



Spaces of assertion: informal land occupations in the Scottish Highlands after 1914



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ABSTRACT

The historiography of British land occupations has, in the main, concentrated on anti-enclosure protests. In part this is because the Hobsbawmian land invasion has been largely confined to the north-west Highlands and Islands of Scotland, an area that has not always occupied a central place in our studies of rural resistance. And even when the region has come to occupy centre stage the interpretation of these events has often remained mired in older and now much-challenged paradigms. This paper thus begins by returning to the classic land invasion in the context of an exploration of events of protest in the Scottish Highlands but does not dwell long on the much-discussed formal seizure. Instead, the paper will use these and the question ‘when is an occupation not an occupation?’ as point of departure. At times landowners simply ignored the occupation and continued their own utilisation alongside the occupiers. Whilst small in number when compared to the mass of other protests these non-contested occupations tell us much about general processes of resistance evident in the post-1918 Highlands and of the essential fluidity and contingency of such events. Drawing strength from an older ideology and set of tenurial relations, and acting out a very particular set of protest performances that emerge from individual and localised micro-political contexts, the informal occupation of land alters both our understanding of Highland protest and the history of land invasions more generally. In their adaption of the form of the land occupation, crofters and cottars in the north west Highlands and Islands remind us that even the most privatised of shared spaces offer opportunities for subversion and resistance.

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In 1914 it was reported to the Board of Agriculture that stock from Inver Alligin on the Scottish mainland had been allowed to graze in the Torridon deer forest ‘without question’ from the proprietor from 1887. The alternative, we can reasonably speculate, as this was one of the peak years of the Highland Land Wars, being a full-blown land invasion.¹ This assertion of the right to graze in the privatised and policed space that was the sporting estate became a near-commonplace act in the Scottish Highlands and Islands between 1882 and 1900, and again after 1914. The overt land seizure of the type which Torridon might have become, can be understood as the most important and visible materialisation of the Highland Land Wars. It is the central contention of this paper, however, that formal land occupations in the region were only the most spectacular

manifestation of a process of resistance to the privatisation of land that took a multiplicity of interchangeable forms.

Drawing on approaches taken to critical geopolitics, this exploration of a struggle over space and power will not be confined to analysis via formal theories or attempts to categorise: by seeking to identify clear and indissoluble distinctions between informal and formal land occupations, in other words. Protest events are inescapably both fluid and complex, and are almost always reflections of local circumstances and geographies.² However, the method adopted here is not that of the local or landscape historian either, as

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¹ Scottish Government Rural Inspectorate and Payments Directorate Estate Management files (hereafter RIPD) 11150, Torridon, report of sub-commissioner, 30 November 1914. AF67/65, Police reports copied to Scottish Office, 28 May 1920 and 14 June 1920.

² A. Ingram and K. Dodds, Spaces of security and insecurity: geographies of the war on terror, in: K. Dodds and A. Ingram (Eds), *Spaces of Security and Insecurity: Geographies of the War on Terror*, London, 2009, 1–20; I.J.M. Robertson, *Landscapes of Protest in the Scottish Highlands After 1914: The Later Highland Land Wars*, Farnham, 2013. This is a perspective taken by many of the most recent approaches to the study of rural resistance. See, for instance, K. Navickas, What happened to class? New histories of labour and collective action in Britain, *Social History* 36 (2011) 192–204; C.J. Griffin, *The Rural War: Captain Swing And The Politics Of Protest*, Manchester, 2012.

the events discussed range across the whole of the north-west Highlands and Islands of Scotland, but it will always address the micro-politics of the local and apply it across the Highlands, wherever the informal land invasion is to be found.

Land invasions are one of the key forms of peasant resistance. The claim which drove the Highland variant was to land which members of the crofting tenantry believed they had inherited customary rights to, but which had been expropriated from previous generations of their families to create sheep run and deer forest. The reaction and resistance this expropriation generated is generally recognised as comprising the first phase of Highland resistance. The second phase, dating from the early 1880s, but with important precedents, has become known as the Highland Land Wars and was characterised by the forced seizure of land by the population that worked it.³ The third phase, which began at the end of the First World War, is less well documented despite the attentions of scholars such as Charles Withers, James Hunter, Leah Leneman and Ewan Cameron.⁴ In this work emphasis is given almost entirely to the formal land seizure. Yet detailed investigation reveals the presence of a number of other protest forms which significantly alter our understanding of both the chronology and geography of protest during this crucial period. The informal land occupation is perhaps the most significant of these variants notwithstanding the fact that it appears significantly less often in the archive than its more formalised counterparts. Hence the attention given to it here, part of the reason for which is the longevity of these occupations once embarked upon and which fundamentally alters our understanding of the distribution and duration of the Land Wars.

The focus in the existing literature on the formal and highly visible has also encouraged a continued reliance on the foundational, class-orientated interpretation of Highland disturbances. And yet, such is the diversity of experience and conflict evident within the over four hundred individual protest events in the Highlands after 1914 it would seem difficult, if not impossible, to sustain this view. Nevertheless, when they turn away from class-based interpretations historians have been unable to offer a wholly convincing alternative to this dominant paradigm.⁵

What follows is emphatically not an attempt to replace one paradigm with another. Instead, in turning to a detailed discussion of the informal land occupation, the concern will be to demonstrate the fluidity and place/space-centred nature of actions in protest. This paper will thus argue that there were close and interwoven connections between formal and informal protest performances with one often emerging as the direct consequence of the other, in either direction. In this fluidity the performance resists easy categorization, but instead calls onto the stage constant and in-motion assemblages of human and non-human actants and the important micro-political and cultural contexts which frame actors and

performances.

Whilst this fluidity may well suggest that there is a certain fluidity to any attempt to define the informal land occupation, it perhaps remains necessary. Beyond question, some land occupations were not formally constituted as such and invaders' rhetoric and bodily performances support this and derive from it. Thus, at the most basic level the informal occupation of land can be distinguished from the land raid – the official governmental nomenclature for a land occupation – by the fact that formal possession was never declared and by some evidence to suggest a certain degree of connivance from the landlord or tenant.

A further occurrence is where there is little evidence of any protest intent but where the events may be said to be effectively conflictual and a challenge to the dominant discourses of property and sporting rights. All these variants could endure for a considerable period of time; on occasion, for decades. This was never the case for the land raid. But to delineate protest forms in this way, though perhaps necessary, is an overly crude exercise. Thus, much in this paper and the evidence on the ground suggests considerable interchangeability of form. The more sophisticated and satisfactory approach is to appreciate that these variations in form point to contextually appropriate decisions based in and shaped by local environments in which assemblages of humans and non-humans are the key actants.

There is a considerable body of evidence to support these assertions. It comes in the form of the estate management files raised by the then Board of Agriculture for Scotland and either held at the National Archives or retained by the present-day successor of the board, the Rural Inspectorate and Payments Division of the Scottish Government.⁶ Inevitably, there is a need to proceed with some caution when approaching the evidence offered by these records. Both sets of files relate closely, albeit not exclusively, to land disturbances. This therefore raises the possibility that identifying the informal occupation of land becomes something of a self-fulfilling prophecy; a function of the inherent bias of the archive. This is not the case here, however. The material contained within these files does not relate only to claims to land involving acts of protest. Moreover, whilst informal occupation is closely related to resistance to the privatisation of property, and was an act of protest in its own right, it cannot be understood as only an act of resistance. Finally, the informal land invasion does not become known as such only as and when a more formal protest act occurs. The event is not an archival entity.

These files do, however, offer an insight into the dialogic world of early twentieth-century Highland social relations. Events detailed within them are often driven forward by correspondence from individuals and groups of individuals in the Highlands. There is also correspondence from landowners, their agents (solicitors and factors), Members of Parliament and other interested parties. Finally, some of the most important material takes the form of official reports from both local and more senior officers of the Board of Agriculture and the Scottish Office, and, perhaps most significantly, the marginalia thereon. What emerges is a depth of detail that points both towards a tripartite set of social relations and the importance of an engagement with the micro-politics of place if we are to fully understand how these relations operated. In what follows, for instance, attention will be drawn to the role and attitudes of landowners' representatives on the ground – the land agent, or factor as they are known in Scotland – who has been up until relatively recently a much neglected figure in any consideration of

³ Important contributions to this area of study include E. Richards, How tame were the Highlanders during the Clearances? *Scottish Studies* 17 (1973) 33–50; J. Hunter, *The Making of the Crofting Community*, Edinburgh, 1976; K.J. Logue, *Popular Disturbances in Scotland, 1780–1815*, London, 1979; I.F. Grigor, *Mightier Than a Lord: The Highland Crofters Struggle for the Land*, Stornoway, 1979; C.W.J. Withers, *Gaelic Scotland: The Transformation of a Culture Region*, London, 1988; I.M.M. MacPhail, *The Crofters War*, Stornoway, 1989; C.W.J. Withers, 'Give us land and plenty of it': the ideological basis to land and landscape in the Scottish Highlands, *Landscape History* 12 (1990) 45–54.

⁴ Hunter, *The Making of the Crofting Community*, 195–205; Withers, *Gaelic Scotland*, 381–383; L. Leneman, *Fit For Heroes? Land Settlement in Scotland after World War I*, Aberdeen, 1989; E.A. Cameron, 'They will listen to no remonstrance': land raids and land raiders in the Scottish Highlands, 1886 to 1914, *Scottish Economic and Social History* 17 (1997) 43–64; Robertson, *Landscapes of Protest*.

⁵ The most recent attempt to do this has excited much controversy, see M. Fry, *Wild Scots: Four Hundred Years of Highland History*, Edinburgh, 2005.

⁶ At the request of the Rural Inspectorate and Payments Division, and in order to preserve anonymity, all individual names have been withheld.

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