

Politics in the Streets

The origins of the
civil rights movement
in Northern Ireland

by
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CONCLUSION

The solemn League and Covenant
Cost Scotland blood – cost Scotland tears;
But it sealed Freedom's sacred cause –
If thou'rt a slave, indulge thy sneers.

Robert Burns, 1795

In retrospect, the decision of the NICRA to turn to street demonstrations in the summer of 1968 was a fateful one. It is significant that the only member of the association's leadership to stand out vehemently against the strategy was Betty Sinclair. She was also the only one who had been continuously active in radical politics since the 1930s. She could remember when serious sectarian fighting had broken out in Belfast in the 1930s and was aware of the dangers of exacerbating communal animosities. Here the Black civil rights movement in the United States proved to be an inappropriate model. Street marches in Northern Ireland had a very definite historical and sectarian significance, with vast potential for upsetting the tacit understanding between the two communities about territorial divisions. The authorities, too, had a very strict definition, based on traditional marching routes, of what was, and was not, acceptable. The civil rights movement was perfectly sincere in its view of its marches as non-sectarian but it was a perception which was not widely shared. It was not just that many Protestants were upset and angered, but some less politically sophisticated Catholics interpreted the tactic as a signal to become more aggressive and combative towards the police and the Protestant community.

Although the Black civil rights movement in the United States had been an inspiration, strictly speaking it was not a model. There is no evidence that any of the founders or leaders of the Northern Ireland civil rights movement ever visited the Southern United States, consulted with any of the Black civil rights organisations, or even undertook a thorough study of that movement. Their information came from the media and, inevitably, their application of

the lessons of the American movement was patchy and reflected their own preoccupations and experiences. There were two important parallels; the issue of discrimination itself and the resistance of a subordinate administration to principles and values long accepted by its superior government. But in a number of other ways the Black civil rights movement was an inappropriate model for Northern Ireland Catholics. The grievances of Southern Blacks were more intense and blatant than those in Northern Ireland. Adopting the style and rhetoric of the Black movement encouraged a natural tendency towards exaggeration and exacerbated communal polarisation. To outside observers it was clear that violence, and more especially the threat of violence, in the Deep South was almost entirely on the side of the white extremists and state administrations. In Northern Ireland there were fresh memories of the IRA border campaign and the possibility of renewed republican military activity had not been dispelled. Southern Blacks had important allies in liberal public opinion in the Northern states and internationally. Northern Ireland Catholics had few supporters outside the Irish Republic and the Irish diaspora. The United States Supreme Court gave Southern Blacks an effective legal channel for obtaining redress and the federal government was willing to give effect to its findings. In Northern Ireland an attempt to use the courts to enforce the anti-discrimination provisions of the Government of Ireland Act proved abortive and Westminster was unwilling to intervene in matters which had been devolved to Stormont. When legal and political channels were closed, the Northern Ireland civil rights movement took to the streets as a substitute for the constitutional battle. In the Deep South street demonstrations were used to reinforce the constitutional processes which were already moving through the courts. Another contrast was ironic – in Northern Ireland the most charismatic Christian preacher was on the opposite side. It was not just that Ian Paisley successfully mobilised Protestant resistance, but that the movement lacked a leader who combined spiritual and secular authority in the way that Paisley did. This meant that the movement could not have a leader who paralleled Martin Luther King's authority. This severely restrained the tactical flexibility of the inexperienced and divided civil rights leadership.

Why did the leadership of the civil rights movement not foresee

the effects of its tactics? It did, after all, call off the demonstrations towards the end of 1968 when it was obvious that sectarianism was on the increase. Fred Heatley and Ann Hope both reveal that the tactic of marches arose out of a particular situation in Dungannon, when a local campaign for better housing linked up with a small civil liberties group looking for some way to make an impact. Bernadette Devlin's autobiography conveys something of the way in which the euphoria of that occasion gave way to righteous indignation when the marchers were excluded from the centre of town. The apparent success of the Dungannon march encouraged NICRA to agree to proposals from a group of militants in Derry that a march should be arranged for their town.

The events in Derry on 5 October 1968 boosted the movement to a new pitch. Seamus Heaney conveyed some of the feelings which prevailed among the civil rights supporters in his *Listener* article of 24 October 1968:

The civil rights marchers who were banned from entering the walls and business centre of the city . . . represented after all the grievances of the Catholic majority; unemployment, lack of housing, discrimination of jobs and gerrymandering in electoral affairs. They were asking to be accepted as citizens of Derry also; they wanted at least the rights, too long the prerogative of the minority, to demonstrate and express themselves in public.

Heaney goes on to say that trust in O'Neill and in the new liberal spirit in Northern Ireland had been seriously threatened by Paisleyism, and that

We were all afraid, and still are, of returning to the old Orange and Green polarisation of public life . . . But it seems now that the Catholic minority in Northern Ireland at large, if it is to retain any self-respect, will have to risk the charge of wrecking the new moderation and seek justice more vociferously. Since the cabinet have endorsed the actions of the police and still deny any notion of the injustice in a blatantly unjust situation, one can only conclude that their definition of 'improved relations' is 'the minority saying nothing to embarrass us'. 'The enemies of Ulster' – a favourite tag for extremists – must now embrace all those who march to complain about discrimination.

Heaney's mingled rage, sense of history and moral indignation evoke a special moment in the politics of Northern Ireland, when

the old politics of the place had been sufficiently eroded to create hope among a new generation of self-confident young Catholics. At the same time they kept in their hearts a sense of the injustice to which their community believed it had been subjected, and a sense of history which enabled them to see the actions of the RUC, and the refusal of the Government to concede that something might be wrong, as a revival of past wrongs. But once the civil rights leadership went onto the streets at the head of a mass movement, it drew on support which was not necessarily committed to its world view. A PD supporter made a telling comment to a *Sunday Times* Insight Team reporter: 'Everyone applauds loudly when one says in a speech that we are not sectarian, but really that's because they see this as a new way of getting at the Protestants.' The civil rights leadership was not blind to the dangers but by the time they were apparent it was too late to turn back. The movement was already on the streets; the leaders were angry and their supporters were determined. They could not have turned back but they could hope to win enough concessions, quickly enough, to avoid a major confrontation. But, of course, if the grievances they were protesting about had been taken seriously by the Stormont and Westminster governments at a much earlier stage, there would have been no need to take to the streets at all.

After the events of August 1969 there was a hiatus in the development of the movement. In this period the Provisional republican movement emerged and NICRA, by now mainly influenced by Official republicans and Communists, sought to outflank it by reviving marches as a protest against internment. This strategy ended on 30 January 1972, with the deaths in Creggan on Bloody Sunday. Thereafter the Provisionals became the leaders of opposition on the streets as well as the promoters of urban guerrilla warfare. NICRA lapsed back into a role as a civil liberties body, much as its founders had originally intended. It propagandised for a Bill of Rights and took up individual cases of injustice. Its brief moment at the centre of the political stage was over and it stood on the sidelines, wringing its hands and condemning both the Provisionals and the security forces for the violence.

The civil rights movement failed as a collective, but so also did its individual components. The CSJ and the CDU succeeded in stirring much greater interest in Northern Ireland among British

Labour MPs and in giving the impression that Harold Wilson's government might intervene. This simply created hopes which could not be fulfilled on one side and fears which could not be assuaged on the other. NICRA underestimated the problems which its slight republican taint would cause and overestimated the extent to which the grievances of some disfranchised Protestants would overcome their hostility to a movement which mobilised Catholics in street demonstrations. The DCAC overestimated the time span during which it could keep control over what was, essentially, a communal upsurge of Catholics in Derry. Like NICRA, it also overestimated the likelihood of the movement succeeding quickly enough in wresting sufficient concessions from the Stormont government, or intervention from Westminster, to satisfy the appetite for change which had been aroused among Catholics. The PD underestimated the ferocity of the violence which its Belfast-Derry march would provoke and it failed to realise the extent to which the march would exacerbate communal hostilities.

So the civil rights movement failed, and even with greater tactical sophistication and better luck it is hard to see how the outcome could have been different. Nevertheless, the crisis which it precipitated transformed the context within which the grievances of Northern Ireland Catholics could be considered. The Unionist Party could never have responded adequately because, quite apart from its sheer lack of political and administrative competence, it was too close to the community which voted for it and too susceptible to communalist pressures. But when Westminster took over in 1972 it became possible to tackle the problem of discrimination through the more detached processes of bureaucratic social engineering.

In attempting to resolve the Irish land question in the 1870s and 1880s, the British government produced what Gladstone referred to as 'a litter of reports'. The same term might be applied to governmental attempts to deal with the problem of discrimination a century later. There have been ten official and officially commissioned reports since 1978, and in addition there have been regular reports by the Fair Employment Agency, the Equal Opportunities Commission, the Police Authority, and the Police Complaints Board. These official efforts have been supplemented by a mass of academic research and by investigative journalism. Much more

information is now available, and more sophisticated techniques have been applied to interpreting it than was the case in the 1960s.

In response to the crisis brought on by the civil rights movement, the Northern Ireland and United Kingdom governments implemented a series of reforms. These introduced universal adult suffrage for local council elections in 1969 and proportional representation for local and European elections in 1972. A Parliamentary Commissioner for Complaints (ombudsman) was appointed in 1969 and in the same year a Commissioner for Complaints was appointed to deal with local government. The Prevention of Incitement to Hatred Act (1970) made it a criminal offence to stir up hatred on grounds of religion or race, and the act was strengthened in 1980 and 1987. A Police Authority was set up in 1970, an independent Director of Public Prosecutions in 1972 and a Police Complaints Board in 1977. The Northern Ireland Housing Executive was set up in 1971; it took responsibility for all former local authority and NIHT housing, establishing a uniform points system for housing allocation and removing the location of housing from local authority control. In 1972 local government was comprehensively reorganised, wiping away many of the small authorities which had been most associated with sectarianism and, at the same time, significantly narrowing the range of issues within the remit of elected local councils. The Fair Employment Act was passed in 1976; this outlawed discrimination on grounds of religion or politics in job allocation and it set up the Fair Employment Agency to monitor compliance with the act. The Sex Discrimination Order of 1976 prohibited discrimination on grounds of gender and set up the Equal Opportunities Commission. In 1981 the Government announced that tenders for government contracts would be dependent on possession of an Equal Opportunity Employer certificate issued under the Fair Employment Act.

These massive efforts have not succeeded in stilling complaints about discrimination, or even in clarifying completely its origins, causes and extent. They have certainly not succeeded in eliminating it, as the Standing Advisory Commission on Human Rights made clear in its 1987 report. But since 1968 the context of the discrimination problem has changed in four ways. First, there is now broad agreement within Northern Ireland that discrimination ought to be eliminated. It is worth noting that all the main political

parties have endorsed the demand, first put forward by NICRA in 1970, for a Bill of Rights for Northern Ireland citizens. However, this unanimity breaks down when they are asked to endorse specific measures to deal with discrimination.

Second, it has become clear that Northern Ireland is not unique within the United Kingdom in facing a problem of inequality of opportunity. Many of the problems faced by Blacks and Asians in Britain do not differ in kind from those experienced by Northern Ireland Catholics. In both societies discrimination on grounds of race or religion is crosscut and intensified by discrimination on grounds of gender. In Britain, as in Northern Ireland, every attempt to deal with these problems reveals a further layer of complexity.

Third, the Northern Ireland problem has been internationalised. The early civil rights activists wanted to get Britain involved because they believed that Westminster would impose British standards of impartiality and fairness. This was a somewhat naïve view but, in any case, by the time Britain did intervene it was in circumstances which they had not envisaged. The intervention was not primarily in order to bring about equality of rights, but to contain civil unrest. Such measures as were taken were introduced in a situation already poisoned by violence and suspicion. It was almost inevitable that they would be too little and too late to quench the anger of Catholics. To the caution of all governments responding to popular demands was added a fear of provoking Protestant opposition and a deep-seated reluctance to get entangled in Irish affairs at all. By the time Westminster took over full control of Northern Ireland in March 1972, the British presence itself had become a problem, and the Provisional IRA had changed the terms of the debate. Discrimination shrank back in importance when compared with the problem of political violence.

Commenting on the report of the Standing Advisory Commission on Human Rights, David Richmond, writing in *Fortnight*, the Belfast monthly political periodical, in December 1987, pointed to the paradox that while the Westminster government was resisting any strengthening of the Race Relations Act for Britain, it was at the same time pursuing rigorous new measures for Northern Ireland. He suggested that the explanation lies in the success of the proponents of the MacBride Principles in the United States. These

Principles, sponsored by Irish statesman Sean MacBride, seek to bring pressure to bear on American investors in Northern Ireland not to support or trade with firms which are guilty of anti-Catholic discrimination; they are based on well-established measures to counter racial discrimination in the United States. Richmond comments:

The critical problem for the [British] Government is that it needs to convince an American audience that it is serious about change. It is arguable that . . . earlier proposals . . . were more concerned with creating the impression of change, rather than actually bringing change about. However, politicians in the United States have first-hand experience of the problems of providing equality of opportunity. Discussions now taking place in Northern Ireland about why and how change should be brought about raise issues debated in the US for decades.

The fourth change is that since the early 1970s the civil right to life itself has been threatened by terrorist organisations. The Protestant community can, with justice, point to the way in which the activities of the IRA and the Irish National Liberation Army usurp its basic right to personal security. The fact that the Catholic community has suffered from the activities of loyalist terrorists and questionable actions by the security forces underlines, but does not weaken, the point that injustices are being perpetrated by more than one agency. (To its credit, NICRA consistently opposed republican military actions as vigorously as it did the excesses of the security forces.) This is the context which explains the British government's intensive diplomatic efforts in the United States; it is another front in the battle against republican terrorism. The other front is in the Irish Republic and it provides a further reason for taking vigorous action to deal with the problem of discrimination. Action on this issue has the added advantage that it presents fewer problems than tackling the Irish government's worries about violations of human rights by the security forces and defects in the British system of justice.

As yet there is no evidence that by internationalising the Northern Ireland problem the British government will solve it. There is not even any proof that it will be successful in its attempts to overcome discrimination. But the fact that the problem of discrimination in Northern Ireland is now seen as a crucial issue by

three governments is vindication, of a sort, for the civil rights movement. The movement's vision was broader and more generous than any seen in Northern Ireland before. It inspired people who had lost faith in the possibilities of change, although it did not succeed in finding a way to bring change about. The civil rights movement is dead. It was torn apart by violence and sectarian polarisation. It cannot be revived, but it can be learned from.

While this book was being prepared for publication, Europe lurched, unexpectedly, into a new era, as country after country in Eastern Europe shook free of the ossified and repressive regimes which had been stifling them for decades. Northern Ireland is part of Europe and it will be affected by the changes now taking place throughout the Continent. This does not mean that it will be changed by some disembodied abstract force. As in Eastern Europe, it will be changed by its people. Most of the problems now coming to the fore in Europe concern precisely the issues of civil liberties and of relations between ethnic and religious communities which Northern Ireland has been trying to solve in the last twenty years. The fundamental decency of the Northern Ireland people and their great common sense will enable them to learn from the experiences of the new Europe – and also to contribute to creating that new Europe by helping others to learn from their experiences.