

The Highland Board and Strath Kildonan

The failure of a State Agency to implement Land Reform

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Caledonia Land Programme Introduction

In this short and well argued piece Ian Carter lays bare the narrow, economic and technocratic thinking that inhabited the collective will and actions of a State agency set up to transform the Highlands – *the Highland Board (HIDB)*. During its 25-year life (1965 to 1990) the Board repeatedly failed to address the land issue or its associated social dimensions despite being armed with the most far-reaching *paper* powers of any UK State development agency.

It took over 30-years for the modestly funded and lightly staffed Community Land Unit project to emerge as a practical contribution to tackling *the Highland land problem*. The project was established in August 1997 by the HIDB's successor – Highlands and Islands Enterprise. This was on the instructions of the then Minister of State in the Scottish Office, Brian Wilson, a lifelong land reform advocate.

The key lesson for today's community land activists is that 30 years on from Carter's pioneering critique little has changed in the way in which the State formulates and presents its policies on land reform. The underpinning logic remains economic and highly technocratic but fashionably dressed up in the language of the new millennium – *more local involvement, greater commitment and accountability by private landowners, increased diversity, wider economic benefit and community sustainability*. Suitably excluded are social and environmental rights and issues of fairness, democracy and the redistribution of power within society.

If history is a guide then the passing of the **Community Right to Buy legislation** is not the end of the struggle merely the first *paper skirmish*. The coming battle to implement the Act will test both the stamina and determination of community land activists as they grapple with the Kafkaesque discretionary powers of the Minister and his remotely located Edinburgh-based functionaries in the well rehearsed dance of *economic opportunities*. This very Scottish and unique land reform dancing will be

performed to the tunes of *If the Minister deems it appropriate; If it brings good returns; The Lairds choice and Mair commissions for the land agents.*

However the final irony of this First Parliament and its first bundle of land reform legislation in 300 years is that it has failed to grasp the fact that Carter so concisely observed in his paper some 30 years ago and upon which there is broad international agreement:

Land reform can rarely be justified on economic grounds.

Graham Boyd, Dar es Salaam
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A Long History of State Intervention

The North West of Scotland has a long history of State intervention aimed at solving *the Highland problem*. A series of governmental and quasi-governmental development agencies has operated since the establishment in 1887 of the original Crofters' Commission; and the latest in this long line is the Highlands and Islands Development Board (HIDB), established in 1965, with very wide paper powers and an almost unlimited remit to promote the economic and social development of the seven crofting counties. This article is concerned with the HIDB's interpretation of its remit to promote simultaneously economic and social development.

Conflicting Definitions of the Highland Problem

Two definitions of *the Highland problem* have opposed each other since the 1880s. One is economic, seeing the low personal incomes of the people, and, in later formulations, the unbalanced economic structure as the major problem. The second definition is social: here the problem is seen to be a matter of the relationships between landlords and tenants.

These conflicting definitions were found in the events of the 1880s, which led to the creation of the first Crofters Commission. They can also be found in the debates of the 1950s and 1960s, which brought about the establishment of the HIDB. Controversy centred on the powers, which the Board was given to hold, obtain, and dispose of land; and especially to acquire land compulsorily, subject to the Secretary of State's approval. Those who favoured the social definition expected that the new Board would try to alter the landholding structure: a reasonable thing to do on theoretical grounds when attempting to promote development of an agricultural region in which

ownership of land is highly concentrated. But they were disappointed. The HIDB has made no attempt to alter the landholding contexture of the crofting counties; it has not challenged the rights of ownership nor the rights of crofters' tenancies. By thus ignoring the landholding framework it has ignored the historic social definition of the problem – that it is a problem of the relationship between tenants and lairds. The HIDB has completely accepted the economic definition and has acted almost exclusively as an economic development agency.

The Strath of Kildonan Case

An example of the way in which the HIDB interpreted its very wide remit may be found in its first proposals for the comprehensive development of a particular area. The area chosen was the Strath of Kildonan in Sutherland. The published proposals made it clear that the idea of this study was given to the Board at its establishment and was not of its choosing. But the selection of Kildonan is extremely interesting. It was the scene of some of the more draconian of the Sutherland clearances at the turn of the nineteenth century, and it remains a symbol of the ruthless exercise of power and broken obligations. The Board's proposals acknowledged the non-economic genesis of the study: *“Because of the history of the Clearances, absentee land ownership, and apparent under use of land resources, the Strath has frequently been cited as a typical example of misuse of land in the Highlands ... For these historical reasons, and not because of any particular resources or combination of resources readily suitable for a comprehensive development scheme, the Board resolved to take action.”*

The Social Agenda of the Local Inhabitants

Two suggestions to improve land-use in the Strath came from inhabitants who held the social definition. One was that the common grazings of four crofting townships should be extended by adding the whole of one sheep farm and part of another. The second – more radical – suggestion was that at least twelve farming units, with a stocking capacity of 600 ewes and 30 cows per unit, should be established on the best agricultural land in the Strath. Once again, the Report recognised the social origin of the suggestions: *“There is little doubt that the wish for engendering land settlement in the Kildonan community is inspired by the emphasis placed on sport in the existing land-use and the feeling that the local population do not have a sufficient voice in their community.”*

The Board's Functionaries know Better

Both suggestions were rejected in the Board's proposals. The basis of the rejection was rigorous economic criteria. The Board's programme was *“primarily economic rather than social, in the sense that a positive return is expected on all the investment proposed.”* Increased common grazings were ruled out on the grounds that the best land was earmarked for forestry, which would bring good returns. The remaining land was not good; consequently *“such an extension would not add materially to the income base of the townships concerned, and the Board could not support it.”* The same logic is applied to the land settlement scheme. This would involve the fragmentation of the existing farms, which is against Government policy, and it would be expensive. *“The creation of small stock-rearing farms on marginal land of only*

moderate potential would involve capital expenditure far beyond what could be economically justified.”

The inescapable conclusion, therefore, is that no land settlement policy, on either farming or crofting tenure, can be supported on economic evidence.

The Board Fails Land Reform

But this argument applied with equal force to the establishment of crofting tenure in 1886. Land reform can rarely be justified on economic grounds. A reduction in income for the cultivator and a reduction in agricultural production are quite likely to occur; but, typically the cultivator is willing to bear some of the economic costs to achieve the social and political goals at which land reform aims. The HIDB's wholehearted acceptance of the economic definition of the Highland problem means that this kind of land reform proposal can never be seriously considered. The Board's total disregard of the historic social definition of the Highland problem is thus very serious from the point of view of the communities concerned. But what is even more serious is that the Board does not appear to have any other definition of social development in the light of which it frames its policies.