

# THE FORMATION OF THE NORTHERN IRELAND STATE

Dr Senia Pasetta. St Hugh's College, Oxford

Ulster unionist resistance to Irish Home Rule reached a peak during the crisis initiated by the third Home Rule Bill of 1912. Some form of partition looked increasingly likely as the strength of unionist resistance became clear and no amount of nationalist insistence could induce the British government to override unionist objections. The result was the Government of Ireland Act of 1920 which provided for the partition of Ireland and the establishment of parliaments in Belfast and Dublin. Northern Ireland was created from the six north-eastern Ulster counties of Londonderry, Tyrone, Fermanagh, Antrim, Down and Armagh.

The parliament, known as Stormont from 1932 when it moved to Stormont Castle outside Belfast, was bicameral and closely modelled on Westminster. The main difference was in the Senate which consisted of 24 members elected by the House of Commons in addition to the Lord Mayors of Belfast and Derry who sat *ex officio*. The Stormont administration was also obliged to share power with 75 local authorities, a requirement which was to constrain central government. Westminster retained control of key areas including defence, peace and war and the Crown, while Stormont was granted powers over domestic policy and only very limited powers over taxation. The financial relationship between Belfast and London was extremely complex, and the ability of subsequent administrations to formulate programmes which were relevant to their own regional economy remained highly constrained. This was to prove damaging to the viability of Northern Ireland, but the state's long-term survival was not a priority for the British statesmen who formulated the 1920 Act.

## The Six Counties

As far as the British government was concerned, the aim of the Government of Ireland Act was to placate both nationalists and unionists, temporarily at least, while introducing enough restrictions on both Irish parliaments to encourage eventual unity. The Act allowed for a Council of Ireland which was to administer some joint services and possibly serve as the basis of a future single parliament. But the prospect of a united Ireland looked extremely unlikely from the start, despite the hopes of some nationalists. Ulster unionism had not been driven by a desire for regional or devolved government, but unionists quickly recognised the benefits of Home Rule. [James Craig](#), Unionist leader and first Premier Minister of Northern Ireland, claimed that the acceptance of the six county arrangement was 'the supreme sacrifice', but it became increasingly clear that this arrangement in fact met fundamental unionist demands for the establishment of a state free from Catholic and nationalist control and for the preservation of the Union. It also allowed for the establishment of a clear unionist majority and

Protestant authority within the borders of the new Northern Ireland state. The Protestant majority was confirmed by partition, and its authority was underlined by the results of the first election in May 1921, when 40 of the 52 seats were won by unionists. The [Ulster Unionist Party](#) (UUP) subsequently formed every government until 1972.

### **Sectarian Tensions 1920-22**

While a Protestant majority protected the interests of unionists, it only heightened the anxieties of Catholics who had grave reservations about their status in the new state. Attempts to create order and stability began even before the Government of Ireland Act became law. This was seen as essential in the context of a volatile political climate and persistent nationalist opposition to partition, but this also ensured that the state's political structures were framed by the same unstable context. Sectarian tensions, long a fact of life in the north of Ireland, reached new heights from 1920: over 5,000 Catholic workers were expelled from Belfast shipyards that year. 453 people were killed in clashes over the next two years while over 5000 people were evicted from their homes and 7,500 were expelled from their workplaces. Estimates of death and injury as a result of conflict vary, but almost 300 murders were officially recorded in 1922. The majority of victims were Catholics: about one-third of those who died as a result of violence were members of the minority community.

Nationalists feared a pogrom against Catholics, while unionists believed themselves and the new settlement to be under persistent threat from republicans. Upsurges in IRA violence between 1920 and 1922 only heightened their apprehension, and underlined their belief that the repression of 'disloyal' elements was an unavoidable by-product of the struggle to safeguard the state. The distinctly hostile attitude of Southern Ireland became grist to the unionist mill: in 1920 Dáil Éirean initiated the '[Belfast Boycott](#)' in an effort to cripple the northern economy and to register its abhorrence at the treatment of northern Catholics. It failed to recognise the new state in the following year. Such irredentism was possible in large part because Anglo-Irish negotiations were ongoing and southern nationalists continued to push the British government on the partition question, while Ulster unionists came under British pressure to concede further ground. Northern nationalist hopes were unquestionably raised by this atmosphere of uncertainty while unionists, already imbued with a strong sense of siege mentality, continued to view both nationalists and the British government with deep distrust.

### **Paramilitary Organisations**

In keeping with recent Irish history, one response to this ongoing tension was the escalation of paramilitary activity. The Protestant Ulster Volunteer Force (UVF) had begun to reconstitute itself in 1920, its existence posing a serious threat to civil order in a deteriorating political climate. A special constabulary was formally recognised with the establishment of the [Ulster Special Constabulary in](#)

1920, consisting of three categories of special constable: A (full-time), B (part-time) and C (emergency). UVF members were particularly attracted to its 'B Special' wing, which in effect became a Protestant militia, despite some attempts to recruit Catholics. The USC was defended vigorously by a nervous Protestant population, but it also attracted a great deal of criticism from Catholics. Leading nationalist politician, Joseph Devlin, for example, accused the British government of allowing the 'pogromists to murder Catholics'.

There is no doubt that USC men did harass Catholics and they were implicated in some grisly sectarian killings, but the necessity of defending the state from its internal and external enemies was seen by Craig and his cohorts as paramount and by many unionists as a struggle for survival. This priority was reinforced by the Civil Authorities (Special Powers Act) of 1922, a measure which was introduced initially for one year, but reintroduced every year after that until it was made permanent in 1933. This draconian legislation included provision for flogging, curfew and internment, and it was used almost exclusively against the Catholic minority, especially its republican section. Although the worst of the security crisis had passed by the time of its establishment, the creation in 1922 of the regular police force, the Royal Ulster Constabulary (RUC), reinforced both the fact of the new state's increasingly sophisticated administrative and judicial machinery, and its command of the security situation. The RUC was locally recruited and very predominantly Protestant as the original intention to recruit a third of its officers from the Catholic community was never realised.

### **The Border Question**

The formation of these forces and the implementation of security legislation undoubtedly further alienated northern Catholics who, though divided over how to respond to partition, were unanimous in their contempt for the arrangement and their determination to resist it. Politics were overwhelmingly shaped by the border question, thus condemning nationalist and unionist politicians to a political debate which prioritised this one issue at the expense of broader social and economic questions. This suited the Unionist Party whose electoral dominance could only be retained if the border question remained central to political discourse. The need for Protestant solidarity in the face of the nationalist menace thus became the Unionist Party's main rallying cry, but the real threat to Unionist electoral hegemony was in fact more likely to come from independent unionist and Labour candidates who might conceivably split the unionist vote. While nationalist resistance waned and splintered under uninterrupted unionist majority government, Northern Ireland effectively became a one-party state, despite the fact that it was undoubtedly a democracy. This was possible both because of its demographic profile and because of the Unionist Party's careful management of the electoral system. Local government presented a particular problem for Craig as a number of nationalist-controlled councils had flagrantly rejected the new government's authority. Catholic resistance to the new state

at a grass-roots level was difficult to combat, but it was greatly impeded by the abolition of proportional representation for local elections in 1922, the insistence of an oath of allegiance on members of local authorities and the re-drawing of ward and divisional boundaries which further weakened nationalist representation in local government. This produced some staggering results, most scandalously in predominantly Catholic Derry. A restrictive local government franchise also allowed multiple voting for some and disenfranchised those who did not pay rates. More Protestants than Catholics were actually disenfranchised by this, but Catholics were proportionally worse off under the system. This electoral anomaly was retained in Northern Ireland even after its abolition in Britain.

Unionists could and did claim that Catholics had colluded in their marginalisation through their indifference to the state, most clearly seen in the wide-spread refusal to participate in the [Leech Commission \(1922-23\)](#) on local government boundaries. This reflected the wider unionist view that while Catholics refused to recognise the legitimacy of the state and to participate in its administration (particularly in the education sector), they should not complain about discrimination. Catholic resistance to Northern Ireland took on many forms, most of them seemingly ineffectual. Proportional representation for parliamentary elections was abolished in 1929, and while this primarily shored up unionist prevalence at the expense of Labour and independents, it nevertheless alarmed and dismayed Catholics who believed that they were being disenfranchised and disempowered. No coherent nationalist parliamentary opposition appeared until the National League of the North was formed in 1928, but despite some electoral success in 1929, a period of fruitless abstention in the early 1930s and the death of Devlin in 1934, weakened opposition to the unionist regime still further. Parliamentary opposition looked to be pointless and the yoking of the border issue with the question of discrimination against Catholics ensured that an investigation of these claims, let alone redress, remained highly unlikely.

### **Stormont and Westminster**

The formal division of powers between Stormont and Westminster remained vague, and Westminster put few checks on the Northern Ireland administration, short of direct abolition: there was no Secretary of State (in contrast with Scotland and Wales) and little governmental scrutiny of the province. The Home Office took formal responsibility for Northern Ireland, but this was downgraded to the general department. The British government did at times express real concern about the internal governance of the state, but its resolve rarely stretched to direct intervention. It threatened, for example, to withhold royal assent in protest against the abolition of Proportional representation in 1922, but it ultimately backed down in the face of Craig's resistance. Similarly, Westminster refused to intervene when the [1923 Education Act](#) clearly undermined the Government of Ireland's insistence that education funding be organised on a strictly nondenominational basis only. By 1923, Westminster

had adopted a 'Speaker's Convention' whereby MPs did not ask questions about areas which fell within the remit of the Stormont government.

Westminster did, however, exercise its sovereignty in the broader area of Anglo-Irish relations, often against the wishes of Stormont. A fear of betrayal by nationalists *and* the British government thus shaped profoundly the new state and its administration. Though tensions eased when IRA military action dissipated from late 1922, on-going Anglo-Irish relations and Westminster's desire to offer some conciliatory provisions to southern nationalists had a profound and for unionists destabilising - influence on Northern Ireland. [The Anglo-Irish Treaty of 1921](#) was ostensibly designed to aid unification, but it allowed Northern Ireland to opt out of its provisions. Stormont did just that, but it was nonetheless constrained by the creation of a Boundary Commission which might adjust the border. Craig decided on a policy of non-cooperation, refusing in 1924 to send a delegate to serve on the Commission. But unionist fears for the integrity of their state's territory were ultimately proved to be groundless: the Commission never issued a formal report, and an agreement sanctioning the existing arrangement was made in 1925. This was a bitter blow for northern Catholics.

### **The Boundary Commission**

The Boundary Commission Agreement affirmed the border, cut the Council of Ireland and, more importantly, did not overturn the fundamental principles of the partition settlement. An acute source of insecurity was thus removed, but this did not change in any meaningful way the government's approach to the administration of the state, especially where Catholics were concerned: community relations remained cool at best, embittered at worst. But wider term structural problems also played a crucial and not unrelated role in destabilising the long-term viability of Northern Ireland. The province's economy remained weak from its inception, notwithstanding the boost offered by some concessions wrestled from Westminster and the good performance, in the main, of the agricultural sector. Resultant unemployment remained consistently high, with an average of 19 per cent of the insured labour forced unemployed between 1923-30 (rising to 27 per cent between 1931-37). Economic distress became a defining feature of Northern Ireland and contributed to the permanently strained and suspicious relationship between Catholics and Protestants.

The considerable achievements of the Ulster unionists who established Northern Ireland in the face of nationalist hostility and only very conditional British support could neither disguise nor cure the structural and cultural pathologies which they inherited along with their independence from Dublin rule. These were to undermine both the viability of the state and of the Unionist project.