

Discrimination in Northern Ireland, 1920-1939

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1920-1939:
Myth or Reality?

By

John O'Brien

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CHAPTER ONE

INTRODUCTION

The word ‘discrimination’ is a highly emotive term in any walk of life. When it is examined in the context of Northern Ireland, however, it becomes much more of a delicate and sensitive issue. The reason behind this stems from the fact that, in this particular region of the world, the term discrimination pertains to many social, cultural and political boundaries. In Northern Ireland, discrimination is connected with conflicts of nationality, of class and above all, of religion. Any study of alleged discrimination against a minority group must, of course, begin with a clear and comprehensive definition of the term. A useful and reliable source to refer to here would be the United Nations Memorandum entitled *The Main Types and Causes of Discrimination*, published in December 1949. This Memorandum defined discrimination as:

...unequal and unfavourable treatment, either by denying rights or social advantages to members of a particular social category; or by imposing special burdens on them; or by granting favours exclusively to the members of another category, creating in this way inequality between those who belong to the privileged category and the others.¹

The history of Ulster has for centuries been a quarrelsome one filled with conflict and controversy. The political, social, economic and religious development of the region by the early twentieth century, however, resulted in the formation of two extremely influential but opposing political movements - Ulster unionism and Irish nationalism. The 1920 Government of Ireland Act which partitioned the island of Ireland resulted in the foundation of Northern Ireland, a devolved political entity in the north-eastern corner of the island consisting of six counties and the establishment of the Irish Free State, consisting of the remaining 26 counties of Ireland. The six northern counties which became part of the United Kingdom of Great Britain and Northern Ireland were Antrim, Armagh, Down, Fermanagh, Londonderry and Tyrone.

¹ Cited in Frank Gallagher, *The Indivisible Island* (London, 1957), p.200.

The partition of Ireland was always going to render a clash between the opposing political groups inevitable. Unionists were predominantly Protestant while nationalists were almost exclusively Catholic. The fact that Catholics and nationalists constituted a significant one-third of the population of Northern Ireland provides a clear indication that the region was always going to be a difficult and troublesome area to govern. In terms of discrimination, the allegations that concern us here are those made by the nationalist minority against the Ulster Unionist government, particularly in the period 1920 to 1939, which was a crucial one in the development of the Northern Ireland state. The pattern of government and politics had been so firmly established by the late 1930s that it was likely to remain unaltered for quite some time. Furthermore, the outbreak of the Second World War in 1939 provides a timely watershed for this study.

The question of whether or not the Unionist government was guilty of discrimination against the nationalist minority has been written about extensively by a wide and disparate range of authors. Some published works are inherently biased towards the unionist tradition, some are inherently biased towards the nationalist tradition and others tend to take a broad and expansive view of both sides of the argument.

In nationalist polemic, Frank Gallagher's *The Indivisible Island* provides a classic example of this type of bias. This study, published in 1957, remains the most definitive and comprehensive attack on the Ulster Unionist government during the period of devolution in Northern Ireland. At first glance, Gallagher's nationalist bias is clear for all to see. This, however, does not in any way devalue the importance of such an all-encompassing account of discrimination across all sectors of society. Although Gallagher's one-sided views and interpretations may be debatable at times, the exhaustive research that obviously went into this particular study would indicate that it is quite reliable on statistical data and general matters of fact.

On the unionist side, one particular work which stands out as being inherently pro-unionist is Denis P. Barritt and Charles F. Carter's *The Northern Ireland Problem: A Study in Group Relations*, published in 1972. Although the independent research carried out by Barritt and Carter shows a level of impartiality in its treatment of both communities, their conclusions appear to be almost entirely pro-unionist. With regard to the majority of nationalist allegations of discrimination, Barritt and Carter have gone to great lengths to sympathise with, and even justify, the actions of the Ulster Unionist government during the period in question.

These two examples are the exception rather than the rule in terms of the levels of bias evident in published works on the topic of discrimination.

It is, therefore, worthwhile to briefly mention the backgrounds of such writers, so as to understand more fully their work. Gallagher was a former member of the Irish Republican Army (IRA) who fought during the Irish War of Independence between 1919 and 1921. It is hardly surprising, therefore, that his study would be innately pro-nationalist and highly critical of unionism. Barritt and Carter, while stating that their aim was to be fair and honest, nevertheless acknowledged that 'we do not recognise the authority of the Bishop of Rome'.² Coming from the Protestant tradition, it is also unsurprising that they would have sought to defend the actions of their co-religionists in the Ulster Unionist party.

Most other works on the topic, while less biased than the aforementioned studies, have still drawn definitive conclusions in favour of one particular side of the argument. Tom Wilson's *Ulster*, published in 1989, contains three substantial and informative chapters which deal specifically with the charges of Unionist discrimination against the minority. His overall conclusions tend to sympathise with the Unionist government and indicate that it was not guilty of overt acts of discrimination. In contrast, John Whyte's article entitled 'How much discrimination was there under the unionist regime, 1921-68?' appears to conclude that Catholic and nationalist grievances were indeed genuine and justified. This particular article identifies individual areas of government policy and assesses the level of discrimination that did or did not occur in each, thereby providing a full and comprehensive evaluation of the topic.

Other works such as Patrick Buckland's *The Factory of Grievances: Devolved Government in Northern Ireland 1921-39*, published in 1979, Derek Birrell and Alan Murie's *Policy and Government in Northern Ireland: Lessons of Devolution*, published in 1980 and David Harkness' *Northern Ireland since 1920*, published in 1983, have all shed some light on the subject. Buckland's study in particular is invaluable in that it provides a thorough account of the inner workings of the Stormont regime during the period under review. It was the most valuable secondary source for this volume given that it presents the reader with an all-inclusive account concerning the accusations of alleged discrimination against the minority, yet it remains up to the reader to draw his or her own conclusions from the evidence presented.

In terms of primary source material, the Stormont parliamentary debates have proved invaluable because they are filled with continuous charges and counter-charges relating to discrimination throughout the

² Denis P. Barritt & Charles F. Carter, *The Northern Ireland Problem: A Study in Group Relations* (Oxford, 1962), p.3.

entire inter-war period. Furthermore, the public speeches and private sentiments of politicians and also the correspondence between various political figures provide the study with a somewhat real and personal touch. In addition to this, newspapers, government reports and department memorandums have assisted this volume.

Although the topic is clearly one which has been researched extensively in various forms, there are still some obvious gaps in the literature, which this volume attempts to fill. As noted above, far too many accounts of this subject of alleged discrimination against nationalists have been inherently biased in favour of one particular community, be it unionist or nationalist. When one approaches an emotive subject matter such as discrimination with a pre-conceived opinion, the subsequent result will almost always be partisan and unbalanced. While Gallagher's *The Indivisible Island* and Barritt and Carter's *The Northern Ireland Problem: A Study in Group Relations* may be extremely informative and littered with copious amounts of useful statistical data, they are, nevertheless, biased and partisan and are thus largely ineffective for the independent observer who wishes to approach the topic with an open mind.

There is undoubtedly a gap in the literature in that the topic needs to be addressed in a completely unbiased manner. The subject of alleged discrimination on the part of the Unionist government against the nationalist minority in Northern Ireland is one which can be examined constructively without resort to partisan and impartial views. The research question that can be formulated from this gap in the literature is whether or not discrimination against the Catholic and Nationalist minority population actually occurred and if so, what level this discrimination was practiced at.

The volume will be divided into four separate chapters followed by a concluding chapter which will evaluate the essence of the findings. The individual chapters are arranged thematically rather than chronologically so that each of the chapters will focus on a specific area of government policy where accusations of discrimination and malpractice occurred.

Chapter two considers politics, representation and electoral practices, outlines the origins of the Northern Ireland state, the evolution of the electoral system and also deals extensively with the subject of gerrymandering - the infamous policy of redrawing electoral boundaries so as to disenfranchise one's political opposition. By tracing the origins of the state and the formative period of the Ulster Unionist government, this chapter then leads logically into different areas of government policy where accusations of discrimination against the minority were constant. Chapter three examines the education sector in Northern Ireland and the

way in which government legislation altered the education system throughout the region during the period under review. Among the questions raised are the following: was the system fair to all pupils? Did sectarian discrimination result in one community becoming increasingly disadvantaged? The fourth chapter considers nationalist allegations of discrimination on the part of the Unionist government in relation to public and private employment. It will evaluate the position of Catholics and nationalists in relation to jobs in the Northern Ireland Civil Service, the judiciary and the police and ascertain whether or not the minority were discriminated against. The situation with regard to private employment will also be assessed here. Finally, chapter five will examine the housing situation in Northern Ireland during the inter-war period and conclude whether or not the nationalist claims of discrimination in this area were warranted. It will also be shown that a number of these policy areas are inter-linked and that discrimination occurring in one area would often have resulted in it occurring in another. The concluding chapter will bring together the findings of the four main chapters and discuss the essence of the conclusions.

Overall, this book attempts to provide an impartial and unbiased assessment of the policies pursued by the Ulster Unionist government in Northern Ireland between 1920 and 1939. Were the accusations of discrimination on the part of the government a myth or were they in fact a reality at the time? The issue will be examined extensively in order to determine whether or not such practices actually occurred and if so, how disadvantaged the Catholic and Nationalist minority population became as a result.

CHAPTER TWO

POLITICS, REPRESENTATION AND ELECTORAL PRACTICES

Politics has forever been to the forefront of Northern Ireland's history and the ramifications of the political process in the province can certainly be cited as a major cause of much of the conflict experienced in the region throughout its history. Allegations of discrimination on the part of the Unionist government against the Catholic and nationalist minority in Northern Ireland and accusations of under-representation of the minority in cabinet and on local authorities have been prominent, while allegations of gerrymandering of electoral boundaries at both local and parliamentary level have also been constant. This chapter will investigate these allegations and assess whether they are justified or whether they have been over-exaggerated by the Catholic minority. Firstly, it will briefly examine the political system and electoral practices in the region before the foundation of the state. This will be followed by an analysis of various pieces of legislation passed by the new Northern Ireland government, most notably the two Acts which abolished the proportional representation system of voting. The effects of the subsequent redrawing and redistribution of electoral areas will also be assessed, given that this paved the way for the widespread charges of gerrymandering to occur across the province. Finally, drawing from the primary and secondary source material available, the chapter will assess the validity of these nationalist claims and will attempt to arrive at an unbiased conclusion regarding these allegations of Unionist discrimination against the Catholic minority.

In the second half of the nineteenth century, the location and size of rural electoral districts had been based upon the Poor Law unions drawn up in the 1840s.¹ By the turn of the century, however, the population changes that had occurred throughout the previous decades rendered a new electoral system essential. The 1898 Local Government (Ireland) Act

¹ Patrick Buckland, *The Factory of Grievances: Devolved Government in Northern Ireland, 1921-39* (Dublin, 1979), p.237.

provided for this and by 1921, the structure of local government in Northern Ireland was similar to that of Great Britain and the rest of Ireland. The system set up under the 1898 Act had been based on the rather dubious assumption that the system intended for nineteenth century Britain was also suitable for Ireland. Whether this was in fact the case is questionable. The British government undoubtedly felt that it was suitable, however, and from 1921, there was a dual system of local government in Northern Ireland. The two county boroughs of Belfast and Londonderry each had a Corporation, with both exerting great influence and power over their own region, particularly Belfast Corporation. Across the rest of the province, there existed a two-tier system – a top tier of six county councils and a lower tier of urban and district councils. Finally, towns which were too small to be classed as urban districts had elected town commissioners.² Herein lay the system of local government in Northern Ireland during the inter-war period – a system which would invoke much conflict and controversy throughout the period.

At parliamentary level, the Ulster Unionist party controlled government, a dominance which it held continuously throughout the period of devolved government between 1921 and 1972. From the outset, the government was faced with numerous challenges, most notably the refusal of many Catholics and nationalists to recognise the legitimacy of the state but also a degree of conflict within its own ranks. One of the first, and perhaps most controversial, Acts passed by the Unionist government was the Local Government bill in July 1922, abolishing proportional representation (P.R.) in local government elections. The P.R. system had been introduced into local and parliamentary elections in Ireland under the 1919 Local Government (Ireland) Act and subsequently by the 1920 Government of Ireland Act in order to protect minorities. Although originally intended as a protection for minorities in the South, following partition it came to be regarded as a safeguard for the Catholic and nationalist minorities in the North. The main advantage of the P.R. system of voting was that it allowed for the representation of a wider variety of interests, whereas in Britain's 'first past the post' system, the party with the most votes took all the seats, resulting in larger parties being over-represented and smaller parties often being wiped out. In 1920, The Proportional Representation Society of Ireland described the system as one

² Derek Birrell & Alan Murie, *Policy and Government in Northern Ireland: Lessons of Devolution* (Dublin, 1980), p.155.

... by which every group of citizens can obtain their proportionate share of representation on elected bodies. It means that no group can be excluded if they have had sufficient courage and public spirit to nominate candidates, and to fight.³

It seems clear that the decision by the Ulster Unionist government to abolish P.R. in local government elections in 1922 was taken solely in the interests of unionism while also serving to alienate the nationalist minority. Along with the abolition of P.R., Ulster Unionists began to push for the complete redrawing of electoral areas and the eradication of the supposed inequalities which existed for unionists under the pre-1919 system. The party argued that because unionists paid the majority of the rates, they should automatically receive the majority of the representation, even in areas where they were the minority. This strongly-held belief, coupled with the fact that Nationalist-controlled councils refused to recognise the state, ensured that the unionist demands were adhered to quite easily. Many Nationalist-controlled councils remained aloof from the situation, for example, Tyrone County Council showed its contempt for any such proposals. In one instance, speaking in parliament on 17 October 1922, the Unionist Member of Parliament (M.P.), Mrs. Dehra Chichester (later Mrs. Dehra Parker) noted,

... the insults which we had to endure in the past ... we have had to sit there and listen to our King being insulted, to our government being derided. We have been told that killing was no murder unless committed by the foreign invader.⁴

Essentially, there appears to have been no real consideration given to the fate of minorities following the abolition of P.R. It was probably only when Michael Collins, Commander-in-Chief of the Free State Army in the South, tried to persuade the London government in early 1922 to withhold the royal assent from the bill that the Unionist government realised that there was much more to this issue than appeared on the surface. Despite this, however, Prime Minister James Craig was adamant that the old pre-1919 system would be more favourable to the Catholic minority.⁵ This, of course, proved not to be the case. Royal assent was eventually granted and

³ A. Wilson, *P.R. Urban Elections in Ulster in 1920* (London, 1972), p.4.

⁴ *Parliamentary Debates (House of Commons)*, vol.2, 17 October 1922, cols. 1047-8.

⁵ Public Record Office of Northern Ireland (hereafter PRONI), PM/9/4, Craig to Spender, 21 September 1922.

the bill became law on 7 September 1922.⁶ Thereafter, the scene was set for some of the most contentious acts of alleged gerrymandering to occur across Northern Ireland.

What occurred after the abolition of P.R. was viewed by unionists as the redrawing or redistribution of electoral boundaries, while amongst nationalists it was perceived as the gerrymandering of electoral boundaries. Unionists believed that the government was simply seeking to correct the imbalances and inequalities that had existed under the recent P.R. system and even earlier. Nationalists, on the other hand, viewed this as a deliberate act of discrimination on the part of the Unionist government to prevent Catholics from gaining a fair and proportionate level of representation in parliament and in local government. It seems abundantly clear, whatever way one may look at it, that the return to the old system and to single-member constituencies enabled voters to be distributed in such a way as to favour unionism. If rank and file Unionist members had been given their way, they would have held every seat on every local authority. The Stormont government, however, had to be seen to act as fairly as possible and to avoid, as Minister for Home Affairs, Sir Richard Dawson Bates put it, 'any suggestion of indecent gerrymandering'.⁷ The term 'gerrymander' had originated in Essex County, Massachusetts, USA in 1812 when Governor Elbridge Gerry redistributed his electoral area so as to benefit his party.⁸ Upon finding a map of the proposed alterations, Benjamin Russel of the *Boston Gazette* likened the shape of the proposed new area to a salamander – 'better say a gerrymander' he commented, thus creating a term which would be used extensively in Northern Ireland politics in the future.⁹

Following the passing of the controversial bill through parliament, Dawson Bates set up a government body to deal with trouble areas, with John Leech, K.C. as Commissioner. Leech was in charge of conducting inquiries into areas in which objections to the alteration in the number and the boundaries of electoral districts might be expected.¹⁰ Unsurprisingly, the majority of these areas in question contained a Catholic and nationalist majority and therefore they were resistant to any such alterations which seemed to be designed to deprive them of fair representation. Upon his

⁶ Joseph Curran, *The Birth of the Irish Free State 1921-1923* (Alabama, 1980), p.247.

⁷ A.C. Hepburn, *The Conflict of Nationality in Modern Ireland* (London, 1980), p.160.

⁸ Gallagher, *The Indivisible Island*, p.226.

⁹ Ibid.

¹⁰ David Harkness, *Northern Ireland since 1920* (Dublin, 1983), p.28.

appointment, Leech immediately set about altering the rural councils in terms of both electoral areas and membership. One early case of gerrymandering which has received widespread attention was that of Dungannon, Co. Tyrone. An article appeared in the *Irish Independent* on 26 October 1922 entitled 'Dungannon and Gerrymandering'.¹¹ This outlined the proposals of the scheme which the Urban District Council described as 'very necessary when the relative populations, poor law valuations, and number of local government electors of the wards are taken into consideration'.¹² The actual working and implementation of the scheme was described articulately by the same newspaper a number of weeks later. In an article entitled 'How Gerrymander works – The Dungannon wards', it described how;

According to the last census, Dungannon had a population of 3,830 of whom 2,120 or 55.3 per cent were pro-Free State. The Free Staters now claim a majority of 100 houses and 750 people. By dividing the town into three wards and combining the great bulk of the Free State vote to one ward (the West), the Belfast Parliament assure that the Free State majority could not return more than one-third of the representation, i.e. 7 out of 21. By exacting a declaration of allegiance from the Free State majority, the Belfast Parliament has succeeded in depriving that majority of any representation in the new Council.¹³

The nationalist newspaper, the *Irish News*, described how 'the scheme for the rural districts was a gross gerrymander and a public scandal',¹⁴ while the *Freeman's Journal* commented on the 'successful manipulation of the wards by the unionists'.¹⁵ The unionist press was less vocal, however, with both the *Belfast Newsletter*¹⁶ and the *Mid-Ulster Mail*¹⁷ reporting the story but not providing any substantial commentary on it. Although the Catholic and nationalist concerns were made clear to Dawson Bates in a letter from Solicitor John Skeffington, the Minister refused to move on the issue. Skeffington's letter to Dawson Bates contained the following:

I say, without reserve, that the appearance of the proposed new boundaries on the face of that map is not only ipso facto evidence of the geographical absurdity of the proposition of the majority but also of their pre-meditated

¹¹ *Irish Independent*, 26 October 1922.

¹² PRONI, HLG/4/106, Inquiries into reconstitution of divisions.

¹³ *Irish Independent*, 11 January 1923.

¹⁴ *Irish News*, 8 November 1923.

¹⁵ *Freeman's Journal*, 23 November 1922.

¹⁶ *Belfast Newsletter*, 23 November 1922.

¹⁷ *Mid-Ulster Mail*, 25 November 1922.

intention to so gerrymander the Urban District that its Catholic population will never have an effective voice in municipal government.¹⁸

The case of Dungannon is just one example of gerrymandering that took place in Northern Ireland throughout the 1920s and 1930s. In Omagh Rural Council, the gerrymandering of the area rendered as much as 85 per cent of the nationalist vote ineffective. The corresponding figure for the Unionists was just 38 per cent.¹⁹ Essentially, it meant that 2,316 nationalist votes were required to win five seats on the council, whereas only 1,141 unionist votes were required to win the same number of seats. This was by no means an exceptional case. Across the rest of County Tyrone and indeed across the rest of Northern Ireland, the manipulation of boundaries occurred and this was almost exclusively to the disadvantage of the Catholic and nationalist minority.

The exceptions to this were Keady Urban area in County Armagh, Newry Town in County Down and Strabane Urban area in County Tyrone, which had Nationalist majorities of 81, 79 and 75 per cent respectively.²⁰ Any areas which had a Nationalist majority of 65 per cent or less, however, were subjected to this redrawing and redistribution process. While examples of gerrymandering in relation to rural areas have been described above, the practice was just as common in urban districts. In Armagh City Council, Unionists held 12 seats to the Nationalists 8, despite there being a Nationalist majority of 57 per cent in the city. In Enniskillen, County Fermanagh, the Nationalist majority was 56 per cent, yet the Unionists obtained 14 seats to the Nationalists 7. Finally, in Omagh, County Tyrone, there existed a substantial Nationalist majority of 62 per cent, yet the Unionists held 12 seats on the Urban Council against the Nationalists 9.²¹

The fact that gerrymandering occurred in many electoral areas across Northern Ireland at local and rural level is certainly not in question. It is, however, important to point out that it seems to have occurred at almost every level of local government and across all areas of the province. Examining each type of local authority, Table 2.1 below illustrates how the number of Catholics or nationalists in any given area was never in proportion to their representation in local government.

¹⁸ PRONI, HLG/4/115, Dungannon and Gerrymandering.

¹⁹ Gallagher, *The Indivisible Island*, p.232.

²⁰ Ibid.

²¹ Ibid.

Table 2.1: Under-representation of Nationalists at all levels of Local Government

	Seats per Party		Population per Seat	
	Unionist	Nationalist	Unionist	Nationalist
Derry Corporation	12	8	1541	3665
Armagh County Council	23	5	1638	7098
Lurgan Borough Council	15	0	551	5449*
Omagh Urban Council	12	9	180	397
Irvinestown Rural Council	14	8	424	851

* In Lurgan Borough Council, the gerrymander was such that just 551 Unionists votes secured 15 seats while 5499 Nationalist votes were unable to secure even one seat.

Source: All-party Anti-Partition Conference, *One Vote Equals Two: A study in the Practice and Purpose of Boundary Manipulation*, (Dublin, 1950).²²

Having discussed the allegations of under-representation of Catholics and the gerrymandering of electoral areas at local government level, it is now essential to discuss these accusations with regard to parliamentary level. While the decision to abolish proportional representation at local election level was aided by pressure from rank and file Unionist party members, the decision to abolish it at parliamentary elections was solely the work of Prime Minister Craig, who held an avid interest in the question.²³ Although local elections had reverted to the pre-1919 system as early as 1922, at parliamentary level the general elections of 1921 and 1925 were conducted using the P.R. system. It had been the intention of the government to return to the old system in time for the general election

²² All-party Anti-Partition Conference, *One Vote Equals Two: A study in the Practice and Purpose of Boundary Manipulation* (Dublin, 1950).

²³ Buckland, *The Factory of Grievances*, p.234.

in 1925. It was subsequently decided, however, to postpone these plans in order to avoid conflict with the Boundary Commission, which was due to start its work at the time.²⁴ The Commission had been established under the terms of the 1921 Anglo-Irish Treaty but was not convened until 1925. Its purpose was to decide on the precise delineation of the border between the Irish Free State and Northern Ireland. By pressing ahead with the abolition of P.R. at this time, the Unionist government may have prejudiced its case before the Commission, thus it was decided to wait. Eventually, having been put on hold for a few years, the House of Commons (Method of Voting and Redistribution of Seats) bill was passed by parliament in February 1929, just three months before the general election. It was inevitable that this would result in bitter opposition from the Catholic and nationalist minority across the province.

While the 1922 abolition of P.R. at local elections and the subsequent redrawing of electoral areas must be viewed as a discriminatory act against Catholics and nationalists, the same cannot be said for the abolition of P.R. at parliamentary elections in 1929. On this occasion, rather than deliberately discriminating against nationalists and placing them in a disadvantaged position, the aim of the government was to create unity and strength within the Unionist party in the face of other claims for the Protestant vote.²⁵ Although the Labour Party and the Independent Unionists would have been considered loyal to the unionist cause, they still constituted a problem for Craig who was seeking to create a stable government. By abolishing P.R., Craig got what he wished for – the removal of the Labour Party and the Independent Unionists as a force to be reckoned with in Stormont politics. From then on, general elections would be a straight, winner-takes-all fight between unionism and nationalism. Craig's wishes to see this happen were highlighted in a speech made in parliament on 25 October 1927, when he identified the real question '...at the bottom of the hearts of every person in Ulster ... is whether we are going to remain part and parcel of Great Britain and the Empire or whether on the other hand we are going to submerge ourselves in a Dublin parliament'.²⁶

Although the redrawing of constituency boundaries following the 1929 general election did result in a slight reduction of Nationalist representation in Stormont, the disadvantage afforded to the minority was nowhere near the scale of the Nationalists' disadvantage at local government level. In fact, subsequent general election results showed that the position of Nationalists

²⁴ PRONI, CAB/4/98/21, Cabinet Conclusions, 10 January 1924.

²⁵ Tom Wilson, *Ulster: Conflict and Consent* (Oxford, 1989), p.70.

²⁶ *Parliamentary Debates (House of Commons)*, vol.8, 25 October 1927, cols. 2269-77.

in parliament had not been overly affected by the abolition of P.R.²⁷ The main effect of the 1929 Act appears to have been that an increasing number of parliamentary seats were filled without a contest. In the first election under the P.R. system in 1921, every seat in parliament had been fought for. In the 1929 election, however, 22 out of 48 seats were filled without contest, amounting to 46 per cent uncontested. The 1933 election saw this percentage rise to 69 per cent and by the 1938 election, it had returned to 44 per cent.²⁸ Uncontested elections gradually became the norm in many areas throughout Northern Ireland and this not only caused problems for the government but also for democracy as a whole. As Northern Ireland moved into the 1930s, Catholics and nationalists found themselves increasingly disadvantaged across almost all sectors of society as Unionist dominance over parliament and local government began to take hold. It could be argued, therefore, that the Unionist government's decision to abolish P.R. in 1922 and 1929 was a major act of misgovernment and misjudgement. Nationalist grievances were genuine and difficult to ignore, yet government-inspired gerrymandering increased the alienation of the minority even further. One of the most infamous cases of discrimination against the minority, however, had yet to occur.

The fate of the city of Londonderry, the 'Maiden City' was always going to be a controversial one, given its symbolic value to both unionists and nationalists. Prior to 1919 there were five wards in the city. In 1919 these were altered to form four and then in 1922 the number of wards was again increased to five, albeit a different five.²⁹ Following the 1929 parliamentary redistribution, the government found itself under extreme pressure from Londonderry unionists who had begun to feel insecure after nationalists in the city started to show a renewed interest in local affairs. In a letter in July 1934, Minister for Home Affairs, Dawson Bates, had told Craig that:

Unless something is done now, it is only a matter of time until Derry passes into the hands of the Nationalist and Sinn Féin parties for all time. On the other hand, if proper steps are taken now, I believe Derry can be saved for years to come.³⁰

The scheme proposed by the Londonderry Unionists, principally Councillor Matthew Kerr, in 1936 was rather outlandish, yet they still

²⁷ Wilson, *Ulster*, p.70.

²⁸ Gallagher, *The Indivisible Island*, p.262.

²⁹ *Ibid.*, p.243.

³⁰ PRONI, CAB/9B/13/2, Bates to Craig, 24 July 1934.

appeared somewhat surprised when the government refused to implement it, at least until an inquiry was held. The Londonderry unionists wanted to reduce the numbers elected to the Corporation from 40 to 24 and to re-arrange the wards in such a way as to secure a return of 16 Unionists and 8 Nationalists. Under these proposals, the 16 Unionist members would come from 7,536 unionist voters while the 8 Nationalist members would come from 9,409 Nationalist voters.³¹ An inquiry was set up and met between the 7 and 9 October 1936. Kerr was notably absent from the session.³² It appears that the case put forward by the Nationalists was well thought-out and close to perfect whereas the Unionist case was littered with errors. The *Irish News* reported how 'their intelligent and straight-forward answering was in striking contrast to the shallow fallacies and evasions which came from the mouths of the Unionist witnesses'.³³ Eventually, the inspector in charge of the inquiry had little choice but to recommend the rejection of the scheme.³⁴ This high-profile rejection briefly put the Ministry of Home Affairs in a rather embarrassing position. The government, however, soon produced an alternative scheme which gave the Unionists the majority of what they wanted while also allowing the scheme to be capably defended.

Under the new scheme, the number of councillors was reduced to 20, while the city was divided into three wards, into one of which the vast majority of Nationalists were placed. The other two wards contained safe Unionist majorities. It was obvious that the number of representatives allotted to each ward bore no resemblance to the number of people in the ward. The location of housing estates was even monitored closely to ensure that nationalists could not gain enough residential votes to mount a challenge to Unionist control in the city.³⁵ The scheme was indeed an elaborate one which worked extremely well for the Londonderry unionists. In essence, each Nationalist seat on Londonderry Corporation cost 2,157 votes, whereas each Unionist seat cost a mere 933 votes.

Some unionists were appalled at what they viewed as an obvious act of gerrymandering with the intention of placing the minority at an increased disadvantage. Mr. G. Halliday, an Englishman who was Principal of Skerries College in Londonderry for 23 years, was one who objected strongly to the scheme. In a letter to the Ministry of Home Affairs, he outlined how 'in no city in England or Scotland would the proposals be considered'. He found the scheme to be undemocratic and grossly unfair to

³¹ PRONI, HA/51/4, Londonderry Gerrymandering.

³² Ibid.

³³ *Irish News*, 10 October 1936.

³⁴ Buckland, *The Factory of Grievances*, p.244.

³⁵ Gallagher, *The Indivisible Island*, p.243.

nationalists – an opinion which a lot of unionists agreed with. Not surprisingly, when Halliday tried to raise the matter at a meeting of the North Ward Unionist Association, he was ruled out of order.³⁶ The conflict over Londonderry Corporation in 1936 could certainly be viewed as symptomatic of the type of siege mentality which affected the Unionist government during the inter war period.³⁷ There appears to have been an attitude that the only way to maintain the Union with Great Britain was to secure the highest levels of domination in both parliament and in local government and thus minimise, as far as possible, the perceived threat of nationalism to the status quo.

In conclusion, it seems clear that nationalists and Catholics were openly discriminated against in terms of electoral representation both at local and parliamentary levels between the years 1920 and 1939. Although the data presented in this chapter included just a sample of such discrimination, it is almost certain that such practices were in operation across all areas of the province. Throughout the period in question, the vast majority of local authorities were controlled by Unionists, including the two Corporations and the six County Councils.³⁸ This level of hegemony was achieved mainly by the two Acts abolishing proportional representation in 1922 and 1929 and also the redrawing and redistribution of electoral areas which occurred from 1923 onwards. The extent of Unionist domination can be summed up by the fact that during this period, Northern Ireland had just one Prime Minister, James Craig, who remained in office until his death in November 1940. There appears to have been very little turnover of cabinet ministers also, with all but one of the original 1921 cabinet remaining in the same departments well into the 1930s. Furthermore, the Ulster Unionist party always had the support of a large majority in parliament, gaining comfortable majorities in each of Northern Ireland's general elections. This level of political dominance was evident elsewhere also. Unionists consistently dominated Northern Ireland's representation at Westminster. More importantly, however, they were in control of a disproportionate number of local authorities in Northern Ireland. Although they formed approximately 65 per cent of the population, Unionists regularly controlled 85 per cent of the local authorities, often in areas which had definite nationalist majorities.³⁹ Counter-claims in their defence against nationalists and Catholics often centred upon the argument that many of these areas were incorrectly

³⁶ *Irish News*, 9 October 1936.

³⁷ Buckland, *The Factory of Grievances*, p.246.

³⁸ Birrell & Murie, *Policy and Government in Northern Ireland*, p.163.

³⁹ Buckland, *A History of Northern Ireland*, p.60.

classified as gerrymandered due to an ignorance of fertility differences between Catholics and Protestants.⁴⁰ They argued that the higher percentage of Catholics not eligible to vote distorted the figures presented by the nationalists. Although such a claim may have some validity, a re-alteration of the figures to include these facts would be unlikely to substantially change the findings. Finally, in a case of extreme irony, Craig even accused nationalists of engaging in gerrymandering on one occasion. Speaking in relation to a nationalist proposal to form a constituency in County Antrim which would allow them to continue to return a representative there, he dismissed the scheme as ‘...outrageously a case of gerrymandering’.⁴¹

The inbuilt unionist majority in Northern Ireland society from its conception in 1920 was not sufficient to ease the insecurity fears of Ulster Protestants. It encouraged a siege mentality and a hankering after a level of hegemony which they hoped would have ultimately secured their British birthright as they saw it and kept them linked to Britain and part of the British Commonwealth/Empire. This, they set out to achieve by electoral malpractice at all levels. Through consequent electoral ‘success’, they came to exercise enormous control over the one-third Catholic minority which they rendered relatively powerless. This, of course, goes some way to answer the important question as to why such levels of discrimination against the minority occurred. Overall, it could be argued that in pursuance of the bedding down of Northern Ireland as a Protestant, British state for a Protestant, British people on mainland Ireland, the Ulster Unionist government was not prepared to rely solely on their majority status within Northern Ireland to exercise power, but, were prepared to, and actually did, manipulate the electoral process at all levels to maximise their political control over the province.

⁴⁰ Christopher Hewitt, ‘Catholic grievances, Catholic nationalism and violence in Northern Ireland during the Civil Rights Period: a reconsideration’ in *The British Journal of Sociology*, Vol.32, No.3, (September, 1981), p.365.

⁴¹ *Parliamentary Debates (House of Commons)*, vol.10, 25 March 1929, col.1318.

CHAPTER THREE

EDUCATION – SCHOOLING IN A SEGREGATED SYSTEM

The history of education in Northern Ireland has undoubtedly been a long and troubled one which still evokes controversy to the present day. Allegations of Unionist discrimination against Roman Catholics in the area of education have consistently been made ever since the foundation of the Northern Ireland state in 1920. This chapter will evaluate whether or not such accusations were justified and if the Catholic minority were actually discriminated against. The chapter will refer to the pre-1920 education system in the province and assess the bleak situation which the Unionist government inherited when it first came to power. Finally, it will examine various Education Acts and other important pieces of legislation which were introduced by the Stormont government during the period and ascertain if the Catholic minority population became disadvantaged as a result.

Prior to the Act of Union of 1800, England's consistent efforts to anglicise Ireland resulted in the alienation of Roman Catholics throughout the country. After 1801 and probably more so after Catholic Emancipation in 1829, the importance of education policy became increasingly apparent. It was clear to policy-makers at the time that a system of common schooling offered the best, if not the only, chance of healing old wounds and unifying the country.¹ For such a system to succeed however, it would require the support and co-operation of all religious denominations. Initially, a Board of Commissioners of National Education consisting of members of various denominations was formed, with the aim of ensuring that children of different faiths were given combined literary and moral education and also at certain times, separate religious instruction.² The Board took control of other areas such as the secular curriculum and the

¹ R.J. Lawrence, *The government of Northern Ireland: Public Finance and Public Services, 1921-1964* (London, 1965), p.105.

² Ibid.

appointment of inspectors. While the management of schools was initially entrusted to local managers and clergymen, the Board gradually gained complete financial responsibility to the extent that by the end of the nineteenth century, it shouldered almost the entire cost of primary education. Instead of uniting the various religious denominations, these so-called 'national' schools merely created further conflict. The Established Church was consistently opposed to the scheme, as were the Presbyterians and Orangemen in Ulster. Roman Catholics too began to insist on controlling primary schools. The result was educational partition, a bitter divide that would cripple the province for generations to come.

By the turn of the twentieth century, the vast majority of Catholic children attended Catholic schools with Catholic teachers, while the various Protestant denominations tended to be segregated from each other also. The consequence of this segregation in schooling meant that young people in Ulster rarely had an opportunity to meet those on the other side of the sectarian divide unless it occurred in other ways, perhaps through employment.³ Those who attended non-Catholic schools would have received a largely secular education and would have acquired an interest in British history and Britain's role in world affairs, quite similar to the education received by English children. Those who attended Catholic schools, on the other hand, would have received much more religious education and would have acquired a greater sympathy for Irish nationalism, particularly in the second half of the nineteenth century. With regard to segregation in schooling, table 3.1 below illustrates the religious denomination of pupils in primary schools in Northern Ireland during the 1920s and 1930s:

Table 3.1: Religious denomination of pupils in primary schools in the inter-war period

Year	Roman Catholics	Other Denominations
1922	68,959	129,426
1927	72,143	127,417
1932	74,443	132,293
1937	72,259	122,088

Source: Calculated using figures obtained from D.H. Akenson, *Education and Enmity: The control of schooling in Northern Ireland, 1920-1950* (New York, 1973), p.213.

³ Wilson, *Ulster*, p.135.

It can be reasonably ascertained that the historical segregation of schooling in Ireland has in many ways contributed to the sectarian divide which deepened throughout the twentieth century. The important question to pose here, however, is whether or not any degree of discrimination occurred within the education system in the new Northern Ireland state.

When the Ulster Unionist party took control of the newly-formed state in 1920, it inherited an education system that was both segregated and backward. In 1921, Prime Minister James Craig described it as ‘...a system which needed to be rooted out of the soil to make room for a new fabric’.⁴ The inherited social capital was poor and there was an urgent need for new buildings and facilities. Furthermore, the number of qualified teachers within the system was grossly inadequate. It is, therefore, essential to take into account the poor initial position that the Unionist government found itself in when assessing its performance and policies in relation to education. It is also within this context of financial stringency and bearing in mind the inheritance of an under-developed system, that accusations of Unionist discrimination must be judged.⁵

By 1920, education in Northern Ireland consisted of two separate systems at both primary and secondary levels. The state system, also known as the ‘controlled’ system, was attended by Protestants, with voluntary grammar schools also attended predominantly by this group. Roman Catholics on the other hand, attended schools which had varying management structures but which were all voluntary, as opposed to the state-controlled system.⁶ These voluntary schools received various grants for capital and recurrent expenditure. Voluntary schools with ‘maintained’ status, however, received 100 per cent grants for recurrent expenditure and 85 per cent for building costs. In addition to this, voluntary grammar schools, both Protestant and Catholic, received various grants of more than 50 per cent for current and capital costs. Finally, any remaining costs for all types of voluntary schools had to be met by the church and the community.⁷ This was the bi-partite system which faced the new Unionist government leaders in 1920.

From the outset, it is clear that Catholic leaders squandered any chance their community might have had of influencing the shape of state

⁴ Lawrence, *The government of Northern Ireland*, p.107.

⁵ Wilson, *Ulster*, p.136.

⁶ R.C. Murray & R.D. Osborne, ‘Educational Qualifications and Religious Affiliation’ in R.J. Cormack & R.D. Osborne (eds.), *Religion, Education and Employment: Aspects of Equal Opportunity in Northern Ireland* (Belfast, 1983), p.122.

⁷ Ibid.

education in Northern Ireland. The Roman Catholic clergy were vehement and consistent in their opposition to any proposed change in the national system and had resisted any attempts towards educational reform since the turn of the century. Catholic clerical school managers, at a meeting in October 1921, asserted that,

In view of pending changes in Irish education, we wish to reassert the great fundamental principle that the only satisfactory system of education for Catholics is one wherein Catholic children are taught in Catholic schools by Catholic teachers under Catholic auspices.⁸

Due to the fact that they did not recognise the new Northern Ireland state and were strongly opposed to the partition of Ireland, the Roman Catholic hierarchy refused to nominate a representative to the Lynn Committee, which was established in September 1921 to present their findings on the proposed reforms for the education system in Northern Ireland. As a result, the committee was dominated by Protestants and although it claimed to have borne in mind the interests of Catholics, its proposals and recommendations were undoubtedly framed according to Protestant educational assumptions.⁹ Certainly, in the section regarding religious instruction in public elementary schools, this proved to be the case. The committee's recommendation essentially indicated that what was required was compulsory Bible teaching, which in turn would have meant the effective endowment of Protestantism by the state.¹⁰ Whether or not this can be interpreted as discrimination against Catholics is open to debate. It can be established, however, that Catholics did themselves no favours by refusing to nominate a representative to the committee.

As it happened, the Minister for Education, Lord Londonderry, refused to accept the recommendations of the Lynn Committee on religious instruction in public elementary education. Although he believed that education should be both literary and moral, his Education Act would be strictly non-denominational.¹¹ In any case, Londonderry's opinions were irrelevant given that the 1920 Government of Ireland Act stated that it was *ultra vires* to 'make a law so as either directly or indirectly to establish or endow any religion'.¹² Furthermore, article 16 of the Anglo-Irish Treaty of

⁸ D.H. Akenson, *Education and Emnity: The control of schooling in Northern Ireland, 1920-1950* (New York, 1973), p.52.

⁹ Buckland, *The Factory of Grievances*, p.250.

¹⁰ Ibid.

¹¹ Ibid.

¹² *Government of Ireland Act, 1920*, s.5