



## **Foucault and the colonial subject: Emergent forms of colonial governmentality in early modern Ireland**

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## *Chapter*

# Foucault and the Colonial Subject: Emergent Forms of Colonial Governmentality in Early Modern Ireland

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Subjection is, literally, the *making* of a subject, the principle of regulation according to which a subject is formulated or produced. Such subjection is a kind of power that not only unilaterally *acts on* a given individual as a form of domination, but also *activates* or forms the subject.

Judith Butler, *The psychic life of power: theories in subjection*.<sup>1</sup>

[T]he political, ethical, social, philosophical problem of our days is not to try to liberate the individual from the state [but] from the type of individualization which is linked to the state. We have to promote new forms of subjectivity through the refusal of this kind of individuality which has been imposed on us for several centuries.

Michel Foucault, 'The subject and power'.<sup>2</sup>

### **Introduction**

Through the course of his academic career, William J. Smyth has insightfully illuminated much of colonial Ireland. In a series of empirical studies, particularly of his native County Tipperary, Smyth has shown early modern colonialism in Ireland to have been a profoundly asymmetrical and far-reaching system of space, power and knowledge. The county is also the empirical focus of this chapter, and in it I draw upon recently translated lectures of Michel Foucault that have attracted wide academic attention across the humanities and social sciences, *Security, territory, population* and *The birth of biopolitics*.<sup>3</sup> In Geography, the publications have prompted a number of reflections on the historical relations between sovereign power and

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what Foucault called 'biopower', which he defines broadly as the technologies of government that developed in Western societies to secure and regulate populations and their conduct.<sup>4</sup> In his broad canon of work, however, colonial societies have been largely overlooked, which is partially the prompt for this chapter.<sup>5</sup> I want to draw upon Foucault's writings to assess the extent to which technologies of government were enabled in early modern Ireland that were, in many ways, the colonial prototypes of the kinds of population management that Foucault asserts later characterised modern European society. My intention is to consider New English governmental strategies to 'activate', in Judith Butler's words, a particular type of colonial subject as part of a new capitalist colonial economy,<sup>6</sup> whilst simultaneously to eliminate the conduct of the existing Gaelic population, as William Smyth has underlined.<sup>7</sup> Particular attention is given to the tactic of 'surrender and regrant', a policy designed for a governmental, legal and economic endgame in which the existing Gaelic population was quantified and regulated but also activated as economic subjects and ultimately exposed to dispossession in a new colonial economy.

### **Foucault and governmentality**

I want to begin by reflecting on how Foucault's work is specifically relevant to the historical geography of colonialism. To argue that Foucault's predominant gaze on Western Europe, and particularly his native France, resulted in colonial societies being overlooked is not entirely true. As Stephen Legg has shown, colonial societies did, to some extent, inform Foucault's conceptualization of the metropole.<sup>8</sup> And Foucault acknowledged that the techniques of government and security that European powers exported, tested and modified in the colonies were 'brought back to the West, and the result was that the West could practise something resembling colonization, or an internal colonialism, on itself.'<sup>9</sup> Foucault called this the 'boomerang effect' – and I argue below that many of the governmental techniques that Foucault claimed to define modern European state systems saw their development in early modern European colonial societies such as Ireland.

Running throughout Foucault's work was an ongoing concern with human geography that was pivotal to his thinking on sovereignty, power and what he called 'governmentality' – which he broadly defined as the tactics and techniques of government that are designed to create governable subjects through actively shaping and normalizing people's conduct.<sup>10</sup> For Foucault, the advent of modernity was characterised by the state becoming increasingly controlled by

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such techniques. In *Security, territory, population*, he traces a modern shift in the focus of sovereign power from problems of territory to problems of population, which saw governmental techniques emerge that sought to regulate the circulation and collective conduct of the sovereign's subjects. Foucault identified this shift occurring in late eighteenth-century Europe, but I want to suggest here that it was happening earlier in Europe's early modern colonies such as Ireland, when we can see emergent forms of governmentality coming into view.

Foucault theorised governmentality as the strategies and procedures that facilitate a mode of governmental power that 'has the population as its target, political economy as its major form of knowledge, and apparatuses of security as its essential technical instrument'.<sup>11</sup> The concept is useful in three key ways in considering the emergence of colonial governmental techniques in early modern Ireland: first, the colonial government explicitly sought to actively shape the conduct of a target colonial population, and the strategy of surrender and regrant is a useful example to illustrate this; secondly, the Tudor and early Stuart administrations in Ireland were focused on enabling governable subjects in an emergent capitalist political economy, again exemplified by the tactic of surrender and regrant; and, thirdly, the evolving governmental technologies of early modern Ireland can be read as early exemplars of what Foucault saw as modernity's desire to anticipate and plan for society's uncertain future (what he called the 'aleatory'). Focusing on the anticipatory tactics that sought to reform and recast the early modern Irish colonial subject enables us to see how the newly-mapped colonial spaces presented the new order with what Foucault called a 'milieu' or 'field of intervention' that required planning for the uncertain by what Judith Butler calls the 'making of a subject'.<sup>12</sup> That subject needed to be summarily knowable, regulated and secured, and crucially too mobilised in the context of a capitalist colonial economy.

### **New colonial fields of intervention in early modern Ireland**

Colonial administrators in early modern Ireland were tasked with governing various aspects of a colonial milieu that they did not know. Mapping and scripting this new space involved multiple government agents actively playing a part in the production and registering of new knowledges, all orientated towards the development of a new political economy. As William Smyth has shown, from cartographers to patronised writers, Ireland was geo-graphed towards this colonial endgame.<sup>13</sup> The new colonial spaces presented crown officials with a field of intervention wherein the challenge of affecting colonial subjects lay in the 'problem of circulation and causality'.<sup>14</sup> Michael

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Dillon has argued that the key instrument of securing and governing populations is the science of 'statistics and probability'.<sup>15</sup> As he makes clear, you 'cannot secure anything unless you know what it is', which prompts the necessary translation of 'people, territory, and things' into 'epistemic objects'.<sup>16</sup> This is precisely what occupied those tasked with knowing, quantifying and transforming Gaelic Ireland in the Tudor and Stuart administrations of the early modern period.

In considering surrender and regrant as essentially an anticipatory governmental tactic, it is useful perhaps to reflect on the ways in which managing uncertainty has increasingly been identified as an essential tool of modern government.<sup>17</sup> Foucault first considered the governmental strategy of managing uncertainty by examining the anti-scarcity system of Western Europe in the late seventeenth century. In this model of government, populations are rendered as objects of management 'on which and towards which mechanisms are directed in order to have a particular effect on it', but simultaneously as political subjects 'called upon to conduct itself in such and such a fashion'.<sup>18</sup> And this was anticipated endgame of surrender and regrant too. For the New English administration in early modern Ireland, it was precisely the subjection and regulation of a new colonial population that was central to its tactics of securing a new political economy.

After the elevation of Ireland to a kingdom in June 1541, the partially colonized island to the west of Britain firmly came into the geopolitical imaginary of the Tudor government. Thereafter, the entire population of Ireland was nominally recognised as subjects of the crown, and a sustained, albeit ad hoc, initiative to re-establish English government in Ireland began. This was initially done by making various indentures and covenants between the crown and Gaelic lords; a process which historian W.F. Butler termed 'surrender and regrant' in 1913.<sup>19</sup> The policy formed the key instrument of what Ciaran Brady sees as the initial phase of Tudor government in Ireland involving political assimilation; the second and final phase being the enforcement of royal authority through dispossession and plantation.<sup>20</sup> How useful it is, however, to theorise the early modern Irish experience of colonial governmentality as neatly divided into 'soft' and 'hard' phases is another question. Certainly, there is ample evidence to highlight how reform thought increasingly gave way to more radical and racist rhetoric in the later sixteenth and early seventeenth centuries. An array of influential government writers – Sir John Davies, Fynes Moryson, Barnaby Rich and Edmund Spenser, for instance – reasoned expressly for the need for a military reconquest of Ireland.<sup>21</sup> But given the piecemeal application of governmental strategy, Ciaran Brady concedes that any neat conceiving of 'soft and

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tough phases of policy' ignores the 'periodic oscillations and simultaneous inconsistencies which were a feature of Tudor government in practice'.<sup>22</sup> In any case, there was perhaps a shared endgame for both surrender and regrant and military reconquest. Both tactics were complementary elements of a broader strategy to 'affect', in Foucault's words, a particular type of colonial subject and to ultimately enable capitalist accumulation in a new colonial economy.

### **'Regimes of truth' and remedial measures**

Historiographically, arguably the most critiqued of the core beliefs of the New English in early modern Ireland has been the 'racial/cultural logic' of superiority of prominent colonial thinkers such as Edmund Spenser. Along with Sir John Davies in the early decades of the seventeenth century, Spenser did perhaps more than anyone to script Gaelic Ireland as not only fundamentally culturally inferior, unruly and ungovernable, but also crucially requiring remedial intervention.<sup>23</sup> Spenser's *View* and Davies' *Discovery* formed but a portion of a much wider series of colonial discourses on contemporary Ireland, of course; all of which contributed to a hegemonic representation underscored by a deeply racist cultural logic.<sup>24</sup> This prevailing discourse – what Foucault called a 'regime of truth' – justified and indeed legitimated intermittent uses of military violence and it underscored too what Brendan Bradshaw has termed Ireland's simultaneous 'liberal revolution' of political and legal reform.<sup>25</sup> But both military security and the reforming and recasting of society were also predicated on powerful economic discourses, replete with persuasive logics of 'improvement' and 'individualization'. And it was the market economy discourse of individualization that saw surrender and regrant appeal to economic elites – both Gaelic-Irish and Old English – from across the ethnic divides of early modern Ireland, as Kenneth Nicholls and lately Christopher Maginn have shown.<sup>26</sup> Transcending ethnicity, the policy was not only orientated for political subject formation but very much economic subject formation too.

The prevailing colonial discourse on Gaelic Ireland in the sixteenth and early seventeenth centuries involved, on the one hand, the denunciation of the various political, economic and cultural productions of Gaeldom and, on the other hand, the identification and legitimation of remedial governmental measures. In other words, it equated to a hegemonic determinist binary that neatly juxtaposed disorder, volatility and threat with intervention, remedy and security – a binary that still functions as a powerfully persuasive logic for military intervention today.<sup>27</sup> Gaelic material practices such as tanistry, gavelkind, coign and livery, for example, were perennially presented

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as the reasons for the lack of political order and economic enterprise. Sir John Davies, for instance, declared that such customs made 'possessions uncertain, being shuffled and changed so often by new elections and partitions' and were 'the true cause of such desolation and barbarism in this land'.<sup>28</sup> And the remedial measures were in turn directed to affect both political and economic subject formation: Lord Deputy of Ireland, Sir John Perrot, declaring in 1589 that 'the surrendering of their land, and taking the same back again, must breed quietness, obedience and profit'.<sup>29</sup> It is this logic of economic remedy/stimulus that is often overlooked in critiques of contemporary English colonial discourse and practice. Town charters from across late sixteenth-century Ireland, for instance, divulge a clear juxtapositioning of stymieing Gaelic economic productions with progressive English economic enterprise.<sup>30</sup> And of course the logic of remedial socioeconomic development lent itself to not only soft measures like surrender and regrant but also to more violent efforts to fashion a new colonial economy by planting subjects from Britain, as was made clear in the plans for the first large-scale Tudor plantation in Ireland in the 1580s, the Munster Plantation.<sup>31</sup>

### **Surrender, reduce and regrant: the colonial subject defined**

I want to look in more detail now at one area of Munster, in County Tipperary, which affords an illuminating insight into the consequences of English efforts to affect political and economic colonial subjectivity in early modern Ireland. The focus is on the O'Dwyer clan's colonial encounters in west Tipperary (their ancestral home of Kilnamanagh is seen in fig. 1). In 1540, an indenture took place between King Henry VIII and the chief of the O'Dwyers, in which the latter agreed to pay a sum of money 'out of every "carue" of land, and find 40 galloglas for a month' for the then burgeoning New English administration in Tipperary.<sup>32</sup> It was the beginning of a long series of colonial interactions that saw the O'Dwyers gradually become mobilised as colonial subjects. Some three generations later, in 1607, a defining development took place: the surrender and regrant of then chief of the O'Dwyers, Dermot O'Dwyer. The chief himself had early in 1607 petitioned Sir Arthur Chichester, lord deputy of Ireland, to:

surrender to his Majesty all his lands and seignories and to have the same regranted to him to hold of his majesty by English tenure, and thereby to reduce his country, being all Irish, to civility, and forasmuch as the best means thereto is to have the true use and the execution of the common law which is wanting there.<sup>33</sup>

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O'Dwyer set out his intention to reduce his country to civility by a dual legal-economic strategy: firstly affirming his property rights by English tenure and having the legal arm of the colonial government operative in his lordship, and secondly by initiating a new market economy. He was, in effect, embracing the opportunity to have his territory socially and economically regulated, not from within but from without (he had earlier served as sheriff of county Tipperary in 1599 and 1600).<sup>34</sup> And his understanding of the need for economic enterprise in the new order is clear too: lamenting that in his lordship there was 'neither court leet nor court baron nor any fair or market'.<sup>25</sup> Taking the role of improving landlord, he further petitioned that he may hold a court leet and court baron, two yearly fairs, a weekly market and have all the profits and privileges thereof. O'Dwyer's pitch secured all of his requests in his surrender and regrant of June 1607.<sup>36</sup>

Like many other surrender and regrants across the country in the early seventeenth century, Dermot O'Dwyer's agreement solidified a new colonial subjectivity within his lordship; and the most critical change was undoubtedly the legal framing of a new landlord-tenant local economy in which chief rents were payable by a new tenant class. The legal designating and standardising of tenant dues equated to the remedial reduction and regulation of what was deemed detrimental to effective governmentality: arbitrary Gaelic customs of service. This logic of improvement was crucially persuasive for the Gaelic lords too, as Mary O'Dowd and others have shown.<sup>37</sup> Indeed, Dermot O'Dwyer's surrender and regrant, like many others, affirms Jane Ohlmeyer's argument that in order to survive and be considered 'worthy subjects', Gaelic lords had 'no alternative but to exploit the economic advantages of the English system of landlord-tenant relations and of a commercial economy'.<sup>38</sup> This relates closely to Judith Butler's argument about subjection being 'a kind of power that not only unilaterally *acts on* a given individual as a form of domination, but also *activates* or forms the subject'.<sup>39</sup> For it was the activated economic subjectivity of the Gaelic-Irish lords that saw their concerted efforts to recast the social and economic parameters of their lordships.

The governmental measure of surrender and regrant ultimately served to affect a new *economic colonial subjectivity* in the Gaelic-Irish lordships in the early seventeenth century. The policy's architects and supporters had long envisaged an expressly economic endgame. Crown counsel to Irish affairs, Richard Hadsor, for example, in his 'Discourse' to King James I in 1604 had promoted the 'extension of the policy of "surrender and regrant" to break the dependence of Irish landholders on their traditional leaders and to bring them into a direct



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The surrender and regrant of lordships like the O'Dwyers in west Tipperary not only fundamentally reordered existing landholding, tenurial and social structures but in doing so served to elicit agrarian unrest. If landholding in early modern Ireland was 'the central fulcrum of economic and political power', as William Smyth has outlined, its colonial transformation had profound consequences.<sup>43</sup>

### **The transformative colonial economy**

The contours of agrarian unrest in west Tipperary were evident even before Dermot O'Dwyer's regrant in 1607. The Commission for Surrenders in 1605 and Commission for the Remedy of Defective Titles the following year had already begun to exert the legal armature of the colonial government in affecting subject formation. Fear, uncertainty and internal conflict over landholdings slowly ensued in the O'Dwyer lordship, as individualization began to increasingly define social and economic enterprise and ambition. A litigation in 1605, for example, concerned a disagreement about the Gaelic tradition of gavelkind as a means of inheritance, with the argument from one of the plaintiffs being that the custom had been 'used and continued time beyond man's memory in the manor and lordship'.<sup>44</sup> That it was being challenged, of course, merely reflected how the old Gaelic world was beginning to fracture. By 1609 and 1611, the O'Dwyer lordship's two foremost former freeholders, Connor O'Dwyer and John O'Dwyer, secured individual landholdings from the crown.<sup>45</sup> Both took advantage of the Commission for the Remedy of Defective Titles that had been set up in 1606. This commission, on the back of the Commission for Surrenders, not only served to accelerate the extension of private property rights and individualization but added to the general anxiety of pre-existing landholders and freeholders who were now increasingly under pressure to confirm their holdings at court. Many failed, of course, resulting in the forfeiture and redistribution of substantial land tracts throughout the country in the early decades of the century. The collective result was that for the first time in Gaelic Ireland, there was a land market and it was in a state of anxious flux.

The privatization of property rights safeguarded by statute law was pivotal to attracting large numbers of British settlers, venture capitalists and entrepreneurs to early seventeenth-century Ireland. Nicholas Canny suggests that as many as 100,000 migrated to Ireland during the years 1603-1641.<sup>46</sup> The opening up of the land market had two crucial effects: first, individualization began to define Gaelic landholding aspirations and, secondly, the burgeoning land market began to attract moneyed colonial entrepreneurs from England. In contemporary west

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Tipperary, a series of government inquisitions, land disputes and property transactions marked the O'Dwyer lordship of the 1620s and 1630s, during which time fifteen subordinate O'Dwyer clansmen were involved in legal battles to secure their respective landholdings individually.<sup>47</sup> Furthermore, land leases, mortgages and acquisitions were by now commonplace and characterised the dynamic economy.<sup>48</sup> And it was not just the chief and leading kinsmen of the O'Dwyers who were seeking to secure individual property rights; smaller landholders were equally proactive in the newly opened land market, reflecting both the extent of a new economic colonial subjectivity and the fracture of the older Gaelic social and economic order.<sup>49</sup>

The scramble to secure landholdings was further accentuated by the entry into the market of an affluent New English entrepreneurial class. The seldomly cited yet richly informative *Egmont Manuscripts* illustrate the insidious impact of these investors in early seventeenth-century Ireland. In the early decades of the century, these were an affluent, economically speculative and politically ambitious group, who engaged the seemingly boundless property market in Ireland with an especially capitalist zeal. Their influence in unplanted areas in particular served to reify the new colonial economy and economic behaviour of Gaelic colonial subjects. The *Egmont Manuscripts* chronicle the prolific political and economic enterprise of one of the most high-flying 'speculators', Sir Philip Percivall, whose family later became established as the earls of Egmont. Percivall occupied key governmental positions: clerk of the crown, clerk and registrar of the court of wards, prothonotary of the court of common pleas, and keeper of the public accounts.<sup>50</sup> By the 1630s, he had acquired a vast array of properties throughout Ireland, especially in Munster, and particularly in Counties Tipperary, Waterford and Cork (where he held a large estate in Burton). In Tipperary, he had comprehensively permeated the property market through the influential positions he held in government (especially as clerk and registrar of the court of wards).<sup>51</sup>

Percivall was a key figure in the burgeoning capitalist colonial economy of early modern Ireland. It was an economic climate that very much enabled what David Harvey terms 'accumulation by dispossession'.<sup>52</sup> It had facilitated Percivall, for instance, to legally acquire substantial holdings and properties through the reversion of minor's estates or wardships to the crown (lands that had been surrendered were of course only regranted conditionally).<sup>53</sup> By the late 1630s, Percivall had appropriated considerable possessions through the wardship system. Other tactics of accumulation by dispossession were also avidly pursued: extensive tracts of property were accumulated by the mechanism of mortgages, for instance. And

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Michael MacCarthy-Morrogh has shown how this predatory strategy was a key mechanism of capitalist accumulation for the adventurer class of the early seventeenth century – citing the examples of Sir Valentine Browne, first baronet of Mohaliffe, County Kerry, Richard Boyle, first earl of Cork, and one Sir Philip Percivall.<sup>54</sup>

In the 1630s, Percivall had built up a seemingly mutually beneficial relationship with a number of the O'Dwyer clansmen in west Tipperary. The *Egmont Manuscripts* divulge how Percivall maintained regular contact with many of the leading O'Dwyer landowners who were anxiously seeking to shore up their positions through economic partnership and cooperation with the Englishman, particularly in the years immediately prior to the 1641 Rebellion.<sup>55</sup> Writing in 1637, for example, Charles O'Dwyer, a major landowner in the once exclusive O'Dwyer barony, counselled Percivall 'to buy lands in that neighbourhood, as the inhabitants are so affrighted by the relation of the coming of the Plantation that they will sell upon very easy rates'.<sup>56</sup> In order to survive, the major O'Dwyer landholders were facing down threats externally of further plantations (as then Lord Deputy of Ireland, Sir Thomas Wentworth, had expressly signalled) and internally of agrarian unrest from their subordinates without a stake in the new order (unrest that partially fuelled the 1641 insurrection in Tipperary, which the O'Dwyer landholding elites first tried to prevent before reluctantly later leading).<sup>57</sup> The old collective clan landholding structure and associated social order had been remedially recast at this point, and what comes into view is an early modern example of the transformative effects on a population of a colonial governmental strategy designed to activate a capitalist economic subjectivity.<sup>58</sup>

### **Conclusion: colonial subjection and subjectivity**

Katherine Gibson and the late Julie Graham have lucidly shown how 'the concept of subjection allows us to see subjects as "made" and as "making themselves" in and through [...] practices of governmentality'.<sup>59</sup> The O'Dwyer clansmen in early seventeenth-century Ireland are an early example of what Gibson and Graham refer to as 'reluctant subjects'.<sup>60</sup> By 1641, the O'Dwyer lordship, not unlike many Gaelic lordships throughout the country, was doomed if not already obsolete. Its Gaelic landholding structure and associated social order had been irrevocably transformed. A crucial governmental strategy was the policy of surrender and regrant, which across early modern Ireland was much more transformative than is sometimes acknowledged.<sup>61</sup> It only partially worked, of course. The New English administration was simply not capable of solidifying the emergent political and legal frameworks of governmentality that were

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being built up. While some of the leading O'Dwyer landholders had forged close relations with Sir Philip Percivall in the 1630s, others were actively opposing his presence on their former clansmen's lands.<sup>62</sup> Yet, for the O'Dwyers and so many others, surrender and regrant had legally laid the framework for the wholesale dispossession of post-Cromwellian Ireland, and its extension of privatized property rights had opened up Gaelic Ireland to the type of individualization and economic subjectivity, which, in one of his last writings before his death, Foucault lamented as the lingering 'political, ethical, social, philosophical problem of our days'.<sup>63</sup>

Michel Foucault's work on governmentality has richly provided geographers with an analytical lens through which to theorize 'modern regimes of government'.<sup>64</sup> Drawing on Foucault and using the example of early modern Ireland, this chapter has been concerned with revealing the colonial antecedents of modern forms of governmentality and practices of subjection. Focusing on the colonial policy of surrender and regrant in early seventeenth-century Ireland, the chapter has sought to interrogate the gradual emergence of regulatory apparatuses of government that served to affect a population by activating a particular type of economic subjectivity in a new market economy. At its core, surrender and regrant's essential strategy of governmentality – activating an economic colonial subject – ultimately saw Gaelic Ireland reduced and recast and a new colonial economy emerge characterised by individualization and capitalist accumulation.

### Acknowledgements

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- true causes why Ireland was never entirely subdued and brought under obedience of the crown of England until the beginning of his majesty's happy reign* [c.1612], (reprint, 1969).
24. This has been critically examined by a number of writers. See, for example, A. Hadfield, *Literature, travel and colonial writing in the English renaissance 1545-1625* (Oxford, 1998); A. Hadfield, *Edmund Spenser's Irish experience: wild fruit and salvage soyl* (Oxford, 1997); P. Neville-Sington, "A very good trumpet": Richard Hakluyt and the politics of overseas expansion', in C.C. Brown and A.F. Marotti (eds), *Texts and cultural change in early modern England* (Houndmills, 1997), pp 66-81; A. Hadfield, 'Briton and Scythian: Tudor representations of Irish origins', *Irish Historical Studies*, 28/112 (1993), pp 390-408; B. Bradshaw, A. Hadfield and W. Maley (eds), *Representing Ireland: literature and the origins of conflict, 1534-1660* (Cambridge, 1993); and D.B. Quinn, *The Elizabethans and the Irish* (Ithaca, 1966).
  25. B. Bradshaw, *The Irish constitutional revolution of the sixteenth century* (Cambridge, 1979), p. 189.
  26. K.W. Nicholls, *Gaelic and gaelicised Ireland in the middle ages* (Dublin, 1972); C. Maginn, "Surrender and Regrant" in the historiography of sixteenth-century Ireland', *Sixteenth Century Journal*, 38/4 (2007), pp 955-74.
  27. I explore this in the context of contemporary interventionism in two recent papers: J. Morrissey, 'Lessons in American geopolitik: Kaplan and the return of spatial absolutism', *Human Geography*, 2/2 (2009), pp 36-9; and *ibid.*, 'Architects of empire: the military-strategic studies complex and the scripting of US national security', *Antipode*, 43/2 (2011), pp 435-70.
  28. Davies, *A discovery of the true causes*, p. 164.
  29. *Calendar of the Carew manuscripts preserved in the archiepiscopal library at Lambeth, 1589-1600* (Ed. J.S. Brewer and W. Bullen. London: P.R.O., 1869) p. 27.
  30. I develop this point in more detail elsewhere: see J. Morrissey, *Negotiating colonialism: Gaelic-Irish reaction to New English expansion in early modern Tipperary, c.1541-1641* (London, 2003) chap. 2.
  31. *Calendar of the Carew manuscripts preserved in the archiepiscopal library at Lambeth, 1575-1588* (ed. J.S. Brewer and W. Bullen. London: P.R.O. 1868), p. 419.
  32. *Calendar of the Carew manuscripts preserved in the archiepiscopal library at Lambeth, 1515-1574* (ed. J.S. Brewer and W. Bullen. London: P.R.O. 1867), p. 158.
  33. *Report on the manuscripts of the late Reginald Rawden Hastings, esq., of the Manor House, Ashby de la Zouch, vol. 4* (ed. F. Bickley, London, 1947), p. 25.
  34. *Calendar of the state papers relating to Ireland, 1600* (London, 1903), p. 11.
  35. *Report on the manuscripts of the late Reginald Rawden Hastings*, p. 25.
  36. *The Irish Patent Rolls of James I: facsimile of the Irish Record Commissioners' calendar prepared prior to 1830* (intro. by M.C. Griffith, Dublin, 1966), pp 104-5.
  37. O'Dowd argues, for example, that Gaelic landowners across Ireland saw 'the wisdom of holding their lands from the crown in order to remove themselves from the grip of overlords': see M. O'Dowd, 'Gaelic economy and society', in C. Brady and R. Gillespie, *Natives and newcomers*, p. 134.
  38. J.H. Ohlmeyer, "'Civilizing of those rude partes': colonization within Britain and Ireland, 1580-1640s', in N. Canny (ed.), *The origins of empire: British overseas enterprise to the close of the 17th century* (Oxford, 1998), p. 141. O'Dwyer's

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- surrender and regrant reveals that notwithstanding the superimposition of English legal, economic and social order across the barony of Kilnamanagh, the colonial administration was also intent on securing subjects by expediently accommodating lingering rudiments of the tenurial arrangements of the 'older order'. This can be seen in the later *Civil Survey*, for example.
39. Butler, *The psychic life of power*, p. 84.
  40. V. Treadwell, 'New light on Richard Hadsor, I: Richard Hadsor and the authorship of "advertisements for Ireland", 1622/3', *Irish Historical Studies*, 30/119 (1997), p. 310.
  41. M. O'Dowd, "Irish Concealed Lands Papers" in the Hastings Manuscripts in the Huntington Library, San Marino, California', *Analecta Hibernica*, 31 (1984), p. 77.
  42. P.J. Duffy, 'The territorial organisation of Gaelic landownership and its transformation in County Monaghan, 1591-1640', *Irish Geography*, 14 (1981), p. 1.
  43. W. Smyth, 'Property, patronage and population – reconstructing the human geography of mid-seventeenth century County Tipperary', in W. Nolan and T. McGrath (eds), *Tipperary: history and society: interdisciplinary essays on the history of an Irish county* (Dublin, 1985), p. 104.
  44. National Archives of Ireland, Chancery Bills B 133, p. 18. For similar disputes, see National Archives of Ireland, Chancery Bills J 185, p. 32 and National Library of Ireland, Manuscripts D 3420 and D 3427.
  45. *The Irish Patent Rolls of James I*, pp 156, 198.
  46. N. Canny, 'English migration into and across the Atlantic during the seventeenth and eighteenth centuries', in N. Canny (ed.), *Europeans on the move: studies on European migration, 1500-1800* (Oxford, 1994), p. 62.
  47. National Archives of Ireland, Record Commission 4/10; National Archives of Ireland, Chancery Bills M 111, p. 17.
  48. *The Irish Patent Rolls of James I*, p. 583; National Library of Ireland, MFIC Pos. 8302; R.C. Simington (ed.), *The Civil Survey, A.D. 1654-1656, County of Tipperary, vol. 2, western and northern baronies* (Dublin, 1934), pp 77, 79, 81, 83, 86, 95, 97.
  49. Philip O'Dwyer of Ballyhyde, for example, leased lands from the crown in Clonoulty parish from 1621, subsequent to one of his own kinsmen being convicted for high treason: *The Irish Patent Rolls of James I*, p. 503.
  50. *Report on the manuscripts of the earl of Egmont, vol. II* (London, 1909), pp vi, 11.
  51. *Report on the manuscripts of the earl of Egmont, vol. I, part I* (London, 1905), pp 92, 96-7, 108-9, 113-4.
  52. D. Harvey, *The new imperialism* (Oxford, 2003), chap. 4.
  53. This was a mechanism of property acquisition whereby individuals (especially with administrative connections such as Percivall in his role as registrar of the court of wards) insidiously built up holdings by attaining the legal guardianship (or wardship) of heirs to estates who were minors. In Kilnamanagh, the wardship of the substantial lands of Connor O'Dwyer of Ballagh in Clonoulty parish had been procured by Percivall in 1637.
  54. M. MacCarthy-Morrogh, *The Munster plantation: English migration to southern Ireland 1583-1641* (Oxford, 1986), pp 81-2. Browne served as sheriff of County Kerry, while Boyle served as lord treasurer of Ireland.
  55. *Report on the manuscripts of the earl of Egmont, vol. I, part I* (London, 1905), pp 149, 156.

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56. *Ibid.*, p. 93.
57. There were, of course, other key reasons for rebellion, including the racialist discourse and violent actions of the increasingly siege-like New English administration in Munster; see Morrissey, *Negotiating colonialism*, chapter 5 for an extensive discussion.
58. This is not to suggest that the Gaelic landholding structure was a picture of equality. As Nicholas Canny points out, the position of the peasant class in particular was frequently precarious: see N. Canny, *The Elizabethan conquest of Ireland: a pattern established* (Hassocks, Sussex, 1976), pp 17-8.
59. J.K. Gibson-Graham, *A postcapitalist politics* (Minneapolis, 2006), p. 23.
60. *Ibid.*, chap. 2.
61. Though seeing 'surrender and regrant' as more of a conciliatory policy and not having the wider political economic regulatory function theorised here, Christopher Maginn argues that the 'policy should occupy a more prominent position in the historiography of Ireland and England': see Maginn 'Surrender and regrant', p. 955.
62. In the late 1630s, various O'Dwyers were levying rents from Percivall lands in Ballagh, for example: see *Report on the manuscripts of the earl of Egmont, vol. I, part I* (London, 1905), p. 92. Practices of anti-colonialism ensured the materialization of complex new spaces emerging under the shadow of colonialism.
63. Foucault, 'The subject and power', p. 216.
64. Legg, 'Beyond the European province', p. 278.