.”¹⁷⁵ A magistrate asked if Blake was “right in his head”, to which the master replied, “he was in the Lunatic Asylum about six years ago, but he would not be kept there.”¹⁷⁶ Six years later, Blake was accused of attempting “to assault [the master] by throwing a piece of chimney clock at him and exhibited symptoms of derangement of mind and a purpose of committing indictable crimes”.¹⁷⁷ A doctor now testified to Blake’s state of mind, and he was committed to the Cork Lunatic Asylum where he died in 1902.¹⁷⁸

Margaret Mullery was an inmate of Shillelagh workhouse, and after receiving several punishments for breach of workhouse discipline, concerns about her mental health began to be raised. In 1908, a Local Government Board inspection report stated that Margaret was “locked into a cell at night; it is not one of the cells of the lunatic day-room, but remote from it”. The inspector added, “I do not think it well to have her locked into this cell. If it be necessary to put

¹⁷¹ *Farney Leader*, 19 December 1908, p. 2.

¹⁷² *Sligo Champion*, 26 September 1896, p. 2.

¹⁷³ 1901 Census of Ireland, Sligo District Lunatic Asylum. <http://www.census.nationalarchives.ie/reels/nai003873988/>; Mary Ann Mulhern, civil death record, 25 April 1905, District of Sligo, IGN.

¹⁷⁴ Fermoy Petty Sessions, 1889-1897, *Ireland, Petty Sessions Court Registers*, FMP; Cork Male Prison registers, *Irish Prison Registers 1790-1924*, FMP.

¹⁷⁵ *Cork Constitution*, 19 October 1891, p. 3.

¹⁷⁶ *Cork Examiner*, 29 May 1894, p. 6.

¹⁷⁷ Fermoy Petty Sessions, 1 February 1897, *Ireland, Petty Sessions Court Registers*, FMP.

¹⁷⁸ John Blake, civil death record, 24 October 1902, district of Cork, IGN.

her under control she should be sent to the lunatic asylum.”¹⁷⁹ Indeed, Margaret had previously been removed from the house “in consequence of her wickedness and violence, as she could not be left at large with the other women”, and now the Master felt “[i]t would not be safe to have her loose”. This course was agreed by the medical officer. However, he also stated that neither he nor the guardians considered Margaret “a fit subject for the asylum”.¹⁸⁰ A year later, similar issues were being discussed at the Board, and Margaret had been at that time confined to the cells “for some time”; she was a “frightful woman”, declared the chairperson. Again, it was reported that the doctor stated “she was perfectly sane”. This time, the guardians doubted whether prosecuting such an inmate in court would be good for the guardian’s public reputation, with the chairman musing that “if she were sent to jail there might be some feeling against the Board, and their good name would go.” She instead received a strong written warning.¹⁸¹ Sometime after 1911 Margaret ended up in Portrane mental hospital in north Dublin, where she died in 1926.¹⁸²

From these examples, it appears that the question of how, and where, best to deal with such deaf inmates vexed workhouse staff and guardians. There are similarities in this treatment to other groups such as poor people with intellectual disabilities, who as Oonagh Walsh describes, “moved repeatedly between the local asylum and the workhouse, discharged and readmitted in a distressing pattern of evasion of responsibility.”¹⁸³ Deaf people were often assigned to ‘lunatic wards’ within workhouses, and present in significant numbers there at the close the period, but after 1867 were unable to be sent to district asylums without medical confirmation of insanity - which was at times not forthcoming. The punishment meted out for breaches of discipline, combined with the unpleasant and isolating experience of being a deaf workhouse inmate - sometimes for many years - seems to have had a gradual effect on some deaf inmates’ mental health, leading eventually to committal to an asylum.

Deaf Women and Exploitation

A common feature of life in the workhouse was the risk to female inmates of sexual exploitation by officers of the house. Dympna McLoughlin has outlined how many female paupers, while independent and determined women, remained vulnerable during this period to workhouse officers who physically and sexually abused them. Boards of guardians also downplayed or

¹⁷⁹ *Wicklow People*, 18 July 1908, p. 16.

¹⁸⁰ *Wicklow People*, 18 July 1908, p. 16.

¹⁸¹ *Wicklow News-Letter and County Advertiser*, 22 October 1910, p. 2.

¹⁸² Civil death record, Margaret Mullery, 8 February 1926, Portrane Mental Hospital, registration district of Balrothery, IGN.

¹⁸³ Walsh, “A person of the second order”, p. 166.

ignored complaints of such cruelty and abuse.¹⁸⁴ Few complaints to the authorities about their treatment were sustained; without corroborating evidence from witnesses other than the woman in question, charges were dropped. In essence, “the master and other male functionaries could indulge in various violent and degrading acts for their own gratification”.¹⁸⁵ Deaf women endured similar experiences. A common theme in such cases was the difficulty in pursuing investigation, when the deaf women in question often had no effective way of communicating across what had happened to them.¹⁸⁶

One such case caused a Dundalk scandal in 1860. Margaret Carroll had lived a number of years in the local workhouse and was apparently uneducated. When she showed signs of pregnancy, the board of guardians were anxious to discover the identity of the father. Over the next few weeks, it appeared that Margaret’s use of signing was being interpreted in all kinds of ways. The Catholic workhouse chaplain reported that Carroll “made signs that she was seduced by either the schoolmaster or a tradesman living outside the house”. When the matter was investigated by the Board, Margaret herself, “in reply to signs from the matron ... touch[ed] the 'ring finger' on her left hand”. The *Dundalk Democrat* saw this as “expressing a wish that she should be married.”¹⁸⁷ The workhouse porter then became involved in the accusations, leading to a Poor Law inspector conducting a fuller investigation. Margaret herself “pointed to the schoolmaster and Mr Rafferty [a local slator], as if charging both with the offence. She made signs that the porter was innocent.” While the local press was scandalised, the enquiry ended with no firm answers as to what had taken place, and Margaret was unable to relate clearly who the father may have been. The *Dundalk Democrat* could not resist describing Margaret’s deafness in animalistic terms, framing the matter in a way that laid blame on her: “it was not prudent on the part of the board to keep a dumb girl, of a vicious and... 'wild' disposition, in the house. She should have been sent to some proper institution, where she would be instructed; and taught that there is a future, where crime, if unatoned for, is punished with the greatest severity.”¹⁸⁸ The implication that an educated deaf girl may not have brought such a ‘crime’ on herself is clear.¹⁸⁹

¹⁸⁴ McLoughlin, ‘Workhouses and Irish Female Paupers’, p. 121.

¹⁸⁵ Dymphna McLoughlin, ‘Workhouses’ in Angela Bourke (ed.), *The Field Day anthology of Irish writing, V: Irish women’s writing and traditions* (Cork, 2002), p. 726.

¹⁸⁶ There are some similarities here to Oonagh Walsh’s treatment of people with intellectual disabilities in workhouse, their experience of suspected sexual assault, and their difficulties in communication: Walsh, “A person of the second order”, p. 167.

¹⁸⁷ *Dundalk Democrat*, 28 July 1860, p. 5.

¹⁸⁸ *Dundalk Democrat*, 4 August 1860, p. 4.

¹⁸⁹ A similar case in Tralee in 1876 saw a workhouse cook, accused of “seducing a woman nearly deaf and dumb” and making her pregnant, being dismissed. It appears that this woman too was uneducated and illiterate, and again, “It was with difficulty that [the woman] could be got to tell who it was, until the delinquent was brought before her.” *Freeman’s Journal*, 13 January 1876, p. 7; *Kerry Evening Post*, 12 January 1876, p. 2.

However, having attended school was no guarantee of justice in such cases. In 1863 in Sligo Union, allegations of sexual misconduct with four women were made against the workhouse schoolmaster, and an investigation by a Poor Law inspector commenced. One of the women examined was a 'deaf and dumb' girl named Susan Johnson, who was about 25 years old, had been in the workhouse for twelve years and apparently had attended Claremont.¹⁹⁰ The limitations of using writing to communicate with even educated deaf inmates were apparent when Susan gave evidence. Susan followed the inquiry via the writing of another inmate dictated by a Poor Law inspector, and herself stated in writing that she understood the nature of an oath. She was then sworn, and replied in writing that she was pregnant, and able to identify the father. When asked, however, "[w]here did the intercourse between you and Mr. Hawksby [the schoolmaster] take place?", she answered "yes". The question was then rewritten; "In what part of the house did Hawksby do it?" In reply, Susan wrote the word "master".¹⁹¹ The master called another inmate "who could speak a little" (possibly indicating she was partially deaf herself) in to the inquiry to expedite matters, and told her to sign to Susan, but "[t]his produced no effect".¹⁹² The *Sligo Champion* reported that Susan's answers were "of so vague and unreliable a character that they throw doubt upon the whole of her statements"; the inspector "therefore, very properly abandoned her further examination."¹⁹³ It is probable that after twelve years in the workhouse, Susan's fluency in both written and signed language had atrophied, and her inability to communicate what had happened to her was sufficient to set aside her evidence.¹⁹⁴ Dympna McLoughlin writes that even if allegations of sexual impropriety made by female workhouse inmates were investigated, the "testimony of a pauper woman carried little weight against the word of a workhouse functionary."¹⁹⁵ The examples highlighted above show clearly how the testimony of a woman who was deaf - unable to speak,

¹⁹⁰ Johnston's first name is never given in the newspaper coverage of the case, though her age, literacy and Protestant religion appear to match the name of a Sligo native who attended Claremont named Susan Johnson; *Claremont Application Book 1816-1842*, NAI 1123/16/4/1, entry no. 682. An indoor relief register entry from 2 January 1855 also exists for Susan Johnston, not indicating a discharge date, indicating that Susan may have remained in the workhouse long-term after this date. Entry 44540, 2 January 1855, *Sligo Workhouse Admission and Discharge Registers 1848-1859*, FMP.

¹⁹¹ *Sligo Champion*, 8 August 1863, p. 3; *Sligo Champion*, 15 August 1863, p. 2.

¹⁹² At one point Hawksby himself told the inmate to ask Susan "who blew out the candle to do the naughty thing", a paraphrasing objected to by many present. *Sligo Champion*, 15 August 1863, p. 2.

¹⁹³ *Sligo Champion*, 15 August 1863, p. 2. It should be noted that there was also anger in the press about the non-pursuance of Susan's case; "We now tell the Poor Law Commissioners that the case of this girl, Johnson, *has not been inquired into*, and that it is their duty to order a strict investigation." *Sligo Champion*, 22 August 1863, p. 2.

¹⁹⁴ To compound matters, Johnston's baby son, John, was smothered accidentally in its bed the following February. A slight suspicion of Susan herself held among the guardians; one wondered what Susan's "general feeling" was towards her own child, but the medical officer thought that "she was very fond of it". No inquiry was held into the death. *Sligo Champion*, 20 February 1864, p. 3; *Sligo Chronicle*, 20 February 1864, p. 3; John Johnson, civil death record, 15 February 1864, District of Sligo, IGN.

¹⁹⁵ McLoughlin, 'Workhouses', p. 726.

and often unable to read or write – was considered to have even less weight, and how such a culture of dismissal rendered them more vulnerable to such abuse.¹⁹⁶

Conclusion

This chapter has shown that in Ireland, deaf people were significantly overrepresented in the population of workhouse inmates. Indeed, examination of Census reports and 1901 and 1911 Census return forms shows this remained consistent in Ireland between 1851 and 1911. Inspection of indoor relief registers also shows that patterns of frequent and short term use of workhouses over time by deaf inmates seemed more common than longer stays of multiple years. As well as highlighting particular individuals who reappear many times, some across different registers, broader observations and some preliminary suggestions have been made as to what such patterns may indicate in relation to the reasons for use of workhouses by deaf people. It has also been shown that workhouse personnel used a wide variety of terms to describe deaf signers who were admitted; deaf people were described and treated in varied, subjective ways in Irish workhouses, and were not classified simply as either ‘disabled’ or ‘able bodied’. Factors pertaining to entry, leaving, and remaining in the workhouses have been described; aspects of the workhouse system (written rules, and communication in writing during inquiries or hearings) were limited in their accessibility, which often depended on the literacy level of the deaf inmate. The range of work that deaf inmates carried out has been shown, as well as the fact that guardians both mocked and exploited their labour. While often accused of insubordination or stealing, they were often charged with violent offences in the workhouse. Repeated violent or disruptive behaviour often led to workhouse authorities' concerns for their mental health; however, where no insanity could be proved, deaf inmates could find themselves trapped in the workhouse lunatic ward as a halfway house, unable to find meaningful work outside the house, but unable to be declared insane and committed to a local district asylum. Often, long periods in this atmosphere could end up in genuine mental health difficulty, and / or committal. The deaf workhouse experience was also gendered; deaf women were at risk of sexual misconduct, and even exploitation, by male workhouse staff members, without effective recourse to redress as had their hearing counterparts. Through all the examples given of workhouse life, the impact of deficient communication is shown to have been central in creating a distinctively oppressive workhouse deaf experience.

¹⁹⁶ The power differential could, however, be reversed. In 1867 in Kinsale Union, “a charge of immoral conduct with a deaf and dumb pauper inmate, named Reilly, preferred against Miss Chambers, the matron”. This was no doubt John Reilly, referred to elsewhere in this chapter; the matron was alleged by a pauper inmate to have been seen in one of the passages “standing with Reilly, the latter having his arm around her waist; and that other familiarities had passed between them.” *Cork Examiner*, 8 February 1867, p. 2.

Chapter 5: Deaf Defendants and Witnesses in Irish Courts

Introduction

This chapter will explore interactions between deaf individuals and the courts in Ireland between 1851 and 1922. The section will begin with an overview of the Irish legal system during this period, and relevant changes that affected it. The nature of Irish crime during this period, the elements of the court system, and aspects of legal culture, will be considered. Existing and developing common law precedent and procedure in relation to deaf people were reflected in Irish courts, and will be outlined. Evidence from newspaper accounts of court proceedings, combined with court archival records, will be used in a quantitative fashion to examine the kinds of crimes deaf people were accused of committing, and analyse the kinds of communication conventions and difficulties deaf defendants and litigants faced. Qualitative discussion of these cases will then be undertaken, highlighting difficulties in such procedural matters as taking the oath and putting in a plea. It will be shown that despite frequent cases where sympathy for deaf people could lead to discharge or a reduced sentence, committal to mental institutions was a serious risk for deaf defendants at criminal trials where communication difficulties arose. Forms of communication between the courts and deaf witnesses and defendants in Irish courts changed noticeably through the period. An analysis of the categories of individuals who interpreted for deaf people will be given, as well as some descriptions from newspaper reports of these interpreters at work. The profile of these interpreters changed over time, as did the frequency of use of writing; this correlates to changes in deaf education, as well as the changing preferences of courts. It will be shown that despite frequent cases where sympathy for deaf people could lead to discharge or a reduced sentence, committal to mental institutions was a serious risk for deaf defendants at criminal trials where communication difficulties arose. It will also be shown that the lives of deaf women are illuminated by cases pertaining to matters such as sexual violence in the courts.

While there is a large and growing literature on current best practice for deaf people in the legal system, and legal interpreting for sign language interpreting practitioners, very little of this work refers back in a historical fashion beyond the establishment of professional interpreter training programs in the late twentieth century.¹ In terms of specific legal issues relating to deaf people,

¹ The field of research into court interpreting is a large and growing one. These works are intended to be a representative selection: Deirdre M. Smith, 'Confronting silence: The constitution, deaf criminal defendants, and the right to interpretation during trial' in *Maine Law Review*, xlvii, no. 1989 (1994), pp 87–150; Mary Brennan and Richard Brown, *Equality before the law: deaf people's access to justice* (Coleford, 2004); Debra Russell and Sandra Hale (eds), *Interpreting in Legal Settings* (Washington, D.C., 2008); Tara

the spread of deaf education was accompanied in Europe and North America by increased interest in and publications about deaf people, and some writers have described the legal standing of deaf people in common and civil law jurisdictions.² Tony Ward has delved into the substantive issues of individuals presenting as ‘mute by visitation of God’ in the English common law.³ In particular, Anne Leahy has extensively researched the deep historical roots of court interpreting going back to the medieval period, and the emergence of a tradition of interpreter-like legal roles associated with deaf litigants in the common law jurisdictions of England and the United States.⁴ She stresses that contrary to modern assumptions, “deaf people and their hearing interlocutors adopted gestural systems, and proto-interpreters mediated the distance between them and hearing English speakers.” Rather than interpreting arising from an emerging deaf community using a standardised sign language, “legal precedents for interpreters were already in place at the dawn of systematized educational opportunities for deaf children” and historical discussion of the interpreter role had “culminated in a signing deaf party representing themselves through a sign-conversant and hearing intermediary.”⁵

Moving away from strictly legal issues, little substantive work using an empirical approach has been published on the historical experience of deaf people in Irish courts. Some general research does exist on the history of spoken language court interpreting, notably by Ruth Morris.⁶ In the Irish context, Nicholas Wolf, Lesa Ní Mhungaile and particularly, Mary Phelan, have written about interpretation for Irish speakers and speakers of other foreign languages in Irish courts; Phelan has assembled large datasets from newspaper reports of court proceedings, as well as grand jury presentment sessions, relating to interpreter provision and funding.⁷ Both Rachel Pollard and Graham O’Shea have described limited numbers of trials involving deaf people in their works on Irish deaf history.⁸ In this regard, other countries provide a range of

Potterveld, *Law Enforcement Interpreting for Deaf Persons* (Alexandria, Virginia, 2012); Talila A. Lewis, ‘Disability Justice in the Age of Mass Incarceration’ in Debra Guthmann, Gabriel I. Lomas, Damara Goff Paris and Gabriel A. ‘Tony’ Martin (eds), *Deaf People in the Criminal Justice System* (Washington, D.C., 2021), pp 229–303.

² John R Burnet, ‘Legal Liabilities of the Deaf and Dumb’ in *American Annals of the Deaf*, V, no. IV (1853), pp 255–257; Harvey P. Peet, *On the Legal Rights & Responsibilities of the Deaf & Dumb* (Richmond, VA, 1857); Albert C Gaw, *The legal status of the deaf: the development of the rights and responsibilities of deaf-mutes in the laws of the Roman Empire, France, England, and America* (Washington, 1907).

³ Tony Ward, ‘Standing Mute’ in *Law & Literature*, xxiv, no. 1 (2012), pp 3–20.

⁴ Anne M. Leahy, ‘Interpreted Communication with Deaf Parties under Anglo–American Common Law to 1880’ (Unpublished MA Thesis, Southern Utah University, 2015); Anne M. Leahy, ‘Historical misinterpretation of signed language interpreting’ in Christopher Rundle (ed.), *The Routledge Handbook of Translation History*, 2021, pp 189–203; Anne M. Leahy, ‘Paths to Signed Language Interpreting in Great Britain and America, 1150–1900’ (Unpublished PhD thesis, University of Birmingham, 2022).

⁵ Leahy, ‘Historical misinterpretation of signed language interpreting’, pp 198–199.

⁶ Ruth Morris, ‘The face of justice: Historical aspects of court interpreting’ in *Interpreting* (1999), pp 97–123.

⁷ Nicholas M Wolf, *An Irish-Speaking Island: State, Religion, Community, and the Linguistic Landscape in Ireland, 1770–1870* (Madison, Wisconsin, 2014); Lesa Ní Mhungaile, ‘The Legal System in Ireland and the Irish Language 1700-c.1843’ in *The laws and other legalities of Ireland, 1689-1850* (Farnham, Surrey, 2011), pp 325–358; Mary Phelan, ‘Irish language court interpreting 1801-1922’ (Unpublished PhD thesis, Dublin City University, 2013) (<http://doras.dcu.ie/17739/>); Phelan, *Irish Speakers, Interpreters and the Courts 1754-1921*.

⁸ Pollard, *The Avenue*; O’Shea, ‘A History of Deaf in Cork’.

works that can be drawn on for comparison. Enescu and Werner have looked at eighteenth and nineteenth century Germany, exploring cases of deaf people in courts in regards to criminal liability, ability to be a witness, use of interpreters, ability to marry, and making a will; Enescu also looks specifically at the issue of deaf people committing murder.⁹ John Adams and William Jones have examined the popular (and philosophical) fascination with deaf people on trial in late eighteenth century France.¹⁰ However these non-Irish contexts are examined using only small corpuses of less than ten cases. Bencie Woll and Christopher Stone cast the net more widely, exploring the Old Bailey Online database for English cases.¹¹ They discovered 31 court cases at the Old Bailey involving “deaf and dumb” people over a 160-year period up to 1834, the majority of whom were defendants.¹² Specific accounts of deaf people’s experiences of the courtroom over the centuries in England, the United States and elsewhere are dealt with over a series of volumes by deaf historian Peter Jackson, which although they do not critically analyse the phenomenon of the deaf witness or defendant, contain many insights into the cases they describe.¹³

The Irish court system, 1851 - 1922

British administration of English common law in Ireland through the court system had mixed fortunes during the nineteenth century. Traditional claims hold that the Irish peasantry considered the administration of British justice in Ireland as an untrusted, alien presence in this period; and magistrates were especially mistrusted. “Resident magistrates were hated by tradition and by rote as the local enforcers ... of the will of Dublin Castle.”¹⁴ However, these claims ring false for writers such as Desmond McCabe and Richard McMahon, who point to widespread use of the petty sessions courts by the Irish people for non-agrarian matters such as assault and petty theft. McCabe’s view is that “the scale of court case-work [at petty sessions]

⁹ Raluca Enescu and Anja Werner, ‘The Legal Capacity of Deaf Persons in the Decisions of the Imperial Court of Justice between 1880 and 1900’ in *Law, Crime and History*, vi, no. 2 (2016), pp 31–53; Raluca Enescu, ‘The Criminal Responsibility of Three Deaf Murderers between 1727 and 1828’ in Marion Schmidt and Anja Werner (eds), *Zwischen Fremdbestimmung und Autonomie: Neue Impulse zur Gehörlosengeschichte in Deutschland, Österreich und der Schweiz* (Bielefeld, 2019), pp 295–322.

¹⁰ John Adams and William Jones, ‘Deaf Men on Trial: Language and Deviancy in Late Eighteenth-Century France’ in *Eighteenth-Century Life*, xx, no. 2 (1997), pp 157–175.

¹¹ Christopher Stone and Bencie Woll, ‘Dumb O Jemmy and Others: Deaf People, Interpreters and the London Courts in the Eighteenth and Nineteenth Centuries’ in *Sign Language Studies*, viii, no. 3 (2008), pp 226–240; Bencie Woll and Christopher Stone, ‘Deaf people at the Old Bailey from the 18th century onward’ in Michael Freeman and Fiona Smith (eds), *Law and Language: Current Legal Issues 2011* (Oxford, 2013), xv, 557–570.

¹² The first case identified by Stone and Will occurred in 1725, but it should be mentioned that taking into account complexities and variations in how deaf people are described, the Old Bailey Online database potentially offers more examples of signing defendants and witnesses than those Stone and Woll have identified; for example the 1718 case of Sarah Dean, a defendant and “Dumb Woman, who signified by Signs” her innocence. *Proceedings of the Old Bailey* website, 15th October 1718, <https://www.oldbaileyonline.org/browse.jsp?id=t17181015-20&div=t17181015-20>. See also Leahy, ‘Interpreted Communication...’, p. 28.

¹³ See Peter W. Jackson, *deaf Crime Casebook* (1997); Peter W. Jackson, *deaf to Evidence* (1998); Peter W. Jackson, *deaf Killers* (2006); Peter W. Jackson, *The deaf to deaf Killings* (2010); Peter W. Jackson, *deaf Renegades, Outlaws, Cop Killers and Other Murders* (2012), among many others..

¹⁴ Mary Kotsonouris, ‘Tis All Lies, Your Worship...’ *Tales from the District Court* (Dublin, 2011), p. 5.

is evidence of peasant confidence in low-level litigation... the peasant decision to prosecute ordinary violent and non-violent crime at petty and quarter sessions suggests a basic endorsement of the processes of justice.”¹⁵ McMahon’s more nuanced analysis holds that though the petty sessions “could sometimes be employed to restrict and regulate the lives of ordinary people and could also be used in an oppressive manner”, they were useful to ordinary people, “not only in solving disputes amongst themselves but also in providing a means and an arena in which a critique of those in authority could develop and where popular ideas of justice could be expressed.”¹⁶ It seems then that the courts were eagerly used by many.

The petty sessions were meetings of local magistrates, or Justices of the Peace (JPs), for the litigation of minor civil and criminal matters, through summary disposal. In this manner, the magistrates, typically the landlords and wealthy of the area, administered about 95% of civil and criminal cases in Ireland.¹⁷ As well as dealing with minor criminal cases, petty sessions courts also could deal summarily with many smaller civil matters.¹⁸ For serious criminal matters they were the site of initial investigations before prosecution on indictment to crown court, at quarter sessions or assizes in the same county. By 1849, just under 600 petty sessions courts around Ireland heard cases at least once a month.¹⁹ Major cities such as Dublin, Belfast, Cork, and Limerick had police courts, that also functioned in a similar way to petty sessions.

Magistrates also sat at quarter sessions, courts which met four times yearly in county towns around the country, to hear more serious criminal matters. Some cities and large towns had courts of equivalent status to quarter sessions known as Recorder’s courts. After 1877, the quarter sessions hearing civil cases was known as the County Court. Cases could be referred from petty sessions to the quarter sessions.²⁰

Above these were the courts of assize. These heard both criminal matters, as well as civil actions at *nisi prius*, and were presided over by judges travelling on circuit twice a year in the countryside; equivalent sessions were held six times yearly in Dublin, often referred to as the

¹⁵ Desmond McCabe, “That part that laws or kings can cause or cure”: Crown Prosecution and Jury Trial at Longford Assizes, 1830-45’ in *Longford: Essays in County History* (Dublin, 1991), pp 157–8.

¹⁶ Richard McMahon, ‘The court of petty sessions and society in pre-Famine Galway’ in Raymond Gillespie (ed.), *The Remaking of Modern Ireland 1750-1950: Beckett Prize Essays in Irish History* (Dublin, 2004), p. 131.

¹⁷ Desmond McCabe, ‘Open court: law and the expansion of magisterial jurisdiction at petty sessions in nineteenth-century Ireland’ in N. M. Dawson (ed.), *Reflections on law and history: Irish Legal History Society discourses and other papers, 2000-2005* (Dublin, 2006), p. 129.

¹⁸ *Ibid.*, pp 126–128.

¹⁹ *Ibid.*, p. 132.

²⁰ Inez Bailey, ‘Women and Crime in Nineteenth Century Ireland’ (Unpublished MA thesis, St Patrick’s College, Maynooth, 1992), p. 7.

Dublin Commission Court.²¹ Before trials commenced, bodies named grand juries were responsible for initial evaluation of bills of indictments; if ‘true bills’ were found, they could be proceeded with as indictments. Bills that were found to be unworthy of trial at assize could and often were dismissed. Cases could be referred to the assizes from quarter sessions.²²

Above the courts of assize were the superior courts based in the Four Courts in Dublin. The oldest of these were the Court of Queen’s (or King’s) Bench, which was the highest possible court that could deal with criminal cases; the Court of Chancery; the Court of Exchequer; and the Court of Common Pleas. The 1877 Supreme Court of Judicature Act combined these courts and others into divisions of a High Court, consisting of five divisions along with the Court of Probate and Matrimony and later the Court of Admiralty, and also a Court of Appeal.²³

The magistrates that heard cases at petty sessions did not need any training in law to sit at sessions.²⁴ Described by R. B. MacDowell as “unpaid amateurs”, their perceived incompetence, lack of legal training and absenteeism were cause for much contemporary criticism.²⁵ Barrister Michael Barry wrote in 1846 that “in the administration of justice by magistrates at quarter sessions and petty sessions ... the want of a sufficient knowledge of the law has produced erroneous decisions ... and in some instances to failures altogether in the administration of justice”.²⁶ While there was a revision of the list of magistrates in 1822, it was of questionable effectiveness.²⁷ A far more effective development was the establishment by ministerial request the following year of courts of petty sessions. Similar to local forms of courts already in operation in Ireland,²⁸ these were courts of summary jurisdiction where at least two or more magistrates would sit at fixed times with a clerk to dispense local summary justice in public.²⁹ The 1827 Petty Sessions Act defined the requisites for fees and staffing of the sessions; more

²¹ V. T. H. Delany, *The Administration of Justice in Ireland* (Dublin, 1970); Des Keenan, ‘The Courts of Law’ in *Des Keenan’s Books on Irish History* (<http://www.deskeen.com/4PrChapter19.htm>) (27 Sept. 2015).

²² McCabe, ‘That part that laws or kings can cause or cure’, p. 162.

²³ Supreme Court of Judicature Act, 40 & 41 Vict., c. 57 (1877). These were the courts of Queen’s (or King’s) Bench, Chancery, Common Pleas, Exchequer, Probate, Matrimonial Causes, the Landed Estates Court (after 1858) and the Court of Admiralty. MacDowell, ‘Irish Courts of Law’, pp 369–370.

²⁴ Robert Hartigan, ‘One Law, Many Justices: An Examination of the Magistracy in Pre-Famine Ireland, 1830-1846’ (Unpublished PhD thesis, Mary Immaculate College, University of Limerick, 2016), pp 27–28.

²⁵ MacDowell, ‘Irish Courts of Law’, p. 371; Sheills, ‘The Resident Magistracy in Ireland 1860-1922’, p. 41.

²⁶ *Report from the Select Committee on legal education; together with the minutes of evidence, appendix and index*, p. 128, 1846 H.C. (686) x, 1. See also Desmond Greer, ‘Crime, justice and legal literature in nineteenth-century Ireland’ in *Irish Jurist*, xxxvii (2002), pp 241–268.

²⁷ Ian Bridgeman, ‘The Constabulary and the Criminal Justice System in Nineteenth-Century Ireland’ in Ian O’Donnell and Finbarr McAuley (eds), *Criminal Justice History* (Dublin, 2003), p. 119.

²⁸ In Cork and Mayo, for example; see, respectively, W N Osborough, ‘The Irish Legal System, 1796-1877’ in *Studies in Irish Legal History* (Dublin, 1999), p. 254; Desmond McCabe, ‘Magistrates, peasants and the Petty Sessions Courts: Mayo, 1823-50’ in *Cathair na Mart*, v, no. 1 (1985), p. 46.

²⁹ MacDowell, ‘Irish Courts of Law’, pp 371–372; McCabe, ‘Magistrates, peasants and the Petty Sessions Courts: Mayo, 1823-50’; McMahon, ‘The court of petty sessions and society in pre-Famine Galway’.

details on running and record keeping of the petty sessions courts was standardised by the Petty Sessions Act of 1851.³⁰

In time the Justices of the Peace were assisted by a network of stipendiary magistrates, or Resident Magistrates (RMs), who resided in the district and sat with Justices of the Peace at sessions. They were intended to be more impartial than locally-based JPs, and their focus was intended to be on the criminal side of local justice.³¹ This shift to a professionalised magistracy was a significant one, as “justice was removed from the control of local interests, and handed to trained men appointed by the central government”.³² The new stipendiary magistracy’s relations with the traditional amateur justices of the peace were not always smooth.³³ Improvements in the quality and experience of RMs through the period meant that “by the late 1860s the process begun in the late eighteenth century of removing from local gentlemen the control of the functions of local justice and placing it into the hands of impartial government servants was almost complete.”³⁴ Despite this apparent improvement, RMs were still not necessarily expected to have advanced legal knowledge and experience, until the passing of the 1887 Crimes Act.³⁵

The figure of the judge, who heard cases at assizes and the superior courts, took on paramount importance; at assizes, they “bore responsibility for the integrity of the trial... monitored proceedings for transgressions of rules of evidence... and instructed the jury on points of law and pitfalls in testimony during and at the close of the trial.”³⁶ Whether judges, or barristers, were well-informed about legal precedent and procedure involving deaf people became a question of immense significance for deaf people in the courtroom. However, criminal law was little regarded among the legal profession, and those practising it at trial had a reputation that was at best, middling.³⁷ Joseph Napier, a future Irish Lord Chancellor, stated in 1840 that “it is an undoubted fact that the study of criminal law is so little regarded among the profession at present, that a total ignorance of it is not considered incompatible with a high professional character”.³⁸ Given the above factors, it is possible that on top of legally inexperienced

³⁰ 'An Act for the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in Ireland', 7 & 8 Geo. 4, c. 67 (2 July 1827); 'An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in Ireland', 14 & 15 Vict., c. 93 (7 August 1851); Bridgeman, 'The Constabulary...', p. 118.

³¹ Crossman, 'The Growth of the State in the Nineteenth Century', p. 559; McDowell, *The Irish administration*, pp 373–375.

³² Fitzsimons, 'Petty Sessions Records', p. 24.

³³ For discussion see Bridgeman, 'The Constabulary...', pp 118–127.

³⁴ *Ibid.*, p. 127.

³⁵ Osborough, 'The Irish Legal System, 1796-1877', p. 255; Bridgeman, 'The Constabulary...', p. 128.

³⁶ McCabe, 'That part that laws or kings can cause or cure', p. 166.

³⁷ McMahon, "For fear of the vengeance": the prosecution of homicide in pre-Famine and Famine Ireland', p. 142.

³⁸ Quoted in Greer, 'Crime, justice and legal literature'.

magistrates, the finer details and extant case law precedents of dealing with deaf people in criminal proceedings were unfamiliar to those entrusted with administering justice.

Deaf people in court: Newspaper dataset

The remainder of this chapter will use evidence from a dataset gathered from Irish newspaper reports during the period 1851 to 1922.³⁹ These proceedings (both civil and criminal) took place in summary courts (petty sessions, city police courts), as well as quarter sessions, recorders' courts, courts of assize, the courts of *oyer and terminer* based in Dublin (referred to as Dublin Commission courts), and the superior courts, or after 1877, the divisions of the High Court (Common Pleas, Exchequer, King's or Queens' Bench, Chancery, and Probate).⁴⁰ To assemble this dataset, two online newspaper databases – Findmypast.ie, and the Irish Newspaper Archive – were used.⁴¹ Searches were made in both databases in all available newspapers for the period for newspaper accounts of court proceedings involving deaf individuals between 1851 and 1922.⁴² The 'core categories' previously discussed above (see pp. 50-1) were employed for this purpose, and were also co-searched with other words or phrases such as *petty*, *quarter*, *sessions*, *assizes*, *court*, *interpreter*, and so on. Other phrases were also searched such as *dumb language*, *finger language*, *dumb signs*, and *dummy signs*. Searching a variety of such phrases and keywords functioned to make repeat 'passes' over the data within these newspaper search engines, partially compensating for the imperfect Optical Character Recognition (OCR) due to occasional poor quality imaging of newspapers.⁴³ Given factors relating to imperfect OCR, and the still non-comprehensive cover of Irish newspapers on these databases, it is probable that many more such accounts have not been located for this dissertation, but it is the belief of this researcher that the vast majority of such court cases have been identified herein.⁴⁴ Multiple accounts of court proceedings were sought in different newspapers, which would often provide extra detail, such as presence of an interpreter, their name, more detail and comments made by legal personnel in court.

³⁹ The Courts of Justice Act (1924) was passed in May 1924, sweeping away the court system of the period of British rule and replacing the lower courts with a three-tier system of District, Circuit and High Courts, a system that we retain today. Paul Bartholomew, 'Irish Judiciary' in *Notre Dame Law Review*, xlv, no. 4 (1969), p. 561.

⁴⁰ For a detailed description of the structure and function of these courts, as well as changes in jurisdiction and function over the period, see McDowell, 'Irish Courts of Law'; Osborough, 'The Irish Legal System, 1796-1877'.

⁴¹ Findmypast.ie, 'Irish Newspapers' in *FindMyPast website*, 2022 (<https://search.findmypast.ie/search/irish-newspapers>) (28 Apr. 2022); Irish Newspaper Archives, 'search page' in *Irish Newspaper Archives website*, 2022 (<https://archive.irishnewsarchive.com>) (28 Apr. 2022).

⁴² A similar approach was used by Andrew Sneddon and John Fulton in their examination of witchcraft trials in Ireland: Andrew Sneddon and John Fulton, 'Witchcraft, the Press, and Crime in Ireland, 1822-1922' in *Historical Journal*, lxii, no. 3 (2019), p. 745n.

⁴³ For discussion on the imperfect nature of OCR on online digitised newspaper archives, see Sharon Howard, 'Bloody Code: Reflecting on a Decade of the Old Bailey Online and the Digital Futures of Our Criminal Past' in *Law, Crime and History*, v, no. 1 (2015), pp 19–20.

⁴⁴ New newspapers are added regularly to both online databases, and continual addition to the dataset will no doubt be possible for the foreseeable future.

Where possible, relevant petty sessions or police court order books were also examined; these sometimes included detail such as names of interpreters sworn (generally featured in the ‘witnesses’ column of order books); whether prosecution was taken by police or privately⁴⁵; the exact nature of charges; and how cases were disposed of. Cases taken in the counties which became Northern Ireland were unable to be cross-checked in this way, however, as petty sessions records were not available online in a searchable fashion for these counties.⁴⁶ There are also a number of geographical areas for which petty sessions or police court order books do not survive (e.g. Dublin City’s police court).⁴⁷ Other legal sources, for example, case files from Quarter Sessions and Assizes trials, and others, were also examined when relevant. At times, these other legal records identify previous or later relevant court proceedings that are not reported in the papers. However, a conscious decision was taken to assemble this dataset using newspaper reports as the primary source of information; qualitative aspects such as descriptions of the proceedings, reported speech or writing of participants, etc. are generally missing from other kinds of records. The dataset collates, counts and analyses instances of legal proceedings primarily from the source where such information is best available – the newspapers.

In total, 1,139 court reports were located, where a deaf person was directly involved as a defendant, witness, or plaintiff. These included 12 inquests, 82 civil cases, and 1,045 criminal cases. It is likely that many instances of crime involving deaf people have not been identified by this approach. Attempts to determine how many, and how often, crimes were committed in the past, often encounter a stumbling block: “the possibility, if not probability, of a dark figure of criminal activity, i.e. those acts which do not come to the attention of or are not recorded by the authorities.”⁴⁸ Any such database is also necessarily incomplete due to police discretion in the choice of which cases to prosecute, as well as the existence of alternative, quasi-official sanctions to taking cases to court.⁴⁹ Even when heard in court, cases may not have been reported on; prison records, discussed further in Chapter 6, often refer to hearings involving deaf people that are not reported in the newspapers contained in the two online databases,

⁴⁵ In some cases, where it was not entirely clear if proceedings were prosecuted privately or by the police, a best guess has been made.

⁴⁶ Though petty sessions records are available to view in PRONI on microfilm, they are not digitised or indexed: see <https://www.irish-genealogy-toolkit.com/irish-petty-sessions.html>.

⁴⁷ While the Petty Sessions Order Books collection in the National Archives of Ireland (digitised by Findmypast.ie) is very large at over 11,000 microfilmed volumes, it does contain gaps: see <https://www.nationalarchives.ie/article/guide-court-records-ireland-pre-1922/>.

⁴⁸ Richard McMahon, ‘«The madness of party»: Sectarian homicide in Ireland, 1801-1850’ in *Crime, History and Societies*, xi, no. 1 (2007), p. 4.

⁴⁹ Bridgeman, ‘The Constabulary...’, pp 140–1.

and this represents opportunities for more exhaustive quantitative study in the future. More prosaic factors, such as the incomplete spread of newspapers digitised across the two search engines, and issues with OCR, serve to limit the catchment of the record set assembled. Nevertheless thanks to the evident interest of local and national Irish newspapers of the day in such court cases, the extensive coverage of same renders it possible to gain valuable insights into the courtroom experience of deaf people.

Trials by Jury: Assizes and quarter sessions

In total between 1851 and 1922, there were 116 criminal jury trials reported with a deaf defendant at quarter sessions, recorders' courts, assize courts or Dublin Commission court. About half of these (59) were for offences of larceny; 29 trials dealt with forms of assault (including attempted assault, riot, aggravated assault, etc.), while 5 dealt specifically with charges of murder, manslaughter, and attempted murder. 7 trials of deaf people were for sexual offences - charges of sexual assault, indecent assault, bestiality etc. Table 14 below shows the outcomes of these trials:⁵⁰

Verdict	Number of Cases	%
Convicted	68	59%
Acquitted or Discharged	21	18%
Adjourned, remanded, or otherwise delayed	8	7%
Unfit to plead	6	5%
Not tried, no true bill found, ⁵¹ or <i>nolle prosequi</i> ⁵²	6	5%
Recognizance	3	3%
Guilty but Insane	2	2%
Bound to the Peace	1	1%

Table 14: Verdicts in assize / quarter sessions trials by jury of deaf defendants in Ireland, 1851-1922

Of the 68 trials resulting in convictions, the majority (52) saw a sentence of imprisonment, with two of those being a 'token' fortnight in prison followed by a period of years in a reformatory. Penal servitude was the sentence handed down in 10 cases, and in three others, defendants were sentenced to a period of time in an inebriate reformatory. In just one early case, transportation was the sentence. Of the eight trials postponed or adjourned to another date or

⁵⁰ One trial, that of Patrick and Johanna Quinlisk, featured a deaf brother and sister, the latter being acquitted while Patrick pleaded guilty and was convicted. This means that this one case was counted twice, given the two different outcomes.

⁵¹ A 'true bill' was found if, before the commencement of the assizes, a grand jury decided there was enough evidence against a prisoner to put them on trial. Neal Garnham, *Murder Trials in Ireland, 1836-1914* (Dublin, 2009), p. 104.

⁵² *Nolle prosequi* indicates 'no prosecution'. Claire Edwards, Gillian Harold and Shane Kilcommins, *Access to Justice for People with Disabilities as Victims of Crime in Ireland* (Cork, 2012), p. 37 (<http://hdl.handle.net/10344/3895>).

court, the majority were postponed due to issues in communication or sourcing an interpreter.⁵³ Of the six deaf defendants found to be ‘unfit to plead’ at trial, only one was reported to have used an interpreter, and in this case, the interpreter was the defendant’s warder in the local prison. None of these trials appeared to utilise writing.

Deaf people also served as witnesses in twelve inquests. The first witness to serve at an Irish inquest appears to have been John Pearson, an ex-Claremont pupil, in 1843 at Banagher.⁵⁴ This was followed by a deaf maidservant, Martha Elder, who gave evidence at the 1856 inquest held after six pupils died in a fire at the Strabane deaf school. George Coleman’s evidence at the inquest of murdered Tipperary landlord Bradshaw in 1869 also gained much press coverage.⁵⁵ A harrowing case is reported in 1902 of a deaf Belfast mother giving evidence at the inquest, with a deaf-hearing team of interpreters being present; the inquest was to inquire into the death of her own child, who had apparently suffocated underneath her in bed.⁵⁶ A year later Elizabeth Barnett gave evidence at her deaf husband William’s inquest in 1903 after he had been killed in a shipyard accident at Harland and Wolff; again, a deaf-hearing team of interpreters seems to have been used.⁵⁷

Summary courts: petty sessions and police courts

From the cases where deaf people have been up on charges at the lowest level of criminal courts – the petty sessions, or in cities and some large towns, the police courts – the data in Table 15 below has been summarised, showing the proportion of offences deaf defendants were charged with, by category of offence. As can be seen, there is a preponderance of cases of assault.⁵⁸

<i>Category of Offence</i>	Total: 709	
Assault	241	34.0%
Drunkenness, drunk and disorderly	227	32.0%
Larceny	143	20.2%
Malicious damage	33	4.7%
Disorderly & riotous behaviour (including unlawful procession)	37	5.2%
Begging and vagrancy	23	3.2%

⁵³ In some cases, no newspaper or court record can be found of the second instance of the trial. This may indicate a dropping of charges in the meantime.

⁵⁴ *Kerry Evening Post*, 20 December 1843, p. 4.

⁵⁵ *Nenagh Guardian*, 14 May 1856, p. 4; *Freeman’s Journal*, 28 April 1869, p. 7.

⁵⁶ *Irish News and Belfast Morning News*, 3 December 1902, p. 6.

⁵⁷ *Belfast News-Letter*, 23 May 1903, p. 9.

⁵⁸ These figures are boosted considerably by the presence of one deaf person who reoffended several times – Patrick Byrne from New Ross, Co. Wexford (see Chapter 6). He was the defendant in 33 cases of assault and 27 cases of drunkenness or drunk and disorderly. Separating out Patrick Byrne’s figures from the totals does not impact the relative proportions of types of offences in Table 15, but it should be noted that leaving them in increases the proportions of both assaults and drink related offences by about 3% in each case.

Pub offences ⁵⁹	14	2.0%
Breaches of the Peace (including threatening behaviour and abusive language)	9	1.3%
Illegal fishing	6	0.8%
Insubordination in workhouse	6	0.8%
Trespass	6	0.8%
Sexual offences (including rape, indecent assault, indecent exposure, assault with felonious intent)	7	1.0%
Lunacy proceedings	4	0.6%
Arson	4	0.6%
Murder, attempted murder, manslaughter	3	0.4%
Abandonment of a child	3	0.4%
Attempted suicide	3	0.4%
Animal cruelty	2	0.3%
Desertion of family	2	0.3%

Table 15: Offences charged to deaf defendants at petty sessions, police courts, mayor's and town courts, 1851-1922

Due to changes in legislation introducing or removing certain offences, unclear description of charges in newspaper reports, or lack of confirming court records, profiling the types of offences deaf people were charged with over longer periods becomes quite difficult, as is any comparison of deaf people's offences with those of the general population. Table 16 below attempts a rough comparison with figures between 1863 and 1890 utilised by Desmond McCabe in his analysis of petty sessions offences, using the same broad categories that McCabe uses, and focusing on offences charged to deaf people at petty sessions in the same period.⁶⁰

<i>Category of Offence</i>	<i>% of all offences at petty sessions, Ireland</i>	<i>% of all offences with deaf defendants, petty sessions</i>	<i>% of all offences with deaf defendants, petty sessions and urban Police Courts</i>
Assaults	14.8%	33.1%	41.2%
Drunkenness / drunk and disorderly	38.4%	33.5%	31.9%
Breaches of the Peace	1.1%	7.4%	7.4%
Larceny	2.0%	6.2%	16.0%
Malicious Damage and Trespass	3.0%	3.9%	5.1%

Table 16: Categories of offences dealt with at Irish petty sessions courts, 1863-1890, and comparative figures for deaf defendants

We can see that certain categories of offence are overrepresented. One-third of deaf defendants at petty sessions were charged with various forms of assault, 41% if urban police court cases are taken into account; furthermore, larcenies, a relatively small amount of crimes

⁵⁹ These refer to offences against legislation governing opening, closing and serving times in public houses.

⁶⁰ McCabe, 'Open court', pp 159-161.

prosecuted nationally, form a percentage of deaf offences more than twice as high, or eight times as high looking at petty sessions and police courts. It appears that especially in cities, deaf defendants were more likely to be charged with an assault, and far more likely to be charged with a larceny, than the general population.

Deaf defendants and case law precedents

We now explore the procedures and precedents dealing with deaf people, beginning by stating the position of deaf people accused of crimes under English common law, and by extension through its 'first adventure', Irish law.⁶¹ Over the decades a number of legal handbooks and reference works were published, intended as quick and comprehensive guides for magistrates in dispensing justice in court, and it is worth examining this literature for references to these matters.⁶² The seventeenth-century jurist Matthew Hale expanded on this position in his influential treatise, *The History of the Pleas of the Crown*: "A man, that is *surdus & mutus a nativitate*, is in presumption of law an ideot, and the rather, because he hath no possibility to understand, what is forbidden by law to be done, or under what penalties". However, this legal presumption of 'idiocy' was now qualified by a positive reference to sign language: "if it can appear, that he hath the use of understanding, which many of that condition discover by signs to a very great measure, then he may be tried, and suffer judgment and execution, tho' great caution is to be used therein."⁶³ Richard Bolton's *A justice of peace for Ireland* included references to deaf defendants in 1638, but seemed only to repeat the original presumption of idiocy alluded to in Hale: "A man borne deafe and dumbe killeth another, that is no felony, for he canot know whether he did evill or no, neither can he have a felonious intent."⁶⁴

Building on this in the late eighteenth century was a body of influential case law. The English 1773 case of *Thomas Jones* confirmed Hale's leeway for deaf prisoners; the court held that if the accused could understand the charge and proceedings through sign language (in this case interpreted by an acquaintance of Jones, named Fanny Lazarus), they were able to plead: "a prisoner *mutus et surdus a nativitate*, may be arraigned for a capital offence, if intelligence can

⁶¹ W J Johnston, 'The First Adventure of the Common Law' in *Law Quarterly Review*, xxxvi, no. 9 (1920), pp 9–30.

⁶² Greer, 'Crime, justice and legal literature'; Osborough, 'The Irish Legal System, 1796-1877', p. 254.

⁶³ Matthew Hale, *The History of the Pleas of the Crown (Vol. I)* (London, 1736), p. 34; see also Cockayne, 'Experiences of the deaf in early modern England', p. 507. Hale also refers back to J C Crompton's *Jurisdiction of Courts* in referring to legal use of signed language; see p.34, note (o).

⁶⁴ Richard Bolton, *A Justice of Peace for Ireland, consisting of two Bookes: the first declaring th'exercise of that office by one or more Justices of Peace out of Sessions. The second setting forth the forme of proceeding in Sessions, and the matters to be enquired of, etc* (Dublin, 1638), p. 72.

be conveyed to him by signs or symbols.”⁶⁵ This was incorporated into Leonard MacNally’s later work *The Justice of the Peace for Ireland* in 1808, where it is stated that deaf defendants can plead on arraignment, if it can be proved that they can understand ‘by signs and tokens’.⁶⁶ Crawford and Dix’ reports of Irish case law reported a larceny case from the 1840 County Down assizes, where a deaf defendant, Daniel McEtyre, had been found by the jury to be ‘mute by the visitation of God’, and an interpreter (a gaol officer) was sworn for the trial.⁶⁷

Over the decades, English common law incorporated these precedents and established a procedure to be followed for deaf defendants in court, the points of which were published in Irish legal handbooks. The first step was a preliminary *voir dire* – a trial within a trial - where a jury was empanelled to decide whether the defendant was ‘mute by malice’ or ‘mute by the visitation of God’.⁶⁸ This was in most cases an unproblematic formality to test if the deafness was genuine.⁶⁹ At this point, witnesses were called to testify as to the defendant’s deafness, often including the individual who ended up interpreting later for the defendant.⁷⁰ There was sometimes difficulty in putting across other related legal concepts, such as entering a *plea*. This was a sticking point for many judges, who demanded unambiguous evidence that the deaf defendant understood what this signified. In the English case of *Elizabeth Steel* in 1787, the court confirmed that a deaf person could be both tried and sentenced, but if communication was to prove impossible, a plea of ‘not guilty’ should be entered on their behalf.⁷¹ This legal technicality proved tricky in 1852, when Thomas Dunlop was arraigned for manslaughter at the Downpatrick Assizes, but could not put in a plea: “After much gesticulation on the part of the prisoner and

⁶⁵ Thomas Leach, *Cases in Crown Law, determined by the Twelve Judges, by the Court of King’s Bench; and by Commissioners of Oyer and Terminer, and General Gaol Delivery; from the Fourth of George the Second to the Twenty-ninth of George the Third* (2nd ed., London, 1792), pp 97–98.

⁶⁶ Leonard MacNally, *The Justice of the Peace for Ireland (Vol. I): containing the authorities and duties of that officer; as also of various conservators of the peace ... with a digest of the common and statute law, respecting treasons, felonies, misdemeanors, etc.* (Dublin, 1808), p. 548.

⁶⁷ George Crawford and Edward Spencer Dix, *Reports of Cases argued and ruled on the Circuits, in Ireland, during the years 1839 and 1840; together with cases decided at the Nisi Prius sittings, and in the courts of criminal jurisdiction at Dublin, etc.* (Dublin, 1841), pp 402–403. See also *Downpatrick Recorder*, 7 March 1840, p. 1. I am indebted to Anne Leahy for bringing this case to my attention.

⁶⁸ “Where a prisoner wholly stands mute without making any answer at all, the court shall take an inquest of office, by the oath of any twelve persons that happen to be present, whether he do so of malice, or by the act of God”. MacNally, *Justice of the Peace for Ireland, Vol. I*, p. 210.

⁶⁹ It seems to have been obligatory on the court to determine the issue of ‘mute by malice’ / ‘mute by visitation of God’ since the passing of a statute in 1406 by Henry IV; Peet, *Legal Rights*, pp 72–3. Prior to the late eighteenth century, ‘standing mute’ - refusal by the prisoner to plead at arraignment - occasioned the use of a torture named *peine fortée et dure*, where the prisoner was “put in a low dark room, laid upon his back, without any covering except for his privy parts, and as many weights were laid on him as he could bear.” The prisoner was fed bread and water on alternate days “and kept in this condition till he died, or, as the judgement ran, until he answered.” This treatment lasted until the reign of George III. See *Ibid*.

⁷⁰ In only one case was a deaf person deemed ‘mute by malice’: a formal charge of larceny was written on paper for Timothy Donovan before his appearance at the Cork recorder’s court, but Timothy stated he did not understand the charge. The head turnkey of Cork prison testified in response that Timothy “had previously written his own name very legibly”; not stopping to consider whether there might be a substantial difference in comprehending a formal written charge and being able to write one’s name, the Recorder - concurring with the *Cork Daily Herald* reporter that it was “evidently through cunning [that he] pretended not to comprehend it” - put it to the jury, who returned a verdict that the defendant was “mute by malice”. *Cork Daily Herald*, 9 June 1860, p. 3.

⁷¹ Leach, *Cases in Crown Law*, pp 358–360.

the interpreter, the latter said that the prisoner stated it was his brother Francis who was to blame... but [the interpreter] could not obtain an answer to the charge, nor did he seem able to convey what the court required.” Dunlop obviously understood why he was in court, and that this arena was where he could tell his story of being wronged, but instead of entering a plea, he begins instead to tell the reasons for his innocence. Per *Steel*, a plea of *not guilty* was eventually entered for Dunlop.⁷²

Other English case law raised the stakes, and it became no longer sufficient to merely understand signs for a trial to proceed against a deaf defendant. In *Dyson* (1831), the inability of a deaf person - even with an interpreter - to not just deny a charge, but be able to “plead advisedly to [an] indictment” - for example, to understand that they would be tried by a jury, and could object to jurors - was treated as “analogous to insanity”.⁷³ Thus, Esther Dyson was found “not sane”, even there was no hint or suggestion of madness at her trial.⁷⁴ The case of *Pritchard* in 1836 concerned a deaf defendant who was literate, but whose intelligence was in question; the judge suggested that simply being able to plead did not equate to being *fit* to plead.⁷⁵ The decision in *Pritchard* put forth a three-part inquiry for the court when faced with a deaf defendant, where intelligence - or at least, perceived ability to fully enter into proceedings - was in question:

There are three points to be inquired into: - *First*, whether the prisoner is mute of malice or not; *secondly*, whether he can plead to the indictment or not; *thirdly*, whether he is of sufficient intellect to comprehend the course of proceedings on the trial, so as to make a proper defence - to know that he might challenge any of [the jurors] to whom he may object - and to comprehend the details of the evidence, which in a case of this nature must constitute a minute investigation.⁷⁶

Deaf Witnesses: Taking the Oath

Other case law was relevant to the issue of the testimony of deaf people. In a highly influential 1786 trial at London’s Old Bailey, a deaf man named John Ruston was deemed able to be sworn and to give evidence as a witness for the Crown, through ‘signs and tokens’, via his sister Martha who interpreted for him. The court found that a witness, “though deaf and dumb, may be sworn and give evidence on indictment for felony, if intelligence can be conveyed to, and received

⁷² *Belfast Newsletter*, 12 March 1852, p. 1.

⁷³ Ward, ‘Standing Mute’, pp 12–13.

⁷⁴ *Ibid.*, p. 12; Gregory Alnutt Lewin, *A Report of Cases Determined on the Crown Side on the Northern Circuit, Commencing with the Summer Circuit of 1822, and Ending with the Summer Circuit of 1833; with a Table of Cases and an Index* (London, 1834), pp 64–66.

⁷⁵ Penelope Brown, ‘Unfitness to plead in England and Wales: Historical development and contemporary dilemmas’ in *Medicine, Science and the Law*, lix, no. 3 (2019), p. 189.

⁷⁶ Frederick Augustus Carrington and Joseph Payne, *Reports of Cases Argued and Ruled at Nisi Prius, In the Courts of King’s Bench, Common Pleas, & Exchequer; together with cases tried on the Circuits, and in the Central Criminal Court; from Hilary Term, 5 Will. IV., to Easter Term, 7 Will. IV. (Vol. VII)* (London, 1837), pp 303–305.

from him by mean of signs and tokens”.⁷⁷ Leonard MacNally’s 1802 Irish legal handbook, *Rules of Evidence on Pleas of the Crown*, dealt with ‘examination of persons Deaf and Dumb’, and countered the former legal presumption of deaf people’s capacity. It states that persons “deaf and dumb, to whose mind has been conveyed the knowledge of a Deity, and a belief of rewards and punishments, may be examined as a witness, through the medium of a person capable of conversing with him by signs.”⁷⁸ Over the decades, other Irish legal handbooks confirmed and expanded this guidance. In 1848 Theobald Purcell wrote that the legal presumption of deaf people’s legal ‘idiocy’ “has not now the same degree of force, which was formerly given to it”, but nevertheless, “it is still so far operative, as to devolve the burden of proof on the party, adducing the witness, to show, that he is a person of sufficient understanding. This being done, a deaf mute may be sworn and give evidence, by means of an interpreter.”⁷⁹ Levinge’s 1862 reference work stated that “[d]eaf and dumb witnesses... should be sworn through the medium of another person duly qualified to interpret them, the interpreter being first sworn faithfully to interpret the witness.”⁸⁰ Both Constantine Molloy’s 1890 work and O’Connor and Byrne’s 1911 book made it clear that deaf people were competent witnesses, and could be examined using interpreters.⁸¹

Formally, then, there was precedent and guidance in place right from the start of our period to show that deaf people could give evidence – as long as they could display “sufficient understanding”. Whether a deaf witness was accepted, however, hinged on being able to satisfy a judge as to their ability to understand the nature of, and consequences of an oath. Where deaf people had not been educated, the process of ascertaining whether deaf prospective witnesses actually *did* possess this understanding could be tortuous. In practice, earlier in the nineteenth century, judges and magistrates gave a certain leeway to interpreters in how they described the oath, its responsibilities and consequences to the witness; it was often slimmed down to the question of whether the deaf person had “an apprehension of religion and of future rewards and punishments” - that they believed, in other words, that there would be consequences for

⁷⁷ Leach, *Cases in Crown Law*, pp 316–7. For in-depth discussion on ‘Ruston’s Case’ including detailed courtroom proceedings and the influence of the case through the years, see Anne M. Leahy, ‘Ruston: the foundational case for interpreting with deaf parties in Anglo-American courtrooms’ in *The Interpreters’ Newsletter*, no. 21 (2016), pp 79–93.

⁷⁸ Leonard MacNally, *The Rules of Evidence on Pleas of the Crown: illustrated from printed and manuscript trials and cases* (Dublin, 1802), pp 156–157.

⁷⁹ Theobald A Purcell, *A Summary of the Criminal Law of Ireland, including the Pleading, Practice, and Evidence relating thereto. Book I: Pleading, practice and evidence generally* (Dublin, 1848), p. 334.

⁸⁰ Edward Parkyns Levinge, *The justice of the peace for Ireland: comprising the practice in indictable offences, and the proceedings preliminary and subsequent to convictions: with an appendix of the most useful statutes and an alphabetical catalogue of offences* (2nd ed., Dublin, 1864), p. 81.

⁸¹ Constantine Molloy, *The justice of the peace for Ireland: a treatise on the powers and duties of magistrates in Ireland in cases of summary jurisdiction in the prosecution of indictable offenses and in other matters* (Dublin, 1890), p. 125; James O’Connor and William Byrne, *The Irish justice of the peace: a treatise on the powers and duties of justices of the peace in Ireland* (2nd ed., Dublin, 1915), p. 372.

untruths told in the hereafter.⁸² In March 1834 at the Roscommon Assizes, Bridget Egan was interpreted for by her mother at the trial of her alleged rapist. Bridget's mother was cross-examined as to the exact meaning of the signs she used with her deaf daughter in describing the witness' oath, and the sense she gave to them: "[the interpreter] said she made signs up and down. [The interpreter then] did so, and the girl blessed herself." In this case, Bridget was considered by the court to "have a sense of religious obligations", and the trial proceeded.⁸³

Matters became more complex after a decision in an Irish 1845 case meant that demonstrating and convincing a judge of the ability to understand an oath took on a new importance. During the 1845 Limerick assizes, an interpreter named Catherine Heaney made an unfortunate decision on how to get across the effect of the oath to her deaf sister Bridget, a crown witness in a murder case. Catherine told Bridget in sign language that if she was to tell a lie in court, 'the priest would kill her'. When Catherine described this curious translation strategy to the court, counsel for the defence seized on it, successfully objecting to the testimony being received, as "the witness could [not] clearly understand the nature of an oath." Judge Jackson decided that the "testimony of a deaf and dumb person, who, although intelligent and capable of communicating and receiving information by signs, yet cannot be made to understand clearly the nature and obligation of an oath" was held inadmissible. The case was published in Cox's series of criminal law reports, ensuring the precedent was widely known.⁸⁴

Taking an oath in a court of petty sessions or police court was less fraught with risk, but still posed a challenge. However, the visual component of the ceremony of oath-taking meant deaf witnesses could go through a relatively simplistic ritual. After repeating the words of the oath swearing to tell the truth in their testimony, witnesses would often kiss the Bible.⁸⁵ Francis Stringer's textbook on oaths and affirmations prescribed that when swearing a deaf person to an affidavit, they should be asked to sign the oath on paper, but "if he is unacquainted with the usual form of swearing, to signify to him to Kiss the book."⁸⁶ This gave some leeway to deaf people who could not read or write. There is plentiful evidence that this practice was used for

⁸² *Kings County Chronicle*, 13 March 1861, p. 4.

⁸³ *Roscommon Journal and Western Impartial Reporter*, 28 February 1834, p. 1.

⁸⁴ Edward W Cox (ed.), *Reports of Cases in Criminal Law argued and determined in all the courts in England and Ireland* (London, 1846), p. 185. See also *Wexford Conservative*, 12 March 1845, p. 2.

⁸⁵ Karen A. Macfarlane, "'Does He Know the Danger of an Oath'?: Oaths, Religion, Ethnicity and the Advent of the Adversarial Criminal Trial in the Eighteenth Century' in *Immigrants and Minorities*, xxxi, no. 3 (2013), p. 7; Law Reform Commission, *Report on Oaths and Affirmations* (Dublin, 1990), p. 23 (<https://publications.lawreform.ie/Portal/External/en-GB/RecordView/Index/30514>).

⁸⁶ Francis Augustus Stringer, *Oaths and affirmations in Great Britain and Ireland: being a collection of statutes, cases, and forms, with notes and practical directions, for the use of Commissioners for Oaths, and of all courts of civil procedure, & offices attached thereto* (London, 1890), pp 53–54.

illiterate deaf litigants.⁸⁷ However, the practice of kissing the book came to be regarded as unsanitary, and an ordinary verbal form of the oath, for use on all occasions, was introduced by the Oaths Act 1909.⁸⁸ By 1910 the reference in the new version of Stringer's text to kissing the book had been removed.⁸⁹

Knowledge of precedent and procedure

The existence of precedent did not ensure adherence to it, and Irish courts could be loose in this regard. Neal Garnham has described the Irish criminal justice system in the late eighteenth century as "limited [in its] rigid adherence to legal form, practice and precedent", with courts "marked out by their comparative irregularity and informality"; and where "formalities and precedents might be waived in favour of convenience and practicality".⁹⁰ Another issue was basic knowledge of relevant precedent and procedure. As outlined above, magistrates were not in most cases legally trained, and there was no guarantee they had read or retained the provisions quoted above relating to deaf people. One commentator in 1856 wrote that at quarter sessions, "Magistrates before whom prisoners are brought in the first instance ... and who are to put the case in train for investigation, no matter how experienced or competent to discharge their duties, cannot understand those numerous points which require the direction of counsel conversant with criminal law, who have made the subject their study".⁹¹ Not even stipendiary magistrates had to undergo training in the law, and Irish session clerks did not seem in a position to fill this knowledge gap.⁹² Doubts were expressed at various petty sessions about the admissibility of evidence from deaf witnesses, even early into the twentieth century when deaf education was widespread and well-known. As late as 1915, Samuel Foreman, taking a private prosecution for assault in Lisburn, was not examined in his own case, "as he is deaf and dumb".⁹³ In most cases, though, the impossibility of examining deaf witnesses seems to have come about from the lack of individuals to undertake this task. Judges, barristers and solicitors

⁸⁷ One such was Thomas Rainey. His evidence at the Clarendon petty sessions (concerning the theft of two shillings from him) seemed to stump the magistrates, as he was uneducated; however, one of the magistrates "took up the Testament, and having made certain signs to the dummy, the latter took it, and having crossed himself with it, kissed it." *Connaught Telegraph*, 7 September 1907, p. 4.

⁸⁸ 'An Act to amend the Law as to Oaths', 51 & 52 Vict. c. 46 (25 November 1909); Law Reform Commission, *Report on Oaths*, p. 23.

⁸⁹ Francis Augustus Stringer, *Oaths and affirmations in Great Britain and Ireland: being a collection of statutes, cases, and forms, with notes and practical directions for the use of Commissioners for Oaths, and of all courts of civil procedure, & offices attached thereto* (3rd ed., London, 1910), p. 97. No doubt reflecting the advent of oral education for deaf people, an added section stated that "Some deaf mutes can now both speak and understand spoken words enunciated slowly. In such a case the ordinary form of oath could be administered."

⁹⁰ Neal Garnham, 'The Limits of English Influence on the Irish Criminal Law and the Boundaries of Discretion in the Eighteenth-Century Irish Criminal Justice System' in Michael Brown and Seán Patrick Donlan (eds), *The laws and other legalities of Ireland, 1689-1850* (Farnham, Surrey, 2011), pp 113–115.

⁹¹ P. J. McKenna, 'On the Criminal Jurisdiction of Courts of Quarter Sessions in Ireland' in *Journal of the Dublin Statistical Society*, i, no. 4 (1856), p. 281.

⁹² In England, petty sessions clerks were "traditionally often more skilled in legal matters than the local magistrate", but in Ireland such clerks in rural areas "did not usually rise above administrative competence." McCabe, 'Open court', p. 134.

⁹³ *Lisburn Standard*, 5 November 1915, p. 7.

were occasionally informed about such matters, and could cite relevant precedent as part of their case. In 1861 when the prosecution counsel wished to call a deaf witness (Simon Callery), they referred to Ruston's case, mentioning that the case had been reported in *Leech*.⁹⁴ An 1870 civil action for seduction in Kildare saw the plaintiff's counsel cite the cases of Ruston and Steel from Taylor's book on evidence.⁹⁵ At times even petty sessions hearings heard references to the literature; in 1896 in Ballinrobe courthouse, Martin Joyce's solicitor referred to Molloy's provisions that an interpreter was necessary.⁹⁶

Use of Interpreters in Court

Historians of deaf people have traced a surprisingly long lineage of interpreter-like legal roles. Anne Leahy, for example, has identified cases of legal interpreting with deaf people in England as far back as 1324.⁹⁷ While sources are scant in an Irish context for such investigation, evidence of use of interpreters in Irish courts exists from at least 1802.⁹⁸ While examples of interpreted court proceedings from the 1830s and 1840s have been identified and are of much interest, this chapter focuses strictly on the period 1851 to 1922. It is doubtful if we can talk about a 'system' or regular 'provision' of interpreters for deaf defendants and witnesses in this period; a more fitting term may be a more neutral 'presence' of interpreters. We have seen that despite precedent and procedure laid down in magistrate's manuals, these were implemented only unevenly by courts, and in some instances not at all. Evidence for interpreters in newspapers is patchy and uneven. Summary court proceedings were at times very brief and summarised; they were highly likely to mention a defendant or witness being deaf, but very often gave no other information at all about communication. While the opposite can also be true - regional newspaper coverage of local rural courts later in the period was lengthier, and often brimming with detail - many reports of summary proceedings over the period mention the deaf person's

⁹⁴ *Dublin Daily Express*, 7 March 1861, p. 7. '1 Leech' refers to the English law reports of Thomas Leach; these featured lengthy descriptions of precedent touching on deaf witnesses and defendants. See Leach, *Cases in Crown Law*. Another participant in the 1861 trial chipped in that they remembered a Maryborough case some years before where a deaf woman was allowed to prosecute a man for rape; this indeed referred to an 1835 trial where Maria Rourke testified, through her mother, that she had been assaulted: *Clonmel Herald*, 25 July 1835, p. 4.

⁹⁵ *Leinster Express*, 8 January 1870, p. 6. A later version of Taylor reads: "when a deaf mute is adduced as a witness, the court, in the exercise of due caution, will take care to ascertain before he is examined, that he possesses the requisite amount of intelligence, and that he understands the nature of an oath. When the judge is satisfied on these heads, the witness may be sworn and give evidence by means of an interpreter." John Pitt Taylor, *A treatise on the law of evidence, as administered in England and Ireland; with illustrations from the American and other foreign laws, Vol. II* (7th ed., London, 1878), pp 1155–1156.

⁹⁶ *Ballinrobe Chronicle*, 18 July 1896, p. 1; Molloy's handbook states that "[d]eaf and dumb witnesses... should be sworn through the medium of another person duly qualified to interpret them, the interpreter being first sworn faithfully to interpret the witness." Molloy, *The justice of the peace for Ireland*, p. 125.

⁹⁷ Anne Leahy, 'The History of Interpreting' in *British Deaf News* (2016), pp 14–16.

⁹⁸ An 1802 civil case in the Dublin Court of Common Pleas, *French v. Carroll*, related to a family with three deaf siblings, their older hearing brother and a possibly fraudulent will, "in which the principal evidence, it seems, rests on the testimony of two persons deaf and dumb, to whom a man conversant in their signs and gestures, acted as interpreter." *Waterford Mirror*, 13 November 1802, p. 3; *Finn's Leinster Journal*, 20 November 1802, p. 3. These newspaper accounts do not mention any more detail of the examination of the deaf witnesses, or whether they were educated.

use of signing in court, but do not specify how their evidence was taken, or decisions relayed to them, in the courtroom; interpreters may or may not have been present in such cases. Pursuing coverage of the same cases in other newspapers can sometimes reveal this detail.⁹⁹

For the purposes of this chapter, “interpreters” are defined as individuals present in the courtroom who are either straightforwardly described as “interpreters”, or else are described as using some form of sign language (sometimes alongside use of written language and / or speech) with the deaf defendant or witness, in order to facilitate communication; the cases described as having an interpreter present in this chapter therefore refer to reports of proceedings where someone in court is quite clearly acting as a language intermediary in court, whether described as an ‘interpreter’ or not.¹⁰⁰ This definition excludes cases where another individual was what is termed here an ‘intermediary’, e.g. someone who wrote down evidence and questions for the deaf person without reference to signing. It also excludes hearing advocates (in the main, family members) who “accompanied”, “represented”, or “spoke for” a deaf person, but without a specific reference to being a language intermediary. Table 17 below shows how often interpreters were reported as being present at court cases involving deaf people, categorised by type and jurisdiction of court.

A rough trend appears to be that, at least for criminal cases, the more serious the case was (i.e. the higher the level of the court), the more likely the case was to have an interpreter present. Just 17% of cases at petty sessions had interpreters, compared to three-quarters at the Dublin Commission court. A likely reason is the expertise of the court. Experienced judges sitting at assizes or divisions of the High Court would no doubt have been more aware of the precedents providing for use of interpreters; at the very least, they would have realised the importance of obtaining accurate testimony from a deaf witness on the stand, and sought the most qualified person to fulfil the interpreter role. Conversely, such matters may have been left by the wayside in the lower courts, influenced by the untrained nature of the Irish magistracy and the switch to a busy system of public prosecution, which we have already explored.¹⁰¹

⁹⁹ I am grateful to Graham O’Shea for sharing this historical technique with me.

¹⁰⁰ The modern tendency to refer to sign language interpreters as ‘signers’ (indeed, a seeming reluctance to use the word ‘interpreter’) was not present in this period; such intermediaries were mostly referred to, straightforwardly, as ‘interpreters’.

¹⁰¹ This stated, it should be borne in mind that superior court or assize cases involving deaf people were generally reported in far more detail than the lower courts; therefore, the presence (or otherwise) of an interpreter would thus be more likely to be mentioned in newspaper coverage of these higher court proceedings, than the at times very brief summations of petty sessions and police courts.

<i>Type of Court</i>	<i>Cases involving deaf people</i>	<i>Interpreter present</i>	<i>%</i>
Superior Courts / High Court	9	3	33%
Court of Probate	1	0	0%
Sheriff's Court	2	1	50%
Assizes	61	34	56%
Dublin Commission	8	6	75%
County Courts	2	1	50%
Quarter Sessions	93	33	35%
Recorder's Courts	30	7	23%
Petty Sessions	634	110	17%
Police Courts (includes Town or Mayor's Courts)	286	73	26%
	1126	264	23%

Table 17: Numbers of cases involving deaf people as defendants or witnesses, and numbers of cases with interpreter reported as being present, listed by category of court, 1851-1922

Interpreters at courts of summary jurisdiction seemed to be provided in a chaotic, *ad hoc* manner, with almost all serving as volunteers. Mary Phelan has described how salaried Irish language interpreter positions were created by grand juries for many assize courts; while this was not replicated at petty sessions level, there the role of summons server was expanded to include interpretation duties. While Phelan compares this unfavourably to more advanced court provisions in the Austro-Hungarian empire (the multilingual nature of which resulted in a rights-based, quality system of court interpreters), nevertheless, the provision for Irish speakers handily beat provision for interpreters for deaf people.¹⁰²

The necessity for an interpreter was not always seen as obvious by the court, and at times, despite a solicitor or barrister stressing the necessity of an interpreter, a magistrate would carry on regardless. Patrick Boyle appeared at Strabane in 1909 accused of trespass, and his solicitor raised the point “that the defendant was deaf and dumb, and could neither hear nor plead. Under the circumstances he did not know how the case could be gone with... [I]t was a great shame to prosecute a deaf and dumb man, who could not hear the evidence.” The magistrates decided to hear the case nonetheless.¹⁰³ Conversely, hearings could be adjourned while an interpreter was sought. In eight cases (seven of which were heard in summary courts),

¹⁰² Phelan, *Irish Speakers, Interpreters and the Courts 1754-1921*, pp 52–59, 183–184.

¹⁰³ *Strabane Chronicle*, 27 March 1909, p. 5.

proceedings were adjourned specifically to ensure attendance of an interpreter, while four other proceedings had requests for interpreters explicitly turned down. Two other cases saw an interpreter being sought, without luck. The necessity for interpreters was occasionally expressed by a magistrate in strong terms; John McCabe was put forward for drunkenness in Kingstown's police court in 1909, and the magistrate angrily refused to proceed without an interpreter, which the police had not arranged. "I could not try a man who is deaf and dumb without some evidence... I can't take the evidence against a foreigner or a deaf and dumb person without an interpreter."¹⁰⁴

Payment was *ad hoc*; Thomas Sinnott was paid a hefty £3 for his attendance at the trial of Thomas Neill at Waterford in 1903, but Patrick Lynch - a deaf ex-pupil of Cabra - was offered 10 shillings after assisting in an 1862 trial in Ennis, "which I refused, of course".¹⁰⁵ At petty sessions level, payment seemed mostly countenanced when deaf defendants were prolific serial offenders and when interpreters demanded payment for services. Difficulty was experienced getting an interpreter for Patrick Byrne in 1885 at New Ross petty sessions; it was found that "No provision [was] made in the magisterial law for the remuneration of interpreters", and so the convicting constable offered to pay the interpreter himself.¹⁰⁶ The local police were not happy at the prospect of Byrne, a repeat offender, needing an interpreter for each arrest: "I am sure it is not expected that every time the dummy gets drunk [the police are] to pay ... for an interpreter."¹⁰⁷ In 1889 an interpreter for Byrne at petty sessions was paid 2s 6d, but only after a series of letters sent to the Chief Secretary asking for approval.¹⁰⁸

The haphazard manner of provision, and qualifications (or lack thereof), of interpreters for deaf people in this period may strike the modern reader as primitive indeed. Since the 1990s, a cohort of trained, qualified, and impartial group of professionals has come into being in Ireland, together with appropriate university training, national registration, and academic research.¹⁰⁹ To professional interpreters, use of police, teachers, or family members as interpreters –

¹⁰⁴ *Wicklow News Letter*, 7 August 1909.

¹⁰⁵ *Munster Express*, 12 December 1903, p. 6; *Clare Freeman and Ennis Gazette*, 12 July 1862, p. 5; *Clare Journal and Ennis Advertiser*, 14 July 1862, p. 2; Christy Foran, 'Interpretation Service' in *Contact*, July-Aug (1994), p. 7. The year is 1862, not 1863 as stated by Foran.

¹⁰⁶ *The People (Wexford)*, 3 December 1885, p. 8.

¹⁰⁷ *The People (Wexford)*, 11 Aug 1886, p. 7.

¹⁰⁸ Letters from the Chief Secretary's Office, Dublin Castle to clerk of petty sessions, New Ross, dated 21 May 1889 (NAI CSO LB 55 p. 467 file 9839), 19 June 1889 (NAI CSO LB 55 p. 627 file 11823), 24 June 1889 (NAI CSO LB 55 p. 672 file 12128), 14 August 1886 (NAI CSO LB 51 p. 136, file number 14532), 31 August 1886 (NAI CSO LB 51 p. 162 file 15102). I am indebted to Mary Phelan for this information.

¹⁰⁹ Leeson & Lynch, 'Three Leaps of Faith...'; Trinity Free Legal Advice Clinic (FLAC), *Disability Rights: a research report*, 2022, p. 128. While specific training and / or assessment for competency in interpreting in legal settings is not currently required to be a member of the national Register, it has been a point of debate and campaigning for many years.

particularly in a court setting – is considered fraught with risk.¹¹⁰ Hazards present themselves in terms of professional competence and fluency of sign language (and indeed mastery of spoken language), conflicts of interest, impartiality, knowledge of legal terminology and potential translational challenges, and awareness of power dynamics and oppression, all of which can come to bear heavily on the interpreted courtroom.¹¹¹ To modern sensibilities, then, use of any unqualified, untrained individual creates a situation that would compromise access to justice.

However, in the nineteenth century, no training framework or professional structures for interpretation for deaf people existed, in Ireland at least, and as much out of necessity as ignorance, such qualms and restrictions did not exist. From the start of the period and throughout, there was extensive use of family members of deaf people as interpreters. It was sometimes felt (especially in a context when deaf education was not widespread) that they were the best placed to understand, and thus relay, the signs of their relatives.¹¹² However, members of the police constabulary also appear as interpreters quite often. Another group, possibly representing the most competent individuals for the task, were an emerging group of professionals who worked with deaf people: teachers, chaplains and missionaries, who, through their intensive work among deaf communities, were increasingly considered experts in their communication. In a similar manner to Mary Phelan’s work on Irish language interpreters working in court, the newspaper database is below analysed to give a rough profile of the categories of individuals who were utilised as interpreters for deaf people in Irish courts between 1851 and 1922.¹¹³ Figure 11 below shows the proportions of these interpreted cases according to the relationship of that person (as described in the newspaper reports) to the deaf individual.

¹¹⁰ This does not apply to interpreters with deaf parents who are trained, accredited, or otherwise certified. 9.4% of members of the US Registry of Interpreters for the Deaf in 2019 identified themselves as ‘CODA’ (Child of Deaf Adults): Registry of Interpreters for the Deaf, ‘RID Fiscal Year 2019 Annual Report’, 2019, p. 22 (<https://rid.org/2019-annual-report/>) (22 Apr. 2022). According to the March 2022 RISLI register and the author’s personal knowledge of the interpreters on it, 15 (14%) of RISLI’s interpreters are hearing with deaf parents, and a further 5 or 6 have deaf family members. 19 (17%) of interpreters on the Register are themselves deaf: Register of Irish Sign Language Interpreters (RISLI), ‘Directory of Registered Interpreters’ in *RISLI Website*, 2022 (<https://risli.ie/interpreters/directory-of-interpreters/>) (24 Apr. 2022).

¹¹¹ Leeson et al., ‘You have the right to remain signing: A snapshot of the Irish justice system and deaf signers’; Jamie Walker and Sherry Shaw, ‘Interpreter Preparedness for Specialized Settings’ in *Journal of Interpretation*, xxi, no. 1 (2011), pp 1–13 (<https://digitalcommons.unf.edu/joi/vol21/iss1/8/>).

¹¹² This was by no means universal. It was recognised by the Chief Secretary’s office that uneducated deaf people’s interpreting needs differed from those of educated deaf people, for whom a family member or friend might work better: “If he has not been specially taught, a strange interpreter would be useless; and [the Chief Secretary’s office] see no reason for bringing in a special expert as interpreter. A neighbour or person knowing him and accustomed to communicate with him by signs or otherwise would appear to be the proper witness to bring forward.” Letter from Dublin Castle to clerk of petty sessions, New Ross, dated 14 August 1886, NAI CSO LB 51 p. 136, file number 14532.

¹¹³ Phelan, *Irish Speakers, Interpreters and the Courts 1754-1921*, pp 54–59.

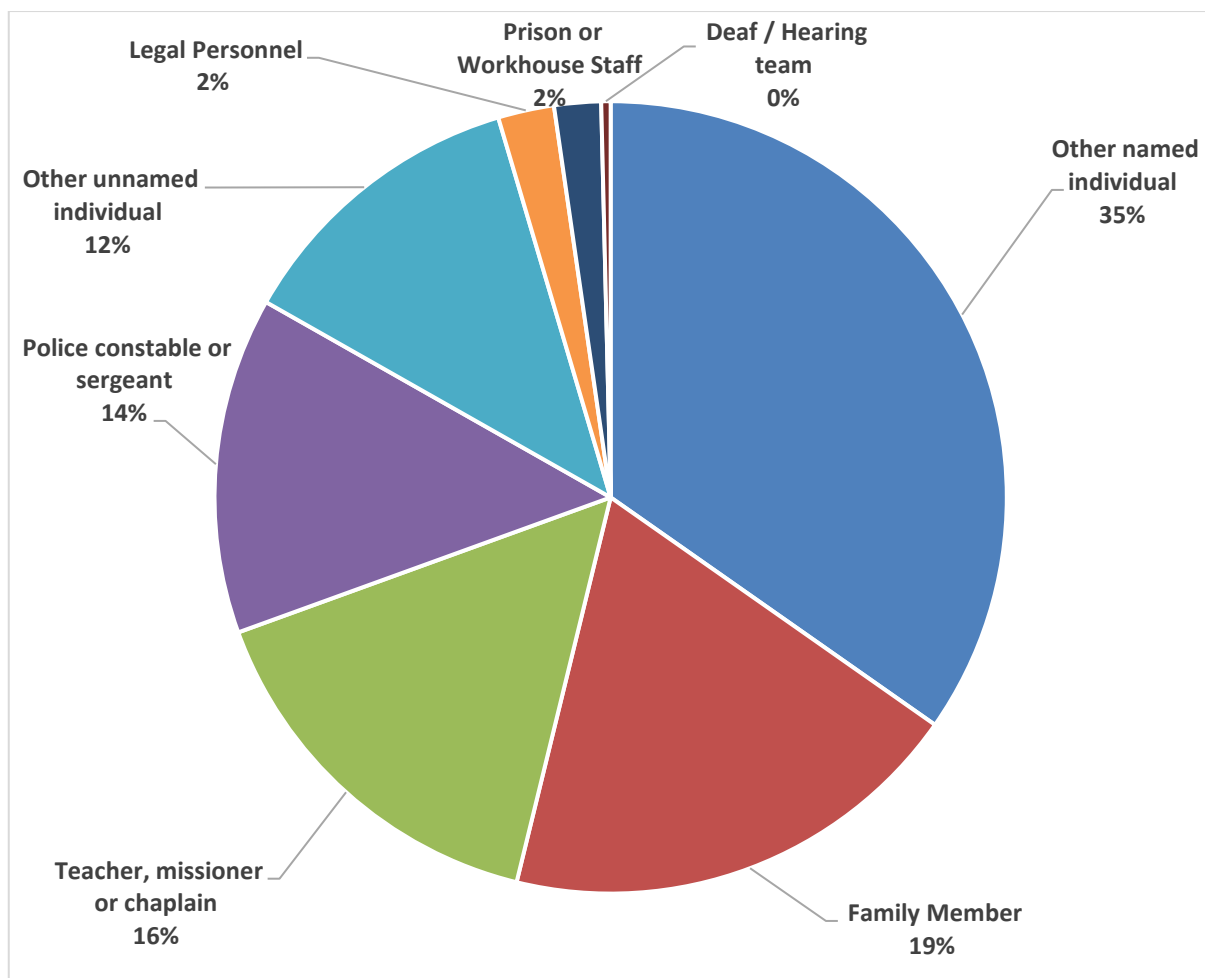


Figure 11: Categories of interpreters (where reported) for criminal court cases in Ireland, 1851-1922¹¹⁴

The largest category of interpreters (35%) consists of individuals named within a newspaper report, but whose relationship with the deaf person is either not described; other individuals in a separate category (12%) are interpreters reported to be present, but with no name or other information given.¹¹⁵ It is unfortunate that such a large proportion of the interpreters remain either unidentified in this way or their relationship with the deaf person remains obscured.

Family members made up 19% of the total. Of these 56 cases, the most common family members to interpret were siblings (25 cases), followed by parents (14 cases). Sons and daughters of deaf defendants or witnesses were only reported in 5 cases. In 4 cases, multiple members of the family participated to interpret. The gender of the family interpreter was

¹¹⁴ 'Teacher, missionary or chaplain' refers to school teachers linked to deaf schools, or chaplains or missionaries working specifically with deaf people. 'Legal personnel' refers to barristers, solicitors, clerks, magistrates or judges. 'Other named individual' here includes a small number of cases where the relationship to the deaf person was listed, e.g. friends, workmates, neighbours or employers. 'Deaf/ hearing team' refers to various permutations of a deaf person working with a hearing interpreter to enable communication to happen effectively.

¹¹⁵ It is likely that these two categories of both 'named' and 'unnamed' individuals in fact included family members, neighbours, and possibly others such as policemen and teachers, meaning percentages given for other categories are likely to be underestimates.

equally as likely to be male as female; in almost all other cases where names of interpreters are given, the interpreter was male. The heavy overrepresentation of men among interpreters in this period is in stark contrast to the profession of modern sign language interpreters.¹¹⁶ There were few eyebrows raised at using family members as interpreters, though occasionally they could be strategically objected to: a brother of Timothy Doyle was proposed to interpret for his witness testimony in 1911 at the Tralee quarter sessions, but the prisoner's counsel successfully objected to this choice of interpreter, and Doyle was not called as a witness at all.¹¹⁷

36 interpreted cases were reported where teachers, chaplains, or missionaries of the deaf interpreted for deaf people.¹¹⁸ This category of interpreters generally confined themselves to the geographical areas nearest their schools. Cabra teachers and chaplains were reported to have interpreted for 10 cases during the period, all in Dublin, Kildare and Wicklow. In contrast, 23 cases featured either a teacher from Belfast's Lisburn Road school, a missionary from either the Belfast Mission for the Deaf or the Presbyterian Kinghan Mission for the Deaf.¹¹⁹ Their catchment area seems to have been somewhat wider; they worked as interpreters in court mostly in Belfast, but also Armagh, Tyrone, and in one case, Co. Louth. They are also more strongly represented in the police courts and petty sessions; 14 of these cases are at this level, with others including two inquests as well as various assize and recorder's court trials. The presence in Belfast of two deaf missions, and a nearby school with teachers who could sign, may have led to an unofficial practice whereby Belfast police courts may have requested interpreters for deaf defendants from these institutions, though no formal agreement may have been in place. Similar understandings or practices in the Dublin police courts are not apparent with regard to Vincentian chaplains and Christian Brothers; their presence was mostly at courts of assize, and less so at summary courts. The Dominicans nuns – or at least an individual connected to the convent - are reported to have interpreted in court just once.¹²⁰

¹¹⁶ The 2019 report of the Registry of Interpreters for the Deaf in the United States has over 14,000 members; of those self-reporting their gender, 1,616 (14%) were male and 9,763 (85%) female: Registry of Interpreters for the Deaf, 'RID Fiscal Year 2019 Annual Report', pp 22–23. As of April 2022, just 15 of 109 professional ISL / English interpreters on the Register of Irish Sign Language Interpreters are male (14%): <https://risli.ie/wp-content/uploads/2022/03/Directory-of-Registered-Interpreters-March.2022-5.pdf>

¹¹⁷ *Kerry Sentinel*, 11 February 1911, p. 3.

¹¹⁸ Two cases only appear for Claremont teachers or Church of Ireland mission ran by Maurice Hewson. Another case has a teacher from the Strabane school interpreting for pupils of that school at an 1856 inquest.

¹¹⁹ At least in Belfast, it was the case that ex-Cabra pupils sometimes had an interpreter from the 'other' tradition. John Creaney and his wife Ellen (née McConnell) were both ex-pupils of Cabra, but at the inquest of their child in 1902, the interpreter provided was J. Stewart of Lisburn Road. Also present was Francis Maginn, deaf missionary; Maginn may have acted as a relay interpreter, relaying Stewart's Belfast Sign into Cabra Sign for the Catholic deaf couple. *Irish News and Belfast Morning News*, 3 December 1902, p. 6.

¹²⁰ An intruder broke into St. Mary's school and stole items in 1905; the Dublin police court hearing featured evidence from a pupil, Catherine Doyle, "whose evidence was interpreted by one of the attendants", though no more evidence is given. *Dublin Evening Telegraph*, 28 August 1905, p. 3. As the Dominicans were an enclosed order, it is likely that they simply were not permitted to leave the convent to interpret in such cases: Caitríona Clear, *Nuns in Nineteenth-Century Ireland* (Dublin, 1987), p. 77; Caitríona Clear, 'The Limits of Female Autonomy: Nuns in Nineteenth-Century Ireland' in Maria Luddy and Cliona Murphy (eds), *Women Surviving* (Dublin, 1990), pp 27–28.

Policemen also interpreted in court.¹²¹ The Royal Irish Constabulary and the Dublin Metropolitan Police had a growing social role across the country, necessitating familiarity and regular contact with local people, and often becoming a trusted part of the social fabric.¹²² No doubt they had plenty of contact with local deaf people that came before the courts; policemen were also recorded as interpreting for Irish speaking defendants and witnesses in court.¹²³ In this light, it is perhaps unsurprising that so many police constables acted as court interpreters in many cases, even if they did so in a way that today would be considered out of the question.¹²⁴ However, the police were not universally loved, and it is not difficult to imagine that police may have found some resistance from the deaf people they were both interpreting for, and prosecuting. John McCabe showed outright hostility to the constable who offered to interpret at Kingstown Police Court for him. He reacted violently and uncooperatively to the constable's attempts to interpret; the policeman "received a smart smack on the hands from the dummy who drew a finger across his throat, and winked at his Worship, much to the amusement of the latter".¹²⁵ Although their identity is sometimes unclear, some members of the police became recognised as semi-regular interpreters in their districts. A Constable Bennett, 68D, of the Dublin Metropolitan Police was involved in two different cases in the Dublin City police courts, in 1902 and 1908, one of which featured more than one deaf participant; Bennett was "recognised as a qualified interpreter in such cases".¹²⁶ Another constable, number 110F, an "expert in the dumb alphabet", was employed at least four times at the Kingstown police court.¹²⁷ Similarly, a Constable Courtney in Cork (1863 and 1865), a Constable Kelly in Belfast (1867 and 1868), and a Sergeant Lee, also in Belfast (both in August 1895), each appear twice in court in different cases.

Individual interpreters outside the categories detailed above were found to have worked repeatedly with the same witness or defendant, or indeed different deaf individuals. In such cases, the court or local constabulary may have asked them back after an initial court

¹²¹ This research has come across several examples of witness statements from deaf people taken in the presence of police and / or magistrates which reveal the presence of interpreters during the process of making the statements, which were called 'informations' during this period: Garnham, *Murder Trials in Ireland*, p. 80. However a decision has been made not to include this data in the dissertation for reasons of space.

¹²² Donal J. O'Sullivan, *The Irish Constabularies, 1822-1922: A Century of Policing in Ireland* (Dingle, Co. Kerry, 1999), pp 181–182; Crossman, 'The Growth of the State in the Nineteenth Century', pp 564–565; Brian Griffin, "'Such varmint': The Dublin police and the public, 1838–1913" in *Irish Studies Review*, iv, no. 13 (1995), pp 21–25.

¹²³ Phelan, *Irish Speakers, Interpreters and the Courts 1754-1921*, pp 56–57.

¹²⁴ "Using officers and other law enforcement personnel as [sign language] interpreters raises grave concerns over confidentiality, impartiality, and conflicts of interest. An inherent imbalance of power is created by using law enforcement as interpreters with deaf suspects that makes it even more difficult for the deaf person to admit when communication is not effective." Lewis, 'Disability Justice in the Age of Mass Incarceration', p. 266.

¹²⁵ *Irish Independent*, 17 August 1909.

¹²⁶ *Dublin Daily Express*, 31 August 1908, p.2; *Freemans Journal*, 8 July 1902, p. 4; *Irish Times*, 31 August 1908, p. 3.

¹²⁷ *Wicklow News-Letter*, 2 July 1910, p. 3; *Wicklow News-Letter*, 28 August 1909, p. 11; *Dublin Daily Express*, 17 August 1909, p. 2; *Wicklow News-Letter*, 25 June 1910, p. 3.

interpretation was deemed successful. By far the most prolific interpreter was for Patrick Byrne, an uneducated deaf man who featured in newspaper reports of no less than 56 court proceedings in New Ross and Wexford town. For 35 of these appearances, Martin Neil, a friend (and occasional co-accused) acted as interpreter for Byrne, as well as other deaf people in the area.¹²⁸ A cabinet maker named John Good appears four times between 1847 and 1891 in Cork City.¹²⁹ Matthew Sands, a hearing man who worked closely with the Belfast Mission for the Deaf and was the secretary of the deaf 'Ephphatha' lodge of the Ancient Free Gardeners mutual aid society, was sworn twice in Belfast for deaf defendant, Mary Wilson.¹³⁰ Thomas Sinnott appeared twice in 1903 and 1905 for two different Cabra-educated deaf people.¹³¹

	Total	Family Members	%	Teachers, missionaries and chaplains	%	Police (DMP or RIC)	%
Superior Courts (High Court divisions)	9	0	0%	1	11%	0	0%
Courts of assize (including Dublin Commission)	40	8	20%	10	25%	3	8%
Quarter sessions, recorder's courts, county courts	41	7	17%	5	12%	2	5%
Courts of summary jurisdiction (petty sessions, police courts, mayor's and town courts)	184	37	20%	23	13%	33	18%

Table 18: Cases at court with interpreters reported as present, with sub-categories of interpreters, grouped by court jurisdiction, 1851 – 1922

Table 18 above shows that there were only a few variations among the categories of people that interpreters were drawn from across the court system. While no family members are reported to have interpreted at cases in the superior courts, they formed just under a fifth at all other kinds of courts. Policemen were most strongly represented in summary jurisdiction courts,

¹²⁸ This relationship seems to have ended when Neill – for reasons that remain unclear – suggested to police in 1886 that Byrne had murdered a vagrant found dead in the river Barrow. *Wexford People*, 1 May 1886, p. 5; *Wexford People*, 8 May 1886, p. 5. Neil was found dead not long after from alcohol poisoning: *Wexford People*, 24 October 1888, p. 5.

¹²⁹ *Southern Reporter*, 07 March 1863, p. 3; *Cork Examiner*, 21 July 1886, p. 4. Good also interpreted an 1847 case; *Cork Examiner*, 31 December 1847, p. 2; O'Shea, 'A History of Deaf in Cork', p. 132.

¹³⁰ *Belfast Weekly News*, 2 October 1913, p. 4; Depositions, Belfast Assizes, 1914, Mary Wilson (larceny, Bill no. 93), PRONI, BELF/1/1/2/45/30.

¹³¹ *Munster Express*, 12 December 1903, p. 6; *Waterford Standard*, 11 March 1905, p. 4.

but remain in use all the way up to assizes. Those involved with the deaf community via schools, missions or chaplaincies are present at all levels, but only seem to dominate at assize courts.

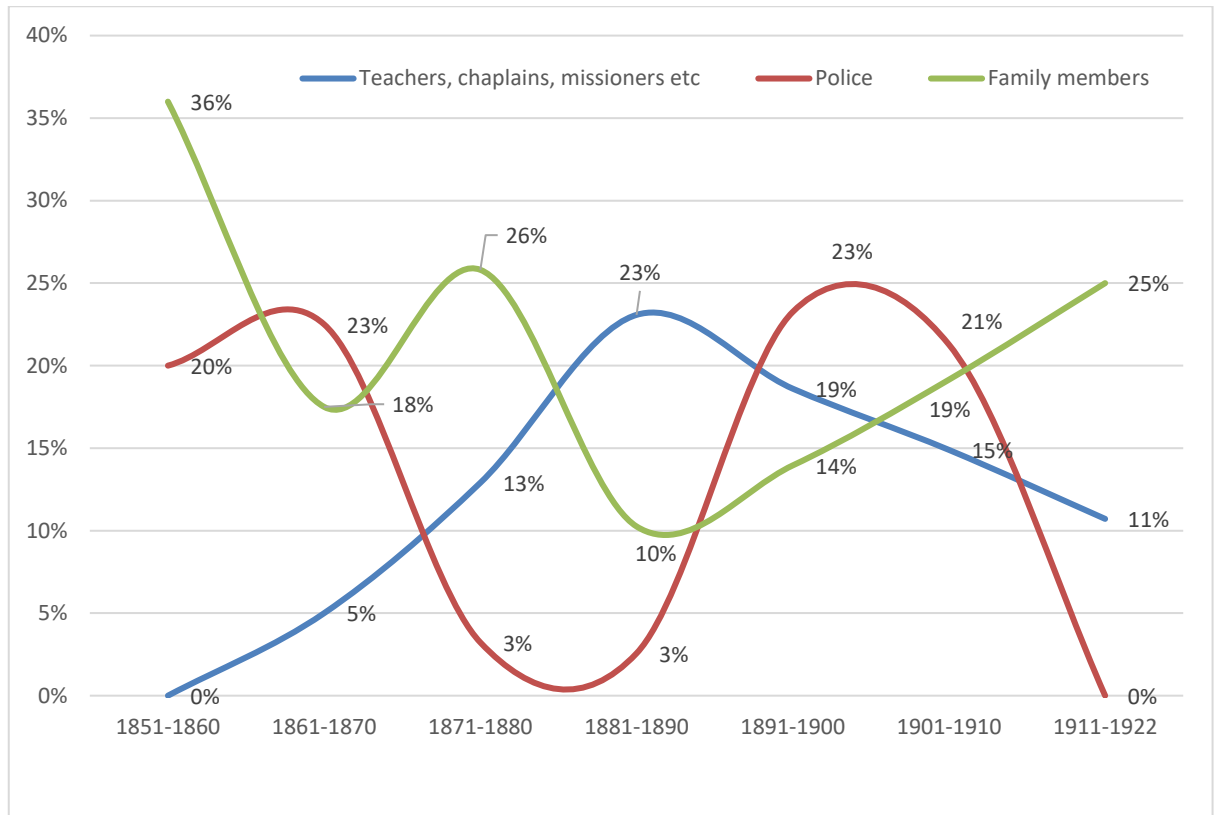


Figure 12: Trends in use of deaf-related professionals (teachers, missionaries, and chaplains to the deaf) versus family members, and members of the police forces, as interpreters in court cases, 1851-1922

Over the period, this composition is seen to change somewhat. Figure 12 above shows these developments in terms of the largest categories of interpreters. From 1851 with a high of 36% of reported cases, up to about 1890, there is an initial decline in the reported use of family members. This is accompanied by a clear rise in the use of teachers, chaplains and missionaries, up to a high of about 23%. However, there is a decline in the reported use of teachers, chaplains and missionaries from this point on. After a decline between 1861 and 1881, police are used as interpreters towards the turn of the century, hitting 23%, before this category also dips sharply by 1922. Through this, there is a slow rise back to 25% of use of family members by the end of this period. It is not entirely clear why this is the case, but it is clear that there is not merely a simplistic rise in the use of more ‘qualified’ interpreters being used in courts nationwide.

Interpreting Quality

While the legal handbooks often mentioned the use of “duly qualified” interpreters, these ‘qualifications’ were never spelled out, and no certification or training existed at the time in Ireland. Furthermore, provision of an interpreter could create, rather than remove, difficulty. While the performances of individual interpreters often earned praise in the court and press, it is highly unclear whether some interpreters could competently carry out the basic task of interpreting: to faithfully and fully render messages from one language into another. We have also already seen how attempts to make concepts like pleading and the oath accessible were often doomed to failure with uneducated deaf witnesses. Mary Phelan and Lesa Ní Mhungaile give examples of Irish language interpretation in the courts where interpreting was unsuccessful, due to an imperfect command of the Irish language, additions to or omissions of part of the message, and use of complex legal terminology.¹³² One addition to the message of this kind can be seen in 1906 at the Ballymena petty sessions, Montgomery Spence signed his evidence “to the effect that... he was bitten by the dog on the public road, which cut his trousers right well.” The Clerk interjected: “Does he say that himself?” The interpreter, Spence’s brother John, replied, “No, but he told me before.”¹³³ On occasion, it was related that the interpreter simply could not interpret, but further details were not given.

A central issue may have been fundamental misunderstandings on the part of the public about how deaf people used language. Firstly, when dependent on descriptions and terms used in contemporary newspaper reports, we are often at a loss to know exactly which style or method of signed language or communication was needed, or used; apparently transparent phrases like ‘dumb alphabet’ can, depending on context, seem to refer to both signs and fingerspelling, or even the former exclusively, and it is likely journalists and court personnel frequently mis-described what was actually going on.¹³⁴ The huge number of court reports that mention the ‘dumb alphabet’ or ‘finger alphabet’ may point also to the growing popularity of learning fingerspelling. Pictorial representations of the two-handed British manual alphabet were printed and distributed with reports issued from the Claremont and Ulster institutions from their earliest days. Cabra issued the one-handed French manual alphabet used in the Catholic institutions right from their first Report in 1847.¹³⁵ By 1936 the CIDD were including both one- and two-handed versions in their Reports.¹³⁶ The Ulster Institution too were printing their

¹³² Phelan, *Irish Speakers, Interpreters and the Courts 1754-1921*, pp 64–68; Ní Mhungaile, ‘The Legal System in Ireland and the Irish Language 1700-c.1843’, pp 334–335.

¹³³ *Ballymena Weekly Telegraph*, 26 May 1906, p. 7.

¹³⁴ Enescu also raises this point in a court context in Germany: Enescu & Werner, ‘Legal Capacity of Deaf Persons...’, p. 38.

¹³⁵ Catholic Institution for the Deaf and Dumb, *CID 1st Report, 1847*.

¹³⁶ Catholic Institution for the Deaf and Dumb, *CID 55th Report, 1936*.

traditional two-handed alphabet as well as the American one-handed (which they were trying to introduce into the Belfast school) from at least 1881.¹³⁷ With learning of the alphabet *en vogue* among hearing society, its popularity may have inspired many – including policemen and, reportedly, some magistrates - to attempt to use this newfound skill in the courtroom for a deaf defendant or witness.¹³⁸ There may have been a presumption that those deaf people who knew the ‘dumb alphabet’ could be interpreted for using only fingerspelling. When Timothy Donovan appeared in the Cork Recorder’s Court in 1858, he was “interrogated by one of the Jurors in the deaf and dumb alphabet” but “he declined to answer through that medium of communication.”¹³⁹ If this is an accurate description of what transpired, Donovan can hardly be blamed. In this case and others, he reportedly used a form of sign language; but manual alphabets were, and are, the manual representation of written letters, and while they are used in the signed languages of deaf people, they are but one component of these languages. Even an educated deaf person would struggle with the manual spelling of every word - without the use of signing; a cumbersome, time consuming method of communication for anyone, deaf or hearing. The distinct and complete grammatical nature of sign languages of deaf people seems not at all clearly understood among interpreters of the period, save perhaps for some who regularly taught or offered pastoral care to deaf people regularly.

Given the above, there are convincing possibilities to explain these failures of interpretation, such as that the fingerspelled ‘interpretation’ was sometimes not understood by a semi- or uneducated deaf person, and that the deaf person’s responses were simply not understood by incompetent, non-fluent interpreters. However, at the time, they were generally explained instead as examples of the deaf person being incapable of understanding the (blameless) interpreter. Thomas Mowett, an interpreter requested by a judge in Cork in 1857, appeared to be understood by deaf prisoner, John Reilly, but Reilly apparently “could not, in consequence of want of sufficient instruction, explain his defence to him”.¹⁴⁰ The Mayor of Derry presided over a trial of Michael Doherty in 1895 where “The Mayor made rather a skilful use of the deaf and dumb alphabet” , but Doherty “professed not to understand the meaning of the signs.” He was discharged, but the Mayor was convinced that “the man knew what was going on despite his attitude of innocence.”¹⁴¹

¹³⁷ Ulster Society for Promoting the Education of the Deaf and Dumb and Blind, *Ulster Society, 1881 Report*.

¹³⁸ Francis Maginn claimed in an 1887 letter to the press: “Doctors and most of the police for judicial purposes have acquired a knowledge of the alphabet. The late Lord Midleton (magistrate), who was skilful in the finger language, talked with, and quite understood what was said to him by the deaf prisoners.” *Cork Constitution*, 24 October 1887, p. 4; *Belfast News-Letter*, 2 January 1877, p. 4.

¹³⁹ *Southern Reporter and Cork Commercial Courier*, 13 November 1858, p. 3.

¹⁴⁰ *Cork Examiner*, 29 June 1857, p. 4.

¹⁴¹ *Londonderry Sentinel*, 20 April 1895, p. 3.

The foregoing should be balanced with an admission that a complicated linguistic situation presented itself in this period regarding deaf people's use of sign languages, and indeed languages they were. Hearing people used to Claremont or Belfast Sign and its two-handed alphabet may have been ineffective when dealing with Catholic deaf people using Cabra Sign. Similarly, those skilled in the vocabulary of one form of Cabra Sign may not have been competent in the other. And perhaps above all in Ireland, those interpreters used to the idiosyncratic signing of deaf close family members may not have been able to work with anyone else – nor were those deaf people easily able to work with other interpreters.¹⁴²

One way in which some of the more strenuous language difficulties were overcome was with deaf interpreters. The notion of a deaf person interpreting for another in court was one that seemed to tickle Victorian sensibilities. A Manchester case in 1868 saw a deaf witness requiring an interpreter, and the constable in charge of the case “returned into court bringing another deaf and dumb man with him”. The story was widely reproduced in Britain and Ireland, its brevity rendering the story as a joke.¹⁴³ However, the use of deaf people fulfilling this function in court has a history that dates from at least 1862. Michael Shanahan, an uneducated deaf man, underwent trial in the Ennis Assizes in that year, with an ex-Cabra pupil, Patrick Lynch, utilised as an interpreter. Lynch was called on to explain some pre-trial business to Shanahan, and at the trial, Lynch “explained in writing what the deaf mute expressed in signs.”¹⁴⁴ Another configuration using a ‘relay’ interpreter can be seen in 1884 at the Drogheda quarter sessions, and seems to prefigure the teamwork between deaf and hearing professional interpreters in specialised court cases today.¹⁴⁵ Margaret Gilliland gave her evidence in the form of ‘signs’, which were interpreted into the ‘dumb alphabet’ by the deaf missionary Maurice Hewson. Hewson’s hearing brother Thomas, a barrister, then relayed this into speech for the court, and *vice versa*. It seemed to work well; the *Drogheda Argus* exclaimed that “[t]he examination was the most curious and interesting piece of pantomime ever performed before the court, in the rapidity of the movements of the two mutes, play of features, hands, and arms, being so rapid and jerky as if they were being operated on by electric shocks.” Gilliland’s assailant was

¹⁴² Enescu & Werner, ‘Legal Capacity of Deaf Persons...’, p. 39. An exception may have been Martin Neill; he was a regular interpreter for deaf New Ross man Patrick Byrne (see Chapter 6) but also tried his hand at interpreting for another local deaf offender, John McDonald, which by all accounts seems to have been accepted by McDonald and the courts. *Waterford Chronicle*, 2 October 1875, p. 3; *The People (Wexford)*, 30 November 1878, p. 7; *The People (Wexford)*, 1 March 1879, p. 6.

¹⁴³ *Bradford Daily Telegraph*, 21 July 1868, p. 3.

¹⁴⁴ *Clare Freeman and Ennis Gazette*, 12 July 1862, p. 5; *Clare Journal and Ennis Advertiser*, 14 July 1862, p. 2; Foran, ‘Interpretation Service’. The year is 1862, not 1863 as stated by Foran.

¹⁴⁵ Anne Leahy and Cormac Leonard, ‘The 19th century deaf relay interpreter’ in *British Deaf News*, no. March (2016), pp 34–36.

convicted and sentenced to twelve months imprisonment.¹⁴⁶ Earlier references to situations exist that also seem to indicate use of deaf interpreters.¹⁴⁷

Use of Writing in Court

As the century went on, courts began to see more instances of deaf people communicating in writing. A total of 218 criminal and civil cases or inquests are reported in the press where the written word is used, either exclusively or alongside sign language. By the turn of the nineteenth century, the proportion of instances where deaf people use writing had increased dramatically, and by 1922 may have outpaced use of sign language interpreters (if newspaper reports are to be believed). Some clear factors contributing to this were demographic and educational changes; these increased numbers seem to correlate with the expansion of deaf education in Ireland. Census of Ireland data reveals that the majority of deaf people were literate by 1901 (see Chapter 1). It is likely that the growing literacy rate among deaf people began to be represented in the means by which communication happened in legal proceedings.

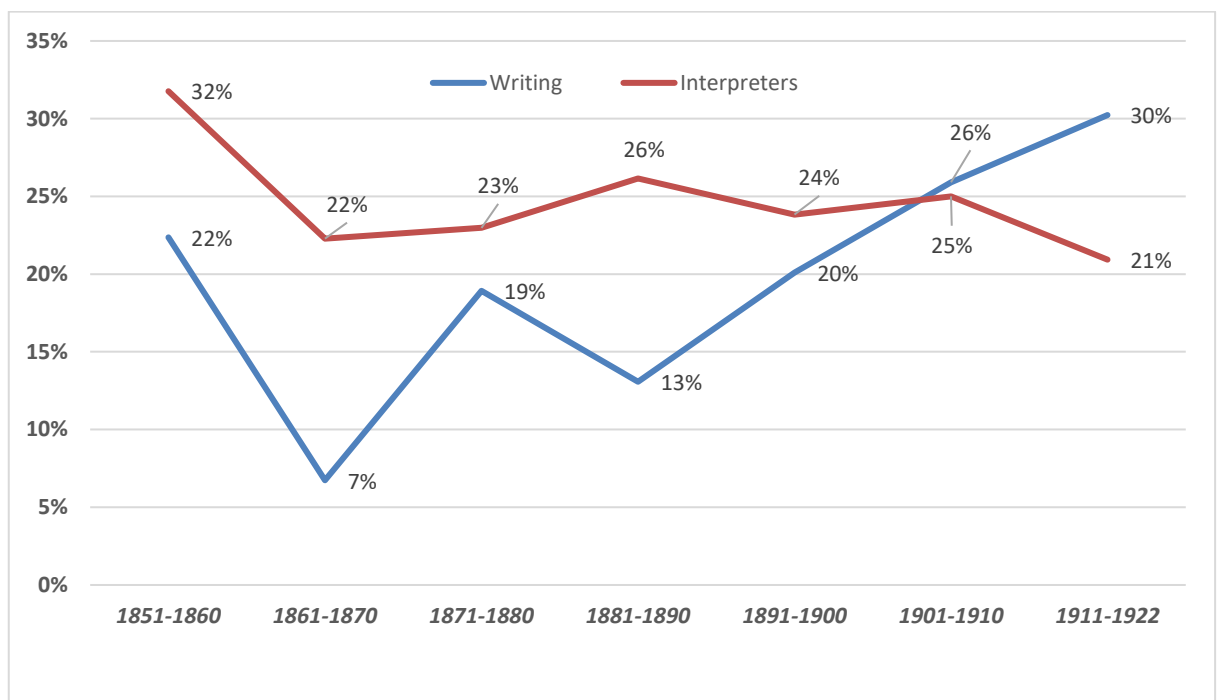


Figure 13: Percentages of Irish criminal, civil and inquest legal proceedings with reported use of writing / interpreters, 1851 - 1922

¹⁴⁶ *Drogheda Argus*, 21 June 1884.

¹⁴⁷ An 1863 Cork Recorder's court hearing where Timothy Donovan was charged with stealing featured a hearing intermediary, John Good, acting as an interpreter, but the *Cork Constitution* added that he did so "through another mute"; the identity of this individual and the way in which the process worked were unmentioned. *Cork Constitution*, 7 March 1863, p. 4; *Southern Reporter*, 7 March 1863, p. 3. A few years later in Foynes, Co. Limerick, John Horgan took a civil wages suit against his employer, but "summoned another silent individual named Cornelius McMahon, in whom he placed implicit confidence, to act as his interpreter" and the two men "strenuously endeavoured to convince the Justices of the fairness of the claim." *Munster News*, 5 January 1867, p. 3. Horgan appears to have been uneducated; McMahon attended Cabra but was only admitted in 1869, two years after this case; Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 74 entry 455. He may have had some ability to speak as well as sign with Horgan prior to his schooling, and on that basis was approached by Horgan.

Alongside this process, the legal world also began to express an official preference; reference works recommended writing, with signing as a last resort for the uneducated. Theobald Purcell's 1848 reference work states: "If [a deaf witness] is able to communicate his ideas perfectly by writing, he will be required to adopt that as the more satisfactory, and therefore the better method... But if his knowledge of that method is imperfect, he will be permitted to testify by means of signs."¹⁴⁸ This advice held right through to James O'Connor's 1911 handbook: a "deaf and dumb person is a competent witness [by signs] ... [but i]f he is able to communicate his ideas perfectly by writing, that method is to be adopted".¹⁴⁹ Whether this increased preference was itself influenced by the increased number of literate deaf people in Britain and Ireland is difficult to determine. Importantly, signing was never discounted as a means of communication in the courtroom – though certainly it must have had the effect of downgrading its status. There is no doubt that use of writing could not hope to provide full access to courtroom proceedings; all the asides, comments, inflections of tone and affect, would be sacrificed. Nevertheless, the practice was widespread.

Newspaper reports began to note how the evidence given by other parties was written out on paper or slate for deaf defendants, and how they answered written questions and indeed cross-examined witnesses against them.¹⁵⁰ Deaf defendants asked, in writing, for clemency: John Walsh was fined at the Tullamore petty sessions in 1877, and handed in a handwritten request for time to pay the amount of the fine; when given a further two weeks, he wrote back instead that 'I will pay when I get work.'¹⁵¹ They could also assert their wounded dignity. James Keane, plaintiff at a petty sessions wages case, was cross-examined and asked if he ever returned to his employer's place drunk late at night. Indignantly, he replied in writing, "This is a nice way to talk to me."¹⁵² Sometimes deaf friends or family members assisted in this process by 'ghost-writing' statements for the deaf defendant or complainant, which were then handed to the bench. Ellen Bovenizer's husband Peter, also deaf, composed a statement for his wife when she charged a neighbour with assault in 1882 at Cashel petty sessions, the statement containing precise details

¹⁴⁸ Purcell, *Summary of the Criminal Law of Ireland*, p. 334.

¹⁴⁹ James O'Connor, *The Irish Justice of the Peace: A Treatise of the Powers and Duties of Justices of the Peace in Ireland, and Certain Matters Connected Therewith* (Dublin, 1911), p. 260. This may have been influenced by newer English precedent; both Purcell and O'Connor cite *Morrison v. Lennard*, an 1827 English case, where Chief Justice Best opined that "[w]e are bound to adopt the best mode. I should certainly [accept] interpreting, even in a capital case; but I think, when witness can write, that is a more certain mode." F A Carrington and J Payne, *Reports of Cases Argued and Ruled at Nisi Prius, in the Courts of King's Bench & Common Pleas, and on the Circuit: From the Sittings after Trinity Term, 1827, to the Sittings after Easter Term, 1829 (Vol. III)* (Dublin, 1829), p. 127.

¹⁵⁰ For example, the plaintiff's evidence was "written out for the defendant by Mr Holohan, the clerk" for deaf defendant Joseph Walsh at Tullamore: *Leinster Reporter*, 28 July 1900, p. 3.

¹⁵¹ *Midland Counties Advertiser*, 17 May 1877, p. 3.

¹⁵² *Midland Tribune*, 19 September 1914, p. 4.

and dates of the alleged offences.¹⁵³ Over time, deaf people at court began to request the evidence be written down; Michael Ahearne, summoned in 1898 in Dungarvan, “made motions to have the evidence written in a book.”¹⁵⁴

However, increased numbers of deaf people having had attended schools, and growing preferences among courts to use writing, led to potentially dangerous assumptions of the efficiency of using reading and writing in the courtroom for deaf litigants and defendants. It has already been seen in Chapter 3 that a great many deaf children’s education was only partially completed, with many pupils withdrawn from school early, or sent back as ‘incapable of being taught’. Even the formalized written English that questions were written in could pose challenges to highly literate deaf people. Specialised legal terms and documents, not to speak of the intimidating setting of a courtroom with no sign language access, compounded matters. After being charged with burglary at the 1875 Derry assizes, William Mulloy was presented with a document of indictment; an interpreter was present, but the wording of the indictment confused Mulloy, who did not understand what ‘chattels’ meant. Once the term was paraphrased as ‘goods’, he pleaded guilty.¹⁵⁵ Hanoria O’Riordan, giving evidence of her assault in 1909 at Killarney, could read and write, but the legal questioning apparently confused her. When the written question was asked, “Do you know the nature of an oath?”, she instead wrote in reply the names of the defendants; complaints from counsel for the defence on this point meant her evidence was not taken.¹⁵⁶ Julia Lonergan had brought a pre-written statement on a slate with her to the Cavan petty sessions, “wrapped up in a shawl”, but when a police constable wrote on her slate the magistrate’s decision to imprison her for a month, she “did not evidently understand it... she was about to leave the court, when she was taken into custody.”¹⁵⁷

James McGrath, summoned to Bagenalstown petty sessions in 1905 over a domestic violence incident, was handed the written question, “Why did you threaten to set fire to your sister’s house?” and was flummoxed; “he studied the paper for some time, and then pointed to the word “threaten”, which he seemingly either did not understand the meaning of or took exception to.” James’ misunderstanding had high stakes indeed: “Several similar attempts to elicit any information from him, on which the doctor would form an opinion as to his sanity,

¹⁵³ *Clonmel Chronicle*, 14 January 1882, p. 1. For a description of ‘ghost-writing’ in modern deaf communities, see Robert Adam, Breda Carty and Christopher Stone, ‘Ghostwriting: Deaf translators within the Deaf community’ in *Babel*, lvii, no. 4 (2011), pp 375–393.

¹⁵⁴ *Munster Express*, 24 September 1898, p. 6.

¹⁵⁵ *Londonderry Sentinel*, 22 July 1875, p. 2; *Belfast Telegraph*, 24 July 1875, p. 4.

¹⁵⁶ *Killarney Echo and South Kerry Chronicle*, 9 October 1909, p. 2.

¹⁵⁷ *Belfast Telegraph*, 12 November 1910, p. 8.

proved equally unsuccessful.”¹⁵⁸ Trials that featured an interpreter quite often also featured use of writing, and this may have indicated the failure of one or other method of communication. In 29 cases, an interpreter was present, but writing was also used with the deaf person. Ellen Daly, subject of a Cork seduction case in 1891 and called as a witness, “was interrogated with dumb signs” by John Good, who was used to interpret for several Cork trials; she was “unable to reply” to Good, but later gave evidence in writing on a slate.¹⁵⁹

Active Deaf Litigants

Despite a formidable array of obstacles linked to language and procedure facing deaf people in the courts, it is possible at several points to see deaf defendants and witnesses attempting to utilise the legal machinery they were entangled in, with various degrees of effectiveness. One such point is the opportunity for prisoners to cross-examine witnesses.¹⁶⁰ Literate deaf defendants could use this as an opportunity to challenge the damning narratives about them created by prosecuting policeman and opposing counsel. Jeremiah Purcell, summoned for assault in 1916 at Tralee, challenged the testimony of a witness against him in writing; John Sinnott used his cross examination at the Waterford quarter sessions to call a witness (through his interpreter) a “liar” and stated that he wished to tell the jury that he was “as innocent as his Honour”.¹⁶¹

Of course, it was not only among deaf people that difficulties existed in bringing cases to court in Ireland; among the general population, there was often reluctance on the part of victims to prosecute certain crimes, and witnesses in homicide trials, for example, could fear reprisals.¹⁶² To this was added for deaf people the question of literacy, and awareness of the legal system and the options open to litigants. Despite such obstacles, it is remarkable that from very early on, deaf people utilised the courts by bringing private prosecutions, and acted as plaintiffs in minor civil matters.¹⁶³ 66 instances of private prosecutions by deaf people at petty sessions can be found dating right back to the 1850s, the vast majority of them for assault. Occasionally glimpses of inter-communal deaf solidarity can be glimpsed in these actions. Mary Ryan (deaf)

¹⁵⁸ *Nationalist and Leinster Times*, 11 March 1905, p. 3. McGrath had completed his education in St Joseph's, Cabra: Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 72 entry 343.

¹⁵⁹ *Cork Constitution*, 17 July 1891, p. 6.

¹⁶⁰ Garnham, *Murder Trials in Ireland*, p. 73.

¹⁶¹ *The Liberator (Tralee)*, 14 December 1916, p. 1; *Munster Express*, 12 June 1920, p. 3.

¹⁶² Complainants and witnesses often forfeited their previously paid recognizances to give evidence, in order to avoid it, and those who could not pay the recognizance in the first place were sometimes willing to do the prison time instead: Bridgeman, ‘The Constabulary...’, p. 114. Homicide witnesses occasionally required police protection: McMahon, ‘“For fear of the vengeance”: the prosecution of homicide in pre-Famine and Famine Ireland’, pp 161–164.

¹⁶³ It is probable that there was assistance in such private prosecutions and civil cases by sympathetic family members, many of whom appear as interpreters in the courts; however the abbreviated newspaper summaries of petty sessions courts limit how visible this support from family and friends is to us in such cases.

summoned a hearing woman for assault in Clonmel in 1891, and produced a statement that the accused had been beating her deaf sister-in-law, Ellen Hickey. Ellen had complained to Mary of her treatment, and according to her written statement, Mary then passed the accused's door and "I signed to her that it was a shame to beat poor Ellen".¹⁶⁴

The emergence of a public prosecution system in Ireland, and the emergence of Crown Solicitors and Crown Sessional Solicitors to assist with prosecution of serious crimes, increasingly meant cases in summary courts were no longer brought privately.¹⁶⁵ A reorganised Royal Irish Constabulary began to take responsibility for public prosecution of crimes at the level of city police courts and petty sessions.¹⁶⁶ By the end of the nineteenth century, "prosecutions for virtually all offences brought to trial at assize and quarter sessions were undertaken by the state, and had been processed by a comprehensive prosecution system".¹⁶⁷ Serious crimes were increasingly prosecuted by those tasked by the State with the responsibility to do so, in cases where they may have otherwise gone unpursued – for example, where illiterate deaf people were victims of crime. On the surface, this may have offered potential for increased redress and access to the justice system. Yet public prosecution may have equally gone against deaf people in court. Desmond McCabe has described how increased state involvement at assizes meant that "the range of crown prosecutions increased [and] the likelihood of pre-trial preparation diminished except in the more serious crimes. Hurried consultations between crown counsels, their agents and prosecution witnesses outside the court-room before indictment or arraignment become the norm of ordinary assize practice."¹⁶⁸ Crown solicitors were described as rushing from case to case, only receiving statements and documents at the last minute before prosecuting.¹⁶⁹ Many of the finer points and legal niceties relating to deaf people giving evidence may have been lost in the shuffle of public prosecution.

Between 1851 and 1922, deaf people were reported as involved in 82 different civil court hearings. On 38 occasions the deaf party was a plaintiff, across a range of cases in various courts dealing with issues such as wages and small debts, issues with employers and apprenticeships, and general suits for damages. The first such case in this period involved William Overend, a former pupil of Claremont and founder in 1826 of a Sunday school for deaf adults. He was a

¹⁶⁴ *Clonmel Chronicle*, 26 September 1891, p. 4.

¹⁶⁵ John McEldowney, 'Crown Prosecutions in Nineteenth-Century Ireland' in Douglas Hay and Francis Snyder (eds), *Policing and prosecution in Britain, 1750-1850* (Oxford, 1989), pp 427–457; McCabe, 'That part that laws or kings can cause or cure', p. 158; Garnham, *Murder Trials in Ireland*, p. 91.

¹⁶⁶ McDowell, 'Irish Courts of Law', pp 380–1; Bridgeman, 'The Constabulary...', pp 113–4.

¹⁶⁷ Bridgeman, 'The Constabulary...', p. 115.

¹⁶⁸ McCabe, 'That part that laws or kings can cause or cure', p. 159.

¹⁶⁹ McEldowney, 'Crown prosecutions', p. 444.

defendant in an 1851 Court of Exchequer case, where he was questioned in writing over a sum of money gifted to him by a deceased deaf friend. A barrister named William Purcell cross-examined him using “the sign language of the deaf and dumb”, and the jury found in favour of Overend.¹⁷⁰ The first deaf plaintiff of the period appears to have been an uneducated labourer named William Walsh, who in 1860 brought a claim against an employer for lost wages to the value of 15 shillings at the petty sessions in Brawney, Co. Westmeath.¹⁷¹ Some made repeated use of the civil courts; Michael Burns, an ex-Claremont tinsmith went to the Tipperary magistrates twice over issues with employers, on both occasions accompanied by his hearing wife.¹⁷² James Keane was granted a decree for 15 shillings from the Roscrea magistrates against an employer for wages owed, answering questions effectively by writing during the hearing.¹⁷³ A local RIC constable was alleged to have assaulted Patrick Lynch in 1913; though Lynch declined to prosecute (the case being taken by the police instead), he testified effectively through writing at the initial Killarney petty sessions trial. After the case was dismissed by magistrates, Lynch decided to pursue a civil action, and a month later at the Killarney quarter sessions, sued for £20 damages. The action was again dismissed, but the case displays an effective (at least, as described in the newspapers) use of writing to push a deaf litigant’s case, especially when one considers it was taken against a member of the local constabulary.¹⁷⁴ Uneducated deaf people were also recorded as having initiated civil proceedings. Thomas McLaughlin, an uneducated deaf man, took a case against an employer in 1895, and despite “his examination by friends [being] only of the most vague and elementary kind”, received a decree for £17.¹⁷⁵

Pity for Deaf Defendants

A frequent theme of such court proceedings was pity for deaf people, either as defendants or victims of crime. Deaf offenders themselves, while legally culpable after the legal presumption of ‘idiocy’ had faded away, were still seen as having a more limited liability for the crimes that they committed, and were treated more leniently.¹⁷⁶ Educators of the deaf generally urged that uneducated deaf people had a sense of right and wrong and were liable for punishment if they broke the law. However, Br Walsh of St. Joseph’s held that punishment should differ, and be in

¹⁷⁰ *Freemans Journal*, 21 June 1852, p. 3; Pollard, *The Avenue*, pp 210–211.

¹⁷¹ *Athlone Sentinel*, 1 August 1860, p. 4.

¹⁷² *Clonmel Chronicle*, 6 June 1874, p. 3; *Clonmel Chronicle*, 14 August 1878, p. 3.

¹⁷³ *Midland Tribune*, 19 September 1914, p. 4. The magistrates’ decision was reversed on appeal to the quarter sessions at Nenagh a month later: *Leinster Reporter*, 17 October 1914, p. 4.

¹⁷⁴ *Cork Examiner*, 1 May 1913, page 11; *Killarney Echo and South Kerry Chronicle*, 14 June 1913, p. 3.

¹⁷⁵ *Derry Journal*, 23 October 1895, p. 7.

¹⁷⁶ It is a trope that has not gone away, as Gearóidín McEvoy has shown in her recent work on the lived experiences of deaf people in the criminal justice system; she finds a still-present paternalistic trope of the “poor, deaf créatúr” seen as pitiful because of their affliction. Gearóidín McEvoy, ‘The Slibhín and the Créatúr: An examination of the lived experiences of regional or minority language users within the criminal justice system’ (Unpublished PhD dissertation, Dublin City University, 2021), pp 235–238.

proportion to the deaf person's "natural intelligence" but also "to the circumstances, favourable or unfavourable, to his moral development, by which he has been surrounded".¹⁷⁷ A manager of St Joseph's in Cabra in 1870, complaining of the limited numbers of deaf people being educated, felt it was grossly unfair that so many uneducated deaf people

remained in perfect ignorance, not only of a Divine being, of a Redeemer, or of a state of future rewards and punishments, but of the first principles that should guide their conduct in social life. And yet, the law of the land holds these creatures amenable to justice, and punishes them as severely as it does the most enlightened citizen who has a choice of opportunities to learn what he owes to society, and of the evils which will be entailed upon himself by violating the sacred engagements he is under, of acting in conformity with the law.¹⁷⁸

Uneducated deaf people presented a pitiable figure to many acquainted with the courts, but this also extended to deaf people who were educated and employed; Patrick Ormond, though literate, was treated differently than his co-accused when they were summoned for assault in Clonmel in 1879, "in consideration for his infirmity".¹⁷⁹ An 1872 Riverstown petty sessions hearing saw Cornelius Geary charged with illegal fishing, and his solicitor "acknowledged that the case had been proved, but asked their worships to bear in mind, and take into their favourable consideration the fact that the accused was from his birth both deaf and dumb, and was not in a position to learn the rule or the order issued by the Fishery Commissioners". This may have suited Geary – another ex-Cabra pupil, and so at least able to read and write to some extent – all too well.¹⁸⁰ Even when a Justice of the Peace was physically attacked by James Mooney in Mullingar in 1914, the JP did not want to press the case, as Mooney "was suffering from a great infliction, being deaf and dumb"; he was discharged under the First Offenders' Act.¹⁸¹ Yet sympathy was intermingled with wariness. In a cross-case in rural Offaly in 1865, the man accused of assaulting William Lamprey was told that those "who are afflicted as he is, are generally irritable, and you who have been blessed by God with all your senses, should avoid with the utmost care giving him any cause that might irritate him."¹⁸²

¹⁷⁷ T. A. Walsh, 'The Moral Condition of the Uninstructed Deaf and Dumb' in *Proceedings of the Conference of Head Masters of Institutions and of other workers for the education of the deaf and dumb* (London, 1877), p. 159.

¹⁷⁸ Report by Br. McDonnell, St. Joseph's Cabra, *Royal Commission of Inquiry into primary education (Ireland). Vol. VIII. Containing miscellaneous papers and returns furnished to the commission*, p. 122, H. C. 1870, (C.6), vii, 917.

¹⁷⁹ *Clonmel Chronicle*, 16 April 1879, p. 3.

¹⁸⁰ *Cork Constitution*, 21 February 1872, p. 2. Geary had previously had a similar excuse made on his behalf: see *Southern Reporter and Cork Commercial Courier*, 12 August 1870, p. 2. However it appeared that he had at least begun his education in St Joseph's in Cabra: Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 69 entry 167. The 1901 Census also indicates he could read and write: 1901 Census of Ireland website, http://www.census.nationalarchives.ie/pages/1901/Cork/No_2_Urban/Harpurs_Lane/1107909/

¹⁸¹ *Westmeath Examiner*, 24 January 1914, p. 8.

¹⁸² *Leinster Express*, 11 February 1865, p. 6.

‘Fitness to Plead’

The case law that accumulated from the late eighteenth century onwards offered certain protections to deaf people accused of crimes, but also opened up worrying possibilities. Deaf defendants, after the *Jones, Dyson* and *Pritchard* cases, who could not prove they sufficiently understood what was going on in the courtroom could be found “not sane” by an empanelled jury in a *voir dire*, leading to an indefinite period of detention under the Criminal Lunatics Act of 1800.¹⁸³ This meant that deaf people who were unable to communicate in court could be committed to an asylum, even if innocent of the charge, simply on the basis that to a judge, they seemed unable to follow court proceedings. Institutionalisation in a mental hospital could be lifelong.¹⁸⁴ Some judges were certainly wary of the issue. In an 1878 Waterford assizes trial, Judge Fitzgerald mentioned that “he had tried several cases in which dummies are charged with offences, and they always left the impression on his mind that the prisoners were not fully aware of the position in which they stood, or knew what was passing around them in the court.”¹⁸⁵

In a total of eight trials cases between 1851 and 1922, the outcome was the defendant being ‘detained at His / Her Majesty’s Pleasure’ – in other words, sent to a lunatic asylum. In some cases this would have meant the criminal lunatic asylum that opened in Dundrum in 1850.¹⁸⁶ Six deaf defendants at trial were found to be unable to plead - a finding that was in each case linked with the supposed mental capacity of the defendant to understand the trial process and their ability to make a case. Of these, four defendants seem to have been uneducated. The first was Mary Nolan, a deaf woman who had never attended a deaf school. She was arraigned for larceny in 1858 at the Tullow Quarter Sessions, found to be mute by visitation of God, but as she was unable to understand the ‘deaf and dumb alphabet’, the court found her to be “a person of insane mind, and incapable of hearing her trial”. She was remanded at the pleasure of the Lord Lieutenant.¹⁸⁷ Other cases seem less ambiguously connected to issues of mental health, as opposed to communication in the courtroom. In two trials, the defendant was found to be guilty but insane at the time of committal.¹⁸⁸ Andrew Donnelly was tried for assault in 1871 but found

¹⁸³ ‘An Act for the safe Custody of Insane Persons charged with Offences’, 39 & 40 Geo. 3, c. 94 (28 July 1800); Law Commission (UK), *Unfitness to Plead - Consultation Responses* (London, 2013), p. 15.

¹⁸⁴ John McKeever, arraigned on a murder charge at the Londonderry Assizes in 1847, and found to be unable to plead due to the inability of anyone involved to communicate with him. He was sent to the Gransha Lunatic Asylum in Derry, dying there in 1899, more than 50 years later. *Belfast Newsletter*, 19 March 1847; McKeever, John, p. 2, *Male Casebook, c.1847-1897*, Gransha Lunatic Asylum, Co Derry. PRONI HOS/17/7/8/1/1.

¹⁸⁵ *Munster Express*, 21 December 1878, p. 3.

¹⁸⁶ Pauline M. Prior, ‘Prisoner or Patient? The Official Debate on the Criminal Lunatic in Nineteenth-Century Ireland’ in *History of Psychiatry*, xv, no. 2 (2004), p. 178.

¹⁸⁷ *Carlow Post*, 30 October 1858, p.3.

¹⁸⁸ *Freeman’s Journal*, 7 December 1895, p. 8; *Westmeath Examiner*, 14 December 1895, p. 3.

to be “of a weak intellect and likely to be benefitted by confinement and treatment in a lunatic asylum”, and committed to Enniscorthy asylum, where he died in 1909.¹⁸⁹

Deaf Women and Crime

These accounts of deaf people in court open up a vast range of possible subjects of social history and inquiry that go beyond the scope of this dissertation. These include deaf people’s voting rights (touched on within revision court sessions), the legality and acceptance of wills by deaf people (explored in some probate cases), and several proceedings which touch on deaf people’s inheritance of and use of land. A highly rich seam of material relates to the family lives of deaf people, especially their relationships as adults with parents and siblings they lived with. The experience of deaf people who married and had families is also illuminated by courtroom reports; for example, two deaf men, Denis McCarthy and Thomas Laphen, were charged with desertion of their wives, and in 1917 this led to three months imprisonment for Laphen. Another Belfast case in 1902 saw a deaf widower being charged with neglect of his children and sentenced to a year in the Ennis Inebriate Reformatory.¹⁹⁰

A very prominent theme which emerges in court records is the experiences of deaf women. Certain categories of crimes prosecuted in the courts, as well as civil proceedings, shed light on what has otherwise been a relatively hidden and perhaps idealised view of the lives of deaf women, until recently, particularly with the work of Alvean Jones.¹⁹¹ The difficult choices and additional responsibilities of deaf women in poverty are glimpsed in their legal interactions; one example is the prosecution of deaf women for prostitution offences, discussed in the next chapter.¹⁹² Another example is the infanticide charges against Johanna O’Shea, when her newborn child was found dead in the water closet of the Athlone workhouse where she was an inmate. Her impassioned written statement to police, preserved in the Crown files for the assizes in 1895, details clearly her casual sexual relationship with the child’s father before coming to the workhouse, as well as her (at least professed) ignorance about sex.¹⁹³ Mary Ann Smith was also charged with concealment of birth in Newry in 1867, but the case was

¹⁸⁹ Form of Medical Certificate for a prisoner acquitted on the ground of insanity, dated 3 July 1872. Criminal Index File 1872 for Andrew Donnelly, NAI CIF D-6; Andrew Donnelly, civil death record, 26 October 1909, registration district of Enniscorthy, IGN.

¹⁹⁰ *Kings County Chronicle*, 9 October 1861, p. 5; *Dublin Daily Express*, 10 December 1917, p. 2; *Northern Whig*, 4 January 1902, p. 2; *Belfast News-Letter*, 4 January 1902 p. 9; *Belfast News-Letter*, 9 January 1902, p. 8.

¹⁹¹ O’Leary & Jones (eds), *Through the Arch*; Broderick & Duggan, *Origins and Developments of St. Mary’s School*.

¹⁹² Such offences very rarely were mentioned in the press and so are not dealt with in this chapter.

¹⁹³ *Westmeath Examiner*, 6 July 1895, p. 5; *Queen v. O’Shea*, 1895 Westmeath Summer Assizes, Crown Files, NAI 1C-32-110; Elaine F. Farrell, “‘The fellow said it was not harm and only tricks’: The Role of the Father in Suspected Cases of Infanticide in Ireland, 1850-1900” in *Journal of Social History*, xlv, no. 4 (2012), pp 994–995; Farrell, *Infanticide in the Irish Crown Files at Assizes, 1883–1900*, pp 280–282.

dropped.¹⁹⁴ There were also a number of examples of child abandonment. An apparently illiterate deaf woman named Bridget Vaughan, charged with desertion of her baby in 1862 in Cork, seemed to deliberately implicate the putative father by leaving the child at his doorstep, and “gesticulating violently” in court at him. A year later, she again abandoned the child at the home of the same man, and threatened to assault him; no interpreter was mentioned as being present in court in either case.¹⁹⁵ These decisions were as difficult to make for deaf as for hearing women; Mary Carne, prosecuted in Belfast in 1918 for abandoning her five-month-old son William, pleaded in a written statement to police that “If you let me out I will be kind to the child”.¹⁹⁶

A civil action for seduction was a tort generally based on a husband’s or master’s loss of a woman’s services as a result of her becoming pregnant, and could be used as an option to seek redress particularly where a woman had given birth to a child as a result of the encounter.¹⁹⁷ Seven civil cases of seduction of deaf women were identified; however, in all seven cases, the deaf woman in question was a daughter or sister of the plaintiff, perhaps a reflection both of the low marriage rate of Irish deaf women, and their importance as labourers in the family home. Of the nine hearings involved in these cases, two were reported to use writing and five used interpreters (one of the latter also using writing). Carolyn Conley found that Irish courts displayed a certain sympathy to Irish women involved in such seduction cases.¹⁹⁸ However, only two of the cases of deaf women seem to have been definitely decided for the plaintiff; in at least one case, Anne Headon’s apparent inability to understand an oath meant that she could not be sworn and the case was therefore dismissed.¹⁹⁹

20 cases of rape, indecent assault, or assault with intent to violate were identified where deaf women or girls were the alleged victim. Of the 27 hearings dealing with these cases, 12 were reported to have had an interpreter present, with a further 2 having at the very least an intermediary, while another 2 had a family member present. In one case, proceedings were

¹⁹⁴ *Newry Telegraph*, 12 September 1867, p.2; *Newry Telegraph*, 24 October 1867, p. 3.

¹⁹⁵ *Southern Reporter and Cork Commercial Courier*, 28 June 1862, p. 3; *Cork Examiner*, 28 June 1862, p. 2; *Southern Reporter and Cork Commercial Courier*, 8 June 1863, p. 2.

¹⁹⁶ Mary Carne, statement of the accused, dated 1 January 1918. Crown files, trial of Mary Carne, PRONI BELF/1/2/2/28/11.

¹⁹⁷ Robertson, ‘What’s law got to do with it?’, p. 174; Commission on the Relief of the Sick and Destitute Poor, *Report*, p. 72; Carolyn A. Conley, ‘No pedestals: women and violence in late nineteenth-century Ireland’ in *Journal of Social History*, xxviii, no. 4 (1995), p. 810.

¹⁹⁸ Conley, ‘No pedestals: women and violence in late nineteenth-century Ireland’, p. 811.

¹⁹⁹ Anne’s brother Andrew, the plaintiff in the case, was convinced, though she was “never instructed, [that] she knows right from wrong, and understands there is a place of punishment for the wicked as well as a place for the good... She tells me that every person who does wrong will be put down in burning fire, and those who do good will go up.” Despite counsel for the plaintiff raising the precedents of Ruston and Steele, Judge Lefroy refused to accept that this constituted knowledge of an oath. *Leinster Express*, 8 January 1870, p. 6.

adjourned while an interpreter was sought. Such cases raised all kinds of questions about access to justice. Bridget Clarke had the services of the Vincentian chaplain to the Catholic deaf, Patrick Maher, for both petty sessions and assizes in 1896, but it is unclear how familiar Maher would have been with Bridget's female variant of Cabra Sign.²⁰⁰ Some, like Elizabeth Fullerton, were able to make a statement to Belfast police using an interpreter who worked in the nearby Lisburn Road school; her statement is detailed and clear, but one wonders how comfortable she felt describing her assault to an interpreter who she likely would have seen often within Belfast's deaf community.²⁰¹ Most of these proceedings led to convictions and prison sentences of at least five months.

Conclusion

This chapter has described the structure of Irish courts, relevant features of legal culture and literature, and important common law precedent which impacted upon deaf people prior to and during the period 1851 to 1922. Newspaper accounts of criminal and civil proceedings in Irish courts – in courts of assize, recorders' courts, quarter sessions, petty sessions and police courts – were used to construct a database of legal proceedings involving deaf people. The categories of crimes which deaf people were charged with committing were noted. Other issues were explored; legal issues such as taking the oath and fitness to plead, were examined, showing that more 'visual' ways of getting the oath's message across were used, but that as the period progressed, more exacting proof was needed by the courts of the ability of deaf defendants to understand the nature of the proceedings. This proved highly difficult given the slow pace of deaf education. An in-depth examination followed of the types and frequency of reported use of means of communication used by deaf people in court. It was seen that the proportion of reported cases where interpreters were used increased, the higher the jurisdiction of the court. It was also shown that as the period progressed, the modalities of deaf communication within Irish courts evolved, linked to the changing literacy profile of the deaf community. Although the identity and relationship of interpreter to deaf person was frequently obscured, use of family members, friends and neighbours decreased somewhat, and more teachers from deaf schools, and most noticeably policemen, acted more often as interpreters. The number of deaf people using writing in court rose sharply by the end of the nineteenth century. Finally, examples of civil cases were discussed. It was shown that despite an overall profile in Ireland of low levels of literacy, the increasing agency of deaf people themselves as litigants in Irish courts can be

²⁰⁰ *Kildare Observer*, 27 June 1896, p. 3; *Kildare Observer*, 25 July 1896, p. 2.

²⁰¹ Information of Elizabeth Fullerton dated 1 December 1893, *Queen v. Toal*, 1894 Antrim Spring Assizes, Crown Files, PRONI ANT/1/2/C/4/25.

observed in increased use of private criminal and indeed civil prosecution by deaf people, particularly in the use of appeals. It was also shown that in serious criminal trials where effective communication could not be established, deaf defendants faced unique dangers of being committed to mental institutions, sometimes for decades, or until death - despite no medical proof of insanity. Cases involving deaf women were shown to reveal their gendered experiences, as victims of sexual violence, the subjects of civil seduction suits, and as single mothers facing poverty and exclusion.

Chapter 6: Deaf Convicts and Prisoners in Ireland

Introduction

This chapter examines deaf people's experiences within the prison system in Ireland between 1851 and 1922. Developments through the nineteenth century within the Irish prison system will be briefly outlined, including the ending of transportation and the philosophy behind the new sentence of penal servitude, centralisation and rising standards for prisons, and the gradual decline of the prison population approaching 1916. The great level of detail afforded by local prison and convict records will be examined and analysed for this chapter. Local prison registers will be examined to illustrate how they reveal the presence and lives of deaf prisoners, as well as other aspects such as repeat offenders, and deaf criminals working together. Deaf experiences within the Irish convict system will be explored; other forms of incarceration such as reformatories and inebriate institutions will also be shown to have had deaf people sent to them. Particular attention will be given to deaf people's experiences as convict prisoners under sentences of penal servitude. Issues that arose for deaf convicts will be described, following themes such as communication, forms of punishment, and physical conditions in cells. It will be shown that despite contemporary rhetoric about Ireland's much-lauded "Crofton system", and its attempts to reform prisoners, the provision for certain facets of this system, such as prisoner education and 'intermediate' prisons, was at times unequal for deaf convicts. Mental health issues arose for deaf prisoners in many prison contexts. Particular attention is given to the letters and memorials written by deaf prisoners and what such usage tells us about deaf prisoners' attitudes to and reactions to imprisonment, with memorials appealing to the sympathies of Dublin Castle towards deaf people, but also genuinely expressing distress at their conditions and revealing details of deaf life during the period.

The Irish Prison System 1851-1922

Pre-1850

An extensive network of prison-type institutions existed in the early nineteenth century Ireland. These included county gaols, local bridewells (attached to police stations or court houses for prisoners awaiting trial), debtors' prisons (or marshalseas), and houses of correction / industry.¹ Lesser offences, such as drunkenness or assault, resulted in shorter sentences from 24 hours to a year or two. Prisoners who committed more serious offences were sentenced to

¹ Carroll-Burke, *Colonial Discipline*, pp 22–23.

transportation, for at least 7 years. Thus prisons in Ireland were not where convicts would spend the majority of their sentences; they served as holding areas until they could be transported to the American colonies, and from the 1790s, Australia. However, these gaols, prisons and bridewells were not centrally owned or managed; while some lay in government hands, others were run locally through the Grand Juries, or privately.² Conditions were dire; they were often filthy and disease-ridden, with adult and juvenile, male and female prisoners often placed in the same cells, and bribery and corruption widespread.³ Campaigners such as John Howard and Elizabeth Fry drew attention to these conditions in a wider British context, leading to reforming changes in legislation, and in Ireland, the establishment of the office of Inspector General of Prisons in 1786.⁴ A new wave of prisons began construction during the 1820s at Limerick, Ennis, Galway, Roscommon, Sligo, Derry, Louth, Longford and Monaghan.⁵ Simultaneously older bridewells were closed; in 1823, there were 41 gaols and 136 bridewells in Ireland; by 1832, the total number of prisons had fallen to 40 county gaols and 107 bridewells.⁶

At a higher level, prison reform movements in Europe and North America had begun to look anew at the *idea* of prison. James McGowan describes this period as “a revolution in the nature of punishment... embodied in the new role of imprisonment as a means of punishing, reforming and deterring.”⁷ Prison was increasingly seen not as a warehouse for offenders, but as a site where reflection, repentance, and rehabilitation could take place. A range of (often competing) approaches and philosophies were proposed and tested – for example the ‘silent system’ and the ‘separate (or ‘solitary’) system, where each prisoner was kept in his cell, day and night, for the length of his sentence (or a large part of it), except for exercise and chapel services.⁸ Classification of prisoners by type and seriousness of crime or behaviour was widely used, and different approaches to prison labour were proposed – productive labour, deliberately unproductive, or even deliberately taking away labour to enforce idleness. A prominent theme was a desire to use individualisation, education and training to improve the lot of the prisoner.

² James Mitchell, ‘The Prisons of Galway: Background to the Inspector General’s Reports , 1796-1818’ in *Journal of the Galway Archaeological & Historical Society*, xlix (1997), p. 4.

³ Carroll-Burke, *Colonial Discipline*, pp 23–6; Carey, *Mountjoy*, pp 4–6; James McGowan, ‘Nineteenth-Century Developments in Irish Prison Administration’ in *Administration*, xxvi (1978), p. 504; Joseph Starr, ‘Prison Reform in Ireland in the Age of Enlightenment’ in *History Ireland*, iii, no. 2 (1995), pp 21–25.

⁴ Carey, *Mountjoy*, p. 12; Carroll-Burke, *Colonial Discipline*, p. 43.

⁵ McGowan, ‘Nineteenth-Century Developments in Irish Prison Administration’, p. 504.

⁶ Richard J. Butler, ‘Rethinking the origins of the British prisons act of 1835: Ireland and the development of central-government prison inspection, 1820-1835’ in *Historical Journal*, lix, no. 3 (2016), p. 737n.

⁷ McGowan, ‘Nineteenth-Century Developments in Irish Prison Administration’, p. 503.

⁸ Helen Tomlinson, ‘Design and reform: the “separate system” in the nineteenth-century English prison’ in Anthony D. King (ed.), *Buildings and society* (London, 2003), pp 51–65; W. J. Forsythe, ‘The beginnings of the separate system of imprisonment 1835–1840’ in *Social Policy & Administration*, xiii, no. 2 (1979), pp 105–110; Miles Ogborn, ‘Discipline, Government and Law: Separate Confinement in the Prisons of England and Wales, 1830-1877’ in *Transactions of the Institute of British Geographers*, xx, no. 3 (1995), pp 295–311; Catherine Cox and Hilary Marland, ‘“He Must Die or Go Mad in This Place”: Prisoners, Insanity , and the Pentonville Model Prison Experiment, 1842-52’ in *Bulletin of the History of Medicine*, xcii, no. 1 (2018), pp 78–109.

Regimes combining these features, it was proposed, gave the prisoner space to reflect and realise the error of their ways, and to begin (with advice and training) a better life.⁹

The Convict System and Penal Servitude

In Ireland, the Famine brought an increase in prisoners sentenced to transportation, thereby placing pressure on the system of ships bringing them to the colonies. This had led to overcrowding in Irish convict prisons such as Kilmainham, Newgate (located at Green Street in north Dublin), and Smithfield. Dissatisfaction on the part of Australian authorities with the numbers (and conduct) of Irish convicts sent there eventually led to the closure of Australian colonies to transportation in 1853.¹⁰ In its place a new form of criminal sentence – penal servitude – was created, where convicts would spend their sentence within the prison walls instead. The 1854 Act for the Formation, Regulation and Government of Convict Prisons in Ireland formally established a government ‘convict prison’ system.¹¹ Walter Crofton was made Chairman of new Irish Board of Directors of Convict Prisons.¹²

Over the next few years, a system was established and elaborated where convicts - those sentenced to penal servitude (sentences of 3 years or more)¹³ - would advance through a four-stage system. Mountjoy prison had recently opened in 1850, on a strict ‘separation’ system.¹⁴ This prison was chosen by the government as the site where this new rehabilitative form of imprisonment would begin. This first, ‘penal’ stage involved strict separate confinement in a Mountjoy cell for the majority of the day, for up to 9 months. Prisoners had to stay silent, and were not allowed to mix with other prisoners or communicate. They were let out of their cells for only 1 hour a day for exercise. No useful work was given to prisoners. Following this was a ‘reformatory stage’ of ‘associated’ outdoor labour (alongside other prisoners) at Spike Island prison in Cork harbour, where convicts would spend a number of years doing physical labour. A third stage would then take place at an ‘intermediate’ prison; these were a form of open prison and included an agricultural prison at Lusk, Co. Dublin, Forts Camden and Carlisle in Cork, and later Smithfield in Dublin. Convicts who successfully navigated their way through this experience

⁹ Carey, *Mountjoy*, pp 25–34.

¹⁰ *Ibid.*, pp 39–42.

¹¹ ‘An Act for the Formation, Regulation, and Government of Convict Prisons in Ireland’, 17 & 18 Vict. c. 76 (7 August 1854); Carroll-Burke, *Colonial Discipline*, pp 99–103.

¹² Richard S. E. Hinde, ‘Sir Walter Crofton and the Reform of the Irish Convict System, 1854–61 (Part I)’ in *Irish Jurist*, cxv, no. XII (1977), p. 116.

¹³ Dooley, ‘Sir Walter Crofton...’, pp 72–75; Carroll-Burke, *Colonial Discipline*, p. 95.

¹⁴ Tim Carey, ‘Mountjoy opens: the moral sewer closes’ in Ian O’Donnell and Finbarr McAuley (eds), *Criminal Justice History: Themes and Controversies from Pre-Independence Ireland* (Dublin, 2003), pp 185–195.

were given a 'ticket of leave' and released on licence, having to check in regularly with police until their sentence expired.¹⁵

Crofton wanted to establish "a system of penal discipline which exposed convicts to a prospective rather than a retrospective regimen... [he] sought to prepare the convict for release by allowing him to earn increased responsibility and privileges."¹⁶ The 'Irish system' of convict management that took shape under Crofton has as its most distinctive feature a system of 'marks' at the 'reformatory' stage in Spike Island, awarded to convicts for good behaviour and conduct.¹⁷ Each month, convicts were awarded these marks under three headings – discipline, school, and industry (related to prison labour), and the accumulation of sufficient marks determined progress through a number of prisoner 'classes', and ultimately, the four stages of the 'Irish system'. Bad behaviour led to loss of marks, meaning slower advancement through the prisoner classes, demotion to a lower class, or delayed entry to the more open, lenient regime of the intermediate prisons. In this way, good behaviour, effort in the schoolroom, and hard work became incentivised for convicts.¹⁸ Utilising several classes of prisoner based on conduct, the convict system "produced one of the earliest attempts, in the penal area, at systematic behaviour modification on the basis of punishment-gratification psychology."¹⁹ Also noteworthy about the first 'penal' stage was the deliberate enforcement of idleness on the new convicts in their cells; this was designed to get prisoners to see work as a reward, and their own good behaviour, reflection, and steady gaining of marks as bringing the prospect of work closer - first in association with others at Spike, and then in 'intermediate' prisons with less supervision.²⁰

Local Prisons and Centralisation

In contrast, local prisons in the second half of the nineteenth century, while their prisoners had maximum sentences of just two years, had conditions that were often worse; their approach was far less about rehabilitation than pure deterrence. Prisoners generally spent their entire time in local prisons in separation; authorities did not see it as worth their while to try and reform prisoners, sentences being so short. Food was of lower quality than in the convict

¹⁵ Carey, *Mountjoy*, pp 65–80. The system was notably different for female convicts, who were held in a number of prisons until a separate complex opened for them in Mountjoy in 1858. Separation at Mountjoy lasted only four months for women, and they stayed in Mountjoy rather than go to Spike; no 'intermediate prisons' awaited them after his stage, and instead they were sent to a religious refuge. *Ibid.*, pp 80–87.

¹⁶ Dooley, 'Sir Walter Crofton...', p. 78.

¹⁷ The system was based on one devised by Alexander Machonochie, former governor of a prisoner on Norfolk Island, Australia. Hinde, 'Sir Walter Crofton and the Reform of the Irish Convict System, 1854-61 (Part I)', p. 314; Dooley, 'Sir Walter Crofton...', p. 78.

¹⁸ Carroll-Burke, *Colonial Discipline*, pp 118–121; Carey, *Mountjoy*, pp 74–75.

¹⁹ Carroll-Burke, *Colonial Discipline*, p. 116.

²⁰ Esther Heffernan, 'Irish (Or Crofton) System' in *Encyclopedia of Prisons & Correctional Facilities*, 2004, p. 483.

system, no remission of sentences was given, and any labour given to prisoners was often of the pointless – and pointlessly cruel - variety, such as the ‘treadwheel’ or ‘shot drill’ exercises.²¹ One judge sentencing a prisoner to two years in a local gaol remarked that very few persons could go through such a term “without suffering permanently either in mind or in body, and very often in both”. Some prisoners, when given such a sentence, asked for penal servitude instead.²² However, through a series of bills and Acts of parliament, more attention was drawn to local prison conditions, and an appetite to standardise and improve them grew.²³ In 1877, legislation was passed establishing the General Prisons Board, placing all gaols and prisons (local and convict alike) in Ireland under central control. Its members began a series of reforms and restructuring that radically decreased the number of local bridewells and reassigned local prisons for new sub-divided categories of prisoner, in an attempt to cut costs.²⁴ Yet any attempt by the GPB to modernize or consolidate the sprawl of Irish prisons, gaols and bridewells was hindered by new waves of political prisoners during the agrarian struggles of the late 1870s and early 1880s. The furore surrounding these committals drew much negative attention to prison conditions in Ireland, particularly the treatment of high-profile ‘Plan of Campaign’-ers such as William O’Brien and other imprisoned Irish MPs. The resulting scandals related to medical treatment and imposition of prison dress codes meant the public eye lingered on the Irish prison system in ways that it did not on the English system, although local prison conditions and rules were relaxed in 1889 in relation to compulsory prison clothing, haircuts, and visiting times.²⁵ A Royal Commission on Prisons in Ireland reporting in 1884 “indicated very clearly that the Irish prison system was both inept and wasteful”.²⁶

There had been much national and international praise for the ‘Irish system’ of managing convicts since the 1850s. At the outset the system had been apparently successful and, for a short period, had worldwide renown. Yet it also had its critics within Ireland and in Britain, and by the end of the 1860s, when sustained results were not observed, enthusiasm for it dwindled.²⁷ By the 1880s, international praise for Ireland’s prison system was fading fast; Beverly Smith concludes that the “Irish prison system [had] abdicated its leadership position in

²¹ Carey, *Mountjoy*, pp 117–118; Patrick Fahy and Joan Kavanagh, ‘A study of nineteenth-century prison life with particular reference to Wicklow gaol’ in *Wicklow Historical Society Journal*, i, no. 4 (1991), pp 40–41.

²² Evidence of Charles Stuart Parnell, *Royal Commission on Prisons in Ireland. Vol. I. Reports, with digest of evidence, appendices, &c.*, p. 340, H.C. 1884-85 (C. 4233) xxxviii, 259 (hereafter *1885 Royal Commission on Prisons*); Carey, *Mountjoy*, pp 118–119.

²³ McGowan, ‘Nineteenth-Century Developments in Irish Prison Administration’, pp 500–501; John-Paul McCarthy, “‘In Hope and Fear’: the Victorian Prison in Perspective’ in *Irish History: A Research Yearbook*, i, no. 1 (2002), pp 125–126.

²⁴ McGowan, ‘Nineteenth-Century Developments in Irish Prison Administration’, pp 501–502.

²⁵ Beverly A. Smith, ‘The Irish Prison System, 1885-1914: Land War to World War’ in *Irish Jurist*, xvi, no. 2 (1981), pp 316–349 (www.westlaw.ie).

²⁶ *1885 Royal Commission on Prisons*; Beverly A. Smith, ‘The Irish General Prisons Board, 1877-1885: Efficient Deterrence or Bureaucratic Ineptitude?’ in *Irish Jurist*, xv, no. 1 (1980), pp 122–136 (www.westlaw.ie).

²⁷ Carey, *Mountjoy*, pp 112–117.

penal affairs. Indeed, it fell far below the level of many other systems which had once benefited from the Irish example.”²⁸ The convict prison system was the subject of criticism in the Kimberley Commission on Penal Servitude in 1878-9, and the prisons themselves criticised. Spike Island, which was “[g]enerally ... expensive to maintain, doubtful as to its deterrent and reformatory effects on its inmates, and an uncertain factor in harbour construction”, was closed down in 1883, a riot in the early part of the year hastening its handing over to the military by the middle of the year.²⁹ The open prison at Lusk was closed in 1886 on economic grounds.³⁰ In 1884 Downpatrick was converted to a convict depot until its closure in 1894, as was Maryborough, becoming a new invalid convict prison.³¹

Much of the impetus that had driven the reform of Irish prisons seemed to have dissipated by the close of the nineteenth century.³² However, during the 1890s and up until the first World War, certain developments saw a softening of rules and a great amount of discretion given to prison governors, alongside institutional innovations, in what Beverly Smith describes as a “shift in administrative emphasis from deterrence to reformation.”³³ Newer forms of penal institutionalisation made their way to Ireland, some of which had their origins in similar initiatives in Britain.³⁴ These include inebriate reformatories in Wexford, Waterford and Ennis for those whose repeated criminal behaviour was deemed to have been caused by alcoholism, as well as a ‘borstal’ in Clonmel for young offenders.³⁵

Deaf People in Local Prisons

In order to examine the experiences of deaf people in Irish prisons between 1851 and 1922, several sources will be examined and analysed. The chapter makes use of a variety of records relating to local and convict prisons and prison administration, as well as vital records such as civil registration records, court records and newspaper reports. In 1822 the Lord Lieutenant of Ireland was empowered to appoint two Inspectors-General of Prisons to survey and report on all gaols and bridewells in the country.³⁶ Much information about prison administration and

²⁸ Smith, ‘The Irish General Prisons Board, 1877-1885’.

²⁹ Cal McCarthy and Barra O’Donnabháin, *Too beautiful for thieves and pickpockets: a history of the Victorian convict prison on Spike Island* (Cork, 2016), pp 332–334.

³⁰ McGowan, ‘Nineteenth-Century Developments in Irish Prison Administration’, p. 500.

³¹ Caroline Windrum, ‘The provision and practice of prison reform in County Down, 1745-1894’ in Lindsay J Proudfoot and William Nolan (eds), *Down: history and society: interdisciplinary essays on the history of an Irish county* (Dublin, 1997), p. 347.

³² McGowan, ‘Nineteenth-Century Developments in Irish Prison Administration’, pp 505–507.

³³ Smith, ‘The Irish Prison System, 1885-1914’.

³⁴ Shane Kilcommins, Ian O’Donnell, Eoin O’Sullivan and Barry Vaughan, *Crime, Punishment and the Search for Order in Ireland* (Dublin, 2004), pp 21–22.

³⁵ Kilcommins et al., *Crime, Punishment.*; see also Beverly A. Smith, ‘Ireland’s Ennis Inebriates’ Reformatory: A 19th Century Example of Failed Institutional Reform’ in *Federal Probation*, liii (1989), pp 53–64.; Conor Reidy, *Ireland’s ‘Moral Hospital’: The Irish Borstal System 1906-1956* (Dublin, 2009).

³⁶ McDowell, *The Irish administration*, p. 151.

policy is available in their painstakingly detailed annual reports, which occasionally offer glimpses of deaf people in local gaols and prisons. Particularly violent prisoners gained special mention, for example Patrick Byrne, whose repeated committals to Wexford prison become noteworthy. Byrne, described as a “powerful youth of deficient intellect”, was frequently in custody in Wexford gaol. On one occasion he escaped over the walls of the bridewell at New Ross, and afterwards he assaulted an officer in this gaol, who, but for the interference of another prisoner, would have been seriously injured by him.”³⁷ Two years later the inspector had even more to say about Byrne: “He is now under a sentence of ten months’ imprisonment for an assault... although now sentenced to hard labour he cannot be trusted with a hammer to break stones, as in a sudden fit of passion he might attack his fellow-prisoner, or the officer in charge.”³⁸

The Irish prison registers represent the richest source of data on prisoners in local prisons, and are a treasure trove for social historians. The registers describe in detail the physical appearance of prisoners, height and weight (sometimes for both before and after imprisonment), and background information that can aid in reconstructing their lives outside the prison walls, such as their next of kin and last residence. The registers vary in completeness and the periods in which they cover. Many prisons and bridewells left scant records or none at all, but the records still in existence of forty-five prisons are kept in the National Archives of Ireland.³⁹ They have also been made available in the online Irish Prison Registers (1790-1924) collection at www.FindMyPast.ie; the majority of the records identified herein were located on this website. For the period between 1851 and 1922, manuscript records are held by the Public Records Office of Northern Ireland (PRONI) for gaols in the counties later to become Northern Ireland, but these are more limited in terms of being open and searchable sources for identifying deaf prisoners.⁴⁰

By the 1880s most local prisons had begun using register books with standardised columns and headings. Prisoners in these registers are generally identified as ‘deaf and dumb’, ‘deaf mute’ or ‘dumb’ in the column headed ‘Marks on Person’. However, prior to this standardisation (and in the case of certain prisons, afterwards), non-standard register books were often used without

³⁷ Inspectors-General on the General State of the Prisons of Ireland, *Forty-Fourth Report, 1865* (Dublin, 1866), p. 428.

³⁸ Inspectors-General on the General State of the Prisons of Ireland, *Forty-sixth Report, 1867* (Dublin, 1868), p. 460.

³⁹ For a comprehensive survey of the existing prison records from the nineteenth century, see Dowdall, *Irish Nineteenth Century Prison Records*.

⁴⁰ *Ibid.*, p. xiv. Dowdall correctly states that Louth is not represented among nineteenth-century prison registers, although registers do survive for Dundalk from 1917 to 1924 and beyond, held in NAI and the Louth County Archives. Registers are held for Belfast Prison from 1878 to 1978, and Londonderry Prison between 1908 and 1953. As these collections are partly closed and not yet digitised or electronically searchable, they have not been extensively examined for this thesis.

a specific given column to record such detail. Instead, 'deaf and dumb' etc. was inscribed under the prisoner's name, or in other columns such as 'Occupation', 'Description', 'Education', or elsewhere. Reference to deafness is occasionally omitted entirely, even in standardised registers. At other times, lengthy descriptions of 'marks on person' - too long to rewrite in the small allotted space - have been reduced to 'See Ref', and a prisoner reference number referring to a former committal. The registers utilise prisoner reference numbers to refer to other occasions where the same individual was committed to the same prison. Also given are totals of previous convictions for misdemeanours or felonies. This information can be put together to gain a wider and more comprehensive picture of an individual's criminal history; each committal can be tracked along with the offence, sentence, and other information.

Physical descriptions are one detail in the prison records that reveal relevant details – in this case, about how deaf people physically expressed their identity. Timothy Donovan from Cork had a tattoo of his initials 'T. D.' on his forearm, an expression of convict agency over his own body, but also proclaiming and combining in one symbol his literacy and identity.⁴¹ John Sinnott from Waterford was admitted to Cabra in August 1888.⁴² Later prison records describe a tattoo on his forearm saying 'DUBLIN 1888'. It seems reasonable to assume that his entry into St Joseph's - a place where he could finally communicate clearly with others through sign language, and also where he learned written English - left such an impression on him, that he wished to commemorate it on his skin.⁴³

Using prisoner reference numbers, the life of prolific deaf offender, John McCabe, can become illuminated. He completed his education at St Joseph's, admitted in 1881 and paid for by the Rathdown Board of Guardians.⁴⁴ By the turn of the twentieth century, he was homeless in and around the vicinity of Kingstown (Dun Laoghaire). While he featured in some Police Court round-ups in the Dublin newspapers, these were relatively rare, and scant on detail. However, Mountjoy's prison registers, at the end of 1924, indicate that he had been convicted and sentenced to prison at least 113 times.⁴⁵ The vast majority of convictions were for drunkenness, beginning in 1893 when he was just 19.⁴⁶ The registers also demonstrate, in the same way as workhouse indoor relief registers, variability in how deaf prisoners were described. Although

⁴¹ Ciara Breathnach and Elaine Farrell, "'Indelible Characters': Tattoos, Power and the Late Nineteenth-Century Irish Convict Body" in *Cultural and Social History*, xii, no. 2 (2015), p. 241.

⁴² Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 88 (entry 1230).

⁴³ Penal Record of Timothy Donovan, Penal File NAI GPB/PEN/1886/178; Waterford Prison, General Register of Prisoners, April 1900, entry 279, *Irish Prison Registers 1790-1924*, FMP.

⁴⁴ Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 83 (entry 971).

⁴⁵ Mountjoy Prison, General Register of Prisoners, November 1924, entry no. 1285. *Irish Prison Registers 1790-1924*, FMP.

⁴⁶ Kilmainham Gaol, General Register of Prisoners, July 1893, entry no. 801. *Irish Prison Registers 1790-1924*, FMP.

mostly listed as *deaf and dumb*, McCabe, across dozens of prison register entries, is also several times referred to as *deaf mute, dumb, or dummy*. On a couple of occasions *nil* is entered, or 'Marks on person' left blank. In no entry, however, is he described simply as 'deaf'.⁴⁷

Prisoner reference numbers can also assist the linking together of records of deaf prisoners whose names are unclear or obscured. From about 1883, a deaf woman initially recorded simply as 'A Deaf Mute' began to appear in the registers of Grangegorman women's prison. She was committed for drunkenness, and no further information was given as to her place of birth or address. There followed a string of convictions and short stays in Grangegorman, a large number of them recorded in the registers under different surnames - Quirke, Kelly, Byrne, O'Brien, Reilly, Burke, and Mitten - with her given name cycling between Catherine, Mary, Katie, and Anne. The vast majority of convictions were for drunkenness or disorderly behaviour, with one for assault and another for attempted suicide. All describe her as 'deaf and dumb', and later on, her place of birth was given as 'Britain Street', but almost no other concrete detail is listed in the records; her age is generally given as a rough estimate.⁴⁸ More than likely she was uneducated and could not write or speak (or sign) her own name; yet the prisoner reference numbers allow these Grangegorman committals to be connected. In this way, a string of twenty apparently unrelated convictions can be shown to represent a partially uncovered life history of a single, illiterate deaf prisoner.

The same technique can reveal other interesting connections and strategies used by deaf prisoners to attempt to avoid recognition or more severe sentences. Cornelius Flahavan, born in 1863, spent 25 years travelling the length and breadth of Ireland as a mendicant and was a frequent workhouse inmate. Between 1879 and 1915 he was imprisoned over 30 times in prisons and gaols around Ireland. By carefully inspecting the local prison registers, recording the name and details he gave to authorities on committal, it can be shown that Flahavan was also convicted on a number of occasions between 1893 and 1901 under an alias, Samuel Sloane, and in 1899 a Cork City prison record for him lists another alias, Michael Fraher.⁴⁹ While he mostly gave the actual town of his birth (Tarbert, Co. Kerry), he would often instead write other towns - Tralee and Causeway, Co. Kerry; Shanagolden and Broadford in Co. Limerick; and Fethard, Co. Tipperary. When posing as Samuel Sloane, his place of origin was consistently given as Co.

⁴⁷ Mountjoy & Kilmainham Prisons, General Registers of Prisoners, 1893-1924. *Irish Prison Registers 1790-1924*, FMP.

⁴⁸ General Register of Prisoners, Grangegorman Women's Prison, 1883-1895. *Irish Prison Registers 1790-1924*, FMP.

⁴⁹ For prison records for Samuel Sloane, see Clonmel Prison, General Register of Prisoners, October 1893, entry 831; Wicklow Prison, General Register of Prisoners, October 1900, entry 138; Kilmainham Gaol, General Register of Prisoners, October 1900, entries 972 & 1152; for Michael Fraher, see Cork Male Prison, General Register of Prisoners, September 1899, entry no. 1431. *Irish Prison Registers 1790-1924*, FMP.

Antrim, occasionally more precisely as the town of Glenavy. The subterfuge had been discovered by 1902, when the Kilmainham Gaol register listed 'Samuel Sloan' as an alias for Flahavan after being sentenced to seven days for drunkenness.⁵⁰

Some prisoners' cases were not necessarily given attention in newspaper court reports. Space was not available to print accounts of all convictions – nor was there always an inclination to publicise potentially scandalous or morally questionable crimes. A number of deaf women convicted of prostitution were located using the prison registers where corresponding newspaper coverage did not exist. Between 1864 and 1871, on at least 25 occasions, Mary Ann Doherty was convicted and sentenced to prison in Grangegorman for a range of offences. These included drunkenness, assault (including assaulting police), throwing stones, shouting and one instance of “profane language”, but the chief offence was “nightwalking”.⁵¹ One imagines that a woman described as “a mute” and “dumb” being summoned for prostitution would have caused a stir in the courtroom, but she is not mentioned in Dublin newspaper accounts of court business.⁵² In fact, around the same time, another deaf prostitute - Mary Anne Canavan, another ex-pupil of St Mary's⁵³ - was also convicted and sent to Grangegorman multiple times, again primarily for prostitution but also drunkenness and larceny - a total of almost 40 convictions. Some decades later, a ‘deaf and dumb’ woman named Mary Kelly gained 21 convictions between 1909 and 1914, mostly for prostitution, including a conviction for ‘permitting her premises to be used as a brothel’ in 1909.⁵⁴ Though these crimes were not at all unusual for women prisoners to be charged with in this period, it is likely that the scandalous nature of such convictions ensured the details remained out of the press; the prison records allow us to capture these subterranean elements of deaf female life.⁵⁵

The registers also occasionally reveal that deaf people sought each other's company, and supported each other, even outside of the mainstream of deaf community life. This was seen among homeless deaf people. Owen Sharkey and John Grace, two ex-pupils of St Joseph's, were convicted of vagrancy together three times between 1888 and 1889. Each time they were sent together to Kilmainham on the same day, first for three days and after that, for a month each time. Sharkey had also twice previously been convicted of vagrancy in 1886 and 1888 alongside

⁵⁰ Kilmainham Prison, General Register of Prisoners, June 1902, entry 724. *Irish Prison Registers 1790-1924*, FMP.

⁵¹ Grangegorman Prison, Registry of Drunkards / Register of Convicted Prisoners, various entries 1864-1871. *Irish Prison Registers 1790-1924*, FMP.

⁵² It is likely that this woman was in fact the ‘second’ pupil of St Mary's School for Deaf Girls, Mary Ann Dogherty. O'Leary & Jones (eds), *Through the Arch*, p. 78.

⁵³ Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 40 (entry 17).

⁵⁴ Mountjoy Prison, General Register of Prisoners, December 1909, entry 4685. *Irish Prison Registers 1790-1924*, FMP.

⁵⁵ Christina M. Quinlan, *Ireland's Women's Prisons, Past and Present* (Dublin, 2011), pp 33-40.

another Cabra boy, William Purcell; each time both were given a week in Kilmainham.⁵⁶ William Purcell had previously palled around with another deaf man, Peter Lynch (otherwise Flanagan), and the two had both received six months in Richmond Prison in 1885 for larceny. The co-occurrence of such convictions indicates that these pairs of deaf homeless men were, at least temporarily, sticking together on the streets, no doubt the ease of communication between them making them more ideal comrades. These pairs of men were sometimes quite separated by age from each other; this was no mere classmate bond, and it is clear that it was common language, culture and experience which drew them together. This did not mean trust was unshakeable between such companions; Purcell and Lynch were accused in Carlow in 1884 of stealing a shawl, and to the written-down charges, each responded by making a written statement accusing the other of being the thief.⁵⁷ Mary Kelly (mentioned above) several times listed as her next-of-kin a 'Mrs Ormond', described as Mary's aunt living at Benburb St. The Census reveals this to be Mary Ormond, née Ryan, who had married Patrick Ormond in Clonmel in 1893; both were deaf ex-Cabra pupils. This researcher could not prove an actual familial relationship between the two; it may have been that Mary Ormond was given as next of kin due to a close friendship, or simply a common community membership. Some respectability may have also been attached to Mary having a family connection with a stable address, as opposed to simply recording 'no fixed residence'.⁵⁸

Deaf Convicts and Penal Servitude

These local prison registers, though rich in detail, do not refer to prisoners' conduct, punishments, or other aspects of experience within the prison walls, and therefore the elements of day to day experience for the deaf prisoner - and how it may have differed from the generic experience - remain opaque. For this, other sources are helpful, particularly the more detailed records of the convict system. There is some evidence that Irish deaf men or women were among the many convicts transported to Australia in the late eighteenth century.⁵⁹ The earliest 'deaf and dumb' Irish convict in our period - a young boy named John Kean - appears at the very

⁵⁶ Kilmainham Prison, General Register of Prisoners, March 1888, entries 225 & 226, 263 & 264; April 1889, entries 402 & 403; June 1886, entries 578 & 579; February 1888, entries 138 & 139; *Irish Prison Registers 1790-1924*, FMP.

⁵⁷ Richmond Prison, General Register of Prisons, June 1885, entries 1923 & 1924, *Irish Prison Registers 1790-1924*, FMP; *Leinster Leader*, 11 October 1884, p. 3; *Nationalist and Leinster Times*, 11 October 1884, p.3.

⁵⁸ Mountjoy Prison, General Register of Prisons, April 1911, entry 1135, *Irish Prison Registers 1790-1924*, FMP; Patrick & Mary Ormond, Benburb St, Dublin, 1911 Census of Ireland, http://www.census.nationalarchives.ie/pages/1911/Dublin/Arran_Quay/Benburb_Street/53820/; civil marriage record, Patrick Ormond & Mary Ryan, 14 October 1893, civil registration district of Clonmel, IGN.

⁵⁹ Emma Christopher and Hamish Maxwell-Stewart, 'Convict Transportation in Global Context, c.1700-1788' in Alison Bashford and Stuart McIntyre (eds), *Cambridge History of Australia, Vol. 1* (Cambridge, 2013), pp 68-90; Breda Carty and Darlene Thornton, 'Early Colonial Australia' in *No History, No Future: Proceedings of the 7th DHI International Conference, Stockholm 2009* (Stockholm, 2011), pp 134-141; Darlene Thornton, 'Timeline' in *Deaf History Australia*, 2022 (<https://deafhistoryaustralia.com/timeline/>) (13 Feb. 2022).

start of the period as transportation was coming to an end.⁶⁰ He was just thirteen years old when he and a hearing boy named Daniel Leahy were each sentenced to seven years' transportation in 1851 at Tralee Quarter Sessions, after stealing boots from a local merchant.⁶¹ John remained in convict depots for more than two years following the sentencing. He never saw Australia, dying on Spike Island in January 1854.⁶² The year was a particularly harsh one for the convicts at Spike, with 238 prisoners – totalling 11% of the entire convict population - having died before the year's end.⁶³ His partner in crime, Daniel Leahy, survived, and was discharged from prison in November 1855.⁶⁴

Name	Born (c.)	Origin	Educated	Year of 1st sentence	Term (Years)	Year of 2nd sentence	Term (Years)
Michael Shanahan	1840	Kilrush, Co. Clare	No	1862	4	n/a	n/a
Patrick Kennedy	1844	Enniscorthy, Co. Wexford	St. Joseph's, Cabra ⁶⁵	1865	5	1871	5
Patrick Byrne	1841	New Ross, Co. Wexford	No	1870	5	1877	5
Timothy Donovan	1840	Cork City, Co. Cork	[Unclear]	1870	7	1881	7
James Brennan	1863	Dublin City, Co. Dublin	St. Joseph's, Cabra	1881	5	n/a	n/a
Mary Wilson (née Donoghue)	1865	Lurgan, Co. Armagh	St. Louis, Missouri ⁶⁶	1914	3	n/a	n/a

Table 19: List of deaf prisoners identified in newspaper reports as having been sentenced to penal servitude, 1851 - 1922

⁶⁰ Also referred to as James Keane.

⁶¹ *Tralee Chronicle*, 25 October 1851, p.3; *Freemans Journal*, 1 November 1851, p.4. The case merited just a short paragraph in newspaper coverage of the time, and very little more information has emerged; no correspondence seems to have come in to the General Prisons Office about him, and as a result we know very little about his time in Spike Island.

⁶² National Archives of Ireland, 'Ireland – Australia Transportation Records' (<https://findingaids.nationalarchives.ie/index.php?category=18&subcategory=147>) (27 May 2016).

⁶³ Michael Martin, *Spike Island: Saints, Felons and Famine* (Dublin, 2010), p. 70.

⁶⁴ 'Transportation Records'.

⁶⁵ Patrick Kennedy's schooling is slightly difficult to ascertain. Kennedy went by several different names, including Patrick Kenny, Thomas Kenny, Patrick Larkin and Thomas Larkin. A Patrick Kenny from Enniscorthy was sent to the Prospect School in Glasnevin (under the CIDD) in September 1853 and completed his education: Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*. Initially records for Patrick gave his place of birth as Ennis, but later on reverted to listing Enniscorthy.

⁶⁶ Born in Ireland, Mary and her family emigrated to St. Louis, and Mary was educated at the Missouri School for the Deaf. Enrolment card for Mary Donahoe, 27 September 1876, Missouri School for the Deaf. Courtesy of Missy Smith, Administrative Assistant to the Superintendent, Missouri School for the Deaf; personal communication, 26 January 2017.

From 1851 until 1922, six deaf people (one female) were identified as having been sentenced to at least one term of penal servitude, as outlined in Table 19 above.⁶⁷ They were identified via their mention in newspaper accounts of the trials which subsequently saw their sentencing, and which also mentioned their being deaf. Each of these prisoners had racked up a number of criminal convictions by the time of their entering the convict system - in most cases for larceny, but in the case of Patrick Byrne, a multitude of convictions for assault. Byrne, Brennan and Wilson spent a little longer on their sentence than anticipated; all were found to have breached the conditions of their licenses, and after a short stay in a local prison, were brought back to serve out the rest of their penal servitude term. All of them seem to have been sign language users, with two of the men having been uneducated. These individuals were initially located through newspaper reports, or local prison registers, referring to the sentence of penal servitude.

The convict prison system represents a potentially rewarding opportunity to research the lived experience of deaf prisoners. A high level of detail is available in a wide array of sources, and an impressively detailed picture of deaf convict prison life can be assembled; studies of the plentiful data afforded by such records for English convicts have been carried out by Johnson *et al.*⁶⁸ The intricate bureaucracy of the convict prisons of Mountjoy and Spike Island (among others) generated sources such as 'conduct books' and 'character books' offering detailed physical descriptions, registers of disciplinary infractions and punishments, and tabulation of marks awarded for conduct.⁶⁹ Convict Reference Files now held in the National Archives are composed of memorials, written by or on behalf of prisoners, alongside supporting documentation such as police reports and detailed forms about the prisoner filled in by the prison governor. Criminal Index Files were also generated for prisoners undergoing lesser sentences, containing letters of appeal and other correspondence. Penal Files consisted of the multitude of internal prison records generated through the convict's progress through penal servitude.⁷⁰ Volumes of General Prisons Office and (after 1877) General Prisons Board correspondence registers also contain abstracted summaries of letters about, and in some cases from, prisoners. Selected volumes of this correspondence can reveal circumstances in both local and convict prisons

⁶⁷ Some others were located who seem to have been hard of hearing or lost their hearing at a later stage in life; they have not been included in this analysis.

⁶⁸ Helen Johnston, Barry Godfrey, David Cox and Jo Turner, 'Reconstructing Prison Lives: Criminal Lives in the Digital Age' in *Prison Service Journal*, no. 210 (2013) (<https://www.crimeandjustice.org.uk/publications/psj/prison-service-journal-210>).

⁶⁹ Dowdall, *Irish Nineteenth Century Prison Records*, pp 51–52, 71–74.

⁷⁰ Johnston et al., 'Reconstructing Prison Lives', p. 5.

where central approval or advice was sought on the treatment of individual prisoners, as well as directions from the Prisons Office on how to handle them.

The experience of the deaf convict was one of a world where communication – in any form – was actively discouraged. Separation and silence were not simply features but specific philosophical approaches used by the authorities to force reflection. While much about this was, no doubt, uniquely distressing, some novel aspects of the system may have made it more easy for illiterate deaf convicts to follow. One such feature was the system of prison clothing colour coding, where variously coloured uniforms were given to prisoners depending on their current class; the ‘exemplary’ and first classes having particularly impressive uniforms. Badges were also worn – a ‘register badge’ on the right arm displaying convict number, type of and length of sentence, and a ‘conduct badge’ on the left showing number of marks needed to be obtained for the next prisoner class, as well as any recent penal marks. (E.g. VB indicated that their conduct the previous month had been noted as ‘very bad’.)⁷¹ These visual indications of class and conduct may have assisted prisoners in adjusting to the system where written or spoken explanations may not have been effective.

The English convict system featured special prisons, such as Dartmoor and Woking, for prisoners considered too physically weak or mentally unsuitable for the rigours of the physical work that formed a backbone of the ‘reformatory’ stage. Officially termed ‘invalids’, these included the ‘weak-minded, ‘mentally deficient’ and ‘the very worst convicts physically’.⁷² Annual reports of the Directors of Convict Prisons of England and Wales mention that certain convicts were removed from Millbank and Portsmouth convict prisons to these invalid prisons, being ‘deaf and dumb’.⁷³ These ‘invalid’ convict prisons were also established in Ireland, at Smithfield and then Philipstown, but is noteworthy that the deaf convicts identified in this thesis were not initially classed as ‘invalid’ prisoners to be transferred. It is unclear if this was a deliberate policy or conscious practice. Though deaf convict Timothy Donovan was sent to Maryborough prison in 1884 as an ‘invalid’, this would appear to be for purely medical reasons; he was described at this stage as being “spare and weak” and suffering from liver disease.⁷⁴ Thus deaf prisoners did not seem to be labelled ‘invalids’ and thus excluded from the full ‘Irish system’.

⁷¹ Carroll-Burke, *Colonial Discipline*, pp 119–120; Carey, *Mountjoy*, p. 75.

⁷² Carroll-Burke, *Colonial Discipline*, p. 115.

⁷³ See for example Directors of Convict Prisons in England & Wales, *Report on Discipline and Management* (London, 1865), p. 83; Directors of Convict Prisons in England & Wales, *Report on Discipline and Management* (London, 1866), pp 173, 225; Directors of Convict Prisons in England & Wales, *Report on Discipline and Management* (London, 1869), p. 62.

⁷⁴ Medical History Sheet, Penal File of Timothy Donovan, NAI PEN 1886-178.

However, it is apparent that prison authorities would judge certain of the rehabilitative elements of the system to be incompatible with deaf prisoners. In local prisons, it seems doubtful any education was provided to them; indeed outside the government convict prisons, there were practically no organised attempts at prisoner instruction in the mid-nineteenth century.⁷⁵ Despite some rather watery provisions on education on local prisons, they were no guarantee that any form of instruction would take place.⁷⁶ Geraldine Curtin points out that in Galway women's prison, "[a]ny kind of meaningful education would have been difficult for the majority of prisoners ... given that most of them who were there in the late nineteenth century were given sentences of between twenty-four hours and one calendar month".⁷⁷ The same issue no doubt affected other local prisons. Within the convict system, by contrast, education was very much a central feature. While education had been proposed in the past as a means to reform prisoners, "it was not until the establishment of the Irish Convict System that it was deployed with serious commitment".⁷⁸ Patrick Carroll-Burke has placed this in the context of a growing Catholic and Protestant awareness of education as a powerful political force for order in a society marked by rising institutions of Church and State, but also the rise of disciplinary pedagogy - not just in prisons, but schools and seminaries.⁷⁹

Within days of entering Mountjoy, convicts were assessed for their level of schooling. Most were illiterate, and six hours instruction per week was given to convicts in separation, ostensibly to begin the process of enhancing their prospects for employment after their release. Reading of the Bible and religious books was encouraged. Time allotted to instruction served not just to address illiteracy on a philanthropic level, but also had a very practical purpose in briefing prisoners about the system of classification, discipline, and post-imprisonment monitoring.⁸⁰

Walter Crofton explained:

A prisoner during his stay at Mountjoy prison is one hour every day at school... he learns the whole scope of the convict system in Ireland... it is an important matter that he should know everything that will be done with him with reference to his marks, —how his progress is recorded, —and how much depends upon his own exertions in every stage, to improve his position... This is made the subject of school lectures. The convicts are called up, and on a black board are required to illustrate the mark system, and to explain what will be done with them after they are out. They are made perfectly aware of the police arrangements of the country, and I am satisfied that these

⁷⁵ Carroll-Burke, *Colonial Discipline*, pp 160, 162.

⁷⁶ "Provision shall be made in every prison for the instruction of prisoners in reading, writing, and arithmetic during such hours and to such extent as the General Prisons Board may deem expedient, provided that such hours shall not be deducted from the hours prescribed for hard labour." *Prisons (Ireland). Copy of rules for local prisons in Ireland, with copies of orders in council settling and approving the same*, 1878, p. 12, H.C. 1878 (119), lxiii, 801.

⁷⁷ Geraldine Curtin, 'Female Prisoners in Galway Gaol in the Late Nineteenth Century' in *Journal of the Galway Archaeological and Historical Society*, liv (2002), p. 177.

⁷⁸ Carroll-Burke, *Colonial Discipline*, pp 160, 162.

⁷⁹ *Ibid.*, pp 131–178.

⁸⁰ Carey, *Mountjoy*, pp 104–107.

arrangements being impressed upon their minds at the commencement of their sentences, induces on their parts a feeling of cooperation with the system; they feel that they cannot pursue crime to the extent which they did formerly with impunity; and I am sure that this knowledge makes a very great impression on the general body of prisoners.⁸¹

No doubt such a detailed awareness of the convict system, not to mention a reformation of conduct and a new moral impetus to do good, depended on good communication in the classroom.

The first deaf convict to arrive at Mountjoy, Michael Shanahan, was an illiterate labourer from Kilrush.⁸² In 1862 at the Ennis assizes he was sentenced to four years' penal servitude for feloniously breaking into a house with intent to steal.⁸³ His previous character was given as 'Bad', having twice before been convicted of larceny.⁸⁴ After sentencing, Judge Keogh opined that this "was the most merciful thing he could do under the circumstances" and had high hopes that sending Shanahan into Walter Crofton's 'Irish system' of convict prisons meant he "would be sent to a place where he would be taught some useful occupation, by which hereafter he might be able to earn an honest livelihood."⁸⁵ Keogh's direction to the convict prisons was that Shanahan was to be kept at 'labour suited to his condition, and training with reference to state being deaf and dumb', a direction noted in the convict registers of both Mountjoy and Spike Island.⁸⁶ The judge had thus given specific direction for Shanahan to be in some way educated, and at Mountjoy this was taken to heart. Mountjoy's schoolmaster Edward McGauran mentioned in 1860 that "it is quite a pleasure to instruct [the adult prisoners], although many are exceedingly dull, some blind, and others deaf",⁸⁷ so it is apparent that some attempts to instruct hard-of-hearing convicts had been made there. While initially Mountjoy's medical officer, Robert McDonnell, did not "consider it necessary that any special treatment should be adopted with convict Michael Shanahan who is deaf and dumb", some thought was given to the question of how a deaf convict could be instructed.⁸⁸

⁸¹ Mary Carpenter and William Crofton, *Reformatory Prison Discipline: As Developed by the Rt. Hon. Sir Walter Crofton, in the Irish Convict Prisons* (London, 1872), pp 17–18.

⁸² Mountjoy Prison Registers, book 1/11/4, General Register Male, 1860-1866, no. 6048; book 1/11/23, Male Convicts Classification Book, no. 12074. *Irish Prison Registers 1790-1924*, FMP.

⁸³ An examination of the Order Book for the relevant Petty Sessions hearing, however, reveals an initial charge of "entering into complainant's house at Kilrush ... and being asleep on the floor." Informations were ordered, and at some point subsequent to this, the charge of 'intent to steal' came about. Kilrush Petty Sessions, 10 March 1862, *Ireland, Petty Sessions Court Registers*, FMP.

⁸⁴ Mountjoy Prison Registers, book 1/11/4, General Register Male, 1860-1866, no. 6048. *Irish Prison Registers 1790-1924*, FMP.

⁸⁵ *Clare Journal and Ennis Advertiser*, 14 July 1862, p.2.

⁸⁶ *Mountjoy Prison Registers*, book 1/11/4, General Register Male, 1860-1866, no. 6048; book 1/11/23, Male Convicts Classification Book, no. 12074.

⁸⁷ Directors of Convict Prisons in Ireland, *Seventh annual Report for the year ended 31st December, 1860* (Dublin, 1861), p. 26.

⁸⁸ Letter from Governor of Mountjoy Prison to General Prisons Office, 14 Aug 1862, as abstracted in General Prisons Office Register of Correspondence, NAI GPO/CR/19, No. 201.

By the end of 1862 this led to an interesting proposition: a deaf teacher. Mountjoy's Catholic chaplain, Rev. Michael Cody, made an application to have a "deaf and dumb teacher" for Shanahan who "was also deaf and dumb". The request was granted by Irwine Whitty, the Director of Government Prisons, but not without conditions; "as a special case this is sanctioned ... All the officers must be present and proper means must be taken to make the [deaf] instructor understand the Regulations as to prohibited articles or communication."⁸⁹ Shanahan appeared to have been well regarded in Mountjoy, and when his term of separation came to an end, it was recommended by the Governor that he be "allowed to remain at Mountjoy [where] he could be usefully employed on the Prison grounds". Shanahan remained in Mountjoy until the end of November 1863, continuing his education in the meantime.⁹⁰ The experiment seems to have been successful, and in October 1863 a report came back from Cody that Shanahan "was now sufficiently instructed in Religion for removal to another Prison", indicating that Shanahan's lengthy Mountjoy stay may have been due to his being educated to a level seen as sufficient for the next, 'associated' stage of the convict system. It is unclear who Shanahan's teacher was, but it is possible that at this stage a pupil at St Joseph's in Cabra may have become a 'pupil teacher' for this special assignment.⁹¹ Cody recommended "that the pupil teacher who instructed him to be allowed some remuneration".⁹²

Mountjoy's efforts to have Shanahan educated were surprisingly liberal. These experiences were not repeated in Spike Island. An initial obstacle was a lack of local deaf teaching knowledge; in 1863 there was no deaf school in the Cork area at all, save for the Sisters of Mercy school in St Mary of the Isle, Cork City – an institution for deaf girls only.⁹³ But this matter may not have even been considered; on his transfer to Spike in November 1863, it was quickly put to Whitty by the prison authorities at Spike that Shanahan not be permitted to attend school, "being deaf and dumb". Whitty did not argue, replying in December 1863 that "under the circumstances stated it would be no use this prisoner attending school". That same month, the Inspector of Prisons allowed for Shanahan to still gain marks for school attendance, despite his

⁸⁹ Letter from Governor of Mountjoy Prison to General Prisons Office, 2 December 1862, as abstracted in General Prisons Office Register of Correspondence, NAI GPO/CR/19, No. 296.

⁹⁰ *Mountjoy Prison Registers*, book 1/11/23, Male Convicts Classification Book, no. 12074; letter from Governor of Mountjoy Prison to General Prisons Office, 4 April 1863, as abstracted in General Prisons Office Register of Correspondence, NAI GPO/CR/21, No. 79.

⁹¹ Rather less likely is the possibility that the Claremont school for deaf children may have supplied a pupil-teacher; though by the 1860s there certainly were deaf teachers in Claremont, the school already had a reputation, rightly or wrongly, as a proselytising institution. Rev. Cody would have been unlikely to not have known this or to have knowingly placed one of its Protestant deaf pupils as a tutor to Shanahan, a Catholic. Pollard, *The Avenue*, pp 185–191; McNamara, *Claims of the Uninstructed Deaf-mute to be Admitted to the Sacraments*.

⁹² Letter from Governor of Mountjoy Prison to General Prisons Office, 30 October 1863, as abstracted in General Prisons Office Register of Correspondence, NAI GPO/CR/21, No. 270.

⁹³ O'Shea, 'A History of Deaf in Cork', pp 83–86.

absence, “if conduct otherwise good”.⁹⁴ When uneducated convict Patrick Byrne arrived at Spike in 1871, he was also exempted from school “being deaf and dumb”.⁹⁵ Strangely, Spike Island held the same views for educated deaf prisoners. Cabra-educated Patrick Kenny arrived at Spike Island in 1866, and similar questions were rapidly raised by Spike authorities; a similar decision was arrived at - “No use in Kenny's attending [school] but of course he will count school marks”.⁹⁶ Timothy Donovan was similarly exempted in 1871.⁹⁷

This reluctance to educate deaf convicts was not unique to Ireland; at least once in the Director of Convict Prisons for England and Wales reports, being 'deaf and dumb' was cited as the sole reason why a prisoner could not be examined in school.⁹⁸ Schooling is not mentioned specifically in the later records of James Brennan or Mary Wilson; it may be that the rule was relaxed for more obviously literate deaf prisoners. However, this early reluctance – at least in Spike Island - to even attempt training of deaf convicts seems to fly in the face of the ideology behind the convict system. Presumably, prisoners who did not understand the overall goals and ideals of the system in which they were enmeshed – and therefore whose will to reform was not assured – could not fully and effectively hope to benefit from that system, and optimum rehabilitation of the prisoner thereby was not attained.⁹⁹

The ‘intermediate prisons’, especially the lack of walls and comparatively easy going regime at Lusk, was the carrot dangled throughout penal servitude. After the period in association at Spike, 70% to 75% of convicts were found suitable for such open convict prisons. Those convicted of murder or “unnatural offences”, or those under sentence of death, were the only ones ineligible.¹⁰⁰ These exceptions aside, “every convict who has attained the number of marks required to work out his sentence... is admitted as a matter of right.”¹⁰¹ However, once again, the incentive of ‘intermediate prisons’ towards good prisoner behaviour and accumulation of marks does not seem to have been available for the earliest deaf convicts. Michael Shanahan was deemed “not eligible for intermediate prisons”, and served the rest of his sentence in Spike

⁹⁴ Letter from I. S. Whitty, 10 December 1863, abstracted in *Mountjoy Prison Registers*, book 1/11/23, Male Convicts Classification Book, no. 12074.

⁹⁵ Mountjoy Prison Convict Classification Book, 1870-1880, entry for Patrick Byrne (no. 13609), *Irish Prison Registers 1790-1924*, FMP.

⁹⁶ Spike Island Prison, classification book, Patrick Kenny (entry 12732), minute March 1866, *Irish Prison Registers 1790-1924*, FMP.

⁹⁷ Spike Island Prison Convict Classification Book, entry for Timothy Donovan (no. 13617), *Irish Prison Registers 1790-1924*, FMP.

⁹⁸ Fulham Prison's 1874 report to the Directors featured numbers of prisoners educated, but stated that “One women being deaf and dumb and six others being in the Infirmary could not be examined.” Directors of Convict Prisons in England & Wales, *Report on Discipline and Management* (London, 1875), p. 171.

⁹⁹ Carroll-Burke, *Colonial Discipline*, pp 170–1.

¹⁰⁰ ‘Four Visiting Justices of the West Riding Prison at Wakefield’, *Observation on The Treatment of Convicts in Ireland, with Some Remarks on the Same in England* (London, 1862), p. 40; Richard S. E. Hinde, ‘Sir Walter Crofton and the Reform of the Irish Convict System, 1854-61 (Part II)’ in *Irish Jurist*, cxv, no. XII (1977), p. 303.

¹⁰¹ ‘Four Visiting Justices of the West Riding Prison at Wakefield’, *Observation on The Treatment of Convicts in Ireland*, p. 40.

Island.¹⁰² When an enquiry was made about Patrick Kennedy's suitability for Fort Carlisle, a similar decision was made.¹⁰³ However, this approach seems to have changed for Kennedy's second penal servitude term, and he was sent to Lusk from Spike Island.¹⁰⁴ Patrick Byrne also went to Lusk in 1874 after entering Mountjoy in 1870, although not, it seems, the second time around when he entered penal servitude again in 1877; he was discharged straight from Spike Island.¹⁰⁵ Timothy Donovan was sent to Lusk in 1875, and James Brennan, entering the system later in 1881, was sent there in 1885.¹⁰⁶ While at Lusk, convicts were given access to books designed to morally improve, and provided with lectures and discussions on science, law, economics, history. Such ideals of moral reformation would have all been for naught if convicts were not enabled to understand, although information about how deaf prisoners accessed these provisions in Lusk is lacking.¹⁰⁷

Communication in Prison

Whether in convict or local prisons, communication between prisoners was in general forbidden, and indeed a 'silent system' of imprisonment gained much favour among many local prison authorities during the mid-nineteenth century. Under this approach, no communication at all – even nonverbal communication – was permitted.¹⁰⁸ However, the importance of socialising with other prisoners was recognised by convicts themselves as "perhaps the [relief] which alone makes penal servitude endurable"; indeed it was seen that successfully managing to prevent talk among prisoners at all times would mean convicts under long sentences "would hardly keep their reason".¹⁰⁹ The sheer determination of prisoners to interact with each other led to several means of illicit communication. Convicts in Mountjoy "tapped out a Morse code on walls and on the partitions in chapel, talked like ventriloquists, whispered through the cell vents and shouted out windows".¹¹⁰ These were avenues a deaf convict could not follow.

However, some illicit prison conversation was inspired by deaf people themselves. As early as 1835, signs used in deaf education were specifically learned and utilised by prisoners in Britain,

¹⁰² Spike Island Prison, classification book, Michael Shanahan (entry 12074, 1862), minute August 1864, *Irish Prison Registers 1790-1924*, FMP.

¹⁰³ Spike Island Prison, classification book, Patrick Kenny (entry 12732, 1865), minute [date illegible], *Irish Prison Registers 1790-1924*, FMP.

¹⁰⁴ Spike Island Prison, classification book, Patrick Kenny (entry 13743, 1871), minute 22 March 1875, *Irish Prison Registers 1790-1924*, FMP.

¹⁰⁵ Spike Island Prison, classification book, Patrick Byrne (entry 13609, 1870), minute 21 August 1874; Spike Island Prison, classification book, Patrick Byrne (entry 14662, 1877), minute 21 June 1882, *Irish Prison Registers 1790-1924*, FMP.

¹⁰⁶ Mountjoy Prison, Male Convicts register 1880-1888, entry for James Brennan (A401); Spike Island Prison, Classification Book, entry for Timothy Donovan (13617), *Irish Prison Registers 1790-1924*, FMP.

¹⁰⁷ Carroll-Burke, *Colonial Discipline*, pp 160, 172–173.

¹⁰⁸ Windrum, 'The provision and practice of prison reform in County Down, 1745-1894', p. 344.

¹⁰⁹ 'Penal Servitude at Portland', reproduced in *Meath Herald and Cavan Advertiser*, 8 February 1896, p. 3.

¹¹⁰ Carey, *Mountjoy*, pp 99–100.

who obtained penny papers describing basic conversational signs; “some of the more expert thieves ... thoroughly learned it, and became schoolmasters to their brethren of the craft.”¹¹¹ Parkhurst Prison's inmates used the 'dumb alphabet' which they taught to each other, and while out working, would frequently spell out words to silently communicate.¹¹² Portland prisoners had their own “means of communication by signs and the working of the lips, not unlike the 'talk' of the deaf and dumb.”¹¹³ In one system, the lengths of sentences of convicts could be telegraphed with a finger to the ear (one year) or a clenched fist (six months); “Experts could communicate like deaf and dumb persons educated under the modern system.” One English ex-convict felt that “no matter how stringent the rules may be in prison, it would be utterly impossible to keep prisoners from communicating in some way or other, if it is only with the fingers.”¹¹⁴ The existence of these manual means of communicating, despite their being forbidden, may also have made signing deaf prisoners feel more comfortable in a prison environment.

In Ireland also, the 'deaf and dumb alphabet' was used, including at least once in Clonmel Gaol by a recently arrested Fenian in 1867.¹¹⁵ This may have been Charles Kickham, the well-known Fenian who was almost completely blinded and deafened as a child, and who was certainly known to have used the 'dumb alphabet'.¹¹⁶ An 1871 parliamentary report into the treatment of Fenian prisoners in Portland prison heard evidence that described Kickham as “always sky-larking, and Mulcahy [another Fenian prisoner] was talking to him on his fingers... Kickham being deaf we communicated with him by the deaf and dumb alphabet.” Their conversations almost cost them valuable work positions in the prison; the prison governor was overheard shouting that “if you talk to that man again ... on your fingers, you lose your berth,” meaning his position as a lifter of bricks.¹¹⁷ Yet Kickham, who had been using the manual alphabet with his fellow conspirators before his sentence, may have been an outlier; whether other isolated deaf convicts shared enough common signs with their hearing counterparts to *effectively* communicate in prison is difficult to judge, given the lack of sources.

¹¹¹ *The Sun (London)*, 25 August 1835, p. 4.

¹¹² 'Grim Story from Parkhurst Prison - Ex-Convict Speaks of the Cruelty Practised by Warders', reproduced in *Cork Examiner*, 15 June 1899, p. 8.

¹¹³ *Ibid.*

¹¹⁴ 'Prison, from the Prisoner's Point of View.' *Meath Herald and Cavan Advertiser*, 10 August 1895, p. 2.

¹¹⁵ *Dublin Evening Post*, 4 July 1867, p. 4.

¹¹⁶ See Noel O'Connell, 'Charles J Kickham: Deaf revolutionary and the fight for Irish independence. Paper delivered at "Irish Deaf Life Stories Across Time and Place", Deaf Heritage Centre conference' in *Irish Deaf Life Stories Across Time and Place*, 14 Aug. 2021.

¹¹⁷ Commission to Inquire into the Treatment of Treason-Felony Convicts in English prisons, *Report together with appendix and minutes of evidence. Vol. 1* (London, 1871), p. 260.

There are hints that deaf convicts did attempt to communicate in sign language with warders and other prisoners, and vice versa; however, communication was not always successful - or permitted. An ill-disposed warder could easily misconstrue such attempts to communicate, or simply shut it down in an attempt to enforce rules forbidding communication.¹¹⁸ Disciplinary incidents during convict Michael Shanahan's time at Spike Island raise questions about both Shanahan's understanding of this new prison regime, and the understanding that prison warders and governors had of him. In December 1863, he was 'admonished' for irregular behaviour, with 'deaf and dumb' noted beside the description of this action; no details are given as to how the admonishment was carried out, and perhaps the difficulty experienced in so doing required this note. In March of 1864 he committed the infraction of 'making signs that he would tear off his badge, destroy his clothes, commit violence on the officer and himself'. Shanahan seems to have been trying his best to communicate something in this highly fraught situation, but the punishment register records only the warders' interpretation of the gestures Shanahan made; it appears highly unsafe to trust that the warders were able to accurately interpret such a relatively complex proposition. In any case, Shanahan was placed on a bread and water diet for four days as a result.¹¹⁹ Other relevant incidents included Shanahan "making a signal on the approach of the officer", whose interpretation of this 'signal' led to another admonishment. He also was punished for "striking a fellow prisoner when in the ward and apparently without any provocation"; the action taken was to "caution him [that] if he were punished it might interfere with his chances of release". Again, we have no idea how warders were able to express such ideas to Shanahan, or whether Shanahan grasped the meaning of whatever means of communication the warders tried.

Patrick Byrne racked up similar infractions, including "inattention to orders *by sign*"; "*Raising his hand in a threatening manner towards his officer*"; and in April 1876 "*Making grimaces and endeavouring to excite another prisoner*" [*author's emphasis*], for which Byrne received 72 hours on a bread and water diet in the punishment cells. All these descriptions are at best, opaque, but hint towards efforts to communicate or make a statement using Byrne's hands, face and body, in the way that deaf signers regularly do.¹²⁰ This is not to say that all efforts at signed communication were frowned upon or punished. Warders and staff who took the time to sign or gesture with deaf prisoners may have gained their trust. A warder in the Wexford Gaol named Thomas Clancy apparently developed a good relationship with Patrick Byrne by 1894,

¹¹⁸ See Fahy & Kavanagh, 'A study of nineteenth-century prison life with particular reference to Wicklow gaol', p. 39.

¹¹⁹ *Mountjoy Prison Registers*, book 1/11/23, Male Convicts Classification Book, no. 12074.

¹²⁰ Spike Island Convict Classification book, 1864-1875, entry 13609, Patrick Byrne, *Irish Prison Registers 1790-1924*, FMP.

and signed with him; later he in fact interpreted for Byrne at the 1898 Wexford assizes, though to what effect is uncertain, as at this time Byrne's mental state was such that he was committed to the Dundrum Criminal Lunatic Asylum.¹²¹ It was also recommended Clancy accompany Byrne with the police escort to Dundrum, suggesting that Clancy, and perhaps his willingness to sign with Patrick, would put him more at ease.¹²² Prison officers in fact had been used before to interpret for deaf prisoners in court; Rev. Fleming, chaplain of Kilmainham, interpreted for Michael O'Hagan when he came before the Dublin Commission in 1870, and John Coleman appeared before the Queens County assizes with the interpretation of the prison Governor, Dr Young.¹²³

Rules and Punishment

Victorian and Edwardian prisons in Ireland represented a set of regimes of incarceration and punishment that to today's sensibilities seem harsh and dehumanising. The fondness for 'separation' and 'silence' among reformers and prison authorities in this period may strike us as particularly troubling, given that many aspects of such regimes have been found uniquely harmful to the physical and mental health of prisoners.¹²⁴ While the prison conditions of this time thus represented a dreaded prospect to any prisoner, the experiences of deaf people in such settings may have been uniquely distressing.

In local prisons, a copy of the prison rules were generally made available to prisoners, and in some cases, printed copies hung on their cells.¹²⁵ As we have seen with workhouses, however, this hardly benefitted illiterate or half-educated deaf inmates. In convict prisons, rules were subject to the decisions of the Directors of Convict Prisons and though the education in Mountjoy was used to explain the intricacies of the 'marks' system and more, it is unclear if printed copies of prison rules were made available. Harsh as prison regimes were, prisoners had, in theory, a right to a 'fair trial' of sorts if accused of misconduct. Local prison rules specified that "[n]o prisoner shall be punished until he has had an opportunity of hearing the charges and evidence against him, and of making his defence".¹²⁶ As we have seen with deaf people in the

¹²¹ Abstract of letter 556 dated 12 January 1894, General Prisons Board correspondence registers, NAI GPB/CR/69; *Wexford People*, 23 July 1898.

¹²² Abstract of letter 7887, dated 26 July 1898, General Prisons Board correspondence registers, NAI GPB/CR/78.

¹²³ *Freeman's Journal*, 20 June 1870, p. 5; *Leinster Express*, 11 March 1854, p. 7.

¹²⁴ See for example Jamelia N. Morgan, 'Caged In: The Devastating Harms of Solitary Confinement on Prisoners with Physical Disabilities' in *Buffalo Human Rights Law Review*, xxiv (2018), pp 81–177 (<https://digitalcommons.law.buffalo.edu/bhrlr/vol24/iss1/6/>); McCay Vernon, 'The horror of being deaf and in prison' in *American annals of the deaf*, clv, no. 3 (2010), pp 311–21; Howard A Rosenblum, 'An Unjust Justice System: Deaf People in Prisons' in *NADmag*, 2012.

¹²⁵ Fahy & Kavanagh, 'A study of nineteenth-century prison life with particular reference to Wicklow gaol', p. 39.

¹²⁶ *Prisons (Ireland). Copy of rules for local prisons in Ireland, with copies of orders in council settling and approving the same*, 1878, p. 12, H.C. 1878 (119), lxiii, 801.

workhouse, the chances that this was followed for deaf prisoners was low, and one can imagine that the flawed and imperfect means of communicating with deaf defendants in the court were nevertheless more sophisticated than those used in prisons.

Many local prisons followed the principle of separation. By the early 1860s inmates of Downpatrick prison could expect to stay at least 20 hours per day locked in their sparsely furnished cells.¹²⁷ The entirety of the male convict's stay in Mountjoy was in separate confinement, in a cell measuring 13 by 7 feet. The spyhole on the door was impossible to look out of; the sole window high up on the outside wall let in but a meagre amount of light, could not be opened, and the outside world was not visible through it.¹²⁸ Serving to heighten the crushing boredom and mental toll was the enforced idleness that formed part of the initial penal stage at Mountjoy. The only work distraction given to prisoners was the picking of oakum, a deliberately tedious and irritating task, that was in any case optional for the convicts in their cells to do, or not.¹²⁹ Aside from this, an hour's exercise in silence, or visits from a chaplain or schoolmaster, were the only distractions. Visitors were permitted at particular times in Mountjoy; James Brennan took advantage of the ability to receive visitors during his sentence. Between July 1883 and May 1885 his parents and other family members visited him very regularly.¹³⁰ Timothy Donovan, on the other hand, never had any visitors to Mountjoy, and corresponded rarely with others.¹³¹

The ill effects of solitary confinement on convicts in Mountjoy was certainly noticed by the likes of its chaplains and medical officers, even before the convict system had been set up there. In 1850 the Inspector of Government Prisons in Ireland, Henry M. Hitchens, warned of "the injurious tendency of long periods of separate confinement to produce a general debility of mind and body—this aggravating in the prisoners any previous predisposition which may have existed to the serious classes of diseases which not unfrequently arise from this state of depression, and . . . which, operating on some kinds, produce imbecility or utter prostration of the mental powers."¹³² Many convicts in Mountjoy seem to have experienced mild to severe

¹²⁷ Windrum, 'The provision and practice of prison reform in County Down, 1745-1894', p. 343.

¹²⁸ Carey, *Mountjoy*, p. 45.

¹²⁹ *Ibid.*, pp 68–69. Oakum was the name for the old tarred ropes, which were to be picked into single strands for use in new ropes or for caulking and sealing on ships.

¹³⁰ Statements as to Visits to Convicts, Penal File, James Brennan NAI GPB/PEN/1889/59.

¹³¹ Statements as to Visits to Convicts, Penal File, Timothy Donovan NAI GPB/PEN/1886/178.

¹³² Quoted in Catherine Cox and Hilary Marland, 'Broken Minds and Beaten Bodies: Cultures of Harm and the Management of Mental Illness in Mid- to Late Nineteenth-century English and Irish Prisons' in *Social History of Medicine*, xxxi, no. 4 (2018), p. 699 (<https://academic.oup.com/shm/advance-article/doi/10.1093/shm/hky038/5039635>).

mental health problems during their time in separation.¹³³ For a deaf person with little visual stimulation and no aural distraction possible, it is fair to assume the effects were often greater.

If prison rules were broken, prisoners were sent to ‘punishment cells’, which in local prisons were “an ordinary certified cell set apart for a prisoner under punishment, and so constructed that the inmate cannot disturb the prison by shouting or other means.” Generally such cells had “a limited amount of light sufficient to enable occupants to read by or to see ordinary objects.”¹³⁴ By 1884, with the written approval of the GPB, punishment cells could be used for up to 14 days in a local prison, or twice this in convict prisons; in the latter, a bread and water diet applied to the entire period of punishment.¹³⁵

Other cells existed: the ‘dark cells’, used “only in case of a male prisoner becoming noisy .and refractory, who is released from dark cell [*sic*] when he becomes quiet.”¹³⁶ Mountjoy had nine punishment cells, and three ‘dark cells’: “reserved for the most refractory of prisoners – mini-prisons within a prison.”¹³⁷ The 1884 Royal Commission on Prisons in Ireland found that “absolutely dark cells” appeared in some cases to still be in use, and they recommended “that, except for any special case where, on medical grounds, it is considered absolutely necessary by the Medical Officer that they should be employed, the use of absolutely dark cells should be everywhere abolished”.¹³⁸ In giving evidence to the Commission, Charles Stewart Parnell MP described his memories of the dark cell in Kilmainham as “a most abominable arrangement altogether; it was entirely dark, and the only ventilation, as well as I recollect, was just over an opening to a sewer which led from the closet used by all the convict prisoners in the prison, and this sewer was continually getting choked.”¹³⁹ Yet dark cells were not seen to be particularly objectionable in theory by the authorities at the time, and when asked if he approved of the dark cell by the Commissioners, General Prisons Board member John Lentaigne replied, “Yes, I think the present punishments are very good”, and that he would keep a prisoner in a “perfectly dark cell, I think three days, certainly not a week.”¹⁴⁰

Deaf people were sent to the punishment cells. Timothy Donovan was given several short periods in the cells - mostly for assaulting other fellow convicts - between January 1882 and

¹³³ Carey, *Mountjoy*, pp 96–97.

¹³⁴ 1885 *Royal Commission on Prisons*, p. 232.

¹³⁵ 1885 *Royal Commission on Prisons*, p. 35, 231.

¹³⁶ *Ibid.*, p. 232.

¹³⁷ Carey, *Mountjoy*, p. 44.

¹³⁸ 1885 *Royal Commission on Prisons*, p. 35.

¹³⁹ Evidence of Charles Stewart Parnell MP, *ibid.*, p. 339.

¹⁴⁰ Sir John Lentaigne, evidence, 1885 *Royal Commission on Prisons*, p. 148.

June 1885.¹⁴¹ James Brennan also received several short spells in punishment cells from Jan 1882 to July 1885, for offences such as 'Noisy conduct', 'irregular conduct' and 'being up on his cell window', as well as damaging his cell, kicking another convict and "making false charges" against two warders. Once he was given a 24 hour confinement to a dark cell for "irregular conduct in his cell after lights out".¹⁴² Padded cells were also in use. Patrick Byrne was placed in one for three days in December 1897 when in Wexford Gaol while awaiting trial, for setting fire to his bed, bedding and clothes.¹⁴³

Prisoners who became violent were permitted to be restrained with handcuffs, and the use of 'muff' restraints - a particularly restrictive form of restraints made of leather straps that held the arms in position at the elbows.¹⁴⁴ Prisons Commission member Thomas Alexander Dickson had little compunction about terming the prolonged use of muffs "torture... to be confined and deprived of the use of his arms and hands, day and night".¹⁴⁵ One can imagine how such confinement of the hands, and enforced inability to communicate by sign, gesture or writing, may have affected a deaf prisoner who did not speak. Though it does not appear that muffs were used regularly on deaf convicts identified in this dissertation, James Brennan was restrained overnight with muffs in November 1888 after burning rags into his cell's gas ventilator and trying to destroy his cell's spy hole, for which he was given 14 days in a punishment cell.¹⁴⁶ Patrick Byrne seems to have been restrained in such a way more often. He was often a physically violent prisoner who clashed with policemen, warders and other prisoners. In January 1876, because of "disobedience & attempts to break level of window" in his cell, Patrick was placed in handcuffs until the next day.¹⁴⁷

Mental Health

Infractions against many prison rules, including destruction of prison cell fixtures, ripping of clothes and bedding, and even violence against warders and other prisoners, can be viewed – for deaf and hearing prisoners – as natural acts of resistance and rebellion against an

¹⁴¹ Record of Prison Offences of Timothy Donovan, A328. Penal File NAI GPB/PEN/1886/178.

¹⁴² Record of Prison Offences of James Brennan, A401. Penal File NAI GPB/PEN/1889/59.

¹⁴³ Prisoner's Record Sheet, H. M. Prison Wexford. Convict Reference File for Patrick Byrne, NAI GPB/CRF/1905/B-21.

¹⁴⁴ "Leather Straps and Muff: Piece of strong leather, ordinary size 1 foot 11 inches by 1 foot 5 inches wide; attached to it is a leather waist belt and three fastening straps, all stitched on to the side, which becomes the outside of muff when in use; also on the other side two straps are stitched. To Use Muff: First buckle on the waist belt, the Muff being in front of the body, secure the arms close above the elbows, forearms are brought in front resting on inside of Muff, to which they are fastened at wrists by the two straps. The Muff is then folded over the forearms and secured with the three fastening straps; the middle strap is fastened with a padlock on the upper side of the muff; the padlock is received by a small iron staple worked into the Muff." *1885 Royal Commission on Prisons*, p. 235.

¹⁴⁵ *1885 Royal Commission on Prisons*, p. 406, entries 11845-11848.

¹⁴⁶ Record of Prison Offences of James Brennan, A401. Penal File NAI GPB/PEN/1889/59.

¹⁴⁷ Mountjoy Male Government Prison, General Register, no. 8974 (1875), Patrick Byrne, *Irish Prison Registers 1790-1924*, FMP.

overwhelming and oppressive system of containment.¹⁴⁸ However, they can signal the presence also of difficulties with mental health. Prisoners who arrived at Mountjoy already suffering from mental health issues – prisoners often described as “odd”, “Eccentric” or “weak-minded” - were recognised to have a harder time than others. Tim Carey writes that “[c]ontemplating the plight of these prisoners is difficult and unpleasant. Thrown into an alien, constraining world, oblivious to the rules they broke, not capable of comprehending the impersonal power that governed their day, this group accounted for the majority who filled the punishment cells and penal class.”¹⁴⁹ We can imagine such a description matching quite eloquently the plight of prisoners who were deaf. It also seems that deaf people were sometimes placed in prisons as ‘lunatics’ when no other institution would take them in. The Inspectors-General reports mention ‘dangerous lunatics’ who were sometimes committed to prisons, and ‘deaf and dumb’ people among their number.¹⁵⁰ Prison staff and inspectors found these individuals disruptive and ill-suited to prisons; Downpatrick prison regularly had issues with ‘lunatic’ prisoners who “[suffered] from a range of maladies varying from insanity to epilepsy to deaf and dumbness” who were “the proverbial flies in the ointment.”¹⁵¹ Wicklow Gaol housed a ‘deaf and dumb idiot’ woman in 1868, described as ‘incurable’, whom the medical officer of the gaol was anxious to have removed to an asylum (along with a number of other ‘lunatic’ prisoners).¹⁵² No other specific mental or behavioural issues were described, leaving the question of whether these deaf ‘lunatics’ actually suffered from mental illness at all.

Noticeable are the number of deaf people found to be ‘insane’ during their trial, and moved from prison to an asylum. Andrew Donnolly of Wexford was committed to Wexford gaol in May 1872, for arson and stabbing two men, but six weeks later was “acquitted on the grounds of insanity” and. “of a weak intellect and likely to be benefitted by confinement and treatment in a Lunatic Asylum”. He was sent to Enniscorthy Asylum, where he died in the asylum 27 years later.¹⁵³ The case of Patrick Byrne had the Inspectors considering whether a prison, as opposed to a different institution, was suitable. It would be inaccurate to assume their conclusions applied to all deaf prisoners – Byrne was an exceptionally violent and disruptive case – but the terms in which his situation was described seems to echo many descriptions of deaf people by

¹⁴⁸ Fahy & Kavanagh, ‘A study of nineteenth-century prison life with particular reference to Wicklow gaol’, pp 44–45.

¹⁴⁹ Carey, *Mountjoy*, p. 98.

¹⁵⁰ Pauline M. Prior, ‘Dangerous lunacy: The misuse of mental health law in nineteenth-century Ireland’ in *Journal of Forensic Psychiatry & Psychology*, xiv, no. 3 (2003), pp 525–541.

¹⁵¹ Windrum, ‘The provision and practice of prison reform in County Down, 1745-1894’, p. 344.

¹⁵² Inspectors-General on the General State of the Prisons of Ireland, *Forty-sixth Report, 1867*, p. 460. See also Inspectors-General on the General State of the Prisons of Ireland, *Fifty-First Report, 1872* (Dublin, 1873), p. 143.

¹⁵³ Wexford Prison, General Register of Prisoners, April 1872, entry 74, *Irish Prison Registers 1790-1924*, FMP; medical Certificate, Criminal Index File of Andrew Donnolly, NAI GPB/CIF/1872/D-16; civil death record, Andrew Donnelly, 26 October 1909, registration district of Wexford, IGN.

other authorities of the time: “This man... cannot, when in gaol, be made amenable to discipline... [and] is incapable of earning his own support, he will always live at the public cost, and it is for the interest of the community that he be permanently placed where he cannot do harm.”¹⁵⁴ Where that might be was clear to the Inspectors: “Although criminally committed, this man is a fitter subject for an asylum than for a gaol.”¹⁵⁵ Certainly, Byrne was long suspected in his home area of New Ross to have mental health issues, leading to his eventual committal to the Dundrum Lunatic Asylum. The *Wexford People* captures one of these court appearances and the chaos that reigned: “they were about to convey the Dummy from his cell to the car to bring him to the court, they were not prepared for the outburst of frenzy which the unfortunate creature exhibited. He kicked, bit, tore his clothes, and made ... desperate resistance ... it was not until his arms and legs were tied with ropes, and the handcuffs placed upon his wrists, that the Dummy could be conveyed to the car. When seated in the latter he howled like a wild beast, and foamed at the mouth, in fact his fury had such an effect upon him that during the short drive between the prison and the courthouse, the poor creature went into a dead faint, and on arrival at the courthouse water had to be applied as a restorative.”¹⁵⁶

However, patients used letters to the Lord Lieutenant, and Inspector of Lunatics office to protest against their committal to asylums, and Patrick followed this strategy, though again we cannot be sure who wrote these letters for him. After being committed to Dundrum he sent a series of letters begging for release or a transfer to the Enniscorthy Asylum where was near family and friends. He had been sent on more than one occasion in the past to Enniscorthy, but treated favourably; indeed when Byrne had been sent to Enniscorthy by the local prison in 1894, Dr Drapes of Enniscorthy had returned him to prison, declaring that he was not insane.¹⁵⁷ Family concerns were still important to Byrne in Dundrum, and in a memorial in 1900 he wrote, “I have a sister living in [Wexford] who could visit me if I were there... I am very uneasy regarding a niece of mine whom I have maintained when out in the world, but has lost sight of her since I came here.”¹⁵⁸ However, Byrne never left Dundrum. He died there in 1916 after nearly twenty years.¹⁵⁹

¹⁵⁴ Inspectors-General on the General State of the Prisons of Ireland, *Forty-sixth Report, 1867*, p. 460.

¹⁵⁵ Inspectors-General on the General State of the Prisons of Ireland, *Forty-Fourth Report, 1865*, p. 428.

¹⁵⁶ *Wexford People*, 19 March 1898,

¹⁵⁷ Letters dated 20 April, 23 April, 31 May 1894 from Dr Thomas Drapes, Medical Superintendent, Enniscorthy Asylum, to Office of Inspector of Lunatics. Convict Reference File for Patrick Byrne, NAI GPB/CRF/1905/B-21.

¹⁵⁸ Letter from Patrick Byrne to Lord Lieutenant, 6 November 1900; Letters from Patrick Byrne to Inspectors of Lunacy, dated March 1899, 16 Feb 1902, 15 Sept 1902, Convict Reference File for Patrick Byrne, NAI CRF B-21 1905.

¹⁵⁹ Civil death record, Patrick Byrne, 1 May 1916, registration district of Rathdown, IGN.

For other deaf prisoners, spells in mental health institutions intertwined with deaf prison experiences. In 1870 Mary Ann Canavan, discussed earlier in this chapter, was sent from Grangegorman women's prison to the Richmond Lunatic Asylum. Years later, in 1904, after Grangegorman had become a mental institution, she re-entered, and from there was moved to Portrairie asylum in north Dublin.¹⁶⁰ Ex-convict James Brennan received several more convictions for larceny after he left the convict system, and was described by one visiting doctor in 1889 as "a low moral intellectual type, not fully responsible for his actions, and in our opinion, a case more suitable for detention in a Lunatic Asylum than in a prison."¹⁶¹ Brennan himself wrote letters to authorities when in the Richmond Asylum, and later admitted that he had mental health difficulties: "'I have been in trouble & mad during my life But now I am better & mind myself"¹⁶² Concerns from outside life, too, could accompany a prisoner inside the prison walls; in 1916 Jeremiah Purcell, an ex-Cabra pupil, was given two months hard labour for assault. In December he was transferred from Tralee to Cork Male Prison, and just over a week later he appeared to be suffering from a very deep depression that received the attention of the prison's medical authorities. Jeremiah was transferred the Lunatic Asylum in Shanakiel, Cork City, and a subsequent medical report stated that during his examination. "his manner was depressed, as was his aspect. In reply to written questions – he is deaf and dumb – he wrote 'I am very bad', 'I am falling away', 'I am sick of world & life', 'I wish to be shot by Germans, because I never see my brother for six years and now at the war'."¹⁶³

It is very difficult to judge, from sets of reports and correspondence by hearing people unable to sign with these deaf prisoners who are themselves now long dead, if such committals were justified. We will also never know if such distress was caused by underlying mental health issues, or accumulated frustrations built up over years of interactions with authorities with no appreciation of deaf people's preferred methods of communication – or both. The release of case books and files from local lunatic asylums, such as the Richmond District Asylum records currently with the National Archives, and locating deaf people placed in those institutions, may give more of an insight. However, we must be conscious of the lens through which medical professionals of the time viewed and analysed deaf people. More importantly, as Johnson,

¹⁶⁰ O'Leary & Jones (eds), *Through the Arch*, p. 77. See also Grangegorman Prison, Registry of Drunkards / Register of Convicted Prisoners, various entries 1864-1870, *Irish Prison Registers 1790-1924*, FMP; Criminal Index File for Mary Anne Canavan, NAI CSORP/CIF/1870/C-24.

¹⁶¹ Letter dated 3 November 1889 from William J. Martin, visiting surgeon, Richmond Lunatic Asylum, to Mountjoy Prison; from Convict Reference File, James Brennan, NAI CRF 1894-B-21.

¹⁶² Letter dated 30 April 1899 from James Brennan to Gibbons, Chairman, General Prisons Board; letter from James Brennan to Lord Lieutenant the Earl of Zetland, dated 15 October 1891. Penal File, James Brennan, NAI PEN 1889-59..

¹⁶³ Medical Report dated 12 January 1912 from Dr D Flynn, resident medical superintendent, Cork Asylum. Criminal Index File of Jeremiah Purcell, NAI GPB/CIF/1917/P-2.

Godfrey *et al* point out, while approaches combining various sources in this manner - such as medical and penal records, civil registration records, and newspapers - offers possibilities for the historian, care must be taken to recall that pertinent information may have been omitted or never set down in these records, and to remember how limited a window they actually open up for us into these lives, in terms of deciding what factors may or may not have led any individual in history down their particular path.¹⁶⁴

Prisoner Correspondence and Memorials

When arriving first at Mountjoy, new convict prisoners had a chance to write one letter on arrival and every three months after that.¹⁶⁵ Penal files and convict records feature logs of convicts' outgoing and incoming correspondence, with brief notes as to the content in the case of letters sent to prison authorities, and these can illuminate aspects of their social and family networks outside the prison walls. Surprisingly, Patrick Byrne frequently corresponded with his family every month or so; this is despite his consistent description as 'illiterate' until his eventual committal to Dundrum Criminal Lunatic Asylum and subsequent death.¹⁶⁶ It was clear that not only did Byrne have a family he was strongly connected to, but individuals in or near the prison helped write his letters, and in some way also signed or communicated the replies to him. This is in contrast to Cabra-educated Patrick Kenny, who served a five-year penal servitude sentence in 1865 for larceny; he did not seem to attempt to write a memorial at all during his periods on Spike Island, and only corresponded with two individuals, neither of whom were family members.¹⁶⁷

James Brennan also wrote regularly and often to his father and mother, receiving replies also from them with the same frequency. James wrote letters to the various prison governors and Chairmen of the Prisons Board during his sentence, asking for a chance to send more memorials (about which he was particularly anxious) and more letters to his family, and asking the governors to support his applications. This drew a frosty reply in 1885 from the Prisons Board chairman, Charles Fowler Bourke: "Please tell this prisoner that he can memorial the Lord Lt. for his liberty who is the only person that can grant it... if his conduct had been good he would not have lost any of his remission and that if he wishes not to forfeit any more of it he must comply with the prison rules."¹⁶⁸ When in Spike Island, James wrote letters asking when would he move

¹⁶⁴ Johnston et al., 'Reconstructing Prison Lives', p. 9.

¹⁶⁵ Carey, *Mountjoy*, pp 94–95.

¹⁶⁶ Spike Island convict registers, 1870, entry for Patrick Byrne (no. 13609); 1877, entry for Patrick Byrne (no. 14662), *Irish Prison Registers 1790-1924*, FMP.

¹⁶⁷ Spike Island Prison Convict Classification book, entry for Patrick Kenny (no. 12732), *Irish Prison Registers 1790-1924*, FMP.

¹⁶⁸ Minute of reply dated 2 Feb 1885, Record of Petitions to Lord Lieutenant, and of Applications by Prisoner to the Director, or to the Governor; from Penal File, James Brennan NAI PEN 1889.59.

to the next prisoner class; he also requested extra exercise periods, new clothes on release, to be allowed to do tailoring work, and above all, permission to send more petitions.¹⁶⁹ He also became anxious to know when he would be sent to Lusk, indicating his awareness of the more desirable status of the intermediate prison and his desire to be sent there.¹⁷⁰ Indeed his desperation to write memorials and to seek help from the GPB to shorten his sentence seemed to provoke irritation: "Please explain to this prisoner that his request as to Lusk will be considered in August next & that he need not write again on that subject till then."¹⁷¹

Convicts were also allowed to write a limited number of memorials to the Lord Lieutenant per year requesting time off their sentences. These memorials generally used formal, obsequious language with flowery stock phrases, and were rarely written by a prisoner themselves, but almost always by a legal figure such as a solicitor, who was paid for by the prisoner's family or friends.¹⁷² Petitions and letters of support were often included with a memorial, but none of these documents were found in any deaf prisoner's files.¹⁷³ The content of the memorials is very similar in subject matter to themes running through the convict petitions examined by Richard McMahon, which include references to the inadequacies of the trial process, the prosecution's tactics, the injustice of the sentence and the impact on the prisoner's family; they sometimes contained an attribution for the criminal act to a weakness of mind, but generally asserted the convict's good character.¹⁷⁴

It is difficult to say who actually wrote many of the various memorials written by deaf convicts, most of which seemed written by intermediaries.¹⁷⁵ Occasionally, prisoners would leave their mark on a memorial and the name of a witness would be present, possibly the same individuals who helped compose the letter; Patrick Byrne, on some occasions, signed a memorial with a mark.¹⁷⁶ Elsewhere the language and tone of his other memorials are such that it seems to have been impossible for Byrne - consistently described as illiterate in prison records - to have written them himself. Timothy Donovan's missives seemed written in perfect English, but

¹⁶⁹ Record of Letters written and received by James Brennan; Record of Petitions to Lord Lieutenant, and of Applications by Prisoner James Brennan to the Director or Governor. Penal File NAI GPB/PEN/1889/59.

¹⁷⁰ Minute of letters dated 5 May and 6 June 1885, *Record of Petitions to Lord Lieutenant, and of Applications by Prisoner to the Director, or to the Governor*; from Penal File, James Brennan NAI PEN 1889.59.

¹⁷¹ Minute, Charles Bourke, General Prisons Board, 8 June 1885, Record of Petitions to Lord Lieutenant, and of Applications by Prisoner James Brennan to the Director or Governor. Penal File NAI GPB/PEN/1889/59.

¹⁷² Carey, *Mountjoy*, p. 132; Bailey, 'Women and Crime in Nineteenth Century Ireland', pp 5-6, 32.

¹⁷³ Richard McMahon, "Let the law take its course": Punishment and the exercise of the prerogative of mercy in pre-Famine and Famine Ireland' in Michael Brown and Seán Patrick Donlan (eds), *The Laws and Other Legalities of Ireland, 1689-1850* (Farnham, Surrey, 2011), pp 136-137.

¹⁷⁴ *Ibid.*, pp 139-145.

¹⁷⁵ Garnham, *Murder Trials in Ireland*, pp 319-320.

¹⁷⁶ For example, see letter from Patrick Byrne to Lord Lieutenant submitted March 1897, Convict Reference File for Patrick Byrne, NAI CRF B-21 1905.

surviving copies in archives display varying handwriting, and it is difficult to know which if any he wrote himself. Yet what these memorials represent is still a contradictory and opposing narrative to that of the judges, barristers and prison staff, filled with details that must have had their origin within the prisoners themselves. It must have been via a process of signing, writing or vocalisation (depending on the prisoners) and checking back with the prisoner, that these counter-narratives were produced and presented to authorities as their authentic memorials.

It seems that the deaf convicts who definitely were educated, James Brennan and Mary Wilson, were the most prolific memorial writers in prison.¹⁷⁷ Their consistent writing styles signals an authenticity that they were the authors of their own letters. Brennan's memorials are written in a quirky 'Deaf English' style that can occasionally be confusing. The use of stock phrases within his memorials gradually become truncated or garbled, indicating that he initially appeared to copy the memorial from some template (probably provided by a chaplain or other sympathetic prison officer) and half improvised by himself. Over the course of years, his letters gradually become his own, albeit less fluently written, attempts to justify his conduct and plead for freedom. Mary Wilson's letters also fit this pattern, showing deaf prisoners navigating their second language (written English) in circumstances that militate against written fluency and eloquence.

One can certainly observe many of these memorials attempting to tug at the heartstrings, deploying pity and charity in a strategic fashion. Timothy Donovan declared himself "unfortunately deprived of his speech and hearing and on these grounds begs to forward his petitions".¹⁷⁸ Patrick Byrne's memorial describes him as a man who, "being born deaf and dumb", therefore "had not up to this received as much suitable moral and religious instruction as others" and urged the Lord Lieutenant to take into consideration his "natural defects".¹⁷⁹ A memorial by Byrne written after he had been sent to Dundrum Criminal Lunatic Asylum in 1898 stated: "I am a poor unfortunate Imbecile both Deaf and Dumb."¹⁸⁰ "I am not gifted as my fellow man, with the use of my ears, + tongue. & consequently I have never been able to defend my self against those that wished to provoke me into committing myself".¹⁸¹ Several times the

¹⁷⁷ Not all were; Patrick Kennedy apparently wrote no petitions at all, and corresponded only rarely, with an ex-employer of his.

¹⁷⁸ Petition letter from convict Timothy Donovan to Lord Lieutenant, submitted 23 June 1877, Convict Reference File for Timothy Donovan, NAI CRF D-12 (1877).

¹⁷⁹ Petition letter from convict Patrick Byrne to Lord Lieutenant, submitted 13 November 1875, Convict Reference File for Patrick Byrne, NAI CRF B-35 (1875).

¹⁸⁰ Petition letter from convict Patrick Byrne to Lord Lieutenant, submitted 11 August 1900, Convict Reference File for Patrick Byrne, NAI CRF B-21 (1902).

¹⁸¹ Petition letter from convict Patrick Byrne to Lord Lieutenant, submitted 15 September 1902, Convict Reference File for Patrick Byrne, NAI CRF B-21 (1905).

memorials of James Brennan invoke his deafness as a point of sympathy, referring to himself as a “poor Deaf and Dumb little youth”,¹⁸² and asks for mercy “being a Deaf and Dumb and cannot hear what any person talking”.¹⁸³ While it is not inconceivable that deaf prisoners may have themselves realised and utilised the power of such sympathy-based strategies, such regular usage indicates the hand of solicitors, chaplains, teachers, or sympathetic warders who may have added these pieces in as padding.

Memorials were also used to try to excuse the behaviour or incident that had brought them to prison. Timothy Donovan explained that his license had been revoked “on account of a little liquor he had taken with some friends and which had an unusual effect owing to his long abstinence”.¹⁸⁴ Patrick Byrne declared that his license conditions were broken only because “immediately after his discharge upon his arrival at his home in Wexford [he was] excited by drink pressed upon him by friends, having been roughly pushed by a policeman, lightly assaulted him”.¹⁸⁵ Sometimes righteous indignation, or a legal sensibility, show through. James Brennan was convicted in 1890 after being “found on private premises for the purpose of committing a felony” and given a year’s imprisonment; Brennan subsequently wrote that “I thinks very hard as if they told the truth they could only make it trespass. I want Your Excellency to Send my Case for Trial so that all may know I committed no felony, and had no notion of doing so”.¹⁸⁶

Every so often, hints of the difficulties that had been faced by deaf people in the courtroom or prison emerge in the memorials. Though James apparently had had an interpreter for his trial at the Cork Assizes in July of 1886, later memorials indicate his understanding of the trial was compromised: “I did not hear the Jury [sic] did not tell me about it”.¹⁸⁷ He seems to have been confused at his return to Mountjoy to finish his term of penal servitude after his time in Cork had finished, suggesting that the rules of the 'ticket of leave' system and the consequences for breaking his licence conditions were poorly understood. “Cannot hear what the judge made his speech upon me”, complained James in a later memorial in 1893.¹⁸⁸ That court hearing had seen

¹⁸² Petition, prisoner James Brennan to Lord Lieutenant, dated 29 May 1885; from Convict Reference File, James Brennan, NAI CRF 1894-B-21.

¹⁸³ Petition, prisoner James Brennan to Lord Lieutenant, dated 1 July 1885; from Convict Reference File, James Brennan, NAI CRF 1894-B-21.

¹⁸⁴ Petition letter from convict Timothy Donovan to Lord Lieutenant, submitted 23 June 1877, Convict Reference File for Timothy Donovan, NAI CRF D-12 (1877).

¹⁸⁵ Petition letter from convict Patrick Byrne to Lord Lieutenant, submitted 13 November 1875, Convict Reference File for Patrick Byrne, NAI CRF B-35 (1875).

¹⁸⁶ Petition letter from prisoner James Brennan to Lord Lieutenant, submitted 28 April 1890, Convict Reference File for James Brennan, NAI CRF B-21 (1894).

¹⁸⁷ *Cork Examiner*, 21 July 1886, p. 4; Petition, prisoner James Brennan to Lord Lieutenant, dated 21 July 1888; from Convict Reference File, James Brennan, NAI CRF 1894-B-21.

¹⁸⁸ Petition letter from prisoner James Brennan to Lord Lieutenant, submitted 20 June 1893, Convict Reference File for James Brennan, NAI CRF B-21 (1894).

the use of the services of an ‘interpreter’ (who remained unnamed in the press), but the interpreter apparently communicated with James by writing; perhaps an indication that proceedings were less than fully accessible.¹⁸⁹

It is noteworthy is that even among apparently uneducated deaf convicts, records of correspondence show an understanding of the system, in their appeals to the Lord Lieutenant, requesting transfers to other prisons, and calls for gratuities owed after release. Gratuities were earned by prisoners during their time in convict prisons, and correspondence on the subject after a prisoner’s release can be found. A month after his release in 1866, Michael Shanahan wrote to Mountjoy requesting the gratuities he stated was owed to him from his time in the prison.¹⁹⁰ It is unclear how this letter came to be written; Shanahan had only received basic instruction on religious matters in Mountjoy, none at all in Spike, and apparently had sent no memorials during his penal servitude. Presumably he did not write the letter himself, but certainly he (or possibly family members of his) knew enough about the system to claim what he felt was owed him. After having his license revoked, James Brennan wrote to the Lord Lieutenant in 1891, complaining about the cutting off of the gratuities earned by him during his sentence; he claimed he did not know these would be disallowed if he re-offended while on licence. In the same letter, he accused the General Prisons Board chairman, Charles J. Bourke, of taking the money: “the Chairman has been Commits his Crime of Embezzlement of my money”.¹⁹¹ When a reply was not forthcoming a year later, he wrote to the Lord Lieutenant’s wife.¹⁹² Still keen to claim his gratuities, Brennan wrote to the new director of the General Prison Board, J. S. Gibbons, in 1899, continuing to blame Bourke and hoping to get some sympathy from the new Director.¹⁹³ James was obviously a man who kept abreast of current political developments, and knew who the most powerful figure he could appeal to was, even if his appeals were written in what no doubt seemed a peculiar manner to the recipients.

Health and dietary concerns were also raised with the authorities. Patrick Byrne’s 1897 memorial complained that “he is not getting sufficient food and that he is starving, that he is a

¹⁸⁹ *Dublin Daily Express*, 7 June 1893, p. 3; *Evening Herald*, 7 June 1893, p. 3; *Dublin Daily Express*, 8 June 1893, p. 7.

¹⁹⁰ Letter from Governor of Mountjoy Prison to General Prisons Office, 15 August 1866, as abstracted in General Prisons Office Register of Correspondence. NAI GPO/CR/27, No. 777.

¹⁹¹ Letter from James Brennan to Lord Lieutenant the Earl of Zetland, dated 15 October 1891. Penal File, James Brennan, NAI PEN 1889-59. The fact that Brennan wrote in this letter that “I am at present in Richmond Lunatic Asylum”, underlined by a Dublin Castle clerk, may have contributed towards the lack of response to it.

¹⁹² Letter from James Brennan to the Lord Lieutenant (the Earl of Zetland)’s wife, (no date) received 16 June 1892. Penal File, James Brennan, NAI PEN 1889-59.

¹⁹³ Letter from James Brennan to J. S. Gibbons, Chairman, General Prisons Board, 30 April 1899. Penal File, James Brennan, NAI PEN 1889-59.

big man and is losing weight and that the Medical Office will not order him any extra diet.”¹⁹⁴ Timothy Donovan used the memorials as a chance to draw attention to his increasing health problems; in 1883 he began a series of memorials with a plea that “his health is in a very precarious state... which a prolonged imprisonment would greatly aggravate.”¹⁹⁵ He next wrote that “Petitioner is at present suffering from Dropsy and feels convinced that he has not long to live as the disease is rapidly increasing... [he]is much disturbed in mind, fearing that he might die in Prison.”¹⁹⁶ In April 1885: “The process of tapping “has rendered my poor delicate frame almost wasted to nothing. Petitioner is both deaf & dumb which affliction makes his suffering more intolerable”.¹⁹⁷ Six months later, Donovan wrote he had “become a victim to various dangerous and painful diseases... during the whole time of his Imprisonment the State of his health has caused him a very great amount of suffering, and kept him almost constantly under the Special care of the Doctors... petitioner has reason to fear that the longer continuance of Prison life however mitigated the restraint may be is almost certain to have a fatal effect on the now Extremely impaired state of his health”.¹⁹⁸ Almost a year later Timothy pleaded again: “an early release is (as he believes the Medical Office will certify) necessary for under Providence the prolongation if not for the very saving of [Donovan’s] life.”¹⁹⁹ The request was turned down, with Maryborough’s medical officer minuting confidently that further imprisonment would not aggravate Donovan’s condition. Timothy was released in September 1886 on license, and discharged to the Cork City workhouse. He died there seven weeks later of hepatic ascites, the same liver-related condition he had been suffering from and described.²⁰⁰

Prisoners also expressed general sentiments at being stuck in prison. James Brennan made no less than twelve attempts to petition the Lord Lieutenant during his time at Mountjoy between June 1883 and August 1885.²⁰¹ None of these were successful, but within are glimpses of heartfelt despair in prison: “He has been patience and sadness in about in Prison yet”.²⁰² “He is

¹⁹⁴ Petition letter from convict Patrick Byrne to Lord Lieutenant, submitted March 1897, Convict Reference File for Patrick Byrne, CRF B-21 (1905).

¹⁹⁵ Petition letter from convict Timothy Donovan to Lord Lieutenant, submitted 1 January 1883, Convict Reference File for Timothy Donovan, NAI CRF D-35 (1886).

¹⁹⁶ Petition letter from convict Timothy Donovan to Lord Lieutenant, submitted 20 February 1885, Convict Reference File for Timothy Donovan, NAI CRF D-35 (1886).

¹⁹⁷ Petition letter from convict Timothy Donovan to Lord Lieutenant, submitted 17 April 1885, Convict Reference File for Timothy Donovan, NAI CRF D-35 (1886).

¹⁹⁸ Petition letter from convict Timothy Donovan to Lord Lieutenant, submitted 1 November 1885, Convict Reference File for Timothy Donovan, NAI CRF D-35 (1886).

¹⁹⁹ Petition letter from convict Timothy Donovan to Lord Lieutenant, submitted 1 September 1886, Convict Reference File for Timothy Donovan, NAI CRF D-35 (1886).

²⁰⁰ Penal Record sheet, p. 2, Penal File of Timothy Donovan, NAI PEN 1886-178; civil death record, Timothy Donovan, 26 November 1886, registration district of Cork, IGN.

²⁰¹ Mountjoy Convict Classification Books, James Brennan, 1881, *Irish Prison Registers 1790-1924*, FMP.

²⁰² Petition, prisoner James Brennan to Lord Lieutenant, dated 28 August 1884; from Convict Reference File, James Brennan, NAI CRF 1894-B-21.

much unhappy and sorrow and not feel my heart up now in the Prison at present.”²⁰³ In a series of memorials after her committal in 1914, Mary Wilson expressed her sadness at being incarcerated: “I am ruined and drunkard. Please you let me off.”²⁰⁴ “I have had a very hard life been afflicted as I am.”²⁰⁵ “My heart is broken. I am very lonely here.”²⁰⁶ “I am very tired of my lonely here as jail bird. It is a long time to be in jail for nothing... I am getting bad health and getting old I fear I will not live to go out.”²⁰⁷ Mary’s memorials made no difference to her sentence. She also sent four other letters to people she had known in Belfast, including deaf missionary Francis Maginn and the Deaf and Dumb Association in Glasgow. None appeared to have been responded to.²⁰⁸

Reformatories and Industrial Schools

Juvenile deaf prisoners could occasionally be found in adult prisons. In Armagh Gaol in 1868 was found “one juvenile aged 15 years, in the gaol... now on his second conviction, and under a sentence of imprisonment for 6 months for horse stealing, although deaf and dumb”; the report stated that he was “an inveterate thief, and is destined apparently to be long a burden on the rates of this district.”²⁰⁹ Reformatories were new institutions were specifically designed for such young offenders. They began to be certified in Ireland from 1858; offenders aged up to sixteen, after first serving at least fourteen days in strict separation in an adult prison, could be sent to a reformatory for up to five years. Trades and crafts were taught; together with an option to be released early on license, the system thus formed a small scale mirror of the prison system.²¹⁰ Younger deaf prisoners also appear in the reformatories in Ireland, with somewhat mixed results.

One was found in Wexford in 1865: “a boy 14 years of age, deaf and dumb, very intelligent, but whose antecedents could not be traced further than that he had been for some time an inmate of the Liverpool workhouse.” This young prisoner – apparently uneducated and illiterate – had been accused of larceny in Gorey, but “in consequence of his infirmity, he was discharged by the Magistrate”.²¹¹ The magistrates at the Enniscorthy Quarter Sessions were less forgiving, and

²⁰³ Petition, prisoner James Brennan to Lord Lieutenant, dated June 1884; from Convict Reference File, James Brennan, NAI CRF 1894-B-21.

²⁰⁴ Letter from Mary Wilson to Lord Lieutenant dated 29 March 1915, Convict Reference File for Mary Wilson, NAI CRF W-8 1916.

²⁰⁵ Letter from Mary Wilson to Lord Lieutenant dated 26 August 1915, Convict Reference File for Mary Wilson, NAI CRF W-8 1916.

²⁰⁶ Letter from Mary Wilson to Lord Lieutenant dated 5 November 1915, Convict Reference File for Mary Wilson, NAI CRF W-8 1916.

²⁰⁷ Letter from Mary Wilson to Lord Lieutenant dated 8 March 1916, Convict Reference File for Mary Wilson, NAI CRF W-8 1916.

²⁰⁸ Record of Letters written and received by Mary Wilson, Penal File NAI GPB/PEN/1917/39.

²⁰⁹ Inspectors-General on the General State of the Prisons of Ireland, *Forty-Seventh Report, 1868* (Dublin, 1869), p. 93.

²¹⁰ Edward Fahy, ‘Reformatory Schools in Ireland’ in *Hermathena*, no. 60 (1942), pp 57–58; Robins, *The Lost Children*, pp 297–301; John Kearney, ‘A brief history of Daingean reformatory and its former uses’ in *Offaly Heritage*, iii (2005), pp 50–51.

²¹¹ Inspectors-General on the General State of the Prisons of Ireland, *Forty-Fourth Report, 1865*, p. 429.

in 1865 the boy was sentenced to two weeks in Wexford prison, followed by four years in the Glenree reformatory in Wicklow, for stealing a horse. However, when he was brought to Glenree a month later, he apparently was “not considered a fit subject for such an institution.”²¹² Though the reasons were unstated, they may have been along the same lines as the rationale for not requiring early deaf convicts to attend school – a belief that deaf people would not benefit from such rehabilitative discipline.²¹³

Ellen Madden, aged 13, appeared in 1872 before Lurgan Petty Sessions accused of stealing an ornament from a local chapel, and was sentenced to a month’s imprisonment followed by five years in Spark’s Lane Reformatory, Co. Monaghan.²¹⁴ After barely a year she is mentioned in the annual reports of the Inspector of Reformatories and Industrial Schools: “All persons conversant with prison discipline are aware of the difficulty felt in managing offenders afflicted with grave bodily disease or defective organization, whose constitutions will not bear punishment and whom it is difficult to instruct in their moral and social obligations. One of this class, a deaf mute now in the Spark’s Lake Reformatory, has become quite reformed, and her earnest wish is to spend her life in the institution.”²¹⁵ CIDD records indicate that she later entered St Mary’s in 1873, apparently sent there by Sister Genevieve Beale, the founder of the reformatory; however she left before finishing her education, possibly due to Beale’s death in 1878.²¹⁶ Ellen appears to have fared well after release, finding work as a stitcher and marrying a deaf man named John Creaney in Belfast in 1888.²¹⁷

In 1876, James Brennan, also aged 13, was convicted of stealing a pocket watch and sentenced to a fortnight in prison and then five years in St. Conleth’s, the Philipstown reformatory.²¹⁸ James also gained some benefit from St Conleth’s and learned the trade of a tailor “sufficiently well to enable him to enable him to gain a livelihood by it afterwards”. However, his character was judged to be “somewhat wild and intractable”; when released on license to his father, this arose

²¹² Ibid.; *Wexford People*, 14 October 1865, p. 7; Wexford Prison general register 1852-1874, Entry 138 (1865), *Irish Prison Registers 1790-1924*, FMP.

²¹³ The very same sessions of the Wexford assizes was peculiar in that another deaf person, Patrick Byrne, was also up, charged with assault, with an interpreter also present. Through the interpreter, Patrick had apparently requested to be sent to a reformatory, although the fact of his age (26) ruled this out. *Wexford People*, 28 October 1865, p. 10.

²¹⁴ *Northern Whig*, 12 December 1872, p. 3; *Portadown News*, 21 December 1872, p. 3.

²¹⁵ Inspector appointed to visit the Reformatory and Industrial Schools of Ireland, *13th Report* (Dublin, 1875), p. 13.

²¹⁶ Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 49 entry 530; Geraldine Curtin, “‘Most Vicious and Refractory Girls’: the Reformatories at Ballinasloe and Monaghan’ in *History Ireland*, xxi, no. 2 (2014), pp 24–26. Ellen was apparently sent back to St Mary’s by the Lurgan Board of Guardians in 1879, but CIDD records do not record this second admission: *Belfast Telegraph*, 14 March 1879, p. 3.

²¹⁷ Civil marriage record, John Creaney & Ellen Madden, 5 November 1888, registration district of Belfast, IGN.

²¹⁸ *Dublin Evening Telegraph*, 24 June 1876, p. 3.

to the extent that he had to be brought back to Philipstown.²¹⁹ Pierce Cody, sent to St Joseph's in 1886, had been found incapable of education.²²⁰ In 1893 Cody was charged with biting a New Ross workhouse nurse on the hand, and sentenced to two weeks in Wexford prison, followed by five years in St Conleth's. At the Petty Sessions hearing, no interpreter of any kind was provided for Pierce; the presiding magistrate was told by a policeman that one was not necessary, as long as the magistrates were "satisfied that what the witness swears is true."²²¹ To compound matters, Pierce's placement in Philipstown was not a success: by 1894 he had become "so refractory in the reformatory that the Brothers in charge have given him up as a hopeless case" and returned him to New Ross workhouse.²²²

Inebriate Reformatories

The inebriate reformatories were a form of incarceration for individuals who were identified as 'criminal habitual drunkards'. They were initiated after the 1898 Inebriate Act in response to public concern at the very high level of committals for drunkenness, particularly for women, throughout the period.²²³ In 1900 Ennis opened its State Inebriate Reformatory, and managed by the General Prisons Board until it closed twenty years later. Two certified reformatories, operated by private bodies, also opened in Ireland - St Patrick's Reformatory in Waterford for men (opened 1906) and St Brigid's in Wexford in 1908.²²⁴ These institutions were intended to have a softer, more lenient approach than local prison, with 'stages' that inmates passed through, although George Bretherton has pointed out the comparative harshness of the certified institutions.²²⁵ The State institution at Ennis operated a three-tier system of stages for prisoners before their release, owing much to the Crofton system.²²⁶ At least on paper, the conditions in Ennis were superior, more varied and less stifling than in local prisons.²²⁷ Education was also given to inmates, though how accessible this was for deaf prisoners is unknown.²²⁸ Whether these reformatories were actually effective seems dubious, given that treatment of

²¹⁹ Letter dated 9 October 1883 from manager, St. Conleth's Reformatory School, Philipstown, to Sir John Lentaigine, Inspector of Industrial and Reformatory Schools. Convict Reference File, James Brennan, NAI CRF 1894/B-21.

²²⁰ Catholic Institution for the Deaf and Dumb, *CID 49th report, 1906*, p. 87 (entry 1175).

²²¹ *Wexford People*, 6 December 1893.

²²² *New Ross Standard*, 3 February 1894, p. 6.

²²³ 'An Act to provide for the treatment of Habitual Inebriates', 61 & 62 Vict. c. 60 (12 August 1898); George Bretherton, 'Irish inebriate reformatories, 1899-1920: a small experiment in coercion' in Ian O'Donnell and Finbarr McAuley (eds), *Criminal Justice History: Themes and Controversies from Pre-Independence Ireland* (Dublin, 2003), pp 215-216; Smith, 'Ireland's Ennis Inebriates' Reformatory', p. 57.

²²⁴ Conor Reidy, 'Inebriate Women in Early Twentieth Century Ireland' in *History Ireland* (2014), pp 26-27, 29.

²²⁵ Bretherton, 'Irish inebriate reformatories...', p. 222.

²²⁶ *Ibid.*; Smith, 'Ireland's Ennis Inebriates' Reformatory', p. 59.

²²⁷ "Ennis featured strict cellular confinement only at night; dining and recreation rooms; better furnished sleeping rooms; better, more varied food; more frequent visits and letters; shorter hours of more varied labor for slightly more money; different clothing; smoking, exercise, and recreational game privileges; and occasional lectures and concerts." Quoted in Smith, 'Ireland's Ennis Inebriates' Reformatory', pp 59-60.

²²⁸ Conor Reidy, *Criminal Irish drunkards: the inebriate reformatory system 1900-1920* (Dublin, 2014), pp 57-58.

alcoholism in any substantive manner seemed not to occur, nor did the issue of drink-related crime decline.²²⁹

Three deaf individuals were identified as inmates in these institutions. John O'Dell was a repeat offender in the Limerick City police court, mostly for drunkenness, and had been in prison dozens of times serving short sentences. He was described in one newspaper report as being "a mute", and in prison records as being a "deaf semi-idiot" with "speech imperfect".²³⁰ In March 1909 at Limerick City police court, he was sentenced to three years in St Patrick's certified reformatory after having been convicted four times of drunkenness within twelve months.²³¹ He was in St Patrick's Reformatory in Hennessy's Road, Waterford, in the 1911 Census, described as a "patient" who was "Almost Wholly Deaf, Almost Wholly Dumb".²³² The experience seems not to have been transformative; presumably released in and around early March 1912, he was in the police court a few days later for drinking on the public street on the 4th March.²³³ Although O'Dell in particular had a very large number indeed of convictions for drinking, such recidivism was hardly peculiar to deaf inmates; other offenders had been admitted to gaol 200 times in a single year for drunkenness and related offences.²³⁴

The Ennis Inebriate Reformatory received two deaf prisoners - David McCormick and (on two occasions) Mary Wilson, both convicted at Belfast. Short portraits of inmates who had passed through the inebriate system appeared in General Prisons Board reports.²³⁵ After his discharge, McCormick was described in one such report as "[a]lways under the influence of drink when he had the means to get it, and thoroughly neglected wife and children... A deaf mute of very low habits and thoroughly worthless... Fairly intelligent. Conduct in Reformatory exemplary, always cheerful, good-tempered, and a hard worker... [he] is keeping fairly sober. He still, however, spends much of his money in drink. A longer sentence would have been most beneficial in this case."²³⁶ The portrait also referred to McCormick's mistreatment of his wife, now deceased, and family, another very common theme among male inebriates.²³⁷

²²⁹ Bretherton, 'Irish inebriate reformatories...', p. 231.

²³⁰ *Cork Constitution*, 28 April 1896, p. 6; Limerick Prison general register 1899-1901, entry 669, 9 August 1900, *Irish Prison Registers 1790-1924*, FMP.

²³¹ Limerick City Police Court order books, entry 1028, 5 March 1909, *Ireland, Petty Sessions Court Registers*, FMP.

²³² 1911 Census of Ireland, Hennessy's Road, Waterford.

http://www.census.nationalarchives.ie/pages/1911/Waterford/Waterford_No_3_Urban/Hennessy_s_Road/672506/

²³³ Limerick City Police Court order books, entry 876, 15 March 1912, *Ireland, Petty Sessions Court Registers*, FMP.

²³⁴ Smith, 'Ireland's Ennis Inebriates' Reformatory', p. 57; Bretherton, 'Irish inebriate reformatories...', p. 216.

²³⁵ Smith, 'Ireland's Ennis Inebriates' Reformatory', p. 53.

²³⁶ General Prisons Board, *Appendix to the Twenty-Fifth Report, Part IV: Extracts from Reports by Superior Officers of State Inebriate Reformatory* (1904), p. 145.

²³⁷ Bretherton, 'Irish inebriate reformatories...', p. 228; Smith, 'Ireland's Ennis Inebriates' Reformatory', p. 63.

Mary Wilson's time in Ennis was complicated by the presence of her child, Francis David, born in July 1900 in Belfast Prison while Mary was serving a nine month sentence for larcenies.²³⁸ They were living together with a deaf Protestant couple, Henry and Mary Lyons, at St. Leonard St, Belfast, at the time of the Census of Ireland in late March of 1901.²³⁹ That August, Mary was arrested on suspicion of stealing clothes; in her handwritten statement to the police she pleads to stay with her child. "I never better since birth in the jail last year. I have been thinking about my baby. Some of the people said Better me go to the Nazareth House with my child for 5 years. I am delicate. My father said that I must go to the Nazareth House with my Baby. Please ask the Magistrates, let me go there with my child for 5 years, if I go back to the Jail it would kill me."²⁴⁰ This did not move the court. Mary was instead sentenced to three years in the Ennis Inebriate Reformatory. It is unclear what happened to her son, but in her prison memorials, she does not write of him again. Mary's conduct in Ennis was described as "at first indifferent. At times very hysterical and passionate", but improved towards the end of her sentence; "at the point of release the good influences and discipline had begun to show themselves, and a longer stay would have been most beneficial."²⁴¹ Mary seemed to remember her two terms in Ennis with high regard, and when she was tried in Belfast in 1914 for larceny, she requested the judge to be sent there for three years. Instead, she was received three years' penal servitude.²⁴²

Conclusion

This chapter has briefly outlined developments in Irish prison history and penal policy, especially the development of the convict system. The usefulness of sources such as local prison registers were illustrated in connecting together committals to form a more comprehensive picture of the lives of deaf prisoners, and examples of long-term recidivism and socially stigmatised crime patterns in the deaf community were shown, as well as examples of deaf criminals 'sticking together'. The experiences of deaf convicts were then explored, with particular reference to the presence in the period 1851-1922 of many of the issues relating to restraint and isolation that are referenced in current literature on the experiences of deaf people in prisons. Punishments such as muff restraints and dark cells, though used sparingly in most cases, were shown to be uniquely distressing elements of deaf prisoners' lives. It was also shown that the rehabilitative

²³⁸ Civil birth record, David Wilson, 5 July 1900, civil registration district of Belfast, IGN; Wilson, Mary 1904. Ancestry.com. *UK, Calendar of Prisoners, 1868-1929* [database on-line]. Lehi, UT, USA: Ancestry.com Operations, Inc., 2020.

²³⁹ Census of Ireland 1901 online, St Leonard St, Belfast, Co. Antrim, http://www.census.nationalarchives.ie/pages/1901/Down/Victoria/St_Leonard_Street/1219109/

²⁴⁰ Statement of Mary Wilson to Constable McCreddy, dated 30 Aug 1901. Crown Files, Belfast Recorder's Court, 19 September 1901. PRONI BELF/1/2/2/11/146.

²⁴¹ General Prisons Board, *Appendix to the Twenty-Fifth Report, Part IV: Extracts from Reports by Superior Officers of State Inebriate Reformatory*, p. 143.

²⁴² *Belfast Newsletter*, 5 December 1914, p. 7.

aspects of the convict system were unevenly applied to deaf convicts in the 1850s and 1860s during the heyday of the grand vision of the Crofton system. Prison schooling and intermediate 'open' prisons were denied to some of the deaf convicts this chapter identifies, on the basis of their deafness. The fervent hopes of guiding the wayward through moral incentives to a better life, were - at this early stage - simply abandoned when deaf prisoners presented themselves, and attempts to influence deaf prisoners' consciences were therefore compromised from the outset. Mental health issues arose for deaf prisoners, and prisons and asylums (including the Dundrum Criminal Lunatic Asylum) contacted each other regarding deaf prisoners in back-and-forth attempts to determine whether or not they were insane. Deaf prisoners not only corresponded but could do so frequently, with friends and family, as well as prison authorities and Dublin Castle, and even those prisoners who were illiterate used their resources and contacts to have memorials and communications written to help their sentence be shortened, to move to different prisons or to express worries about their health.

Conclusions

This thesis has comprehensively explored, from a 'history from below' perspective, the beginnings of deaf education in Ireland, the formation of deaf communities, the relationship between deaf schools and the Poor Law Boards of Guardians, and deaf people's experiences in workhouses, courts of law and prisons. It has done this while adopting a Deaf Studies perspective that recognises the existence of deaf communities and sign languages, while remaining open to the possibility that the form such communities and languages may have taken in the past may have been very different indeed to ideas we may have in the present day. In this conclusion I wish to close with some themes that have emerged from the research cutting across all the chapters.

It has been shown that the establishment of deaf education in Ireland was far from immediately transformative on the ground, no matter how much charitable impulses fired up newspaper editors and attendees at exhibitions. Boards of guardians, ratepayers, and occasionally the families of deaf children themselves formed potential barriers to schooling. Considerations of pity, spiritual obligation and future savings conflicted with sectarian motives, fear of ratepayer complaints, and lack of clarity on what poor law legislation allowed. Despite clear Poor Law Commission and Local Government Board advice, guardians used this lack of clarity to refuse funding, to force deaf children to sleep for a night in the workhouse, or to send them to schools of a different religion.

Nor did the steady rise of pupils attending Cabra, Lisburn Road, and the other deaf schools immediately entail the creation of one, or even two or three, deaf communities of literate, fluent signing deaf people overnight. A majority of deaf people remained uneducated until the turn of the century, and a significant portion thereafter. Furthermore, the numbers of pupils withdrawn early, or sent back from deaf schools as incapable of being taught, were also high. What we see is a set of deaf communities that did not form immediately in 1816, or 1846 or 1857, but grew very slowly indeed through the century, and by the establishment of the Irish Free State were still not yet representative of all deaf people nationwide. Furthermore, the boundaries of these communities were fuzzy and ill-defined. It has been shown that the status of uneducated deaf people in this period has more complexity than one may assume. Deaf schools and boards of guardians alike expressed horror and pity towards those who were uneducated, but we have seen that all over the country, they worked, took court cases, used

interpreters, complained of mistreatment in workhouses, and arranged to write memorials and letters from prison.

It has also been shown that the various forms of institution were intimately linked. Inter-institutional links connected prisons and asylums, and workhouses and asylums, as recently outlined above. A sentiment that emerges in many cases is that deaf people were seen not to 'fit' the institution they ended up in, which was more often than not the workhouse, but the same was said about prisoners who were deaf. Their communication needs being almost completely unmet in prisons led to attempts at committal in asylums, due to a belief that prison was no place for them, a judgement expressed very often in workhouses too. Deaf schools developed relationships with poor law boards increasingly after the 1843 legislation enabled poor-rate funding. These relationships could develop in a multitude of ways. While schools were openly full of gratitude and praise for those Unions that paid regularly, and relatively quiet about those that did not, certain Unions in the North had a more prickly and sectarian-tinged distrust of the Catholic schools. This faded as time progressed, but general concern for saving money and keeping the poor rate low (and keeping the guardians on their boards come election time) often translated to impatience and frustration with deaf schools, who faced a difficult job with limited resources and dealt with not only children with additional difficulties, but deaf adults who, being neglected for years, were extremely difficult to educate. If education failed, often it was back to the workhouse these pupils came, another unpleasant prospect for most Unions. As long as central government refused to fund deaf education via the central exchequer, as began to happen in England, this mutual uneasiness between school and Union would continue.

An interesting finding has been that deaf people escaped easy categorisation in the poor law infrastructure of relief categories and entry to the workhouse - 'deserving' versus 'undeserving' poor, 'impotent' versus 'able bodied'. It is apparent however that deaf signers were not consistently 'labelled' as anything. They were listed as 'able bodied' while at the same time, 'deaf and dumb'; their classification in the workhouse varied in terms of the gender or age group section they belonged to, but merely being deaf did not mean automatically being placed with other physically disabled 'infirm' inmates. What does become apparent is that many deaf people were placed in an 'idiot ward' rather than the main body of the house, but this remains a difference in approach that seemed to vary constantly between workhouses.

Deaf people's agency is another prominent theme. Deaf people have been shown not to be mere victims of institutionalisation, despite the high percentage of deaf people who were institutionalised. They resisted workhouse discipline, using writing and sign language to make complaints, applied for work, and left and re-entered the house when they needed to. Deaf people took prosecutions against others in court, pursued civil cases, and used writing and interpreters to plead their case. This occurred with both educated and uneducated deaf people. They wrote memorials to the Chief Secretary and pleaded their case, and used a variety of strategies to elicit sympathy.

Deaf people's own solidarity with each other and yearning for deaf companionship has revealed itself. Deaf workhouse inmates were among those who took the regular trips to Cabra for retreats, and writing letters to amused guardians of how joyful being in the company of so many deaf people felt. Deaf people, when their deaf friends were suffering from domestic violence, used the courts to challenge the abuser. Deaf homeless men 'tramped' together, were arrested together and faced the courts together. Importantly, deaf adults taught deaf children, passing on language and culture to generations of deaf children. They also sought each other out for courtship and marriage, though Protestant deaf people found this more easy to do, with their history of mixed schooling, regular mixed adult get-togethers and socialising around the country.

The gendered experiences of deaf women have featured widely within this research. Catholic deaf people were physically separated by gender in separate schools, and by extension, came to use gendered variants of language. Upon leaving school, they socialised separately, and married infrequently. Deaf women showed a high propensity to live in institutional or domestic service settings where meeting potential partners was difficult. Others were frequent inmates of the workhouses, which they used for medical care, including maternity care. Whether educated or not, they faced considerable difficulties in the setting of the workhouse, where considerable risk of sexual exploitation existed; often, such exploitation left them unable to communicate to authorities the identity of the perpetrator. Outside the workhouse, similar threats of sexual violence existed, manifesting in trials for rape and sexual assault, as well as cases of seduction, when their male family members took on civil suits for the alleged loss of earnings the pregnancy had cost them.

Another powerful theme has been mental health and intellectual disability. Deaf children who were unable to be taught at the deaf schools – which we have seen was a high proportion – returned to the limbo of a potentially unwelcoming family, or a workhouse ward, then eventually a ‘lunatic’ ward in the house. While the number of deaf people in workhouses stayed relatively stable, the proportion of these inmates in workhouse asylum wards had shot up to a third of all deaf inmates by the turn of the century. Whether they had simply been in the workhouse all their lives and never been educated, or sent back from a deaf school, or had entered the workhouse as ‘harmless lunatic’ adults, they found themselves in a predicament where being confined in the house was potentially permanent. Yet time and again, when workhouse authorities tried to arrange their committal to asylums by medical officers, their lack of ‘insanity’, as defined by contemporary mental health professionals, frustrated these plans. Similarly, prisons accepted deaf people who they tried to have committed, without success; psychiatrists and medical officers refused to certify them, as they showed no signs of madness. In a painful irony, this meant that confinement in workhouse wards or prison cells dragged on, seeming in many cases to lead to genuine mental distress, and eventual committal. The issue of legal “sanity” presented itself in trials with deaf defendants, who faced a set of increasingly high bars to prove they were fit to be tried. Miscommunication had the highest of stakes. Often without qualified interpreters, and sometimes without a recognised sign language to speak of, deaf defendants’ failure to understand abstract legal concepts – or prove satisfactorily to a judge they understood them – could mean committal.

This research excluded the period after Irish independence, which represents an extremely fruitful area for future research on the evolution of institutional themes herein explored – deaf education and its funding mechanisms, courts and the law, prisons, and county homes. This is especially so in relation to the area of deaf people’s treatment in the legal arena of the early years of the Irish Free State, and Irish Republic, for which court records have a good rate of survival. Similarly, comparison of treatment of deaf people in the two jurisdictions of Northern Ireland and the Irish Free State after 1920 may shed light on interesting divergences or commonalities. It also opens up greater possibilities for oral history approaches and interviews with deaf people with direct memories of such events, a possibility that could not be pursued here.

The findings herein suggest a number of possible paths to research in the future looking specifically at deaf women’s experience of crime, much resources for which have been

discovered in the course of this research. Another promising future for direction would be a more in-depth examination of religious difference between Catholic and Protestant deaf women, particularly in the Belfast area where deaf women were more likely to marry and work in industries.

One area that has not been addressed in this thesis – while looming consistently in the background of this research - is the experiences of deaf people in district and criminal lunatic asylums. The asylum represents another form of institution that can productively be explored along the lines of this dissertation. It forms an extraordinarily promising field of future study for both the nineteenth and twentieth centuries. While workhouse asylums have to some extent been discussed, and links between other asylums and prisons and workhouses where deaf people are concerned, the existence of case books and files in archives of asylums and mental hospitals, considered alongside the issues already considered here, present an opportunity to give a comprehensive account of deaf people and mental health-related institutions in the nineteenth and early twentieth century.

The opportunities for pioneering research particularly into deaf people in mental institutions are rich for both the pre- and post-1920s periods. Mental institutions are hugely significant when considering deaf people's lives in history. Deaf people have a higher rate of mental health difficulties than the general population,¹ and have traditionally been over-represented in mental hospital populations. The all-encompassing nature for their inmates of lunatic asylums in the nineteenth and early twentieth centuries, with constant surveillance, restricted movement, and the clinical gaze documenting their progression, means that medical records can be a fruitful source of information about deaf individuals' lives at this time.

¹ Johannes Fellingner, Daniel Holzinger and Robert Pollard, 'Mental health of deaf people' in *The Lancet*, ccclxxix, no. 9820 (2012), pp 1037–1044.

Appendix 1: List of newspapers included in research

<i>Newspaper Title</i>	<i>Start Year</i>	<i>End Year</i>	<i>Online Database</i>
Allnut's Irish Land Schedule	1851	1871	FMP
An Claidheamh Soluis	1899	1918	INA
Anglo-Celt	1851	1922	INA
Armagh Guardian	1851	1871	FMP
Armagh Standard	1884	1896	FMP
Athlone Sentinel	1851	1861	FMP
Ballina Herald and Mayo and Sligo Advertiser	1891	1922	FMP
Ballinrobe Chronicle	1866	1903	INA, FMP
Ballymena Advertiser	1873	1892	FMP
Ballymena Observer	1857	1922	FMP
Ballymena Weekly Telegraph	1896	1922	FMP
Ballymoney Free Press and Northern Counties Advertiser	1870	1922	FMP
Ballyshannon Herald	1851	1873	FMP
Bankrupt & Insolvent Calendar	1851	1866	FMP
Banner Of Ulster	1851	1869	FMP
Bassett's Chronicle	1863	1885	FMP
Belfast Commercial Chronicle	1851	1855	FMP
Belfast Mercantile Register and Weekly Advertiser	1851	1870	FMP
Belfast Mercury	1851	1861	FMP
Belfast Morning News	1857	1882	FMP
Belfast Newsletter	1851	1922	INA, FMP
Belfast Telegraph	1871	1922	FMP
Belfast Weekly News	1857	1914	FMP
Belfast Weekly Telegraph	1873	1922	FMP
Bray and South Dublin Herald	1876	1909	FMP
Carlow Morning Post	1851	1878	INA
Carlow Post	1853	1873	FMP
Carlow Sentinel	1851	1920	FMP
Carrickfergus Advertiser	1884	1912	FMP
Cashel Gazette and Weekly Advertiser	1864	1893	FMP
Catholic Telegraph	1852	1867	FMP
Cavan Observer	1857	1864	FMP
Cavan Weekly News and General Advertiser	1864	1904	FMP
Clare Advertiser and Kilrush Gazette	1869	1887	FMP
Clare Freeman and Ennis Gazette	1855	1884	FMP
Clare Journal, and Ennis Advertiser	1851	1872	FMP
Clonmel Chronicle	1851	1896	FMP
Coleraine Chronicle	1851	1910	FMP
Commercial Journal	1854	1872	FMP
Connacht Tribune	1909	1922	INA
Connaught Telegraph	1851	1922	INA

Connaught Watchman	1851	1863	FMP
Cork Advertising Gazette	1855	1859	FMP
Cork Constitution	1851	1896	FMP
Cork Daily Herald	1858	1901	FMP
Cork Examiner	1851	1912	FMP
Cork Weekly News	1883	1922	FMP
County Down Spectator and Ulster Standard	1904	1915	FMP
County Tipperary Independent and Tipperary Free Press	1882	1907	FMP
Current Prices Of Grain At Dublin Corn Exchange	1860	1861	FMP
Derry Journal	1851	1922	INA, FMP
Donegal Democrat	1919	1922	INA
Donegal Independent	1886	1919	FMP
Donegal News	1903	1922	INA
Downpatrick Recorder	1851	1874	FMP
Downshire Protestant	1855	1862	FMP
Drogehda Argus and Leinster Journal	1851	1909	INA
Drogheda Argus and Leinster Journal	1851	1922	FMP
Drogheda Conservative	1852	1908	INA, FMP
Drogheda Independent	1884	1922	INA, FMP
Drogheda Reporter	1861	1865	INA
Dromore Weekly Times and West Down Herald	1905	1914	FMP
Dublin Daily Express	1855	1917	FMP
Dublin Daily Nation	1897	1900	FMP
Dublin Evening Mail	1851	1922	FMP
Dublin Evening Packet and Correspondent	1851	1862	FMP
Dublin Evening Post	1851	1870	FMP
Dublin Evening Telegraph	1871	1922	FMP
Dublin Medical Press	1851	1868	FMP
Dublin Mercantile Advertiser, and Weekly Price Current	1851	1865	FMP
Dublin Shipping and Mercantile Gazette	1871	1871	FMP
Dublin Weekly Nation	1851	1900	FMP
Dublin Weekly News	1860	1888	FMP
Dundalk Democrat, and People's Journal	1851	1922	INA, FMP
Dundalk Examiner and Louth Advertiser	1884	1922	FMP
Dundalk Herald	1868	1896	FMP
Dungannon News	1893	1906	FMP
Enniscorthy Guardian	1889	1922	FMP
Enniscorthy News, and County Of Wexford Advertiser	1861	1871	FMP
Enniskillen Chronicle and Erne Packet	1851	1893	FMP
Evening Echo	1896	1922	INA
Evening Freeman	1851	1871	FMP
Evening Herald (Dublin)	1891	1922	INA, FMP
Evening Irish Times	1880	1914	FMP
Evening News (Dublin)	1859	1862	FMP

Evening News (Waterford)	1899	1914	FMP
Farmer's Gazette and Journal Of Practical Horticulture	1851	1870	FMP
Fermanagh Herald	1903	1922	INA, FMP
Fermanagh Times	1880	1922	FMP
Flag Of Ireland	1868	1898	FMP
Freeman's Journal	1851	1922	INA, FMP
Frontier Sentinel	1904	1922	FMP
Galway Express	1853	1920	FMP
Galway Mercury, and Connaught Weekly Advertiser	1851	1860	FMP
Galway Vindicator, and Connaught Advertiser	1851	1899	FMP
General Advertiser For Dublin, and All Ireland	1851	1922	FMP
Gorey Correspondent	1861	1884	FMP
Ireland's Saturday Night	1894	1922	FMP
Irish Citizen	1912	1920	FMP
Irish Daily Independent	1893	1904	INA
Irish Ecclesiastical Gazette	1856	1874	FMP
Irish Emerald	1877	1912	FMP
Irish Examiner	1851	1922	INA
Irish Independent	1891	1922	INA, FMP
Irish News and Belfast Morning News	1892	1911	FMP
Irish Society (Dublin)	1889	1922	FMP
Irish Times	1859	1922	FMP
Irish Weekly and Ulster Examiner	1891	1922	FMP
Journal Of The Chemico-Agricultural Society Of Ulster	1851	1867	FMP
Kerry Advocate	1914	1916	INA
Kerry Evening Post	1851	1917	INA, FMP
Kerry Evening Star	1902	1914	INA
Kerry Examiner and Munster General Observer	1851	1856	INA, FMP
Kerry Independent	1880	1884	INA
Kerry News	1894	1922	INA
Kerry People	1902	1922	INA, FMP
Kerry Press	1914	1916	INA
Kerry Sentinel	1878	1916	INA
Kerry Star	1861	1863	INA
Kerry Weekly Reporter	1883	1920	INA
Kerryman	1904	1922	INA, FMP
Kildare Observer and Eastern Counties Advertiser	1881	1922	FMP
Kilkenny Journal, and Leinster Commercial and Literary Advertiser	1851	1872	FMP
Kilkenny Moderator	1851	1922	FMP
Kilkenny People	1895	1922	INA
Killarney Echo and South Kerry Chronicle	1899	1920	INA
Kilrush Herald and Kilkee Gazette	1879	1922	FMP
Kings County Chronicle	1851	1874	FMP
Larne Reporter and Northern Counties Advertiser	1865	1904	FMP

Larne Times	1893	1922	FMP
Leinster Express	1851	1922	INA
Leinster Independent	1871	1872	FMP
Leinster Leader	1881	1922	INA, FMP
Leinster Reporter	1859	1922	FMP
Leitrim Advertiser	1886	1916	FMP
Leitrim Journal	1851	1872	FMP
Leitrim Observer	1904	1922	INA
Limerick and Clare Examiner	1851	1855	FMP
Limerick Chronicle	1851	1868	FMP
Limerick Leader	1905	1922	INA
Limerick Reporter	1851	1894	FMP
Lisburn Herald, and Antrim and Down Advertiser	1891	1922	FMP
Lisburn Standard	1878	1922	FMP
Londonderry Sentinel	1851	1922	FMP
Londonderry Standard	1851	1872	FMP
Longford Journal	1851	1914	FMP
Longford Leader	1897	1922	INA
Lurgan Mail	1915	1922	FMP
Lurgan Times	1879	1915	FMP
Mayo Constitution	1851	1872	FMP
Mayo Examiner	1868	1903	INA, FMP
Mayo News	1893	1922	INA
Meath Chronicle	1897	1922	INA
Meath Herald and Cavan Advertiser	1851	1922	FMP
Meath People, and Cavan and Westmeath Chronicle	1857	1863	FMP
Midland Counties Advertiser	1854	1922	FMP
Midland Tribune	1881	1915	FMP
Mid-Ulster Mail	1891	1922	FMP
Missionary Herald Of The Presbyterian Church In Ireland	1855	1855	FMP
Monitor, and Missionary Chronicle, Of The Reformed Presbyterian Church	1853	1855	FMP
Munster Express	1860	1922	INA, FMP
Munster News	1851	1922	FMP
National Teacher, and Irish Educational Journal (Dublin, Ireland)	1890	1896	FMP
Nationalist and Leinster Times	1883	1922	INA
Nenagh Guardian	1851	1922	INA
Nenagh News	1895	1922	INA
New Ross Standard	1889	1922	FMP
Newry Examiner and Louth Advertiser	1851	1870	FMP
Newry Herald and Down, Armagh, and Louth Journal	1858	1864	FMP
Newry Reporter	1867	1913	FMP
Newry Telegraph	1851	1902	FMP
Newtownards Chronicle & Co. Down Observer	1873	1900	FMP
North Down Herald and County Down Independent	1898	1922	FMP

Northern Constitution	1877	1912	FMP
Northern Standard	1885	1922	INA
Northern Standard	1851	1871	FMP
Northern Whig	1851	1922	FMP
Offaly Independent	1920	1922	INA
Penny Despatch and Irish Weekly Newspaper	1861	1867	FMP
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Skibbereen Eagle	1882	1922	INA
Sligo Champion	1851	1922	INA, FMP
Sligo Chronicle	1851	1891	FMP
Sligo Independent	1855	1922	FMP
Sligo Journal	1851	1861	FMP
Southern Reporter and Cork Commercial Courier	1851	1870	FMP
Southern Star	1892	1922	INA
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The Liberator (Tralee)	1914	1922	INA
The Nation	1851	1897	INA
The Nationalist (Tipperary)	1889	1922	INA
The Ulsterman	1852	1859	FMP
Tipperary Free Press	1851	1870	FMP
Tipperary Star	1909	1922	INA
Tipperary Vindicator	1851	1870	FMP
Tralee Chronicle	1851	1881	FMP
Tuam Herald	1851	1922	INA, FMP
Tyrone Constitution	1851	1909	FMP
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Weekly Vindicator	1851	1852	FMP
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Westmeath Independent	1851	1922	INA, FMP
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Wexford Independent	1851	1874	INA, FMP
Wexford People	1853	1922	FMP
Wicklow News-Letter and County Advertiser	1860	1922	INA, FMP
Wicklow People	1891	1922	FMP
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 - Crown and Peace Files
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- CCA** Cork City Archives
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- DCA** Donegal County Archives, Lifford, Co Donegal
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- WCC** Wicklow County Council

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