

Free Press - April 1988

Looking back at 50 years of Lochaber crofters union

JOHN TOAL, secretary of Lochaber branch of the SCU, on some landmarks in crofting in the West Highlands and Islands over the past half-century

Wednesday, 30th March 1988 was a significant day and date for the Lochaber branch of the Scottish Crofters Union. On the same day and date 50 years ago in 1938 the Lochaber Crofters Union was formally constituted "to further and protect the interests of the crofting communities and to co-operate with similar associations in other districts".

It is evident that similar crofting organisations were being established in other areas, primarily in response to an attempt by Inverness County Council to alter rating procedures and rate croft houses separately from croft land. A letter appearing in the 'Oban Times' newspaper of 8 January 1938 regarding the Valuation Appeal Court stated that due to a lack of funds to make representation a Crofters Union was being established in Skye. In April of that year a Skye Crofters Union — with James MacLeod, Breakish as Chairman, and Donald MacLeod, Portnalong as Secretary — reported its satisfaction at its appeal.

In the ensuing year Lochaber Secretary Alex MacCalman, who had been instrumental in establishing the Lochaber union, contacted crofters unions in Lewis, Skye and Morar with a view to "the possibility of amalgamation and co-operation". Consequently a conference was held on 2 February 1939 in the West Highland Hotel, Mallaig, with delegates from Lewis, Lochaber, Skye, Morar and Arisaig crofters unions.

MacCalman moved acceptance of a resolution drafted by the Lochaber union's legal adviser, Donald Shaw SSC, Edinburgh, and was seconded by Donald MacLeod, Skye, and Malcolm Smith, Lewis. This resolution, which was carried unanimously, registered its concern at continuing depopulation in the crofting counties, citing the "harsh and difficult conditions" prevailing in the Highlands and the reluctance of the Department of Agriculture to utilise its powers of large-scale land resettlement in the Highlands and Islands as prime contributory factors.

To ameliorate conditions the Government was urged to establish a Crofters Commission comprising seven members — three chosen by the Government and three by the crofters unions, with a final member being chosen by the other six. It was also resolved that this Commission should have proper financial support and that it be empowered to ensure that all Government bodies exercised their powers, and that it be able to form new holdings, enlarge existing ones and procure more land for common grazings. It should also adjust to reasonable standards the interest and annuity payments of State loans for houses and improvements, and that it should prepare schemes to

The conference's resolution was sent to the Prime Minister and the Scottish Secretary. It is evident that some form of inchoate crofters union had emerged, although it is probable that financial and geographical limitations compounded by the outbreak of war prevented any further development.

Contact between unions continued as is evident from a communication between Mr MacKay, Glendale, of Skye union and the Lochaber union concerning the Report of the Scottish Land Settlement Committee in 1944 which, it was felt, threatened crofters' security of tenure.

It was on account of threatened security of tenure that the Lochaber union embarked upon what was undoubtedly its most significant undertaking. In June 1947 the decision was taken to assist a number of crofters from the Caol and Lochside area who were threatened with "eviction" on account of an Inverness County Council order for the resumption of 50 acres for housing purposes. To combat this the union set up a defence fund and drafted an appeal for financial support. Its first respondent was Wendy Wood with a donation of 10/-. The largest single contribution was for £37 from the Independent Highland Party. In addition to individual contributions and many from local crofting townships it significantly received £10 from the Benbecula crofters union.

In October 1947 it was reported in the 'Oban Times' that the Skye crofters union, which appeared to have been particularly well briefed on the situation, voiced its support for the Lochaber union and denounced the order as an attempt to destroy security of tenure.

At the subsequent enquiry, Mr Donald Kennedy, Lochside — grandfather of Charles Kennedy MP — recalled that his great grandfather was one of the original crofting tenants of this township, which was a by-product of the Loch Arkaig clearances, and that they had reclaimed the area from bogland.

The union appealed against the Secretary of State's decision to approve the order to the Court of Session, where its legal agent, Mr Shaw, contended that the decision was not competent as it conflicted with the tenants' statutory right to security of tenure. Lord Cooper ruled that this was an unsound contention as it gave too wide an effect to security of tenure which was intended against proprietorial powers and not the interests of the State. The union further consulted John Cameron KC, regarding the possibility of appeals to the House of Lords and were advised that these would not be successful. The union expended £135 in legal advice and representation and had to meet the costs of the County Council and the Secretary of State amounting to £202.10.11d.

When the Crofters Commission