

# The Highland Land War

Stephen Cullen

February 1992

On the 25<sup>th</sup> July, 1970, a memorial cairn was unveiled at Colbost Hill on the Isle of Skye. The legend on that cairn reads: 'To Commemorate the Achievements of the Glendale Land Leaguers, 1882–1886', and it marks area of the celebrated 'Battle of the Braes', where the crofters of Glendale fought a pitched battle with police over the issue of land. The Skye protests were only part of a widespread movement that covered most of the Highlands and Islands, and that lasted long after the implementation of the 1886 Crofters' Act. The Highland Land War saw the mobilisation of the community in rent strikes, land raids, and deer killings. The perceived threat to 'law and order' was so great that the government despatched gunboats, marines, soldiers and extra police to the area. But the solidarity of the Highland community, including its expatriate members in Glasgow, Edinburgh and London, was such that only the creation, and favourable operation of, the Crofters' Commission was enough to undermine the protest. However, a substantial proportion of that community, the cottars, were left unsatisfied by the 1886 Act. The cottars' struggle was for land itself, but once their erstwhile allies, the crofters, had achieved their primary aims of tenure and fair rent, the cottars found themselves alone to continue their land struggle. Similarly, the Crofter MPs, returned as genuinely popular representatives of the people in the 1885 and 1886 General Elections, had, by 1892, lost themselves in the mire of parliamentarianism, taking the remains of the popular movement into the Liberal Party. Action through parliament proved, in the end, to be no real answer, and landless ex-servicemen were, in the late 1940s, still being imprisoned for land seizures; whilst ownership patterns in the 1990s are little changed from those of the 1880s.

By the early 1880s conditions in the Highlands and Islands were extremely difficult. The legal rights of crofters and cottars were almost non-existent; housing conditions were appalling; the East Coast fishing, on which many depended to supplement the meagre living on crofts, was depressed; and the entire community suffered from landlessness and congestion. The latter problem affected both crofters and cottars alike. It is difficult to be precise about the exact differences between these two groups, but G.B. Clark, a leading campaigner in the land struggle, defined them as: "the crofter is a small farmer who may live partly by the wages of labour, the cottar is a labourer who may have some share in the soil". Generally speaking, the crofters were in a better economic position than the cottars. However, that was only a relative measure, for the average crofter had access to only one to four acres of arable land, along with a part share in hill pasture, held in common with other members of the township. Under normal conditions that would have enabled a crofter to support some two to four head of cattle, and about fifteen sheep. The poverty

of the crofters meant that they were unable to undertake improvements of their arable land, and that it was generally only fit for growing potatoes. Few crofters were able to live off their crofts alone, but they were in an enviable position compared with the largely landless cottars.

Working such small plots of land, the crofters were in no position to meet rent rises. There was no legal protection against excessive rent rises, nor did crofters enjoy any security of tenure. In fact, following the Clearances and the establishment of sheep farming across the region, crofter rents had played an insignificant part in the income of large landowners. Rents for crofters were usually only raised in order to provide an excuse for eviction, whether as part of a general attempt to clear more land, or as a punitive exercise in tenant discipline. Although the period of mass eviction that had characterised the Clearances was over, evictions still continued at a steady rate, with, for example, sixty families a year being evicted from Skye in the late 1870s. There was no appeal against such evictions, and the prospect of a rent rise followed by homelessness haunted many crofter families. In addition to the complete lack of formal legal rights the crofters and cottars were subjected to continued 'petty' harassment by estate officials. For example, limits of one dog per township were usually imposed, despite the fact that dogs were vital to keep marauding deer off the crops.

Housing conditions were abysmal. Most families still lived in 'black houses', long, low buildings, without windows or chimneys, and shared with cattle. Few lived in the marginally better 'white house', that boasted a primitive chimney, small windows, and was generally lime-washed. Cottars fared even worse, many of them living in driftwood shacks on small pieces of land lent to them by their more fortunate neighbours. Uncertain of their tenancy rights, and lacking money, crofters and cottars were both unable and unwilling to improve their homes which might at any moment cease to be theirs.

The lack of land forced crofters to raise extra income, often by fishing. On the West Coast inshore fishing was normal. However, the almost complete lack of harbours and slipways, combined with the smallness of the crofters' boats, made fishing a dangerous task. From 1850 to 1885, 292 Lewismen drowned whilst fishing. The lack of safe harbours hit home in the bad winter of 1881-2, when a single storm destroyed crops and over 1,200 Skye boats. For the cottars, fishing meant the East Coast herring industry. This had proved a lucrative source of income for much of the 1870s, but by the early 1880s the herring industry was in recession, and the introduction of new payment practices meant that earnings in the 1884 season were as low as £1, and the cottars had to beg their way home.

The people themselves had a very clear idea of the causes of their sufferings. Historically, the Clearances stood as a great divide between a happy past and a hard present. There was an almost universal belief that the problems of overcrowded land, bad housing, dependence on fishing, low cattle prices, and lack of security of tenure all stemmed from the Clearances. To a large extent this view was correct, and in any event it was a widespread belief. Of great significance was the continuing validity of pre-Clearance cultural values amongst the crofting community. Despite the fact that crofters had always paid rent for their land, they had never seen it as a payment for land use, rather it had been seen as a tribute to the Clan Chieftain. The land itself was seen as the property of the community at large, not the property of a single man. This view of communal land holding meant that the Clearances were seen as an illegal act, and the private property rights of landlords were similarly viewed as being based on an alien tradition.

New economic circumstances increased the pressure on crofters and cottars in the early years of the 1880s. Poor harvests, low cattle prices, the collapse of the East Coast fishing, and events

like the 1881/2 storms on Skye pushed the community towards conditions not far removed from the famine years of the 1840s. The early 1880s also brought new pressures, but also opportunities, for the landlords. With the new trade in Australasian and North American sheep, landlords found that their sheep-based economy was, for the first time, under threat. Sheep prices fell, and landlords were unable to find replacements for their farmers who had gone bankrupt. But just as the wider economy threatened their prosperity, so did it provide a new opportunity, in the form of deer. The establishment of the mature industrial economy further south, in the central belt and in England, meant that a new leisured class had arisen, a class that was keen to spend part of its time in the Highlands, hunting deer. Landlords were quick to respond, and where sheep had once replaced people, so deer replaced sheep, and more people. The opening years of the decade saw a dramatic increase in the seizure of pastures, and increased numbers of rent rises and evictions, all for the extension of the deer forests. This was to prove the catalyst for the land war.

Although the early 1870s had seen isolated resistance to evictions, like that in Brenera on Lewis, in 1874, the Leckmelm affair of 1879 set the pattern for the war itself. The attempts of Alexander Pirie to turn his estate near Ullapool into a deer forest, evicting crofters in the process, quickly became a cause célèbre that held public attention for most of the year. This time the resisting crofters had a new ally in the shape of the Federation of Celtic Societies, that linked expatriate Highlanders in Glasgow, Edinburgh and London into an effective national voice for the crofting community. Pirie was forced to abandon his plans, only to try again in late 1880, when he faced the same opposition, and was forced to abandon his plans permanently. The pattern had been set, effective and united resistance to rent rises and evictions by the crofters themselves, combined with political pressure in key cities, especially London, by a politicised cultural movement.

A tour of Skye in 1881 by John Murdoch, a leading land campaigner who had links with the successful Irish Land League, and owned the campaigning *The Highlander* paper, seems to have helped galvanise Skye crofters into action. In February 1882 crofters there began the Braes rent strike, and made demands for the return of grazing land that they had previously had access to. Lord Macdonald's attempt to break the strike by attempting evictions led to confrontation, when 100 men met the sheriff's officer and burnt the writs. This event was followed by the arrival of Sheriff Ivory, 50 Glasgow police and 19 Skye police. Their attempt to take arrested men from the Braes led to the violent clashes celebrated as the 'Battle of the Braes'. The 'battle' was covered widely by the press, and the Highlands and Islands suddenly became newsworthy. The success of the Glendale protesters acted as a spur for others throughout the region, and, fearing a general rent strike throughout Skye, the Lord Advocate appealed to London for military aid, which, at that stage, was not forthcoming. A potato blight and crop failures drove many into declaring rent strikes in the winter of 1882/3, simply because they could not pay. In response to these pressures, the government announced, in February 1883, the setting up of a Royal Commission under Lord Napier.

The setting up of the Napier Commission did nothing to stem the tide of protest. The immediate response of Highlanders in London and Edinburgh was to set up the Highland Land Law Reform Association (HLLRA), whilst crofters and cottars began land raids. For example, Milvaig crofters and cottars occupied the Waternish farm in early 1883, and successfully drove off a police assault on their new land. The HLLRA was very active, sending lecturers throughout the region to speak to the people, whilst the crofters and cottars themselves set up the first Highland branch

of the association in Glendale. By the end of the year the Home Secretary, Harcourt, had agreed to despatch gunboats and marines to the Western Isles; they arrived in the new year.

The Napier Commission reported in 1884, and was judged unsatisfactory by the crofters and cottars. Instead, they adopted their 'Dingwall Programme', calling for a land court to oversee a compulsory redistribution of land to crofters and cottars. At the same time, the HLLRA agreed to stand candidates at the forthcoming general election, in which many crofters would, for the first time, be eligible to vote.

The period from 1885–1888 saw the high watermark of the land movement, but it was also a period in which the previous solidarity of the campaigners began to crack. The HLLRA was successful in the December 1885 general election, sending four Crofter MPs to Westminster. By then there were 90 Highland branches of the movement, with a membership of over 10,000 crofters and cottars. The Liberal government had tried to introduce a Napier-style bill, but had collapsed before it was passed. This added further impetus to direct action protest in the Highlands and Islands. In the winter of 1885/6, all of the north-west of the region was on rent strike, acts of intimidation against those suspected of not being pro-HLLRA were frequent, and the destruction of landlords' and crofters' property by HLLRA supporters was widespread. Responding to the election of the Crofter MPs, and the violence, the new government passed the Crofters' Act in 1886. Despite the establishment of a Crofters' Commission to adjudicate in fair rents, the Act was widely condemned for not tackling the twin problem of overcrowding and land hunger. In response to the Act the HLLRA conference at Bonar Bridge in September pledged to continue the fight for the compulsory break-up of sheep farms and deer parks in order to provide land for crofters and cottars.

But this proved to be the swansong of the movement (now renamed the Highland Land League). The government began a new campaign of law enforcement in the area. This was opened with the arrival of 50 police, and 250 marines on Tiree to arrest eight crofters, five of whom were sentenced to six months each in Edinburgh. By December 1886, even Skye had been quietened by the strong military and police presence. Further, the operations of the Crofters' Commission proved to be more favourable than the crofters had imagined, thus driving a wedge between the previous crofter/cottar alliance. The first Crofter Commission rent adjudications were made in January 1887, reducing rents by 30% at Waternish, and 20% on the Macleod estates. Within the HLL a new struggle had begun, with a faction, led by Angus Sutherland, trying to deliver the movement into the hands of the Liberal Party, something that he eventually succeeded in doing. But conditions were still desperate for the crofters and cottars. That desperation drove them to mount the 'Great Deer Raid' on Park, Lewis, in November. In three days the crofters and cottars killed large numbers of deer, thus showing their preference for land for people, rather than deer. All this was reported by journalists of the *North British Daily Mail*, who accompanied the men. Lewis now took over the mantle of the leading area in the protest, with Lewismen being involved in a vicious clash with Royal Scots, Marines and police in January 1888, when 14 men were arrested. However, Lewis apart, it was clear that other land raids were almost without exception the work of the landless cottars. The crofters had been split from their allies in the struggle against landlordism. By the end of September the worst of the unrest was over, and the military were withdrawn from the region, even from Lewis.

In addition to the operation of the Crofters' Commission, the government began a policy of investment in the infrastructure of the region, allocating £61,500 for such work in December of 1890. But that, of course, did not address the cottars' need for land. Cottars occupied the derelict

township of Ornsay, and continued to destroy fences and dykes, especially on Uist. However, the land-hungry cottars could expect little assistance from the HLL, which had become merely a part of the Liberal organisation in the region, whilst its leading lights stood as various HLL/Liberal candidates in the 1892 general election. The HLL finally split, and the two most radical leaders, G.B. Clark and D.H. MacFarlane, attempted to revive the old HLLRA. But in 1895 the HLLRA was forced to cancel its annual conference. The crofters, with their new tenancy laws, had abandoned the movement, and the cottars were left completely isolated, and still land-hungry. Sporadic cottar land seizures occurred in North Uist, Bornish and Ormaclett in 1901, Tiree and Watersay in 1902, and again in 1906 and 1907 when crofts were built by the land raiders. The pre-war Liberal government did attempt some legislation aimed at helping the cottars, but the House of Lords killed all attempts at settling the cottars' grievances, and industrial and urban concerns had greater claims on the Liberals. Even the establishment of the Board of Agriculture, and the Scottish Land Court failed to meet the hopes of the landless that land would be compulsorily transferred on a large scale to those that needed it – something that no government contemplated. The Board was empowered to create new crofts, but its slowness in doing so led to a fresh round of cottar land raids in 1913 and 1914. For the cottars, little seemed to have changed.

### **Bibliography**

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This article was originally written for *The Raven Anarchist Quarterly* #17: Use of Land, pp.  
85–91.

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