

2. ‘Bastilles of despotism’: radical resistance in the Coldbath Fields House of Correction, 1798–1830¹

In the early morning of 13 July 1802, the road from London to the town of Brentford was already buzzing with a carnival atmosphere. Thousands had assembled on foot while others rode in hackney coaches; riders on horseback and bands of musicians formed a cavalcade that snaked along the roadways.² The 1802 elections for Middlesex had become a major spectacle in the metropolis during the month of July.³ Crowds assembled each day at the Piccadilly home of Sir Francis Burdett to accompany their hero to the hustings. Burdett, the independent Whig MP for Boroughbridge and vocal opponent of William Pitt, had been enticed to London to contest the Middlesex elections by his close radical supporters.⁴ The streetscape was a panorama of vivid deep blue: banners were draped across buildings, ribbons were tied and handkerchiefs waved in Burdett’s electoral colour by thousands of supporters. The occasional hint of light blue or splatter of orange in the crowd meant supporters of rival contestants, such as Tory MP William Mainwaring, had unwisely spilled into the procession.⁵

Three horsemen led the massive entourage, each bearing a large blue banner, with the words ‘No Bastille’ illuminated in golden letters. The words inflamed the otherwise festive throng; angry chants of ‘No magistrates’ and ‘No Bastille’ reverberated among the crowd. Newgate, however, was not the object of scorn, but rather a new prison, the Coldbath Fields House of Correction, and the Middlesex magistrates responsible for its management. In mock scenes from the ‘dungeons of Coldbath Fields’, street performers were carried down the street, half-naked, writhing and crying in agony as they were ‘whipped’ by other actors. Other participants, scantily dressed as prisoners, imitated fainting

1 The term ‘Bastilles of despotism’ is taken from a letter from Joseph Harrison printed in *Black Dwarf*, 30 October 1822.

2 The account of the procession is taken from the report in *The Times*, 14 July 1802. See also reports in *Morning Chronicle*, 14 July 1802, 15 July 1802.

3 On the significance of the Middlesex elections to radical London, see J. Ann Hone, *For the Cause of Truth: Radicalism in London 1796–1821* (Oxford: Clarendon, 1982), pp. 133–46. On elections more generally, see Frank O’Gorman, ‘Campaign Rituals and Ceremonies: The social meaning of elections in England, 1780–1860’, *Past and Present*, vol. 135 (1992), pp. 79–115.

4 On Sir Francis Burdett, see J. R. Dinwiddy, ‘Sir Francis Burdett and Burdettite Radicalism’, *History*, vol. 65 (1980), pp. 17–31; Peter Spence, *The Birth of Romantic Radicalism: War, popular politics, and English radical reformism, 1800–1815* (Aldershot: Scolar, 1996), pp. 14–25; Hone, *For the Cause of Truth*, pp. 117–219.

5 William Mainwaring, Tory MP, was also Chairman of the Quarter Sessions for Middlesex. On Mainwaring, see Leon Radzinowicz, *The History of the Criminal Law and its Administration Since 1750* (London: Stevens and Sons, 1948–86), vol. 2, pp. 81, 195, vol. 3, pp. 186–7, 377–8.

from hunger. Others still feigned the agonies of death. Even though the street theatrics concluded at the end of the procession, 'No Bastille' banners continued to dress the streets throughout July.

Electoral fever culminated on 29 July when immense crowds again gathered at the hustings in anticipation of the final count. The announcement of Burdett's victory prompted one of the largest political processions ever seen in the metropolis.⁶ Burdett's supporters had keenly anticipated the victory—an elaborate chair decorated with branches of laurel had been built to carry him all the way to London (Figure 2.1). As heavy rain fell, the entourage was forced to abandon the pageantry of 'chairing' in favour of a closed carriage.⁷ The weather did nothing to diminish the occasion for the thousands assembled in celebration. The Strand, reported the *Morning Chronicle*, was 'illuminated in honour of Burdett'.⁸ An observer from *The Times* struggled for words to adequately describe the mood of the crowd and the 'expressions of joy and congratulation manifested by the people all along the road'.⁹

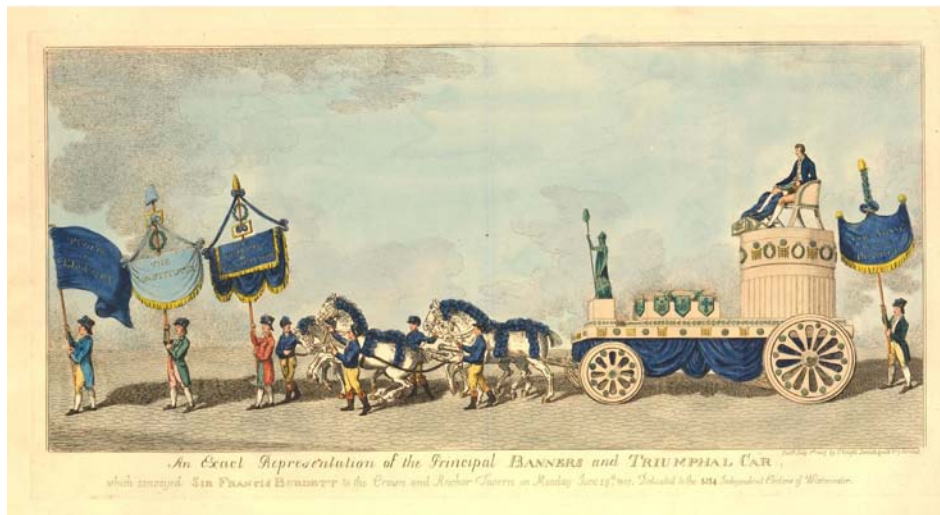


Figure 2.1 *An Exact Representation of the Principal Banners and Triumphal Car, which conveyed Sir Francis Burdett to the Crown and Anchor Tavern on Monday June 29th, 1807. It is unclear whether the same procession car was used for the 1802 election.*

Unknown artist. Copyright Trustees of the British Museum.

6 *Morning Chronicle*, 30 July 1802.

7 On 'chairing' as election ritual and the theatrics of the electoral campaign, see O'Gorman, 'Campaign Rituals and Ceremonies'; John Brewer, 'Theatre and Counter-Theatre in Georgian Politics: The mock elections at Garrat', *History Today*, vol. 33 (1983), pp. 14–23.

8 *Morning Chronicle*, 30 July 1802.

9 *The Times*, 30 July 1802.

The Times correspondent observed that as the victory procession moved through respectable neighbourhoods, 'beautiful well-dressed women' waved blue silk handkerchiefs from their windows. As the entourage moved closer to central London, the correspondent noted that 'less polished damsels vociferated... "Burdett forever, and no Bastille"'.¹⁰ On the street, young boys clenched carved wooden figurines dangling from poles with chains and bones—caricatures of prison torture and execution. Further depictions of prison cruelty were displayed by performers on makeshift stages atop carriages. Some held larger versions of the cruelty 'toys' of the boys on the street, and some pretended to flog figurines representing prisoners. Others donned the executioner's mask and menaced the crowd with parcels of chains wrapped around their hands. The intent with which the harrowing scenes were performed and the impassioned reception by the crowd disturbed *The Times* observer: never had he witnessed so large an assemblage or 'such a motley scene of disgusting folly'. According to the correspondent, the crowd had assumed the hallmarks of an unruly mob, though to his great relief, he reported that adequate precautions by the police had prevented what the French could not: the storming of London's own 'Bastille'.

If the fear and loathing evinced by Newgate gaol had accumulated in the public memory of Londoners over the centuries, the revulsion felt for the House of Correction at Coldbath Fields was achieved in only a few short years. Following its opening in 1794, the prison quickly earned a reputation for brutality and severity. Burdett first became embroiled in the abuses in the prison when 16 men from the London Corresponding Society (LCS), including former military officer Colonel Edward Marcus Despard, were imprisoned in Coldbath Fields on charges of treason.¹¹ They had been arrested (and eventually found guilty) for plotting to incite popular uprisings in Ireland and England in preparation for a French invasion. The harsh treatment meted out to the prisoners while awaiting trial attracted Burdett's notice and he demanded a House of Commons inquiry into their case.

10 Ibid. See also *Morning Chronicle*, 30 July 1802, which reported the involvement of ladies such as 'Mrs Read of Turnham Green', who waved Burdett's colours and were active during the election campaign. For a discussion of women's participation in elections, see Anna Clark, 'Class, Gender and British Elections, 1794–1818', in Michael T. Davis and Paul A. Pickering (eds), *Unrespectable Radicals? Popular politics in the age of reform* (Aldershot: Ashgate, 2008), pp. 107–24. On the involvement of aristocratic women in elections and politics more generally, see Judith Lewis, *Sacred to Female Patriotism: Gender, class and politics in Georgian Britain* (New York: Routledge, 2003); Elaine Chalus, "'That Epidemical Madness': Women and electoral politics in the late eighteenth century', in Hannah Barker and Elaine Chalus (eds), *Gender in Eighteenth Century England: Roles, representations and responsibilities* (London: Addison Wesley Longman, 1997), pp. 151–78.

11 For an account of the arrests and trials, see Edward Royle and James Walvin, *English Radicals and Reformers 1760–1848* (Brighton: Harvester, 1982), pp. 95–122; Hone, *For the Cause of Truth*, pp. 103–37; Michael Ignatieff, *A Just Measure of Pain: The penitentiary in the Industrial Revolution, 1750–1850* (New York: Columbia University Press, 1980), pp. 126–33; David Worrall, *Radical Culture: Discourse, resistance and surveillance 1790–1820* (New York: Harvester, 1992), pp. 53–67. On Despard's arrest under a Habeas Corpus Writ, see *Sun*, 26 June 1798; *True Briton*, 26 June 1798. On Despard more generally, see James Bannantine, *Memoirs of Edward Marcus Despard* (London, 1799); Marianne Elliot, 'The "Despard Conspiracy" Reconsidered', *Past & Present*, vol. 75 (1977), pp. 46–61; Clifford D. Connor, *Colonel Despard: The life and times of an Anglo-Irish rebel* (Conshohocken: Combined Publishing, 2000); Mike Jay, *The Unfortunate Colonel Despard* (London: Bantam Books, 2004).

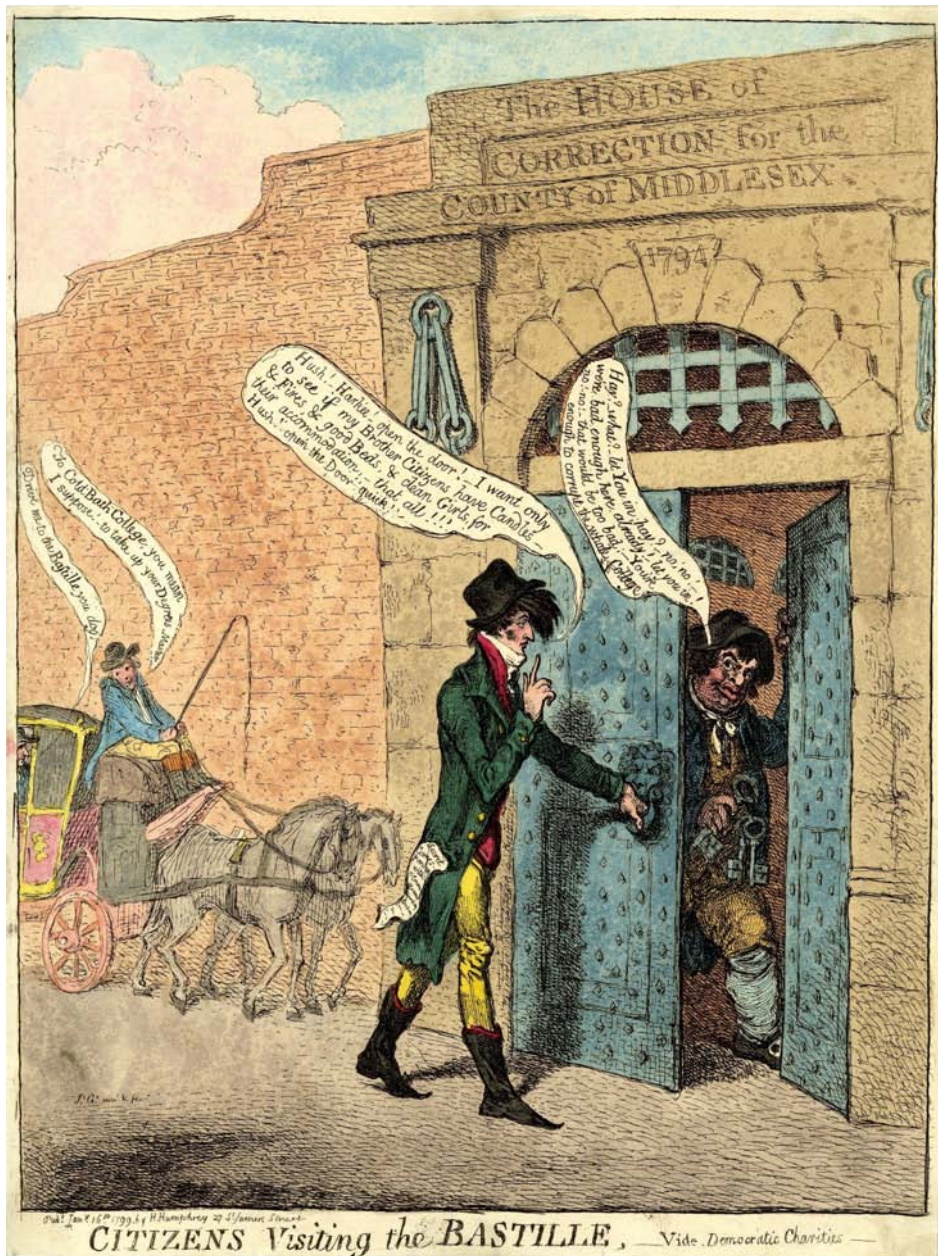


Figure 2.2 Citizens Visiting the Bastille, vide Democratic Charities.

James Gillray, 1799 . Copyright Trustees of the British Museum.

Burdett's visits to the prison became highly publicised, as evident by James Gillray's 1799 print, *Citizens Visiting the Bastille* (Figure 2.2). He uncovered a litany of abuses and brought them to public notice through a speech in the House of Commons, subsequently printed as a pamphlet titled *An Impartial Statement of the Inhuman Cruelties Discovered! in the Coldbath Fields Prison*.¹² Although the motivation for the pamphlet was the alleged ill treatment of the state prisoners, none of the cases it exposed appeared more shocking than the plight of Mary Rich, a fourteen-year-old girl held in the prison for a month after accusing a lawyer of attempted rape. A grim feature of the late eighteenth-century legal system made provision for witnesses in trials to be held in custody, while those actually being prosecuted could remain free until trial if they had sufficient wealth to provide for it. Mary's appearance in court a month after being committed to the prison caused a sensation: deathly pale and drawn, her emaciated frame appeared crippled from starvation. Despite being seated in a chair, she was 'scarcely able to hold herself upright'.¹³ When questioned on her condition, she feebly advised the jury that she had been fed only bread and water for the month and had been left with only scanty bed coverings. Her sickly frame was exposed to a frigid cell without glazed windows or a fireplace. Further, the pamphlet relayed her claim in court that, despite being exceedingly ill for more than four days, she had been denied access to a doctor.

The *Impartial Statement* catalogued further abuses: prisoners being beaten by turnkeys; some prisoners being chained in irons for several months at a time without provocation; others confined to shattering spells of solitary confinement for only minor infractions; prisoners being fleeced of money for the most basic of necessities; and still others, along with Mary, starved 'to the point of death'.¹⁴ With Burdett's intervention, the plight of Colonel Despard also gained significant public attention. Along with Burdett, Despard's West Indian-born wife, Catherine, commenced a campaign to elicit public sympathy, complaining to the Home Secretary, the Duke of Portland, that Despard had been treated 'more like a common vagabond than a gentleman or State Prisoner'.¹⁵ One letter, read in the House of Commons and reported in the daily press, complained that he had been imprisoned 'without either fire or candle, chair, table, knife, fork, a glazed window or even a book to read'.¹⁶ Despard was eventually moved to a

12 Sir Francis Burdett, *An Impartial Statement of the Inhuman Cruelties Discovered! in the Coldbath Fields Prison* (London, 1800), part 1, p. 6. For further discussion of Burdett's visit, see Hone, *For the Cause of Truth*, pp. 121–8.

13 Burdett, *An Impartial Statement of the Inhuman Cruelties Discovered*, pp. 14–15. See also Ignatieff, *A Just Measure of Pain*, p. 133.

14 Burdett, *An Impartial Statement of the Inhuman Cruelties Discovered*, pp. 10–12.

15 *Morning Post*, 24 December 1798.

16 See *Morning Post*, 24 December 1798; *Courier*, 24 December 1798; *Oracle and Daily Advertiser*, 27 December 1798.

room with a fire, though not before, Catherine claimed, 'his feet were ulcerated by frost'.¹⁷ Burdett's report on the prison conditions was presented to the House of Commons for recommendation, but failed by an overwhelming majority.¹⁸

Nevertheless, Burdett's and Catherine's crusades against the prison quickly found a receptive public audience. Although the British populace had long been accustomed to allegations of abuse in old prisons such as Newgate, Coldbath Fields was one of the first prisons to arise in the outer London landscape as a testament to the aspirations of John Howard and other late eighteenth-century prison reformers.¹⁹ Here was a prison intended to embody Howard's humanitarian convictions of protecting prisoners, not only from the squalor, disease and misery of old prisons such as Newgate, but also from the whims of governors and turnkeys and the ruthless prison economy. Instead, Burdett had exposed a site of neglect, barbarity and corruption. The abhorrent conditions of the prison were immortalised in poetic brevity by celebrated writers Samuel Taylor Coleridge and Robert Southey in their composition *The Devil's Thoughts*:

As he went through Coldbath-fields, he saw
A solitary cell;
And the devil was pleased, for it gave him a hint
For improving his prisons in hell.²⁰

For Coleridge and Southey, the solitary cell—the keystone of new prison design sweeping Britain in the late eighteenth century—exemplified the cruelty and inhumanity of the new prison at Coldbath Fields.

Yet from the perspective of the early Middlesex magistrates charged with overseeing the prison, Coldbath Fields was a model of success.²¹ They

17 *Courier*, 24 December 1798.

18 See Richard Brinsley Sheridan, *Speeches of the Late Right Honourable Richard Brinsley Sheridan* (London, 1816), pp. 93–107.

19 J. Ann Hone notes that the LCS men committed to Newgate at the same time had no cause for complaint, and that John Kirby, the Keeper, 'received only praise' over their treatment. See Hone, *For the Cause of Truth*, p. 124.

20 The original stanzas were penned by Coleridge and caused a scandal when they were printed in the *Morning Post and Gazetteer* in September 1799. There is some contention over whether the revised poem, retitled *The Devil's Walk*, was a collaboration of Coleridge and Southey or a work from Percy Bysshe Shelley. It has appeared under both titles in the works of the individual authors. For an account of the debate surrounding authorship, including the hoax that it was penned by a 'Professor Porson', see *Notes and Queries*, 10 March 1866. See also the tract published under the Porson pseudonym (said to be by Southey and Coleridge), *The Devil's Walk; by Professor Porson* (London, 1830). For an online edition of the poem, see also <<http://www.rc.umd.edu/editions/shelley/devil/dev29vs35.html>>, and Morton Paley, 'The Devil's Thoughts' and 'The Devil's Walk', Conference paper, 1997, University of California, <<http://www.rc.umd.edu/villa/vc97/paley.html>>

21 See the anonymous pamphlets, *The Secrets of the English Bastille Disclosed, To which is added a copy of the rules and orders by which the whole system is regulated, by a Middlesex magistrate* (London, 1799); *The Case of the New House of Correction in Coldbath Fields...Fairly and impartially stated...by a brother magistrate* (Brentford, 1801); *Considerations on the Late Elections for Westminster and Middlesex, Together with some facts relating to the House of Correction in Coldbath Fields* (London, 1802).

vehemently denied the accusations of cruelty and neglect, claiming (with almost desperate excess) an early victory for prison reform. They had, they reported, the satisfaction of hearing from their 'reformed delinquents'—those who had never 'had a serious thought in their lives'—that their imprisonment had been the 'happiest event that ever befell them'.²² Clearly, they urged, the prison was 'wholly undeserving of that calamitous epithet *Bastille*' when in fact it was

[a] House of Correction in its best and fullest signification: a house in which their stubborn tempers have been subdued—their hardened hearts have been softened—their ignorant minds have been instructed—their vicious habits have been overcome—new habits of diligence and sobriety have been established.²³

The reform utopia of 'subdued stubborn tempers' in Coldbath Fields was shattered only, claimed the magistrates, by the intrusion of the state prisoners in 1798. One magistrate considered the committal of such prisoners a serious error of judgment on the part of the authorities, claiming it was 'an ill-fated hour' when

[t]he doors of the prison were opened for the reception of a new description of offenders; and the cells were filled with turbulent, condemned mutineers; and not less turbulent, seditious, and traitorous state prisoners:—The prison was not built for these, nor fitly calculated to receive them; the rules and orders for the management of the prison were not drawn up with a view to such prisoners.²⁴

Despite the magistrates' warning of the unsuitability of the prison for state prisoners, Coldbath Fields was to host many radicals convicted of political and religious offences in the early nineteenth century. Veteran radical orator John Gale Jones was imprisoned for a libel on Lord Castlereagh; John Hunt, editor of the *Examiner* and less celebrated brother of literary luminary Leigh Hunt, was sentenced to two years for seditious libel; and several of Richard Carlile's bookshop volunteers, including Samuel Waddington, James Watson, William Tunbridge and Susannah Wright, also served out their sentences in the new prison.²⁵

22 *The Secrets of the English Bastille Disclosed*, p. 14.

23 *Ibid.*

24 *The Case of the New House of Correction in Coldbath Fields*, p. 5.

25 It was also to be one of the metropolitan destinations for many Chartist prisoners following the crackdown on sedition and blasphemy in the early 1840s. A survey of their experience is beyond the scope of this book, however, it warrants further attention in light of the experience of political prisoners throughout the nineteenth century. On the Chartist prisoners, see Christopher Godfrey, 'The Chartist Prisoners, 1839–41', *International Review of Social History*, vol. 24, no. 2 (1979), pp. 189–236. On the experience of Chartist prisoners, see also two recent publications concerning the prison experiences of individual Chartists: Paul. A

Michael Ignatieff remains one of the few historians to resurrect Coldbath Fields prison to the historical record. His study of the rise of the penitentiary in Britain, *A Just Measure of Pain*, focuses on Coldbath Fields prison as a key institution in the transition to the modern penitentiary. His account is consistent with Coleridge's hellish depiction of the site; the brutality of the first Governor, Thomas Aris, was exceeded only by the neglect of Middlesex magistrates who ignored the abuses of Aris and his eldest son. The other Coldbath Fields Governor to feature in Ignatieff's account is the 'disciplinarian' George Laval Chesterton, who banned all 'speech and gesture among inmates' by introducing a silent system into the prison in 1834.²⁶ Ignatieff quotes from Chesterton's account that the

[p]risoners are kept under constant and secret inspection day and night...every movement...is made so as to prevent their faces being turned to each other; they are never allowed to congregate or cluster together, they move in solitary lines in single file.²⁷

Here, then, was a prison that not only intended, but had achieved the level of social control outlined by French philosopher Michel Foucault in his landmark study *Discipline and Punish*, which provided the theoretical framework for Ignatieff's study.²⁸ At the heart of Foucault's analysis of the birth of the modern prison is the idea that the corrective prison, which was widely embraced at the end of the eighteenth century, recalibrated the focus of crime and punishment. Under the old unreformed system, confinement, whippings, irons and hanging meant punishment was directed at the body. Prison reform saw many of these physical punishments replaced by mandatory religious instruction, prison labour and separate and solitary confinement, which shifted the emphasis from punishment directed at the body to that now directed at the soul. The new system, which separated, controlled and observed, rendered prisoners' bodies docile; and docile bodies could be controlled and manipulated at whim.²⁹

The motivations of eighteenth-century prison reformers such as John Howard, Sir George Onesiphorus Paul and Jeremy Bentham have dominated recent writings on British criminal history and those investigating the source of the modern prison. Foucault and Ignatieff both rejected penal histories that

Pickering, *Feargus O'Connor: A political life* (London: Merlin, 2008), pp. 91–3; Stephen Roberts, *The Chartist Prisoners: The radical lives of Thomas Cooper (1805–1892) & Arthur O'Neill (1819–1896)* (Oxford: Peter Lang, 2008).

26 Ignatieff, *A Just Measure of Pain*, p. 178.

27 George Laval Chesterton quoted in *ibid.*, p. 178.

28 Michel Foucault, *Discipline and Punish: The birth of the prison*, trans. Alan Sheridan (London: Penguin, 1991).

29 For a thorough survey of studies of prison reform that initially followed Foucault's watershed book, see Joanna Innes and John Styles, 'The Crime Wave: Recent writing on crime and criminal justice in eighteenth-century England', in A. Wilson (ed.), *Rethinking Social History: English society 1570–1920 and its interpretation* (Manchester: Manchester University Press, 1993), pp. 201–65.

celebrated the religious, philanthropic and humanitarian motivations of reformers. Ignatieff claimed his intention, and that of Foucault, was to 'pierce through the rhetoric that ceaselessly presents the further consolidation of carceral power as "reform"'.³⁰ They proffered more complex and sinister motives for the emergence of the modern prison, which centred on social-control theory and the need for a swiftly trained yet skilled workforce to meet the economic demands of industrialisation.³¹

Although the time frame of this chapter predates the opening of Mettray in France in 1844 and Britain's Pentonville prison in 1842—the time when Foucault and Ignatieff respectively argue for the realisation of the modern prison—Foucault's work has become the dominant theoretical model for historical investigations of the prison and cannot be overlooked even in the earlier period. Prisons such as Coldbath Fields, as suggested by its inclusion in Ignatieff's analysis, played an important role in the transition to the modern penitentiary. To borrow from J. Ann Hone, it was built in the 'vanguard of this movement'.³² According to Foucault, the new prisons were designed to dominate not merely the body but also the mind, and this chapter examines the extent to which (at least in this period) the new prisons succeeded in crushing the mind, soul and spirit of these men and women of ideas.

As minorities in the prison system, radical prisoners have generally been overlooked in studies investigating the source of the modern prison, which tend to base their analyses on the male felon as the normative prison inmate. Similarly, the relationship between radical culture and the reformed prison system also remains under-explored in radical historiography. The perspective of another theoretician, Jürgen Habermas, also provides a useful framework with which to explore this terrain. The ability of radicals to forge a political identity within the new prison and, further, their ability to promote public discussion about the status of the political prisoner went beyond the condition or the standing of those convicted of political offences; they challenged the very basis by which Britishness was defined.

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30 Ignatieff, *A Just Measure of Pain*, p. 220.

31 Ibid. In penning *A Just Measure of Pain*, Ignatieff considered it the role of history—and by default the historian—to 'combat carceral power and the coercive structures of thought that underpin it' (p. 220). See also Randall McGowen, 'A Powerful Sympathy: Terror, the prison and humanitarian reform in early nineteenth-century Britain', *The Journal of British Studies*, vol. 25, no. 3 (1986), pp. 312–34. For an alternative view of the argument, see George Fisher, 'The Birth of the Prison Retold', *Yale Law Journal*, vol. 104 (1995), pp. 1235–325. It must also be noted that Ignatieff later tempered some of the stronger assertions he made in *A Just Measure of Pain*. See Michael Ignatieff, 'State, Civil Society and Total Institutions: A critique of recent social histories of punishment', in Stanley Cohen and Andrew Scull (eds), *Social Control and the State* (New York: St Martin's Press, 1983), pp. 75–105.

32 Hone, *For the Cause of Truth*, p. 126.

Architectural innovation lay at the heart of late eighteenth-century prison reform and one of its master thinkers was Jeremy Bentham, arguably Britain's pre-eminent philosopher.³³ In his design for the panopticon—a prison that he believed encapsulated the essence of reform—Bentham marvelled that he could effect '[m]orals reformed, health preserved, industry invigorated, instruction diffused, public burthens [sic] lightened, Economy seated, as it were upon a rock, the gordian knot of the Poor-Laws not cut but untied—all by a simple idea in architecture'.³⁴ Bentham's panopticon was based on solitude and surveillance; his design enabled prison staff to maintain a constant watch over every one of the single-occupant cells from a central observation tower, which formed the axis of his circular design. Although the panopticon, as Bentham envisaged it, never came to fruition, the impact of its central principles of solitude and surveillance on future generations of prison architects should not be underestimated.³⁵

Other prison architects such as William Blackburn and Jacob Leroux also responded to the design challenge presented by the twin reform ideals of punishment (rather than mere confinement) and redemption.³⁶ Cellular design—as opposed to the dormitory-style wards that accommodated Newgate prisoners—soon pervaded all new architectural interpretations of the prison. Prison reformers saw the general concept of housing prisoners separately in single cells as the best means to prevent criminals mixing with other prisoners and leaving the prison more 'depraved' and 'wretched' than when they first entered.³⁷ The solitude of single cells also allowed for inner reflection and repentance. Along with the mandatory attendance at regular chapel services and

33 Howard himself envisaged that the structure of the prison was key to improving the prison system: 'the first item to be taken into account is the prison itself.' John Howard, *The State of the Prisons in England and Wales, With preliminary observations, and an account of some foreign prisons* (Warrington, 1777), p. 40. For an overview of the scholarship focusing on Jeremy Bentham since John Dinwiddy's 1989 study, *Bentham*, see John Dinwiddy and William Twining (eds), *Bentham: Selected writings of John Dinwiddy* (Stanford: Stanford University Press, 2004). See also Gertrude Himmelfarb, 'The Haunted House of Jeremy Bentham', in *Victorian Minds* (London: Weidenfeld and Nicholson, 1968), pp. 32–81; Catherine Fuller (ed.), *The Old Radical: Representations of Jeremy Bentham* (London: University College London, 1998). For recent discussions of Bentham and radical culture, see Michael Turner, "'Arraying Minds Against Bodies": Benthamite radicals and revolutionary Europe during the 1820s and 1830s', *History*, vol. 90, no. 2 (2005), pp. 236–61; Philip Scholfield, 'Jeremy Bentham, the French Revolution and Political Radicalism', *History of European Ideas*, vol. 30, no. 4 (2004), pp. 433–61; F. Rosen, 'Jeremy Bentham's Radicalism', in Glenn Burgess and Matthew Festenstein (eds), *English Radicalism 1550–1850* (Cambridge: Cambridge University Press, 2007), pp. 217–40.

34 This phrase opens Jeremy Bentham's preface in his seminal treatise *Panopticon: Or, the Inspection House: containing the idea of a new principle of construction applicable to any sort of establishment, in which persons of any description are to be kept under inspection: and in particular to penitentiary houses, prisons, houses of industry...and schools* (1787; reprinted, London: T. Payne, 1791). The italics are from the original.

35 For a thorough account of the impact of Bentham's design on nineteenth-century prison architecture, see Robin Evans, *Fabrication of Virtue: English prison architecture, 1750–1840* (Cambridge: Cambridge University Press, 1982), pp. 195–229.

36 On William Blackburn, see *ibid.*, pp. 118, 126–31; H. M. Colvin, *A Biographical Dictionary of British Architects*, fourth edn (New Haven, Conn.: Yale University Press, 2008), pp. 126–7 (hereafter *BDBA*). On Leroux, see Colvin, *BDBA*, pp. 645–6.

37 Howard did not advocate complete isolation of prisoners. He considered total solitude as severe, cruel and unnecessary to effect the reform intentions. See Fisher, 'The Birth of the Prison Retold', p. 1324n.

with the religious instruction afforded by newly appointed prison chaplains, the new structure of the prisons held the promise of redeeming the prisoner and correcting criminal behaviour. Prison labour was a key element of reform and was designed to inculcate the habits of industry on an otherwise indolent criminal community. Such thinking constituted a critical shift in the approach towards crime and criminals: mere confinement was no longer enough; it was now seen as possible to 'correct' offenders. As Howard remarked in his watershed treatise, *State of the Prisons*, in 1777, 'to reform prisoners or make them better as to their morals, should always be the *leading* view in any house of correction'.³⁸

The House of Correction at Coldbath Fields had its genesis amidst the prison reform boom. It was completed in 1794 after six years of construction following the plan of architect Jacob Leroux.³⁹ The architectural features of Coldbath Fields instantly identified the site as a place of confinement. The 8 acre (3 ha) site on London's outskirts in Clerkenwell was encircled by an immense outer wall, giving the site, observed Hepworth Dixon, 'the idea of a strong fortress'.⁴⁰ Black letters carved in the painted stonework above the massive prison doorway announced 'The House of Correction for the County of Middlesex 1794', illuminated in the evening by gas lamps above. Two giant iron rings constituted the door handles and, if the imposing prison wall was not signal enough, enormous black fetters, 'big enough to frighten any sinful passer-by back into the paths of rectitude', hung as tassels from the top of each entrance pillar.⁴¹ The only ornamental feature of the entrance was the County of Middlesex crest, which hung over the door; even then, three sabres hung 'threateningly over the heads of all who enter[ed]'. Dixon considered that, despite these grim accoutrements, and compared with Newgate, the site of the prison was 'certainly not an imposing edifice...It looks like a place of punishment, but not one of torture'.⁴²

To better appreciate the architectural changes of the new prison and their impact on the prison population, it is worth lingering for a moment on the design and layout of the new prison (Figure 2.3). Encased within the prison wall, the original

38 Howard, *The State of the Prisons in England and Wales*, quoted in Fisher, 'The Birth of the Prison Retold', p. 1271.

39 There remains some dispute about the architect of the prison. Ackermann's *Microcosm of London* (London, 1809) records the architect as Sir Robert Taylor, and that, after his death, Sir William Chambers completed the plan. H. M. Colvin records a similar account, though also contends that the building was 'chiefly designed by Jacob Leroux'. See Colvin, *BDBA*, p. 645. See Colvin, *BDBA*, pp. 239–45 for Sir William Chambers. For a very detailed account of the procurement and building process of the prison, see C. W. Chalkin, 'The Reconstruction of London's Prisons, 1770–1799: An aspect of the growth of Georgian London', *London Journal*, vol. 9, no. 1 (1983), pp. 21–34.

40 Henry Mayhew and John Binny, *The Criminal Prisons of London and Scenes of Prison Life* (London: Griffin, 1862), p. 279. Robin Evans contends that the new trend of exposing the interior of the prison to the public gaze was a reaction against the enclosed courtyard style adopted by architects such as Dance, both father and son. See Evans, *Fabrication of Virtue*, p. 166.

41 Mayhew and Binny, *The Criminal Prisons of London and Scenes of Prison Life*, p. 279.

42 Hepworth Dixon, *The London Prisons: With an account of the more distinguished persons who have been confined in them* (1850; reprinted, New York: Garland Publishing, 1995), p. 237.

building was a prodigious structure based on parallel rows of cells separated by yards.⁴³ Mayhew observed that they were ‘overloaded with ponderous iron gates, window frames and fastenings; while narrow entrances and passages were designed to render a sudden outburst of prisoners impracticable’.⁴⁴ The prison was designed to effect a key reform measure of separating male and female prisoners—the men housed on one side of the prison and the women on the other. The prisoners were kept in different divisions, with between 50 and 100 prisoners to each division depending on the numbers in the prison at any one time. Each division had a yard for prisoners to exercise and converse in, measuring between 70 and 100 ft by 50 ft (20–30 m x 15 m). The yards were paved with ‘flag stones’ so that they drained well and stayed relatively dry. Prisoners were accommodated during wet weather by a colonnade on one side of each yard, which provided a measure of protection from the elements.⁴⁵

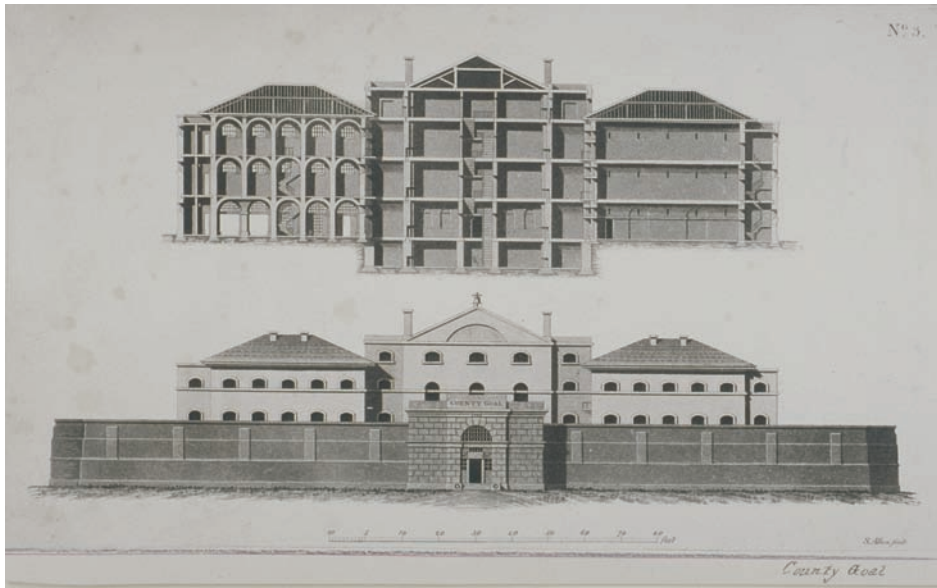


Figure 2.3 Elevation and section of Coldbath Fields House of Correction, 1800.

Samuel Alken. Copyright City of London, London Metropolitan Archives.

Most commentators, even those more hostile observers, agreed that the new prison design achieved a remarkably light, open, clean and well-aired environment—one commentator noting that ‘in no part is the prison close

⁴³ Ibid., p. 245.

⁴⁴ Mayhew and Binny, *The Criminal Prisons of London and Scenes of Prison Life*, p. 280. Mayhew here is quoting Governor George Laval Chesterton’s *Revelations of Prison Life* (1856; reprinted, New York: Garland, 1984).

⁴⁵ Dixon, *The London Prisons*, p. 238; *The Abuse of Prisons, or, An Interesting and Impartial Account of the House of Correction in Cold-bath-Fields, and the treatment of Mr Gale Jones founded upon a minute inspection of the prison and a personal interview with him* (London, 1811), p. 3.

or gloomy'.⁴⁶ Crucially, prison reformers heralded the new cellular design of prisons as a key weapon in the fight against the virulent and sometimes lethal spread of infection and disease caused by overcrowding, freedom of movement between prisoners and squalid conditions of older prisons such as Newgate. As Howard noted 'many more prisoners were destroyed by [gaol fever] than were put to death by all the public executions in the kingdom'.⁴⁷ At Coldbath Fields, the regular application of whitewash on the inner walls, passages and cells provided a cyclical cleansing of the space.⁴⁸

Opening immediately onto the yard, the cells for the prisoners were also lined with flagstones, with the centre of the floor slightly arched to promote drainage in an effort to keep the cells dry. Most cells were meagre in size—roughly 8 or 10 ft (2.4–3 m) square. In a significant advance on the older prisons where beds consisted of straw matting on the floor, the new cells were fitted with a wooden bench in the 'shape of a trough', about 2.5 ft (0.8 m) wide, and mounted off the floor along one wall. This was hailed as an adaptable feature—converting to a table or bench seat during the day—though some reports suggest that the bedding provided to prisoners remained desperately inadequate.⁴⁹ Each cell featured a window near the top of the room lined with thick iron bars. Like Newgate, here, the windows remained unglazed, but had a shutter outside that (theoretically) could be opened or closed at the prisoner's pleasure. The adequacy of the shutters in alleviating the often-frigid temperature in the cells is questionable; as visiting officials quizzically observed, in many cells, the mechanism to operate the shutters had been damaged by prisoners as an act of defiance.⁵⁰

Although the new prison rules allowed for only one man to occupy each cell (though sometimes two women were permitted to live together), overcrowding meant that this was rarely achieved.⁵¹ The possibility of such overcrowding could have prompted the inclusion of some larger cells, which was evident on

46 See *Courier* commentary on John Gale Jones in *ibid.* A similar reaction was recorded during William Hazlitt's visit to Coldbath Fields to see John Hunt, the imprisoned co-editor of the *Examiner*, where the 'extreme cleanliness of the narrow and interminable passages' of the prison was noted. See R. H. Stoddard, *Personal Recollections of Lamb, Hazlitt and Others* (New York: Scribner, Armstrong & Co., 1875), p. 153.

47 Howard, *The State of the Prisons*, p. 7. Even Burdett's initial exposé of the prison reported that 'every part of the gaol we had seen appeared to be very clean'. See Burdett, *An Impartial Statement of the Inhuman Cruelties Discovered*, p. 11.

48 The issue of disease has been relatively underplayed in many of the more recent accounts of eighteenth-century prison reform. Severe overcrowding, freedom of movement between prisoners and squalid conditions meant earlier prisons were ideal breeding grounds for disease. Gaol fever, later identified as typhus, had already proven its ability to hurdle the prison walls and transcend class lines—afflicting visitors, prison staff, magistrates and the wider community in eighteenth-century Newgate.

49 See Burdett, *An Impartial Statement of the Inhuman Cruelties Discovered*, p. 9. See also *Morning Chronicle*, 8 September 1818.

50 *Morning Chronicle*, 8 September 1818.

51 *House of Correction—Coldbath Fields—Additional Rules*, November 1823, MA/G/GEN/1271, London Metropolitan Archives, London (hereafter *Additional Rules—Coldbath Fields*).

the prison plan. Each division was also allocated a 'public room of association', which had a large fire—the only form of heating allowed to the general prison population. In an 1818 report from a 'Police Committee' tasked with visiting the prison and reporting on its conditions, the day rooms were considered 'insufficient for the number of persons who are confined there; so that it is impossible for them in the winter to be warmed by the fire which is kept up, or even to have access to the room itself'.⁵²

Prisoners were allocated to the different divisions in the prison according to the classification of their crime. By the time Coldbath Fields opened its doors in 1794, prisoners were classified as felons, debtors or misdemeanours. Offences for seditious libel or blasphemy saw radical men and women treated in the last category.⁵³ In providing for distinct categories of prisoners, reformers hoped to separate different sorts of offenders, so that felons, for instance, could not corrupt the morals of those committed for lesser offences and for shorter stays. Changes to prison design made this theoretically possible in the new prisons, with separate cells, yards and public rooms for association, but overcrowding in the early nineteenth century often meant that such boundaries were impossible for governors to maintain.⁵⁴

The payment of a salary to prison staff and an ostensibly egalitarian approach of introducing new regulations for the maintenance of prisoners were intended to replace the pre-reform practice of extracting fees from prisoners. Another key area of the old prison economy in the reformers' firing line was the trade in food and drink. New regulations provided for a prison food allowance, the provision and quality of which were to be a source of rigorous debate. Burdett's early exposé of the prison reported that the meagre food allocations were regularly of substandard quality and the bread, meat and gruel allocations almost always under the regulated weight.⁵⁵ Supporters of the prison described the 16-ounce (500 g) loaf of bread as 'excellent', which they observed was accompanied by a quart (1.2 L) of gruel for breakfast and, on alternate days, either 'six ounces of beef for dinner at two o'clock' or 'a due proportion of soup'.⁵⁶

In one of the most significant departures from the old prison system, much tighter controls now governed the entry of visitors to the prisons. Architectural historian Robin Evans maintains that the new prisons were seen as the very antithesis of the old system in which prison was merely an extension of the outside world and where visitors moved freely in and out of the prison walls.⁵⁷

52 For the report, see *Morning Chronicle*, 8 September 1818.

53 *Additional Rules—Coldbath Fields*.

54 Dixon, *The London Prisons*, p. 238.

55 Burdett, *An Impartial Statement of the Inhuman Cruelties Discovered*, p. 15.

56 *The Secrets of the English Bastille Disclosed*, p. 15.

57 See Evans, *Fabrication of Virtue*, pp. 47–93, on the transformation of the prison from the old to the new.

Though such restrictions were eventually implemented (at least in part) in Newgate by the 1820s, they were firmly in place from the opening of Coldbath Fields in 1794. The new rules of Coldbath Fields strictly regulated when and where friends and family could now visit: entry to the cells was not permitted and a designated visiting space maintained a wide separation between the imprisoned and the visitor.⁵⁸ The duration and frequency of visits were determined by the classification of the prisoner. Felons had the most restrictive visitation rights while for those in the misdemeanour category, visitors were allowed between noon and two o'clock each day, except on Sundays.

If the spiritual cleansing of the prisoners was provided for with regular chapel services, the physical cleansing of new arrivals was also mandatory under the new regulations. Rules at Coldbath Fields provided that each person be 'stripped and well washed...their clothes are baked in an oven, to extinguish disease, tied up in a bundle, and ticketed, ready to be returned on going out'.⁵⁹ The processing of the new prisoner was complete when he or she was outfitted in the 'gaol dress...instead of their own'. By 1818, despite the official rules, the 'Police Committee' that undertook an investigation of the prison noted the practice of allowing prisoners (with the exception of felons) with 'good clothing and linen' to wear their own garments.⁶⁰

Descriptions of new prison spaces, regulations and reform intentions provide useful context for understanding the 'ideal' environment faced by prisoners and for theorising the motivations for change. They are of less value for illuminating a prisoner's actual experience within the new reformed prison space, particularly in a prison system in transition. A dearth of writings from within the prisons from 'common' criminals has led to a heavy reliance on the writings of prison reformers and official prison records, which often fail to consider the practical results of reform on the wider prison population, or indeed on the agency of prisoners themselves to effect changes to prison routines and regimes. Both Foucault's and Ignatieff's reliance on official sources, including the claims of Governor Chesterton in 1834, presuppose that the impositions from above provide the exclusive determinant of prison life and environment. Historians such as Peter Linebaugh, Margaret De Lacy and Lucia Zedner have challenged the approach of Foucault and Ignatieff, recognising the disparity between ideology and practice and viewing prison reality as 'multi-

58 See the rules of the prison appended to the pamphlet *The Secrets of the English Bastille Disclosed*.

59 *The Abuse of Prisons*, p. 4.

60 *The Times*, 24 August 1818.

faceted, often contradictory and always problematic'.⁶¹ Ignatieff himself later conceded that Foucault's work did not allow for viewing the 'disciplinary world view—Foucault's savoir—as a site of contradiction, argument and conflict'.⁶²

The gulf between theory and practice in the new prison system was most evident in relation to political prisoners. From the example of Colonel Despard in 1798, it seemed that the new prison, with its 'uniformity of plan', had heralded a new era in the treatment of those convicted of political and religious offences. When Burdett took up the case of Despard—one of the first political prisoners to be housed in Coldbath Fields—he found that the former military officer was confined in one of the prison's smallest cells, measuring a mere 7 ft (2 m) square, which, being set below ground level, flooded during rain.⁶³ The window of the cell was unglazed so that

he was obliged, during the rigours of a hard winter, to jump from his table to his bed, and from his bed to the ground, in order to produce such an increased circulation of his blood as should diffuse warmth through his half-frozen veins.⁶⁴

Despard's wife, Catherine, reported that despite the desperate physical drill, his legs bore ulcers from the extreme cold of his cell. Combined with his 'felon's diet' of bread and water, Coldbath Fields prison, she feared, had almost achieved prematurely what the hangman would later accomplish on the gallows.

Catherine's unyielding pursuit of the government to intervene in Despard's plight saw some eventual improvements in the conditions in which he was incarcerated. Despard's allies were to be found across the political spectrum. Though Horatio Nelson attended his trial as a character witness, it did little to change the outcome of the final verdict.⁶⁵ The intervention of John Reeves, former leader of a loyalist network centred on the Crown and Anchor tavern, and now a conservative magistrate, saw Despard's prison conditions somewhat alleviated. Following Reeves' intervention, Despard was moved to an upstairs room in the prison with a fire, was allowed books and papers, and Catherine was permitted to visit him in his cell.⁶⁶ When Burdett presented Despard's case to the

61 Lucia Zedner, *Women, Crime and Custody in Victorian England* (Oxford: Clarendon Press, 1991), p. 97; Margaret DeLacy, 'Grinding Men Good? Lancashire's prisons at mid-century', in Victor Bailey (ed.), *Policing and Punishment in Nineteenth Century Britain* (London: Croom Helm, 1981), pp. 182–216; idem, *Prison Reform in Lancashire, 1700–1850: A study in local administration* (Stanford: Stanford University Press, 1986); Peter Lindebaugh, *The London Hanged: Crime and civil society in the eighteenth century*, second edn (London: Verso, 2003), p. 3.

62 Ignatieff, 'State, Civil Society and Total Institutions', p. 95. In this paper, Ignatieff presents a very good overview of the scholarship, which, to that date, had criticised his approach, and that of Foucault.

63 *Morning Herald*, 24 December 1798; *Oracle and Daily Advertiser*, 27 December 1798.

64 *Oracle and Daily Advertiser*, 27 December 1798.

65 Jay, *The Unfortunate Colonel Despard*, pp. 324–32; Roger Knight, *The Pursuit of Victory: The life and achievement of Horatio Nelson* (Boulder, Colo.: Westview Press, 2007), pp. 433–4.

66 *The Times*, 22 December 1798.

House of Commons, the Attorney-General, John Scott, admitted that Despard had been moved to a better room because of his rank, along with other state prisoners from the LCS.⁶⁷ Scott regretted the indulgence after it was reported that the men had made the room into a '*Debating Society* of the worst possible species'.⁶⁸ He also maintained that Catherine was allowed to visit her husband and, with a thinly veiled threat, remarked that in 'speaking of *wives*', it was 'no small degree of indulgence that the Government had not imprisoned some of them also'.

The relocation of Despard and the other LCS men to another area of the prison takes on greater significance when considering the spatial context of Coldbath Fields. Where Newgate's architectural plans clearly allowed accommodation for state prisoners as a distinct category of prisoner, no such provision was made in the architectural design of Coldbath Fields. The absence of such specific accommodation could have prompted the Middlesex magistrates' desperate defence in 1798 that the 'prison was not fitly calculated to receive' state prisoners.⁶⁹ It is possible that in classifying state prisoners as 'misdemeanours', both the architects and the authorities no longer considered that such separate allocation of accommodation was necessary.

For radical prisoners, however, the repercussions were critical. As was the case with radical prisoners in Newgate throughout the period 1790–1820, separation from the remaining prison population was a crucial means of resisting the criminal identity inscribed by the prison space. Yet despite the omission of a dedicated 'state side' in the plans of Coldbath Fields, the historical record suggests that radical prisoners of the nineteenth century owed a great debt to the exertions of Catherine Despard; most reported being confined in larger, more comfortable cells and with access to their own yard. In 1811, the *Independent Whig* newspaper published an account of the imprisonment of prominent radical orator John Gale Jones for a libel on Lord Castlereagh. Reports that Jones had been denied access to visitors, books, pen and paper enraged the paper's editor, Henry White.⁷⁰ The rival conservative *Courier* newspaper sent its own representative to the prison to investigate. When the unnamed journalist arrived at Jones's room, he noted briefly that Jones's wife and child were with him and that Jones did not appear well. He was struck, however, with Jones's commodious and agreeable accommodation:

[L]odged in the front of the prison, in a building, not built like the prison, but as a dwelling-house...The room is spacious, and neatly

67 See report from the House of Commons reprinted in the *Sun*, 27 December 1798.

68 Ibid.

69 *Considerations on the Late Elections for Westminster and Middlesex*, p. 20.

70 See the excerpts from the paper, and the counter-charges by the *Courier*, reprinted in *The Abuse of Prisons*.

fitted up with paper, a Bath stove fire-place, a bed, chairs, tables, writing table, carpet, &c. The furniture is Mr Jones's own. The room is about 16 feet by 14, and about nine feet high, remarkably warm and cheerful, it having a southern aspect, being very light, having sashed windows, and immediately overlooking the yard of the entrance where there is always some bustle going on.⁷¹

The *Courier* columnist reported that although some books had been denied by the magistrates, the Governor had advised him that as Mrs Jones had never had her person searched on entering or leaving the prison, Jones had ample opportunity to obtain books should he have wanted them. Confronted with a scene that totally contradicted that presented by the *Independent Whig*, the *Courier* published its own 'impartial' account of the prison in a public pamphlet, announcing in it their duty to expose the 'fraud' of claims of abuse and to restore the character of the 'long calumniated' prison.⁷² Crucially, the *Courier* reporter observed that Jones had been removed from what it described as the 'state side' of the prison and housed in the 'dwelling house' at the front of the prison for allegedly supplying Burdett with details of the prison. Here again was 'evidence' of the radical as a source of infection. This time, the threat posed was not to the morals of the remaining prison population, but to the status and regard of the prison in the public eye.

When the correspondent toured the 'state side' of the prison, he found the 'state' yard slightly smaller than the others, but 'remarkably open and airy'. Here he found three men 'of better appearance than the rest, dressed in their own clothes, walking together briskly to and fro'.⁷³ The reporter briefly inspected the cell of an American named Colville, which he noted was considerably larger than other cells in the prison, measuring approximately 14 ft (4 m) long by 10 ft (3 m) wide, and 10 ft high, boarded and with a fireplace. It contained a table and chairs, shelves and a bed. The cell was generally locked and unlocked at the same time as the other prisoners', but Colville advised that he could mingle all day with the other prisoners on the 'state side'. Further, he had 'as many coals as he wished to burn' and, the *Courier* correspondent reported, 'light is frequently seen in his room as late as eleven o'clock'. Colville's cell, the journalist noted, was the same as the one that had housed Despard prior to his execution.

Reports of the treatment of other radical prisoners in the early decades of the nineteenth century lend weight to the *Courier's* version of Jones's incarceration. When brothers John and Leigh Hunt were prosecuted in 1813 for libels printed in their *Examiner* newspaper, John was committed to Coldbath Fields for two

⁷¹ *The Abuse of Prisons*, p. 10.

⁷² *Ibid.*, p. viii.

⁷³ *Ibid.*, p. 7.

years while Leigh was sent to Surrey Gaol. Leigh Hunt's outrageous decoration of his prison cell with elegant and elaborate furnishings and paintings has become legendary in literary and radical scholarship.⁷⁴ As John's biographer, Timothy Webb, has noted, the 'less glamorous imprisonment' of John Hunt has been 'less celebrated'.⁷⁵ Nevertheless, as private correspondence to his brother reveals, John Hunt was also afforded considerable, if less ostentatious accommodation. His room was simply furnished with chair and table, and a painting by his friend William Hazlitt hung over the fireplace.⁷⁶ He described having been granted one of the 'double' rooms (like that of Colville), which was being cleaned for him, and that Governor Adkins had also organised for another room to be whitewashed for him so that he would have access to two rooms, opposite each other. John Hunt was also informed by Adkins that once the 'bustle' of his imprisonment had subsided, he would have access to the Governor's garden to walk in.⁷⁷

John found the prison's governing committee 'behaved with much civility' and 'granted what he asked of them in terms of family contact, books, pens, ink and paper'.⁷⁸ He advised Leigh that it would not be wise to test the magistrates' leniency by requesting the visit of friends. Anyway, he noted, Adkins had always allowed his friends to visit, providing they did so before lock-up. In a further departure from new prison regulations, when Hunt's friends visited they were not restricted to the same visiting times or space as the other prisoners. Hazlitt and P. G. Patmore reported that when they visited the prison, they found Hunt strolling in a 'dreary unkempt prison garden dotted with sickly cabbages and lettuce' before retiring to his cell for conversation and refreshments.⁷⁹

Other radical prisoners also reported similar comforts. When Samuel Bamford, the Lancashire radical, was held in Coldbath Fields in 1817, he reported that Governor Adkins always behaved with humanity and civility.⁸⁰ Bamford, along with 28

74 On Leigh Hunt, poet and journalist, see Jeffrey Cox, *Poetry and Politics in the Cockney School: Shelley, Hunt, and their circle* (Cambridge: Cambridge University Press, 1998); Greg Kucich, "'The Wit in the Dungeon': Leigh Hunt and the insolent politics of Cockney coteries", *Romanticism on the Net*, vol. 14 (1999), <<http://users.ox.ac.uk/~scat0385/cockneycoteri.html>>; Philip Harling, 'Leigh Hunt's Examiner and the Language of Patriotism', *English Historical Review*, vol. 111 (1996), pp. 1159–81; Luther A. Brewer, *My Leigh Hunt Library* (New York: B. Franklin, 1970); Leigh Hunt, *The Correspondence of Leigh Hunt, Edited by his Eldest Son* [Thornton Leigh Hunt], 2 vols (London: Smith, Elder and Co., 1862).

75 On John Hunt, printer and publisher, see Timothy Webb, 'Hunt, John (1775–1848)', *Oxford Dictionary of National Biography*. See also Philip Harling, 'The Law of Libel and the Limits of Repression, 1790–1832', *Historical Journal*, vol. 44, no. 1 (2001), p. 124n. For a report of John Hunt's trial, see *Examiner*, 3 June 1821.

76 Stoddard, *Personal Recollections of Lamb, Hazlitt and Others*, p. 148.

77 Hunt, *The Correspondence of Leigh Hunt*, vol. 1, p. 72.

78 Brewer, *My Leigh Hunt Library*. John's earlier letter to Leigh reveals his distress on first being committed.

79 Stoddard, *Personal Recollections of Lamb, Hazlitt and Others*, p. 153. On Peter George Patmore, writer and journalist, see Hershel Moreland Sikes (ed.), *The Letters of William Hazlitt* (London: Macmillan, 1979), p. 181n.

80 Samuel Bamford, *Passages in the Life of a Radical* (1884; reprinted, Oxford: Oxford University Press, 1984), p. 114.

others, was arrested in Manchester on a charge of treason after he was suspected of involvement with the 'Blanketeers', the spinners and weavers who proposed to march from Manchester to London (encouraging others to join along the way) to protest against the severe distress felt in the north due to the ever-expanding factory system.⁸¹ Bamford and several of those arrested were sent to London and housed in Coldbath Fields while awaiting trial. Bamford reported that, on entering the prison, the men were sent to a 'good room, or cell, about ten yards in length, and three in width'.⁸² There they found three beds on each side of the room, placed 'in what might be termed wooden troughs'. A 'good fire was burning' and there was an ample supply of coal and wood to use at their pleasure. He later recalled that 'had it not been for the grating at the window above the door, and the arched roof, bound by strong bars of iron, we might have fancied ourselves to be in a comfortable barrack'.

The comfort in their surroundings also extended to their food provisions, which Bamford considered more than adequate. Breakfast consisted of a pound (450 g) of bread with butter, and tea and sugar, while lunch promised meat, potatoes and vegetables (at which time they were allowed a pot of porter, as well as pipes and tobacco) and the dinner allowance was tea and cold meat. 'As far as diet was concerned', reflected Bamford, 'we lived more like gentlemen than prisoners'.⁸³ This bounty of food, however, also caused some trepidation amongst the men, who feared that the Governor's generosity was 'only precursory to some terrible act of severity', signalling that they might soon face the ultimate sacrifice for their involvement with the Manchester march. This was later reinforced when the men received written religious instruction in the form of 'sermons for persons under sentence of death'.⁸⁴ Although the men's stay in Coldbath Fields was short—some were sent to other prisons and some, like Bamford, acquitted—they made the most of their incarceration by strategising and preparing for their trial and amusing themselves with 'no lack of songs, hymns, and love and family tales, with scraps of plots and insurrections, and droll blunders, which sometimes caused roars of laughter'.⁸⁵ In so doing, they developed a camaraderie forged not in the tavern or the coffee house, but in their prison cell.

Despite Despard's early experiences in the prison, the accounts of the relatively comfortable prison conditions experienced by later prisoners such as Jones, John Hunt and Bamford correspond closely with the reports of Cobbett's and Hobhouse's confinement in Newgate during the same period. Compare two contemporaneous prints: one depicting Hobhouse in Newgate (Figure 1.5), the other, a petty forger, Thomas Ranson, in Coldbath Fields (Figure 2.4). The prints present a remarkably

81 On the Blanketeers, see *ibid.*, pp. 29–37; E. P. Thompson, *The Making of the English Working Class* (London: Penguin, 1968), pp. 709–12; R. J. White, *Waterloo to Peterloo* (Harmondsworth: Penguin, 1968), pp. 92–103.

82 Bamford, *Passages in the Life of a Radical*, pp. 88–9.

83 *Ibid.*, p. 88.

84 *Ibid.*, p. 89.

85 *Ibid.*

similar inventory of the contents of the respective cells: fireplace and mantelpiece, jugs and pots, table and chairs. Ranson has a visitor's chair, Hobhouse a pipe and even pictures on the walls (of the House of Commons and the prison itself). Of course, the accuracy of the prints cannot be verified and both were undoubtedly drawn with an axe to grind, but both suggest, almost incidentally, a consistent notion of what prison was like. They lend further corroboration to the disparate accounts of Hunt, Bamford and Cobbett.

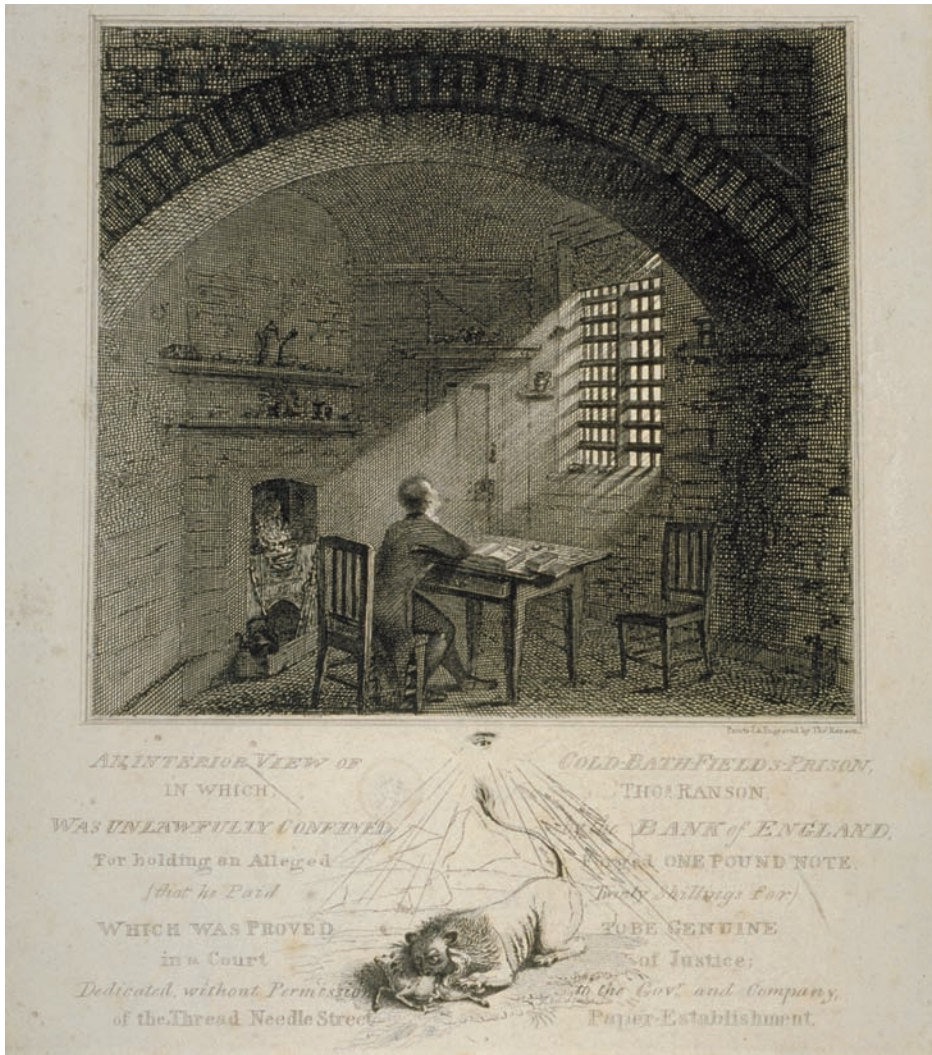


Figure 2.4 A rare interior view of a prison cell in Coldbath Fields, 1819. The figure in the scene is the artist Thomas Ranson, who claimed to be unlawfully confined by the Bank of England for holding a forged one-pound note. It is likely that the more comfortable rooms mentioned by some state prisoners were similar in style to Ranson's room.

Given the sudden shift in treatment towards the Carlile shopmen in Newgate in the 1820s, what then of those immured in Coldbath Fields in the 1820s? One of the first radical voices to emerge from Coldbath Fields during the 1820s was that of Carlile shopman William Tunbridge.⁸⁶ Initially incarcerated in Newgate, Tunbridge was subsequently transferred to Coldbath Fields in 1823. Tunbridge was enraged at his initial treatment in his new quarters, writing a series of letters of complaint to a variety of government officials, including the Attorney-General, Sir Robert Gifford, Home Secretary, Robert Peel and the Duke of Portland.⁸⁷ When his grievances remained unanswered, he went public; the letters were printed in the radical weekly the *Black Dwarf*.

Tunbridge claimed that he was being 'deprived of sustenance' by the Governor and that his visitors were restricted to only one visit a month, and then only for two hours duration, when they were forced to converse 'among convicted felons, in an open yard'.⁸⁸ This, he fumed, meant he was being treated worse than a felon or those under sentence of death in Newgate. It was a damning indictment of the new prison that its conditions could be worse than those in the 'mansion of misery'.

Despite, or perhaps because of, Tunbridge's initial complaints, he soon reported improved conditions within the prison, with an order from the magistrates that his friends were to be admitted to his cell and that he was allowed newspapers.⁸⁹ In private correspondence to Humphrey Boyle, another imprisoned shopman, Tunbridge admitted:

I must say that with the exception of seeing my friends I am in every respect more comfortable than you as I have a good room with two large windows and no iron bars and a good view over Highgate Hampstead and Kentish Town.⁹⁰

Aside from more comfortable conditions in the prison, Tunbridge's public campaign had also secured an additional benefit: he now reported being financially supported by subscriptions from Birmingham.⁹¹

86 For an account of Tunbridge's trial, see *The Times*, 7 February 1823. Little is known about William Tunbridge. He was involved in the Spencean milieu, though avoided prosecution with the Cato Street conspirators. He came to Carlile's attention with his strong support of the men imprisoned in Newgate in 1821 and was engaged to work as an assistant in the shop. See *Republican*, 24 December 1824.

87 See *Black Dwarf*, 26 March 1823, 30 April 1823.

88 *Black Dwarf*, 30 April 1823.

89 *Black Dwarf*, 28 May 1823.

90 Letter from William Tunbridge to Humphrey Boyle, 6 June 1823, WYL 632/4, West Yorkshire Archive Service, Leeds (hereafter *Boyle Papers*).

91 *Black Dwarf*, 28 May 1823. By 1824, however, relations with Carlile had soured. In October that year, Tunbridge had requested that the 'Deists, Atheists, and Materialists, as they style themselves, not to transmit him any further subscriptions, as from this period he declines all further connection with them'. Carlile found

A survey of prison correspondence from Carlile's other shopmen imprisoned in Coldbath Fields during the 1820s also suggests that those convicted of political and religious offences were still housed in separate accommodation described as 'state rooms'. William Clark, who was confined for four months in the prison for refusing to 'give up' the man he employed for printing his edition of *Queen Mab*, wrote from his 'comfortable apartment', which he referred to as the 'State Room, Coldbath Fields Prison' when he addressed the radical community through the *Black Dwarf*.⁹² When James Watson was imprisoned for blasphemy in 1823 after selling Palmer's *Principles of Nature* from the Carlile bookshop, he shared a room with Tunbridge.⁹³ After Tunbridge's release, Watson reported that he and another unnamed prisoner read to each other for three or four hours after dark 'after which until bedtime we conversed or played at a game of cribbage'.⁹⁴

In the clearest indication that radicals had been successful in forging a political identity within the new prison space, the Additional Rules set down for the prison in 1823 now officially recognised the existence of radical prisoners as a category distinct even from other 'misdemeanours', making specific reference to those in the 'State Rooms' and allowing special provisions for such prisoners.⁹⁵ The lingering reference to a 'state side' speaks volumes: the old system was being reinscribed on the slate of the new. Yet the new prison went even further in its concessions. The Additional Rules now also prescribed for the prisoners in Coldbath Fields that which Newgate's radical prisoners had so desperately fought for: the ability to entertain their visitors within their rooms.⁹⁶

Despite securing two of their most sought after concessions—separate accommodation and the entry of visitors—radical prisoners in the new prisons continued to resist other measures adopted following the exertions of the prison reform movement. Radical resistance to their incarceration in the new prison space was most successful at the heart of the new prison ethos: redemption and reform through mandatory religious instruction. Though attendance at chapel was now mandated by an Act of Parliament, radicals at several different prisons reported being banned from the chapel services for proving fractious and

him 'so very irritable, and difficult to please' that he was 'soon compelled to drop all correspondence with him', although he admitted that Tunbridge 'has some good qualities, and I shall be ever ready to do him a service'. See *Republican*, 24 December 1824.

92 See letter from William Clark addressed from 'State Room, Coldbath Fields', *Black Dwarf*, 1 January 1823. This is possibly the same William Clark of the Spencean set identified by Iain McCalman, *Radical Underworld: Prophets, revolutionaries, and pornographers in London 1795–1840* (New York: Cambridge University Press, 1988), pp. 105, 107, 123–4.

93 On James Watson, radical bookseller and publisher, see William J. Linton, *James Watson: A memoir of the days of the fight for a free press in England and of the agitation for the People's Charter* (New York: A. M. Kelley, 1971).

94 *Ibid.*, p. 20.

95 *Additional Rules—Coldbath Fields*.

96 Under special circumstances, the visitors of other misdemeanour prisoners could meet in the 'octagonal area under the chapel'. See *Additional Rules—Coldbath Fields*.

irreverent.⁹⁷ The political prisoners who were the subject of Burdett's original crusade against the prison reported in 1798 of being banned from attending religious services after a riot in the chapel, which led to a House of Commons inquiry.⁹⁸

The futility and danger of enforcing the chapel regulations on prisoners convicted of blasphemy during the 1820s were even more apparent to prison authorities. None of the radicals in this period reports attending chapel services or being forced to participate in them. Radicals reported that the greatest inconvenience the chapel services held for them was that the prison rules prohibited the entry of visitors on the Sabbath.⁹⁹ The reluctance of the authorities to enforce the otherwise mandatory religious instruction on his shopmen delighted Richard Carlile. Crowing from his Dorchester prison cell—another of the new prisons designed by William Blackburn—Carlile taunted that he had been 'abandoned' by his prison chaplain, considering that he had a 'claim' upon the prison chaplain's attention, and 'upon every effort' he could make 'to amend the condition, both of [Carlile's] body and mind'.¹⁰⁰

If Carlile's impervious and successful defiance of official attempts to 'amend the condition' of his mind challenges Foucault's theory of social control, the conduct of William Haley in 'unreformed' Newgate (outlined in Chapter 1) is evidence of the complexities and contradictions of a prison system in transition. Haley was one of the most trenchant and defiant early contributors to the *Newgate Monthly Magazine*. In one editorial, he raged against the conduct of those responsible for his imprisonment:

These petty tyrants...have been foolishly led to believe, that by incarcerating the body in a prison, they could controul [sic] the mind... But they have been mistaken...Although his body is confined to the small range of a few rooms, his mind daily expands, daily towers higher above their reach, daily becomes more capable of acting to their annoyance, and daily learns more to despise their base motives and contemptible power.¹⁰¹

In light of the ferocity of Haley's attacks on those responsible for his incarceration, it is questionable whether his sudden conversion to Christianity that resulted in his early release can be attributed to the increasing impact of the reform endeavour on Newgate prison. It could simply have been that he could no longer endure being immured with the 'Newgate beetles'.

97 See, for example, *Newgate Monthly Magazine*, 1 October 1824.

98 Burdett, *An Impartial Statement of the Inhuman Cruelties Discovered*, p. 10.

99 *Newgate Monthly Magazine*, 1 November 1824.

100 *Republican*, 23 January 1824.

101 *Newgate Monthly Magazine*, 1 September 1824.

Like the case of Haley in Newgate prison, radical prisoners in Coldbath Fields did not always live up to Carlile's high expectations of his volunteers. The comical talents of the ex-shoemaker Samuel Waddington, known as 'Little Waddy' on account of his dwarfism, had once endeared him to the radical movement, but as Iain McCalman notes, by the 1820s, he had become an embarrassment to the movement during the earnest and respectable 'ultra-radical march of mind'.¹⁰² Despite avoiding prosecutions in his earlier radical years, by 1822, Waddington was incarcerated in Coldbath Fields.¹⁰³ If his absurd antics in the courtroom during his trial in 1822 were not enough to alienate him from the earnest sensibilities of the other volunteers, the accusation of his sexual assault of an eleven-year-old girl collecting laundry from his cell in Coldbath Fields sealed his expulsion from respectable radical circles.¹⁰⁴ Despite being found not guilty of the charge of rape, some radicals feared that the publicity surrounding the scandal would have wider repercussions. Tunbridge, for instance, worried that Coldbath Fields radicals would be 'put under some restrictions more severe than at present in consequence of Waddington's affair'.¹⁰⁵

If there were repercussions, they were short-lived, for Tunbridge's correspondence to Boyle makes no further mention of the incident or consequences for other radical prisoners. Rather, he continued to report favourable conditions in the prison, which were in stark contrast with those of the remaining prison population. According to Tunbridge, their conditions remained deplorable. 'I myself have witnessed', he claimed in a letter addressed to the Attorney-General, 'raw potatoe (sic) peelings being eagerly devoured' by starving prisoners, who if they dared to complain, were punished with a flogging 'til their flesh was lacerated'.¹⁰⁶ Writing to Boyle in April 1823, Tunbridge compared his observations of the inmates of Coldbath Fields with those in Newgate:

I can assure you that those confined with you do not know what work, or confinement is for the poor wretches here goes to work at seven in the morning and kept at it til six at night and then locked in their cells without fire and where there is nothing before the iron bars to keep out the cold and not allowed anything but the gaol fare.¹⁰⁷

¹⁰² McCalman, *Radical Underworld*, pp. 187–8.

¹⁰³ Waddington opened his own radical bookshop in the Strand to sell Carlile's publications and was indicted on a charge of blasphemous libel for the sale of Palmer's *Principles of Nature*, which denounced Jesus as 'nothing more than an illegitimate Jew'. See McCalman, *Radical Underworld*, pp. 185–6. For an account of Waddington's treatment in the prison, see *Black Dwarf*, 1 January 1823.

¹⁰⁴ McCalman, *Radical Underworld*, p. 188. McCalman notes that the reports of Home Office informer Abel Hall confirmed that following the incident, Waddington was forced to avoid his former radical associates for several years due to the 'obloquy of his crime'. For reports on the incident, see *Morning Chronicle*, 26 February 1823; *The Times*, 25 February 1823; *Examiner*, 2 March 1823.

¹⁰⁵ William Tunbridge to Humphrey Boyle, 26 February 1822, WYL 623/4, *Boyle Papers*. Waddington was found 'not guilty' of the assault. See *Jackson's Oxford Journal*, 24 May 1823.

¹⁰⁶ Letter reprinted in *Black Dwarf*, 30 April 1823.

¹⁰⁷ William Tunbridge to Humphrey Boyle, 6 April 1823, WYL 623/4, *Boyle Papers*.

None of the radical prisoners in Coldbath Fields in this period reports being put to work with the mundane tasks of picking oakum or operating one of the first prison treadmills in Britain.¹⁰⁸ Rather, Tunbridge reported that after serving one-third of his sentence, he ‘had no occasion to soil my hands, but of my own accord, having had a servant to wait on me at the expense of the County’.¹⁰⁹ The exemption from prison labour could now be added to the list of concessions gained by radical prisoners in addition to visitor rights, separate accommodation and exemption from religious instruction—all of which represented a glaring affront to the uniform approach of the new ideals of prison reform.

If we accept that political prisoners in Coldbath Fields generally fared better in terms of conditions and treatment than the wider prison population, what accounts for these concessions? The motivation for the allocation of separate space and provision of comforts to political prisoners in Coldbath Fields can be partially understood in the remarkable resilience of old prison cultures and economies and their ability to subvert the management of even the new British prisons. When Chesterton took over management of Coldbath Fields in 1829, he found ‘a sink of abomination and pollution’, describing his earlier colleagues as the ‘thief-taking governors’. Aris, Adkins and Vickery, he maintained, held that their ‘primary obligation consisted in feathering their own nests’.¹¹⁰

From one end of the prison to the other, there existed a vast illicit commerce at an exorbitant rate of profit. Wine, spirits, tea and coffee, tobacco and pipes...even pickles, preserves and fish sauce could be found within clandestine cavities in the walls or in the hollowed out basement of the cells.¹¹¹

It was literally a case of old wine in new bottles. Chesterton recalled that prior to his appointment everything was available for a price, or denied to those without means—a strikingly similar environment to that of ‘unreformed’ prison spaces such as Newgate. As Randall McGowen contends, despite the ‘large new prisons and the greater numbers incarcerated, the prison remained an institution strangely resistant to the intention of its designers’.¹¹²

108 As part of the prison reform process, some prisoners were subjected to periods of hard labour. Picking oakum involved the unravelling and cleaning of old rope with bare hands, and the treadmill was considered by many observers as a system of ‘useless’ labour as the treadmills generally served no production purpose, but rather were used merely as physical punishment; prisoners considered the only thing they were achieving was ‘grinding the wind’. For an account of the hard-labour system in reformed prisons, see Mayhew and Binny, *The Criminal Prisons of London and Scenes of Prison Life*, pp. 299–311; Dixon, *The London Prisons*, pp. 244–6.

109 William Tunbridge to Humphrey Boyle, 5 October 1823, WYL 623/4, *Boyle Papers*.

110 Chesterton, *Revelations of Prison Life*, quoted in Mayhew and Binny, *The Criminal Prisons of London and Scenes of Prison Life*, p. 280.

111 Ibid.

112 Randall McGowen, ‘The Well-Ordered Prison: England, 1780–1865’, in Norval Morris and David Rothman (eds), *The Oxford History of the Prison* (Oxford: Oxford University Press, 1995), p. 80.

The correspondence of Tunbridge goes some way to supporting Chesterton's allegations. In his private correspondence to Boyle, he repeatedly assured his radical compatriot that he had sufficient cash to fund all his necessities in the prison.¹¹³ Even the less wealthy artisan radicals of the 1820s could participate in the prison economy due to the support of family and friends and the subscriptions gleaned through prison publications such as the *Republican* and the *Newgate Monthly Magazine*. Such funds often enabled radical prisoners to subvert the power relations within the prison. One episode that illustrates this most strikingly occurred in the months before the incident involving Waddington. At this time, Governor Vickery approached Tunbridge to seek his approval to house Waddington in his cell. When Tunbridge accepted Waddington's company during the day, but objected to sharing his cell at night, the Governor explained that Waddington had consented 'to give up his room to one of the gamblers on exchange of remuneration'. After accepting 'near one pound of money', Waddington had reneged on the deal, leaving the two camps at 'open war'.¹¹⁴ To furnish the prison economy, however, the Governor needed also to manage the committee of magistrates tasked with overseeing the operations of the prisoners. Tunbridge claimed that the Governor assured him he would 'use all his exertions with the Committee' to ensure that Waddington was not housed in his cell.

As this exchange between Tunbridge and Vickery suggests, another key determinant of radical treatment in the prison space lay with the prison staff. As Margaret DeLacy discovered in her study of the Lancashire prisons at mid-century, while the visiting magistrates wielded considerable power in the prisons, a sympathetic (or corrupt) governor could circumvent their rules.¹¹⁵ In Coldbath Fields, John Hunt reported to his brother, Leigh, that despite Governor Adkins being 'much in awe' of the magistrates, he had still allowed considerable concessions to John before gaining their imprimatur.¹¹⁶ Even though Chesterton held all the governors who preceded him in contempt, by most other accounts the governors who followed Aris—Adkins and Vickery—treated radical prisoners (at least) with humanity. According to James Watson, Vickery was more disposed to 'multiply [their] comforts than to restrict them'.¹¹⁷

Radicals had to tread carefully to protect their day-to-day relationship with prison staff at the same time as achieving their public aims. Complaints of mistreatment and hardship had become an intrinsic part of the prison discourse of radicals in their attempts to discredit their prosecutors and to gain sympathy in the wider community. But by exaggerating their injustices they risked alienating their

113 William Tunbridge to Humphrey Boyle, 6 July 1823, WYL 623/4, *Boyle Papers*.

114 William Tunbridge to Humphrey Boyle, 1 May 1822, WYL 623/4, *Boyle Papers*.

115 DeLacy, 'Grinding Men Good?', p. 205.

116 Brewer, *My Leigh Hunt Library*, p. 153.

117 Linton, *James Watson*, p. 19.

governors and losing the privileges their political status had secured. On the other hand, by publicly acknowledging their satisfaction with their treatment by the gaolers, they risked the intervention of the magistrates who were less likely to accommodate any special privileges. As John Hunt warned his brother, Leigh, among the magistrates 'there are all sorts of spirits'; it was only because of Adkins' relaxation of the rules that he 'was at all comfortable'.¹¹⁸ He feared losing the 'many little indulgencies' granted by his governor, for if 'his friendly disposition towards me be made generally known, it might even make him enemies among these gentlemen, and not improbably lead to some restrictions'.¹¹⁹ John Hunt forewarned Leigh to say little of his circumstances; a 'general remark' made in the *Examiner* concerning the politeness of the magistracy and the Governor would suffice.

The fear of political contagion in Newgate prison, discussed in the previous chapter, was also evident in the decision to separate radical prisoners from the remaining prison population in Coldbath Fields. In 1798, the Middlesex magistrates were particularly concerned with separating the 'most turbulent, refractory, and ungovernable' state prisoners from the remaining prison population.¹²⁰ These concerns go some way to explaining the separate accommodation afforded to radicals in the new prisons, but they clearly do not account for the often generous concessions afforded to political prisoners, particularly at a time when there was ostensibly a more egalitarian approach to prisoners in terms of accommodation, food allowances, prison dress and visitors.

The doyen of British law and criminology, Sir Leon Radzinowicz, maintains that the idea that political offenders were a unique group—'a *sui generis* species among the criminal doctrine'—did not begin to gain wide acceptance in Britain until the 1840s with the 'first wave' of political offenders: the Chartists.¹²¹ Historians of the radical movement, however, have now documented several preceding 'waves' of popular political protest and imprisonment in the 1790s and, as examined here, throughout the early decades of the nineteenth century, which predated the crushing penological assault on the Chartists.¹²²

The public record also suggests that the debate on the unique status of the political prisoner began earlier than Radzinowicz allows. As early as 1799, there was public concern over the prison treatment of the Despard conspirators. One

118 Brewer, *My Leigh Hunt Library*, p. 152.

119 Ibid.

120 *The Secrets of the English Bastille Disclosed*, pp. 18–19.

121 Sir Leon Radzinowicz and Roger Hood, 'The Status of Political Prisoner in England: The struggle for recognition', *Virginia Law Review*, vol. 65 (1979), p. 1421.

122 Patricia Hollis also documents an important wave of prosecutions against the unstamped press in the early 1830s. See Patricia Hollis, *The Pauper Press: A study in working-class radicalism of the 1830s* (Oxford: Oxford University Press, 1970), pp. 156–202.

Middlesex magistrate, noting that the treatment of state prisoners on the same basis as convicted felons seemed to be 'considered as a most unreasonable and disproportionate punishment', had 'no hesitation' in replying that

whether the libel be directed against an individual or against a body of men; whether against the Constitution, or the persons engaged in the administration of public affairs...the observation will hold good, to the full conviction of the LIBELLER, as a far more mischievous member of society than the THIEF.¹²³

Despite the firm conviction of this magistrate, the attitudes of the wider community towards political prisoners are crucial to understanding their special treatment within the new prison system. Regardless of whether the prosecution was for the 'misdemeanor' offences of sedition, blasphemy or libel, or for the more heinous crime of treason, there still existed a general uneasiness about punishing this category of criminal in the same way as other categories of prisoner. The *Courier's* coverage of the imprisonment of John Gale Jones further highlights this unease. Despite the newspaper's reputation for conservatism, the editor maintained that if the allegations made by the *Independent Whig* were proved, the magistracy owed Jones a considerable apology: 'Such restraints and privations', they argued, should 'await only upon treason and the most atrocious crimes'.¹²⁴ The *Courier* maintained that the offence of libel was 'very different' from most other crimes:

It may be necessary to place an incorrigible thief in solitary confinement with a view to reformation; but the libeller of a statesman, for his public conduct, can never be reduced in the eyes of mankind to the same degraded level. Such a libeller may be a more virtuous man and sincere patriot than the object libelled and most likely is impelled by a high sense of public duty, by an ardent love of his country. He may be convinced of his imprudence, but not of his guilt.¹²⁵

Despite praising the prison as an appropriate site for the 'most depraved subjects' (and for effecting the reform of their past habits by denying them the ability to 'indulge miserable passions and mischievous propensities'), the *Courier's* journalist continued to maintain that it was inappropriate to send there 'a man convicted of a libel', particularly as 'rules, wise and humane in relation to an ignorant, depraved felon, become unjust and cruel to a man of education, accustomed to the comforts and "endearing charities" of polished life'.¹²⁶

¹²³ *The Secrets of the English Bastille Disclosed*, p. 22.

¹²⁴ *The Abuse of Prisons*, p. vi.

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*, p. 9. The issue had a lasting resonance for, in 1840, Sir Eardley-Wilmott, Member of Parliament and prominent penal reformer, made the case for special treatment for higher-rank prisoners to Lord

The argument held that if punishment was applied uniformly then the level of severity suffered differed according to the level of comfort the prisoner enjoyed before entering prison. In response to the neglect of the young Mary Rich in the late 1790s, for example, the magistrates charged with investigating her case argued that as Mary was from a poor and destitute family, she was already accustomed to the conditions she experienced in the prison. Therefore, in her case, her 'deprivations' did not constitute hardship or neglect.¹²⁷ Conversely, to the 'man of education', the deprivation of books, paper and pens actually magnified his suffering compared with the majority of the prison population, who were unaccustomed to such luxuries.¹²⁸ The notion was given official sanction in 1823 under the Additional Rules outlined for the prison that those in the state rooms who were 'accustomed to the use of wine' were permitted to consume up to one pint (500 ml) a day.¹²⁹

At the heart of the unease over the treatment of political prisoners lay an even broader and deeper concern with how such treatment reflected on the nation's sense of itself. In his first speech from the hustings, Burdett stamped the electoral contest not merely as a skirmish between two political opponents, but as an engagement with the very basis of what it meant to be British. His platform was to expose the cruelties of the 'most horrible wickedness' that existed in the prison, which was symptomatic of the oppression and tyranny being exhibited by the British state. An impassioned Burdett claimed the issue struck at the very heart of the British character.¹³⁰

This was a theme that would be revisited with each wave of political prosecutions throughout the early nineteenth century. The 'honour of the country', wrote the editor of the *Independent Whig* in 1811, demanded that the case of John Gale Jones be investigated. 'Surely it is time we ceased to boast of the hospitality, the humanity and the freedom of the English character', he argued:

If discretionary imprisonment of the most arbitrary nature is not only tolerated among us, and witnessed with general apathy, but our prisons are suffered to be converted into the worst species of solitary confinement, to enclose torments without number...its miserable victims...are visited

Normanby, the new Home Secretary: 'to the man who has been accustomed to animal diet and other common indulgencies, one year's imprisonment is at least equal to two if not three years' imprisonment of the common run of offenders'; quoted in Radzinowicz and Hood, 'The Status of Political Prisoner in England', p. 1428.

127 Burdett, *An Impartial Statement of the Inhuman Cruelties Discovered*, p. 18. This was the view presented by William Mainwaring, Middlesex magistrate and Burdett's main electoral opponent, in the House of Commons debate over Burdett's allegations.

128 Leigh Hunt maintained that his own gaoler, Mr Ives, considered that if he treated Hunt like the other prisoners his punishment would be greater, as Hunt was unaccustomed to 'low living'. See E. Blunden (ed.), *The Autobiography of Leigh Hunt* (Oxford: Oxford University Press, 1928), p. 288.

129 *Additional Rules—Coldbath Fields*.

130 *The Abuse of Prisons*, pp. 24–5, 30–1.

with privations equally remote to the security of the prison, and the motive of the imprisonment, as really intended by the benign spirit of the British Constitution.¹³¹

In answer to the *Courier's* charge that it had inflated the plight of Jones, the *Independent Whig* replied that their only motivation had been to rescue 'the national character from the stigma of cruelty and injustice'.¹³² It was their 'public duty' to vindicate the 'rights of our fellow-countrymen, and [advocate] the cause of humanity and justice'.

The strategy of 'going public' was well rehearsed by the time the radicals of the 1820s were immured in Coldbath Fields. Tunbridge advised Boyle in 1822 to approach the magistrates overseeing Newgate with the names and offences of the prisoners confined in Boyle's ward in order to secure a room of his own. 'If they object', advised Tunbridge, 'tell them you will go public if they refuse you any redress'.¹³³ The tactic also set historical precedent for later radical imprisonments. In 1840, the *Northern Star* commenced a public campaign against the harsh treatment of leading Chartist agitator Feargus O'Connor, which eventually secured him more comfortable accommodation in York Castle prison.¹³⁴

In the 1820s, radicals confined in the new prisons displayed as much confidence as their counterparts in the old prisons in their ability to influence public opinion. In theoretical terms, their ability to engage in rational discourse and exchange within both the radical sphere and the wider 'bourgeois' public arena is significant. In historical terms, it was simply clever politics. Those who publicly criticised the treatment of political prisoners in this period often placed emphasis on the denial of books, newspapers, pens and paper. Such 'necessities' were not merely tangible distractions from the monotony of prison life; they were also the tools that allowed for participation in the public sphere. The importance placed on such provisions by radicals and the authorities alike suggests a tacit recognition that radicals were legitimate participants in the public sphere despite their incarceration.

Further, the leniency with which the authorities approached prison publications and letter writing campaigns suggests that attempts to silence radicals in prison might have been regarded as contrary to a fundamental British right. During Susannah Wright's trial for the sale of a tract penned by Carlile from his prison cell, she maintained that it would be 'scandalous indeed to shut the mouth of a

131 Ibid., p. 28.

132 *Independent Whig*, 17 March 1811, reprinted in *The Abuse of Prisons*, pp. 32–6.

133 William Tunbridge to Humphrey Boyle, 26 February 1822, WYL 623/4, *Boyle Papers*.

134 *Northern Star*, 30 May 1840, 18 July 1840. On Feargus O'Connor, the Chartist leader and editor of the *Northern Star*, see Pickering, *Feargus O'Connor*; James Epstein, *The Lion of Freedom: Feargus O'Connor and the Chartist movement 1832–1842* (London: Croom Helm, 1982).

man in prison'.¹³⁵ Crucially, not only were radicals being deprived their liberty, they claimed, but also their natural rights of humanity, of inquiry, of reason and of truth. Through the prison discourse of radicals, the traditional rights claimed as freeborn Englishmen became fused with the natural and universal rights of radicalism. As E. P. Thompson argued in his seminal *The Making of the English Working Class*, it was the radical movement in this period that made the notion of British rights their own.¹³⁶

In this way, radicals could question which side of the political divide had the 'truer', more authentic vision for Britain. The imprisonment of radicals and the public sympathy it elicited allowed them to promote the fact that theirs was a purer patriotism, a more legitimate claim to 'Britishness' based both on historical and rational rights.¹³⁷ The government's actions left the radicals in possession of the language of the Constitution. As the editor of the *Black Dwarf* lamented:

No man has any right to ask of another to conform to opinions which he does not entertain, nor to suppress those which he does. To do this is to establish the basis on which all bastilles, and all inquisitions have been erected.¹³⁸

Here was a British government operating more like the oppressive regimes on the Continent and in 'un-British' ways. As Linda Colley contends, Britishness was defined in one sense against the example of the 'repressive' regimes on the Continent.¹³⁹ As the spectacle of the 1802 electoral campaign for Middlesex reveals, employing the term 'Bastille' invoked powerful imagery and could generate equally powerful reaction. It was a 'particularly effective taunt', Ignatieff notes, to accuse a British government of behaving like French authority.¹⁴⁰ Following the French Revolution, the Bastille had come to symbolise state tyranny, severity and repression. It was a word, the *Courier's* editor noted, which included 'everything cruel and horrible of a place of confinement'.¹⁴¹ As early as 1794, MPs Charles James Fox and Richard Brinsley Sheridan likened Pitt's power to imprison political dissidents during the 'reign of terror' to the tyranny of Louis XVI and his use of the Bastille to crush opposition.¹⁴² The most potent development in Burdett's contest for the 1802 Middlesex elections was

¹³⁵ *Report of the Trial of Mrs Susannah Wright* (London, 1822), p. 13.

¹³⁶ Thompson, *The Making of the English Working Class*, p. 805.

¹³⁷ For a further discussion of radical prisoners and claims to both natural and historical rights, see my article, Christina Parolin, "'Let Us Have Truth and Liberty': Contesting Britishness and otherness from the prison cell', *Humanities Research*, vol. xiii, no. 1 (2006), pp. 71–83.

¹³⁸ *Black Dwarf*, 20 November 1822.

¹³⁹ Linda Colley, *Britons Forging the Nation 1707–1837* (New Haven, Conn.: Yale University Press, 1992).

¹⁴⁰ Ignatieff, *A Just Measure of Pain*, p. 130.

¹⁴¹ *The Abuse of Prisons*, p. 24.

¹⁴² Ignatieff, *A Just Measure of Pain*, p. 130.

when he fixed upon the local working-class slang for the prison: 'the Stile'.¹⁴³ Commentators recognised how politically charged the epithet was in a climate of social unrest:

[T]he discipline, as it is called, of the gaol, is new to this country, a free country; and calculated to excite a degree of horror among the lower orders, against the state, which, in a moment of public calamity, might dispose them to lend themselves to the most desperate men and the most atrocious purposes.¹⁴⁴

It may appear ironic that the Bastille became synonymous with the new prison rather than its most evident British counterpart, Newgate. Clearly, London's oldest prison was a site loathed and feared by the London populace; to borrow words from DeLacy, Newgate and the Bastille stood as the 'two great "gothic" monuments to royal arbitrariness and official neglect'.¹⁴⁵ Though some radical prisoners considered Newgate as their Bastille, the new prisons were the ones linked so closely in the public psyche with state-endorsed cruelty.¹⁴⁶ The increasingly central role of the government in the regulation and operation of the reformed prison implied government responsibility and sanction.¹⁴⁷ The 'Bastille' became 'Bastilles' as other government institutions such as the workhouses also earned the bitter epithet.¹⁴⁸ The charge had a lasting appeal; 30 years on from the 1802 elections, radicals were referring to their places of confinement as 'Bastilles'.¹⁴⁹

* * *

The story of radical activity in new prisons such as Coldbath Fields enhances our understanding of the way in which political prisoners and the radical community contested the authority, purpose, legitimacy and identity ascribed

143 Ibid., p. 141. Mayhew and Binny note that Governor Chesterton complained that the term was still in use by locals in the 1830s. See Mayhew and Binny, *The Criminal Prisons of London and Scenes of Prison Life*, p. 286.

144 *The Abuse of Prisons*, p. vii.

145 DeLacy, 'Grinding Men Good?', p. 182.

146 See, for example, John Thelwall, who wrote of Newgate and being a 'Patriot, immured in the walls of a bastille', quoted in Uwe Böker, 'The Prison and the Penitentiary as Sites of Public Counter-Discourse', in Uwe Böker and Julie A. Hibbard (eds), *Sites of Discourse—Public and private spheres—legal culture* (Amsterdam, NY: Rodopi, 2002), p. 228. The editors of the *Northern Star* soon described the new model prison at Pentonville as the 'Whig Bastille'. See *Northern Star*, 30 October 1841, 5 November 1842.

147 For example, Margot Finn maintains that the pressman Thomas Wooler 'invoked the memory of Stuart absolutism in endorsing Hunt's cause, warning readers' conditions at Ilchester meant Court of the King's Bench resembled a "Star Chamber tribunal"'. Margot C. Finn, 'Henry Hunt's "Peep into a Prison": The radical discontinuities of imprisonment for debt', in Glenn Burgess and Matthew Festenstein (eds), *English Radicalism 1550–1850* (Cambridge: Cambridge University Press, 2007), pp. 191–216.

148 See, for example, the pamphlet by Peter Simple, *The Horrible Cruelty of the New Poor Law; A scene in the Bath Union Bastille*, n.d. See also Simon Fowler, 'Pauper Bastille or Pauper Palace? Assessing the success of workhouses', *Modern History Review*, vol. 11, no. 3 (2000), pp. 10–13.

149 *Poor Man's Guardian*, 17 May 1834.

by the reformed prison space. The seemingly isolated, 'docile' and subjugated space of the reformed prison provided little impediment to radical participation in the public sphere and Habermas's model remains a useful theoretical platform on which to understand the experience of radical prisoners in both the new and the old prisons of the early nineteenth century. Radical participation in the public sphere in this period persisted despite the architectural changes and philosophical ideas designed to remove prisoners further from the public eye.

Many contemporary observers recognised the fundamental incongruity of seeking to punish a political offender. It could not be justified in principle or practice. As the *Courier* columnist investigating the case of John Gale Jones observed, such treatment did 'not amend the man or loyalize the subject, when carried to such vigorous extremes...More ill blood is created than repressed by the example'.¹⁵⁰ In many cases, the prison experience of radicals in this period appears to have cemented their dedication to the cause, and many returned to the movement prepared to risk repeat prison terms. The incarceration of radicals in the new prisons served to highlight the vitality, tenacity and persistence of radical culture in the early nineteenth century. This alone posed a challenge to the aim of the new prisons for reform and redemption.

The following chapter presents a case study of one such radical whose political dissidence was fortified by her experience of both Newgate and Coldbath Fields prisons. Susannah Wright, one of the few radical women incarcerated for political and religious offences in the early nineteenth century, has thus far been relegated to the periphery of radical historiography. With prison reform impacting differently on the incarceration of women, and with few historical precedents of radical female imprisonment from which to draw, Wright's experience cannot simply be read as ancillary to that of the male radical prisoner. Examining Wright's experience underscores the continuities between 'old' and 'new' prisons in this period, allows an insight into the gendered nature of public political participation and enhances our understanding of how prisons (and courts) were active sites of radical political activity.

¹⁵⁰ *The Abuse of Prisons*, p. vi.