Field Theory, War, and Institutional Change: Ethnic Citizenship and Labor Market Closure in Northern Ireland in Comparative Historical Perspective

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The paper compares three sets of new institutionalist theory to explain the reconfiguration of post-war labor market in Northern Ireland: rational choice; historical institutionalism, and field theory. The Safeguarding of Employment Act 1947 required labor permits for non-residents to work in Northern, to restrict the immigration of Catholics from Eire and maintain (Protestant) employment. The Act deepened regional citizenship, but helped to institutionalize categorical boundaries between 'loyal' and 'disloyal' citizens. Rational choice institutionalism fails to account for the unintended consequences of the Act, including suboptimal levels of investment and skilled migration. Historical institutionalism exaggerates the importance of the war as a critical juncture, missing the extent to which Ulster Unionists adapted local institutions to the metropolitan welfare state. Field theory better explains the contingent and strategic politics shaping the evolution of post-war institutions (Fligstein and McAdam 2012; Bourdieu 1984) than rationalist (Greif and Laitin 2004) and historical (Steinmo and Thelen 1992; Collier and Collier 1991) institutionalisms. The evolution of N. Ireland's exclusionary labor market can be compared with the racial exclusions of New Deal programs (Katznelson 2005) and with more universal rights in Britain (Titmuss 1963; Marwick 1974). This paper is based on original archival research files at the UK National Archives and the PRONI.

Ulster Unionists, the dominant fraction of the dominant group, reshaped the political field in Northern Ireland to maintain the dependent allegiance of, in Bourdieusian terms, the dominated fraction of the dominant group, Protestant workers.

Introduction

This paper investigates the paradox of the development of social citizenship and the sharpening of ethnic boundaries in Northern Ireland in the aftermath of World War II. The region's Conservative and Unionist government introduced unemployment insurance and national health care in lock-step with the Labour government in Great Britain. The government's aim was to win back the support of Protestant workers from the Northern Ireland Party, leading it to embrace welfare state institutions against the wishes of its middle class supporters (Ditch 1988). An expanding welfare state and higher wages in Northern Ireland, raised the prospects for increased migration from Éire with is lower wage caps to the South, which the Unionist government claimed would generate conflict and competition among native and migrant workers, bankrupt the region's unemployment insurance scheme, and imperil Protestant and British demographic and political control of Northern Ireland. With these fears in mind, the region's government adapted the new welfare state institutions discourage immigration: migrants had to reside in NI for ten years before they could receive benefits; and Irish *and British* citizens were required to obtain Ministry of Labour permits to take up employment (Patterson 2006a; Patterson 2006b; Ditch 1988; Meehan 2006).

How, and to what effect, did the Northern Ireland government succeed in modifying its region's labor market and nascent welfare state institutions in ways that departed from standards in Britain? How was this small peripheral region able to doctor universalist welfare state and labor market institutions to apply them in a particularist manner? The British and Irish labor markets were integrated for Britain's benefit: by maintaining open borders with the South, Britain received Irish labor for war industries and postwar reconstruction. Whatever the extent of prejudice against Irish migrants in Britain and their clustering in relatively lower wage and lower

status sectors, including construction, domestic service, hospitality, and nursing the British government did not differentiate between British and Irish citizens, nor did it impose legal barriers to Irish migrants' full access to British citizenship benefits. Therefore the Ulster Unionists' creative modification of British welfare and labor market institutions to sharpen a categorical boundary around Northern Irish citizens, excluding not just Catholic migrants from the South but British migrants and Southern Protestants, merits a sustained investigation. I argue here that the local Northern Ireland government showed considerable social and political skill in localizing British welfare institutions to reinforce its control of the Protestant-Unionist political field in Northern Ireland, and to stymie the growth of more conventional class politics in the region. However, these locally modified institutions were far more successful politically than they were economically pragmatic. Though they insured Unionist domination of intra-Protestant politics, they hampered local adaptation to the decline of traditional shipbuilding and textile industries.

This case study serves as a partial test of new institutionalist theories in comparative politics and comparative historical analysis. In what follows, I will argue that Bourdieusian theories of field domination and Weberian theories of nation-building as social closure and cultural compromise offer a superior explanation of institutional innovation and adaption in postwar Northern Ireland than the new institutionalist theories proffered in political science, particularly rational choice institutionalism.

Theory: War, Welfare, Citizenship, and Institutions

War and Social Citizenship

In broad terms, the expansion of social citizenship rights after World War II is an instance of Tilly's dictum that "war makes the state and the state makes war" (Tilly 1975). The In T.H. Marshall's ideal-typical terms, social citizenship rights expanded after World War II to complement civil and political rights rights (Marshall 1950). Although Marshall did not dwell on the connection between wartime mobilization and deepening citizenship rights, the historical coincidences between the Great War and universal manhood franchise and the Second World War and the inauguration of the welfare state are apparent. This path fits for the United States, where women were enfranchised in 1920 and the GI Bill consolidated the New Deal, creating a (white) middle class after the Depression and War (Katznelson 2005), as it does for Britain, where universal adult franchise was achieved between 1918 and 1930 and the Beveridge report was published during World War II (Mann 2012). Titmuss tied the expansion of the British state's welfare capacity to the war, and later Marwick compared the impact of the World Wars on social change and social policy across several states including Britain (Titmuss 1950; Marwick 1974; Ditch 1988). The tacit bargain between state and society was that, in return for wartime service, citizens received a much thicker set of rights than before. In instrumental terms this was a political exchange or, in more ideational terms, modern war engendered nation-state fusion (Lawson 2000).

But the deepening of state-society relations through the thickening of citizenship due to shared wartime participation raises both a theoretical problem and an empirical problem on the road to explaining the post-war citizenship regime in Northern Ireland. The first issue is that as citizenship becomes more meaningful, the boundaries between citizens and others become potentially more salient. As Brubaker argues, citizenship is a form of social closure (Brubaker 1992); thus, as the set of citizenship goods expands, the formal and informal institutional

mechanisms for excluding non-citizens from the benefits may also increase. The boundary between citizens and others will be more salient in ethnic frontier zones where culturally distinct groups are in demographic competition in state borderlands (Wright 1987). Although the metropolitan British state did not draw a hard-and-fast line between British and Irish citizens after southern independence, the Northern Ireland government sought actively to draw a line between Northern Ireland "citizens" and other British and Irish citizens during the war and its aftermath.

The empirical issue is to what extent mobilization for war and national service transformed state-society relations and citizenship in Northern Ireland, given the region's limited participation in the war caused by the non-extension of conscription. The British government refused the region's Unionist governments repeated requests to introduce conscription (Barton 2000), fearing that opposition from the Catholic Church and the Irish Government would lead Northern Ireland's Catholics to resist conscription. On the home front, Northern Ireland was the slowest region to improve productivity and output during the war. It had the highest rates of industrial militancy and strike days lost, especially before the German invasion of Russia (Black 2005; Ollerenshaw 2007; Patterson 2006). Further, its economic structure was the least transformed of the British regions by its participation in the war. The peculiar nature of Northern Ireland's wartime mobilization and participation – one foot in, and one foot out, as it were – begs the question of the ways and degree to which citizenship and state-society relations in the region were transformed. It seems possible that part of the reason Northern Ireland's citizenship regime after World War II was more exclusionary than Britain's can be traced to the region's unequal war participation. Rather than forging new national identities that could have cut across the

British-Protestant, Irish-Catholic categorical boundary, partial participation in the war reinforced the ethnoreligious divide.

We can usefully consider three different families of theory in our effort to explain the adaptation of Northern Ireland's social citizenship institutions to the inauguration of the post-war welfare state in the rest of the United Kingdom. One theoretical approach, new institutionalism predominates in political science, in its rationalist and historical variants. Two others, Bourdieusian field theory and Weberian closure theory are rooted in political sociology. Neither of the variants of new institutionalism – rational or historical – can account adequately for the peculiar post-war institutions in NI, although historical institutionalism is a helpful starting point. Further, Bourdieusian field theory, while useful for identifying the bounded social strategy of actors and the importance of social skill in collective mobilization, is too narrow in its focus on incumbents and challengers within strategic action fields to delineate the roles of outside actors in shaping fields. I argue that a synthetic Weberian analysis of national state building as a cultural compromise between elites and their target national people, involving citizenship as opportunity hoarding, best explains Northern Ireland's post-war institutions.

New Institutionalisms in Political Science

Sociological and rational theories of institutions are poles apart. Sociologists believe that widely diffused values mold actors' goals and induce them to adopt modular institutions (N. D. Fligstein 2008). In the Northern Ireland context, sociological institutionalism would predict Northern Ireland adoption of British universalist institutions lock-stock-and-barrel without regional peculiarities. Rationalists, by contrast, assume that strategic actors create institutions to solve their collective action problems by coordinating among actors' preferences to secure

optimal equilibrium outcomes to potential conflict (Hall 2010; Greif and Laitin 2004). In other words, actors consent to institutions that constrain their choices in order to avoid suboptimal outcomes to distributive conflict. The game theoretic approach to institutional creation in explaining Northern Ireland's post-war institutions falls short because it cannot account for the unintended consequences of the Safeguarding of Employment Act, including the incomplete transformation of the region's economy and the labor migration restrictions placed on Irish Protestants and British residents, due to the need to make the law formally nondiscriminatory. The 1947 Act made it harder to admit British residents and Irish Protestants to work in Northern Ireland, causing irritation within the Ulster Unionist Party and the dominant ethnic bloc. While politically, the law strengthened the Unionist Party, economically it precluded the recruitment of skilled labor from outside the South and reduced or altered the amount or kind of foreign direct investment into the region (Isles and Cuthbert 1957; Fothergill and Guy 1990). It is also not clear that the peculiar employment, immigration, and welfare institutions introduced at Stormont were the result of bargaining process that left all parties better off than they would have been.

More promising to explain the region's postwar social policy institutions is an alternative rationalist approach, which focuses on power and elites' crafting of institutions to entrench that power, while still distributing some bones to weaker actors to tie them to the new institutions. (Knight 1992; Mahoney and Thelen 2010). Along these lines, post-war institutions strengthened the governing party's base by giving Protestant workers a sheltered labor market, and compensated northern Catholics cut off from southern immigration by providing them with the welfare benefits of the post-war United Kingdom.

The power-centered approach to political institutions is close to the mainstream historical institutionalism practiced in political science. Historical institutionalists maintain that institutions

may be the contingent outcomes of political conflict and negotiation in one domain of policy, but have unanticipated, and perhaps unintended effects, going forward and spilling into other domains. Since Thelen and Steinmo's programmatic essay (1992), this school has focused on three aspects of institutional politics: 1) how extant institutions structure political outcomes; 2) how institutions are reshaped by new political events and struggles; and 3) how political crises lead to the creation of new political institutions. This focus on contingency and on politics within institutions is salutary for understanding Northern Ireland's post-war institutions. The welfare state was grafted onto existing regional governance institutions, but the regional government gained the discretion from the British government to alter universalist institutions to control southern immigration. The specific form of labor market control Stormont created, the Safeguarding of Employment Act, was a direct offshoot of the wartime Residence Restriction (Northern Ireland) Order of 1942, and can be partly understood in terms of path dependent institutional development (Mahoney 2000; Pierson 2000).

However, whereas rationalist institutionalism exaggerates the optimal solutions to conflicts provided by institutions, and sociological institutionalism exaggerates the universal, modular nature of institutions, if crudely applied, historical institutionalism runs the risk of exaggerating the importance of contingency and path dependence. Here the importance of path dependence is suggested by the passage of the permanent Safeguarding of Employment Act (1947) to continue the contingent wartime control of the labor market afforded by the Residence Permit Restriction (Northern Ireland) Order (1942). But in this case, a focus on path dependence can mistakenly ignore the skills of powerful political actors who found strategies to make wartime controls permanent.

Field Theory

Fligstein and McAdam argue that their theory of fields can explain both the strategic and contingent dimensions of institutional development and change (N. Fligstein and McAdam 2012; N. Fligstein and McAdam 2011). They argue that state and society should be understood as networks of interconnected strategic action fields in each of which incumbents seek to maintain control, and challengers seek to contest domination; therein institutions are the internal governance units that serve to stabilize individual fields. Their theory extends Bourdieu's work by positing that actors are engaged in strategic struggle for domination albeit with imperfect surface knowledge of the structure of the field and rules of the game (Bourdieu and Wacquant 1992); however, they claim to focus more on the interconnections among fields and on the collective action that strategic actors engage in to maintain or contest domination (Fligstein and McAdam 2012).

Fligstein's and McAdam's field theory is useful for conceiving of Northern Ireland as connected vertically to the United Kingdom polity and horizontally to Éire. While relative regional autonomy meant that a Northern Ireland political field existed, and the Ulster Unionists' successful attempts to (re)structure their region's political institutions to retain cross-class Protestant support suggest an embedded Protestant Unionist political field, those regional fields were nested in a wider British political field and geographically wider, if weaker, Anglo-Irish political and economic field. In Fligstein's and McAdam's terms, incumbents stabilize social relations of domination and subordination within their fields through the creation of internal governance units (IGUs) or governance institutions. The stability of strategic action fields is disrupted by changes in the contiguous connected fields. World War II reconfigured the Anglo-Irish political and economic field. Northern Ireland gained increased leverage in the British state

field because of its formal, if incomplete, participation in the war effort, contrasted to the stubborn neutrality of the South.

The victory of the party of organized labor in the post-war elections in Britain brought to fruition the welfare state institutions that had been proposed by the Beveridge Report during the war. For the incumbent elites who dominated the Protestant and Northern Ireland political fields, the advent of the British welfare state represented both threats and opportunities. Failure to extend welfare institutions to Northern Ireland ran the risk of further growth of the non-sectarian Northern Ireland Labour Party, representing Protestant and Catholic workers, as a challenger to the governing Unionists. But the straightforward extension of British welfare institutions to Northern Ireland would aggravate conservative Protestants and also could non-sectarian socialist challengers. Northern Ireland's subordinate place in the field of British state politics meant that after the war it could not control residence, which remained the jealous prerogative of the metropolitan government. The existence of a unified labor market for Britain and Ireland as a single economic field meant that new welfare institutions posed the risk of ongoing South-North migration in Ireland.

As the incumbent power holders in Northern Ireland political fields, the Ulster Unionists responded to both the challenge and opportunity of welfare institutions skillfully and strategically. The post-war institutions created a distinct economic field, a Northern Ireland labor market, with controlled entry from the greater regional labor force, and substantial Catholic out-migration. In Fligstein's terms (N. D. Fligstein 2008), the Ulster Unionists demonstrated considerable social skill in persuading the metropolitan government to grant, and help to design, local labor market controls, and even more social skill in forging a shared identity of interests across the Protestant community in Northern Ireland. By foreclosing labor migration from the

South and bringing social citizenship to Northern Ireland for a limited circle of eligibles, the incumbent Unionists bound the Protestant working class to their party, decapitating the nonsectarian labor party and preserving their control of the Northern Ireland polity.

The field-theoretic approach to institutional conflict is dissatisfying because of the extremely broad brush it uses to identify dominant and subordinate actors as incumbents and challengers. If we treat Northern Ireland as a political field, then Unionists or Protestants become incumbents and Nationalists or Catholics, challengers. If we treat Protestant politics as its own strategic action field (or subfield) then Ulster Unionist elites become the incumbents and Labour become the challengers. But Fligstein and McAdam's reconfiguration of Bourdieu's fields as strategic action fields defined by an ongoing conscious and opaque struggle for dominance among two sets of actors is simultaneously too broad-brush and too narrow. In this case, it obscures the way ethnicity and class interact in, and complicate, Ulster politics. Here, in Bourdieusian, terms Protestant workers represented the dominated fraction of the dominant status, or in Weberian terms they were part of the dominant status group but subordinate economic class (Parkin 1979; Weber 1968). Neither the field of Protestant politics in Northern Ireland, nor the regional political field, can be understood without appreciating the roles outsiders, Northern Catholics and Southern Catholics, respectively, in shaping the interests, preferences, and relationships among field insiders.

Social Closure

I argue that a neo-Weberian theory of nationalist state-building better accounts for the post-war labor and welfare institutions developed in Northern Ireland than either historical institutionalism or field theory. State-building in Northern Ireland was premised on, in

Wimmer's terms, a "cultural compromise" between Unionist elites and Protestant masses, in particular the Protestant working class (Wimmer 2002; Wimmer 2008a). This cultural compromise between state-building elites and their target national subjects bridges the gap between the macro- and micro-Weberian approaches to ethnic conflict that Malesevic identifies in his survey of the field (Malesivic 2004). From the top down, state building elites seek to construct a national people, while from the bottom up, the masses of the national people seek to hoard the benefits of national membership for themselves. The Weberian micro approach to ethnic conflict, associated with Parkin and Murphy, focuses on the efforts of the subordinate class in the dominant status group to enhance its position through dual social closure – upward class struggle and downward social exclusion (Parkin 1979; Murphy 1988). In Northern Ireland, the Protestant working class practiced class struggle against local employers through its craft unions, while practicing downward social exclusion against Catholic labors through extended internal labor markets, fraternal societies, and kinship networks (Teague 1997; See 1986).

The macro approach associated with Mann and Collins, and inspired by Tilly as well as Weber, suggests that state-building, with its attendant bureaucratization and mass education, creates staatsvolks with their own national states (Mann 1993, 1995). James Craig, Northern Ireland's founding Prime Minister, notoriously declared in Parliament, "All I boast of is that we are a Protestant Parliament and a Protestant state." In Wimmer's "cultural compromise" theory, nation-building represents a political exchange between ruling, or state-building, elites and their target people (Wimmer 2002). In Northern Ireland, the ruling Unionist party had worked assiduously to win Protestant working class loyalty in the inter-war years. It had created an Ulster Unionist Labour Association (UULA), giving labor and sympathetic patrons a quota of parliamentary representation (Patterson 1980; Morgan 1991). It had also re-structured regional

elections to neuter the emergent Northern Ireland Labour Party with a first-past-the-post system (Whyte 1983; Osborne 1979). Further, it tried to reduce the impact of the Depression on skilled Protestant labor by passing laws that guaranteed loans, as well as other measures (Norton 2001).

The archival records to which I turn below show the Unionist government actively seeking institutional guarantees from the wartime and postwar British governments in order to avoid the defection of Protestant labor from the party to right wing Loyalist groups or to the left wing non-sectarian Labour party. The Act's successful institutionalization tied Protestant workers even more firmly to the ruling party.

During, and especially after the war, the incumbent Unionist government faced a choice between two of the five strategies of ethnic boundary-making that Wimmer (Wimmer 2008b; Wimmer 2013) has identified: nation-building or contraction. They could have sought to create a British-Irish citizenship based on the superior economic achievements and welfare state institutions of the British state; instead they strictly controlled access to the Northern Ireland labor market, only permitting unskilled Catholic labor and high-skilled British labor. This was tantamount to a contraction strategy that deepened the cultural consensus or political exchange between Unionist politicians and Protestant workers, where Unionists secured the majority of Protestant workers' votes, and local skilled labor was insulated from Southern competition. Politically, this strategy was a short run triumph as the Northern Ireland Labour Party tore itself apart over the ethnonational divide between British Protestants and Irish Catholics. However, in the long-term it hampered the economic redevelopment of Northern Ireland (Bradley 1995), and the extension of British social citizenship to Northern Ireland, coupled with Protestant domination, fueled the growth of a Catholic middle class that would demand, again in Wimmer's terms (Wimmer 2008b) either the inversion of the British-Irish categorical boundary through

unification with the South, or the equalization of Protestant and Catholic traditions in Northern Ireland through institutional power sharing and strong equality of opportunity.

Evidence and Analysis

> It is unlikely that any Government would long survive here if we had, at the same time –
>
> (a) considerable numbers of our people out of work; and
> (b) a considerable number of Eire workers in Ulster.
>
> Indeed, such a state of affairs might well induce industrial and political strife. The Ulster workman would not be willing to remain unemployed while those whom he regards as strangers occupy jobs to which he thinks he is entitled. And if the ordinary worker objects to being displaced by the Eire man, a fortiori the returning soldier on demobilization. (Control of Entry of Labour from Eire into Northern Ireland, Northern Ireland Ministry of Home Affairs, February 21, 1945)[1]

The refusal of the Imperial British government to impose conscription on Northern Ireland created a challenge for the regional government, which wanted local men to enlist in the armed services to demonstrate their provincial loyalty to Britain, but feared the possible displacement of "loyal" Protestant workers by Catholic workers from the South. This challenge was compounded by wage restraints in Éire and by increased wages and job opportunities in the North. After failing to persuade the British government to cede Northern Ireland the power to physically close the border with the South, Stormont lobbied the Home Office at Whitehall for the extension of the Manpower Services Act to Northern Ireland, specifically seeking a guarantee of employment reinstatement for Ulster volunteers in the armed services.

The Ministry of Labour and National Service refused the request on two slightly contrary grounds: 1) the extension of the reinstatement right to volunteers would weaken the value of the

[1] PRONI CAB/9/C/47/3 "Control of Entry of Labour from Eire into Northern Ireland" (Edmond Warnock 1945a)

British government's commitment to conscripts; and 2) the economy, including specific job titles and responsibilities, would be so transformed over the course of the war as to render the guaranteed right to reinstatement toothless.[2] However, the Minister of Labour, Ernest Bevin, and senior Home Office staff persuaded the Northern Ireland government that security could be used as a pretext for wartime residency controls to progressively withdraw residence permits from new wartime residents in line with post-war demobilization. This plan formed the basis for the Residence Restriction (Northern Ireland) Order, 1942 which was promulgated by Home Secretary Herbert Morrison in Westminster that October. Morrison publicly stated that the express goal of the order was to ensure that demobilized volunteers not be disproportionately exposed to unemployment after the war.[3]

The Residence Permits were justified on grounds of national security under the conditions of war. It was claimed that the local police had no way of knowing which workers from Southern Ireland were Irish Republican Army sympathizers or activists and hence potential agents and spies for the axis powers. The war economy in Northern Ireland attracted necessary labor from the South, but the Residence Permit system afforded the police a registration system whereby they could track and monitor outsiders living among the pre-war population ostensibly on security grounds. But residence permits could be progressively withdrawn with demobilization to minimize unemployment among demobilized volunteers from Ulster.

Any newcomer arriving from Great Britain after1939 was required to obtain a Residence Permit to live Northern Ireland. This retrospective application helped to justify the Order, because it provided a mechanism to catch those who had come to work in Northern Ireland to

[2] PRONI CAB/9/CD/41/1. "Reinstatement of Volunteers -- 16th July, 1942 [Record of meeting between NI Prime Minister John Andrews and Minister of Labour Ernest Bevin]." ("Reinstatement of Volunteers -- 16th July, 1942 [Record of Andrews –Bevin Meeting…]" 1942)

[3] NA HO 45-21985 Ireland-- Infiltration and Immigration into Northern Ireland: Control. "The Residence in Northern Ireland (Restriction) Order, 1942." (Morrison 1942)

avoid conscription. Ministers in Northern Ireland and loyalist critics of infiltration by outside workers believed that such draft dodgers were Eire workers who had fled Britain when conscription was introduced and come to Northern Ireland for work and to avoid the draft. The requirement for all residents in the British Isles, defined in British law as non-aliens, to obtain, hold, and regularly renew permits to reside in Northern Ireland had the additional advantage, from a British point of view, of being non-discriminatory. Because it did not single out citizens of Eire explicitly, the law could be defended as a general wartime security measure. The application of the wartime residence restrictions to British and Irish residents and citizens was to have lasting institutional consequence, in that it was maintained in the Safeguarding of Employment Act, which eventually replaced the wartime residence permits from the start of 1948.

From 1944, the new Prime Minister of Northern Ireland, Basil Brooke, began to push his Minister for Home Affairs, Edmund Warnock, to consider what would happen to the residence requirements after the war.[4] After several prompts, Warnock eventually produced a memorandum on "Control of Entry of Labour from Eire into Northern Ireland" in February 1945 that was discussed by the regional Cabinet that May. In that memorandum Warnock argued that the prospect of unemployment among demobilized soldiers coincident with the employment of "strangers" would cause political problems for the government: "The feeling is rising among our own people that they should not be idle and compelled to live on unemployment benefit while strangers are still in good employment."[5]

[4] PRONI CAB/9/C/47/2. Letter from Edmond Warnock, Minister for Home Affairs, to Basil Brooke, Prime Minister of Norther Ireland, 9th Feb, 1945 (Warnock 1945b)

[5] PRONI CAB/9/C/47/3 "Control of Entry of Labour from Eire into Northern Ireland (Warnock 1945a)

Warnock proceeded to argue that the financial viability of the national insurance proposals, i.e. the post-war welfare guarantees, would rely on low levels of unemployment in the region, and that those low levels would be impossible to maintain alongside free entry from the South. Almost as an afterthought, Warnock concluded by suggesting that Britain's security was an additional consideration, in so far as free entry from the South would probably change the "political complexion of Ulster" quickly, resulting in an Irish Republic where neither soil nor ports would be available to Britain in time of war.[6]

Having used the prospective plight of ex-Servicemen as the justification for introducing wartime residency permits in Northern Ireland, the regional government began to fear that southern Irishmen would use their status as ex-Servicemen to gain preferential treatment in Northern Ireland's labor market over the resident population, i.e. those native to Ulster (and presumably Protestant and Unionist). After being lobbied by the British Legion, the Stormont Government tentatively agreed to having its Employment Exchanges give preference to ex-Servicemen over other available workers.[7] The British Legion, in accordance with its charter, said that preference should be given to all British ex-Servicemen regardless of their places of residence prior to the war. The Stormont Government was unable to agree fearing that any preference given to veterans from the South would antagonize its supporters, particularly workers who were unemployed after the war. With the tacit acquiesence of Westminster, the Disabled Ex-Servicemen's Employment Act (Northern Ireland), 1944 was written to only give preference to Northern Ireland resident ex-servicemen.

[6] Ibid.

As the Cabinet discussed the Minister of Home Affairs' memorandum in 1945, it noted at the same time a conflict between the Northern Ireland labor exchanges and the Disabled ex-Servicemen's Act. The British Legion expected the government's labor exchanges to employ ex-Servicemen without regard to place of origin, while the Disabled Ex-Servicemen's Act actively discriminated in favor of ex-Servicemen originally from Northern Ireland. The Ulster Cabinet decided to apply the preference granted to Northern Ireland ex-Servicemen in the Disabled Ex-Servicemen's Act to all veterans coming to the labor exchanges.[8]

As the War ended, the Stormont government began, on the basis of Warnock's memorandum, to seek to extend the wartime residence restrictions indefinitely. The wartime emergency powers, including Northern Ireland's Residence Permit were extended for over two years after the end of hostilities until the end of 1947, a possibility envisioned with the original Order Maxwell, the permanent undersecretary at the Home Office, counseled the NI government that the residence restrictions could be discretely renewed each year at the point at which scheduled acts were renewed.[9] However, faced with pressure from the Dublin government through the Dominions office for the abolition of the residence restriction orders, Home Office officials and the Northern Ireland Government both decided that the residence permits requirements could not be extended after 1947 without unfavorable controversy.[10]

Stormont wanted permanent power to control access from the South to the Northern labor market and, based on the high levels of unemployment in the region, wanted the Home Secretary and British Cabinet to introduce further legislation amending the Government of Ireland Act 1920 to give Northern Ireland the power to control admission to its territory through its own

[8] PRONI CAB/9/C/47/2 "Cabinet Conclusions 15/9/44 – Disabled Persons (Employment) Bill" 1944
[9] PRONI CAB/9/C/47/3 (Maxwell 1947)
[10] PRONI CAB/9/C/47/3 Letter from Prime Minister Brooke to Warnock, Minister for Home Affairs, 27th March, 1947; and Letter from Sir Alexander Maxwell, Home Office to C.W. Robinson, Stormont, 13 April, 1947 (Brooke 1947; Maxwell 1947)

legislation. But while sympathetic to the Government of Northern Ireland in light of the region's high unemployment and its contribution to the war, Home Secretary Chuter Ede and the metropolitan government refused to bring forward legislation to give Northern Ireland control of its own residency for fear of the question of partition and the charge of discrimination being raised in parliament by pro-Irish and anti-Unionist government backbenchers.

Once again Maxwell and the Home Office came to the rescue of the Unionist Government. Maxwell advised Stormont that it was within the powers of the NI government to legislate for itself administrative control over access to the labor market in Northern Ireland. Maxwell suggested that the Stormont bring in a system of employment permits, rather than residence permits or immigration restrictions, to protect the position of Northern Ireland workers in the labor market. The Home Office again preferred that the mooted legislation not discriminate explicitly against people from the South.

The Safeguarding of Employment (Northern Ireland) Act, 1947, was designed to replace the Residence Restriction (Northern Ireland) Order, 1942. A key difference was that the labor permit scheme was administered by the NI Ministry of Labour and National Insurance, instead of by the Ministry of Home Affairs on behalf of the Home Office. Besides being enacted in Northern Ireland and not London, it was permanent legislation and not temporary. Sir Eric Machtig, Undersecretary of State for Dominion Affairs, suggested that such noxious legislation, violating free access to the British labor market for British and Irish citizens, should be temporary.[11] However Northern Ireland officials had strongly demurred arguing, that the region's unemployment problems were enduring, that the welfare gap between North and South had widened, that political opponents would use temporary renewals of the legislation as

[11] Sir Alexander Maxwell's Record of Meeting with Sir E. Machtig and Lord Rugby, FCO – 16th April, 1947. (Maxwell 1947)

opportunities to spread hostile propaganda, and that the Act could easily be revoked if it ceased to be necessary.[12]

To the right of the Unionist Cabinet were the paternalist populists Harry Midgley and Edmund Warnock, who feared indirect infiltration into Northern Ireland from the South via Great Britain. In the center were relatively liberal Unionists such as Minister of Labour, Brian Maginess, who wanted to administer the law to control regional immigration based on the state of the labor market in Northern Ireland. The NI Ministry of Labor defined a Northern Ireland worker in the Safeguarding of Employment Act, to exclude ex-Servicemen from Britain and Southern Ireland while giving them preferential access to labor certificates. Northern Ireland workers were defined as those resident in the region before January 1st 1940, but also included those born in the region, or those married to local spouses, or those resident in Northern Ireland for ten of the previous twenty years.[13] Service in the armed forces could count toward regional residency. Hence a veteran of six years of service could be excluded from the region's labor market until he or she resided in Northern Ireland for another four years.

Like the wartime Residence Permits, the Employment Permits had to be renewed every six months, but they were administered by the managers of the Local Employment Exchanges on behalf of the Ministry of Labour, rather than the NI Ministry of Home Affairs on behalf of the British Home Office, and did not require regular attendance at police stations by permit applicants and those seeking renewals. The continued exclusion of residents from Great Britain under the terms of the Act probably suited preferences among Northern Ireland Ministers as well as those in Great Britain who preferred not to antagonize the South or the Irish constituency in Britain by explicitly discriminating against the South.

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[12] NA CJ 3-20 Common Market Policy "Safeguarding of Employment Act (Northern Ireland), 1947
("Safeguarding of Employment Act (Northern Ireland), 1947)
[13]

Consequences and Conclusions

The Parliament of Northern Ireland enacted the Safeguarding of Employment (Northern Ireland) Act 1947 five years after the promulgation of the Residence in Northern Ireland (Restriction) Order, 1942. Both institutions were designed for the initial purpose of pushing wartime migrants from the labor market, to create vacancies for the reabsorption of demobilized soldiers from Northern Ireland. The residence permits system differed from the Safeguarding of Employment Act in three important respects. The former required wartime migrants to obtain residency permits from the NI Ministry of Home Affairs acting as the agent of the Imperial Home Secretary, and was a temporary war power. By contrast, the Safeguarding of Employment Act was enacted the regional Stormont government as permanent legislation and required any migrants, including British citizens, employed in Northern Ireland to hold permits issued by the region's Ministry of Labour. While the Act was occasioned by the persistence of high post-war unemployment and the impending expiration of war powers, the prospect of a long-term unemployment problem in Northern Ireland was used successfully by its government to enact a permanent labor permits scheme for migrant workers from Éire and Great Britain.

Why and how did Northern Ireland acquire a peculiar set of labor market institutions after World War II, allowing the regional government to require permits of non-Northern Ireland residents taking employment in the region? Several different empirical answers are available in the archival sources and in the extant, but thin, historiography surrounding these institutions, but a theory of wartime state-building is necessary to adjudicate among these various answers. The potential explanations for Northern Ireland's distinct post-war labor market institutions are four, although the second and third can each be subdivided again. First, the Safeguarding of

Employment Act and the residency requirement for welfare benefits in Northern Ireland might have been designed to confront, and try to close, the (un)employment gap between Northern Ireland and the rest of the United Kingdom. The second possible motive for distinct regional labor market institutions was to prevent South-North economic migration for welfare and employment opportunities, and thereby to prevent any potential demographic challenge to the Protestant Unionist majority in Northern Ireland, and to solidify the border with the South and the union with Great Britain. The third reason for closing the Northern labor market to Southern migrants was to maintain Unionist control of Protestant votes in Northern Ireland by: preventing attacks from the 'Loyalist' right; and stymieing the challenge of the Northern Ireland Labour Party which sought to put class politics above the ethno-national divide. A fourth reason, related to the third, was to layer the resources of the British welfare state onto the regional administration without disrupting the politics of the region; in short, the governing Unionist Party, the region's Tory conservatives, needed to adopt the political platform of the (leftist) labor government without allowing the left in its own state to gain in strength (Ditch 1988).

An additional puzzle is why the Safeguarding of Employment Act (1947) required British and (Southern) Irish residents to obtain labor permits to take employment in the region and not just those from the South. This was in part because the Imperial government, ministers and civil servants, required the legislation to be non-discriminatory; and second because Unionists feared that Irish Catholics would secondarily migrate from Britain to Ireland to take advantage of proximity to home, coupled with superior living standards than in the South.

The post-war welfare state in Northern Ireland departed from the one in Britain in three substantial ways: 1) a five year residency requirement to be eligible for benefits; 2) a ten year residency requirement, including time spent serving in the Armed Forces, for disabled ex-

servicemen's benefits; and 3) a 10 year residency requirement to avoid the need for a labor permit under the Safeguarding of Employment Act. The government and its supporters feared Irish Catholic migration to Northern Ireland either from the South, Britain, or via the British armed services. The government also feared tensions in the Protestant Unionist bloc caused by the employment of southerners in the North, even ex-Servicemen originally from Ireland. The government also feared the further growth of the Northern Ireland Labour Party (NILP) which had made tremendous strides in terms of votes, but not seats, in the 1945 Stormont election (Walker 2004; Patterson 2006a).

I have argued that the Unionist government practiced divide-and-conquer against the NILP, by using Catholic migration as a proxy for the ethnonational division between Protestant Unionists and Catholic nationalists, and thereby as a wedge issue with which to divide working class voters. The exclusion of "strangers" from the labor market would split the labor movement's political representation along Protestant Unionist and Irish Catholic lines. It also provided reassurance to loyalist workers of the Protestant bona fides in the Unionist government.

The Act had several consequences. First, it helped the Unionist Party to obliterate the NILP in the 1949 election, aided by the NILP's internal splits and popular insecurity caused by the Anti-Partition League campaign (Edwards 2009). The Act also antagonized unionists reliant on low-skill southern labor in sectors such as agriculture, tourism, hospitality, and domestic service (Patterson 2006b). The formal commitment to non-discrimination antagonized loyalists who wished to strengthen Ulster by encouraging Protestant immigration.[14] It also inconvenienced the families of skilled British migrants to the region. There was active sex discrimination against the wives of skilled British migrant workers who were not allowed to get

[14] PRONI CAB/9/C/47/4 Letter from Edmond Warnock, M.P. to Basil Brooke, PM, 8th February; and "Secret- Safeguarding of Employment Act - Memorandum by the Minister of Education - Harry Midgley, " 23rd November, 1953. (Warnock 1954; Midgley 1953).

labor certificates, and, when they reached adulthood, the children of those skilled migrants required labor certificates before they could take employment.

Perhaps the most dramatic and fateful consequences of the labor market restrictions were in limiting the economic prospects of the region as a whole. By restricting migration to highly skilled British workers – key employees from branch plants – and low skilled Catholics from the south in sectors where local labor was short, the Act achieved its goal of systematically blocking the migration of skilled and semi-skilled from the South, at the cost of limiting future economic growth. Two economic consultants to the government caused a storm in the Cabinet when their report on the region's economy speculated that the Safeguarding of Employment Act was deterring outside investment in the United Kingdom to an unknown extent (Isles and Cuthbert 1957). If this is true, then the exclusion of cheaper southern labor and the deterrence of foreign direct investment probably contributed to the shallow nature of outside investment (FDI) in Northern Ireland which was mostly by British firms. The strategy that British firms used in investing in Northern Ireland was to take advantage of generous plant and capital subsidies from the regional government to build branch plants for "topping up" excess demand (Fothergill and Guy 1990). When global demand fell with the recessions of the 1970s and 1980s, NI's branch plants were among the first to close. The counterfactual possibility is that if NI had been able to take advantage of cheaper labor from the South, it might have developed a much more vibrant and robust development cluster of firms. This, however, is unknowable, in part because the education and skill levels of Irish and Northern Irish workers during this period were relatively low, due to an absence of universally funded secondary education in the North until 1945 and in Ireland until 1969.

Although some have argued that the extension of the British welfare state to Northern Ireland marked the reintegration of Northern Ireland into the United Kingdom (Ditch 1988), the labor market institutions certainly worked to make British families feel like high end guest workers.

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