



[The Clan System in the Highlands and Islands]

The crofting system as practised in the Highlands and Islands of Scotland during the last 250 years is based on the Highland Clan system, which preceded it. In order therefore to understand the development of the present crofting system, it may be helpful to look briefly at the lifestyle of the clansmen and their communal system of land tenure, usually referred to as the 'runrig' system, which prevailed in the Highland and Islands of Scotland for centuries.

Under the Clan system of land tenure, the land within the area occupied by a Clan, belonged to the Clan as a whole collectively, and it was defended by the sword of the Clan.

The Clan Chief had no exclusive rights in the Clan lands. He was given nominal control of the land for administration purposes, on behalf of the Clan. The Clan Chief's position was not hereditary but by the consent of the Clan, and there was nothing to stop the Clan from replacing their chief at any time, if necessary.

The Clan system was neither Communism nor feudal, but a communal social system organised on military lines. At the head of the Clan structure was the Clan Chief who was regarded as the supreme commander, as it were, both in military as well as land management.

At the next level of command was the tacksmen or middlemen class, which were equivalent to an officer corps, as it were. Then there were the small holder/crofter class or the equivalent to ordinary soldiers.

In managing the land, the Clan Chief leased large sections of the Clan land to the tacksmen on a long-term basis, very often as a reward for military services. The tacksmen, in turn, sublet most of their land to crofter/smallholders on a year to year basis. These smallholders lived on the tack, which was the forerunner of the present crofter villages or townships.

The area of land belonging to a tack was divided into arable land within the boundary walls of the tack, normally referred to as inbye land. Outwith the boundary walls of the tack was grazing land, normally referred to as common grazing because it was held collectively by all the smallholder tenants of the tack, in the same way as the crofting system of common grazing of the present day.

Under the runrig Clan system of land tenure no part of the inbye arable land of the tack was held permanently by any individual smallholder as in crofting land tenure. One third of the arable land was reallocated annually and in that way the whole of the arable land of the tack changed hands or rotated every three years as follows:

Towards the end of Autumn, when the harvest was over, the Village Constable, who was an official elected by the village smallholders in order to represent them in much the same way as a village Grazing Committee acts nowadays, called a meeting of the tack shareholders as well as the ground officer or 'maor' who was the representative of the estate or tacksmen, and having decided on the portion of arable land to be put under green crop in the coming season, they divided it into shares according to the number of tenants on the tack.

Thereupon they cast lots to see which portion of arable land fell to each family, hence the designation 'lot' for croft, which is still applied to a croft in some places. The share of land that fell to a tenant was kept by him for three years. In that way the whole of the arable land of the tack changed hands every three years.

The annual rent was paid to the tacksmen, generally speaking in the form of free labour or agricultural produce, but sometimes in money. The tacksmen did not keep written records of the names of their smallholder tenants, hence the difficulty of tracing the early crofter/smallholders. Only the names of the tacksmen 'Na Daoine Uaisle' were entered on the rent roll. When the crofting system of land tenure was introduced, most of the tacks became crofter townships.

The old Celtic society of the Highland and Islands of Scotland functioned effectively as a unified social and military system for centuries, but by the 18th century there were political and economic forces at work in the Highlands over which the common people had no control, because their voice was never heard in Parliament, and the principle of common ownership of the land in the Highlands and Islands was gradually eroded over a long period by the imposition of feudalism on the Clan society by a King and an unrepresentative Parliament composed mainly of landed and other vested interests.

Land charters were granted, but as long as the clansmen retained their arms, they disregarded these charters as being of no relevance to the real situation in the Scottish Highlands.

It was the Jacobite rising of 1745 and their amazing initial success in penetrating through to within about 130 miles of London that alarmed the British Government and gave them a convenient excuse to impose their will on the Highland clansmen, in order to ensure that the Highlanders could never again challenge the Imperial might of Britain. The object therefore was to destroy the traditional Clan society of the Scottish Highlands and disarm the clansmen.

The Government took advantage of the opportunity that arose when the Jacobite army suffered a setback at Culloden in 1746. During the years that followed, the Highland clansmen, Jacobite and non Jacobite alike, were disarmed and a savage repressive policy was unleashed against the Highland people, despite the fact that many of them were not in favour of the restoration of the Jacobite House of Stewart.

A regime of killings, imprisonment and deportation, as well as the suppressing of Highland culture, the Gaelic language, Highland bagpipe music, Highland tartan dress etc., was aimed at what the establishment regarded as civilising the Highland people. Under that pressure the old social order in the Highlands disintegrated and the Clan Chiefs were encouraged to assume control of the Clan lands as private landowners. Then they proceeded to oppress their own clansmen.

The clansmen were bitterly disillusioned by these unexpected events at a time when they expected solidarity and support from their leaders. These events were taking place in the Scottish Highlands at a time when the southern British society was also in a process of change with industrialisation, imperialism and the expropriation of the small holders, lands which were being organised into large farms, and the rural people were swallowed up into the industrial towns and cities.

The real philosophy behind these events was the unrestricted accumulation of wealth in the hands of the privileged few, by exploiting the land as well as any other basic resource available.

These changes in Highland society introduced a new class division of privileged and servile. Gone forever was the sense of kinship and loyalty to a patriarchal leader. In its place came a demoralised and dispirited feeling of helplessness and a slavish fear of the cruel new regime which demanded absolute obedience. The people felt cowed and submissive and all their self-confidence was destroyed. It is doubtful if, even now, two and a half centuries later, we, as a people, have fully recovered our normal natural self-confidence. It was therefore a sin against people and a denial of basic human rights.

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