

Occupying the middle ground:

The future of social landownership in Scotland

Charles Warren

ECOS Magazine, Volume 23(1), May 2002

*Probably the most striking recent change in Scottish land ownership has been the dramatic rise of the social ownership sector. Conservation organisations and local community groups have become significant landowners. Though very much in tune with the **zeitgeist** (current thought and spirit of the times), is this trend sustainable? Do conservation ownership and community ownership both have a role to play in rural and environmental regeneration, or will one subsume the other?*

Occupying the middle ground:

The future of social landownership in Scotland

Charles Warren

ECOS Magazine, Volume 23(1) 2002

Content:

- Introduction
- The emergence of the middle ground
- The new owners: diversity to counter adversity
- The benefits of social ownership
- The challenges of social ownership
- Social ownership: here to stay or gone tomorrow?
- A hunger for ownership?
- Private, social and state: the ownership triumvirate
- Stewardship: common ground
- Notes and references
- Further information

Introduction

After a century of being stoppered, the land reform genie is well and truly out of the bottle. The story of its dramatic uncorking, and the rights and wrongs of the process, have been discussed previously in ECOS.¹ This article focuses on one distinctive aspect of the rapidly evolving land ownership scene, namely the dramatic increase in the amount of land owned and/or managed by local communities and conservation organisations. Although the diversity within and between these categories is enormous, they can be conveniently grouped under the heading 'social ownership'.

The land reform Bill currently before the Scottish Parliament consists of three main pillars: increased public rights of access, a right-to-buy for rural communities, and a

right-to-buy for crofting communities.² A key driver of the land reform process is the desire to tackle injustice, both historical and contemporary. Historically, the long shadow of the Clearances falls across the debates, while the perception of present injustice arises from the extraordinarily concentrated pattern of ownership.³ This concentration places considerable power in the hands of rather few and, it is argued, severely constrains the 'life chances' of people in remote rural communities. The so-called blight of landlordism can stifle rural development. Rightly or wrongly, Scotland's new political masters have chosen to try to cure these ills by offering the land back to the people. Local communities are now centre stage.

The emergence of the middle ground

Social ownership is nothing new in Scotland. Community ownership has existed around Stornoway on Lewis since 1923, and the National Trust for Scotland (NTS) began buying parts of Glencoe in 1935. However, land ownership in Scotland remained largely fixed in a bipolar mould until late in the 20th century, split between private and public; the 'ground' between them was, rather literally, no man's land. All this changed in the 1980s and 1990s as social ownership sprang to prominence as the thrusting 'new kid on the block'. In just a few short years it has elbowed a place for itself as a significant new piece of the land ownership jigsaw. Thus between 1980 and 1995 the total area in conservation ownership rose by 146%, with 70% of that occurring after 1990.⁴ The NTS, owning almost 80,000ha, has become the third largest landowner in Scotland,⁵ while the Royal Society for the Protection of Birds (RSPB) now manages about 51,000ha spread over more than 50 reserves. The John Muir Trust (JMT) too has become a major landowner on Skye, and has recently bought both Ben Nevis and Schiehallion. Conservation organisations as a group now constitute the largest non-public landowner, and a rapidly growing force in the land market.

The rise of community ownership has been even more swift and dramatic. In a few heady years in the mid-1990s it made a headlong journey from the radical fringe to become the centrepiece of land reform proposals. The Assynt crofters fired the starter gun in 1992 with their purchase of the North Lochinver Estate,⁶ and since then some 40 communities have set out to emulate this coup. The purchases of Eigg and Knoydart were given particular prominence in the media.⁷ Prior to 1997 community purchases were achieved against heavy odds, but Labour's election changed all that. The Government began actively promoting community ownership and – crucially – offering

financial support. A further boost came in February 2001 when the National Lottery's New Opportunities Fund established the Scottish Land Fund to help rural communities acquire, develop and manage land, pledging £10.8 million for the first three years. It is already dealing with over 300 enquiries from all over Scotland, and in October 2001 it gave no less than £3.5 million to the Isle of Gigha Heritage Trust, enabling the locals to take possession of their island in March 2002.

As hinted above, the terms 'community ownership' and 'conservation ownership' are both umbrella terms encompassing a wide diversity of experiences and objectives. The breadth of the former is vividly illustrated in two recent collections of intriguing case studies.⁸ Many of the community buyouts, notably that on Eigg, have been motivated by the desire to throw off the shackles of private ownership after decades of bad management. As tenants, their economic options were severely constrained, creating a raw sense of social injustice. It is scenarios like this that have created the popular conception of land reform as a black-and-white struggle of people against privilege.

The new owners: diversity to counter adversity

Community purchases have been as diverse as the communities themselves, and the emerging structures have also been evolving. Crofting trusts like Assynt tend to be pure community groups, solely involving locals, but more recent initiatives have often been project-orientated, involving outside organisations. Many have adopted a rural development forestry approach,⁹ salient examples of such community woodlands being Abriachan Forest Trust¹⁰ and the Sunart Oakwood Project.¹¹ Not all community initiatives have succeeded, and some have had to change tack. The people of Laggan, for example, did not manage to buy Strathmashie Forest from Forest Enterprise, but they did establish the Laggan Forest Partnership.¹² This gives the community significant input into forest management, maximising the benefits for local people. Already the concrete results include job creation, improved access, renovated housing and the reversal of 150 years of population decline. It is clear from this one example that ownership is not the be all and end all, but that communities can greatly benefit from partnership arrangements that give them a say in management decisions. These could be dubbed 'community-public partnerships'.

The new conservation owners are equally diverse, shown by the wide range of motivations and objectives which have led them to buy estates, forests, wetlands and mountains. Some focus more on wild species (RSPB), others on wild landscapes (JMT). Common threads do exist, however, and these include the safeguarding of land for future generations (a public interest argument), ecological restoration, and the desire to move from advocacy to practical demonstration. It is this last aim which has resulted in the significance and influence of social ownership far exceeding its size in simple area terms. These environmental charities are able to explore innovative approaches to land use and management which cash-strapped (and often tradition-bound) private owners are unwilling or unable to risk. Such trail-blazing experimentation is of great value.

Finally, to blur the distinctions still further, some 'community purchases' actually comprise partnerships involving local people and conservation organisations. The board of the Isle of Eigg Heritage Trust, for example, includes representatives of the Scottish Wildlife Trust, while the Knoydart Foundation involves the JMT and a charity as well as locals. Both also include Highland Council. The JMT believes that conservation is best served by maintaining a viable local community, illustrating how these twin aims – environmental and social – can be seen as complementary. One very practical aspect of this synergy is financial: conservation groups can fund environmentally sensitive management prescriptions which community groups may aspire to but be unable to afford. It seems, then, that the two tributaries of social ownership are now mingling to form one stream.

The benefits of social ownership

The benefits of social ownership can be considerable, both for the people and for the land. Some of these benefits can be objectively assessed through financial or environmental audits, or can be seen in demographic terms (as at Laggan). Many of the community-led ventures have achieved measurable degrees of success in the few short years of their existence. The Assynt crofters, for example, have blazed an apparently viable and certainly very visible trail. Like other communities since, they have shown how ownership can open up opportunities and access to new resources. Successes have been scored too by the conservation organisations, and in a few cases these have been resounding. For example, the RSPB's Abernethy Estate, which includes the osprey centre, now supports 87 FTE (full time equivalent) jobs in the local economy and

welcomes almost 100,000 visitors each year, as well as supporting crofting tenants, a shooting let and a sawmill.¹³ This contrasts starkly with the 1.5 FTE directly employed jobs when the estate was run along traditional sporting lines. In addition, the estate is one of several places which have demonstrated that Caledonian pine forest can be regenerated without deer fences.¹⁴ In this case, then, ownership by a conservation charity appears to be good for the environment, for the economy and for society – the three facets of sustainable development.

Benefits like these can be quantified, but some of the best things to emerge from community buyouts are social and personal in nature – friendships, revived community spirit, and emotional and spiritual transformations in people's outlook on life. Although (thus far, at least) some of the objective measures of success yield rather equivocal answers, in terms of community feeling the 'positive vibes' run deep and strong. Crofters in Assynt, for example, believe that the transition from tenants to owners has brought about spiritual change in the community, engendering a sense of freedom.¹⁵ It feels good to be master of your own destiny, even if that destiny is not a bed of roses. Communities living on land owned by some of the conservation charities also speak warmly of positive impacts on community life, and appreciate the financial resources and expertise that such groups offer. This is true, for example, on the Sandwood Estate owned by the JMT.¹⁶

The challenges of social ownership

But despite the achievements, the enthusiasm and the widely endorsed ideals, community ownership is no panacea. It is tough to get going and tough to keep going. It is an uphill struggle beset by a sobering blockade of practical and social challenges. These difficulties are summarised by David Reid:¹⁷

- access to land and natural resources
- the considerable responsibilities and hazards of ownership
- limited income and restricted assets
- the 'capacity gap' – an insufficient range of the skills and expertise required
- reliance on voluntary effort
- geographical isolation, and the scattered/sparse nature of most rural populations
- insufficient levels of development assistance

- the gap between declared policy and the capacity of public sector institutions to implement it

Even the Assynt crofters, the symbolic baton-carriers of the community ownership movement, have struggled to make a go of it. They are the first to admit this, and to acknowledge their disappointment that early achievements have fallen well short of their initial aspirations.¹⁸

If this array of practical obstacles appears daunting, the social and psychological challenges are no less formidable. It is easy for a community to unite in criticising a distant, well-off private landowner. It is relatively easy too to make common cause in campaigning for the 'holy grail' of community ownership. But it is far more difficult to sustain the commitment and high levels of participation after the first flush of enthusiasm has worn off. It can prove hard, too, to maintain the initial unity when faced with practical management dilemmas, conflicting visions and the shared responsibilities of ownership. Thus crofters in Assynt and Sandwood are reluctant to embrace the alien concept of being a landowner, with all the responsibilities that it entails.¹⁹ For some, the realisation that community ownership does not give them *carte blanche* to do as they please has come as a shock. The aspirations of individuals and families can still be thwarted, not by a private owner as in the past, but by the management committee (consisting of their neighbours) who have the long-term good of the whole community at heart. In some ways, this is harder to swallow. The more people and/or organisations that are involved in running a jointly-owned property, the greater the likelihood of friction and splits, as was shown graphically during the long-running and bumpy attempt by the multi-agency Knoydart Foundation to purchase the Knoydart Estate. The smooth running of such collaborative ventures can only be assured with liberal injections of selflessness and generosity of spirit by all involved, saintly gifts that few people possess in large measure. For example, overcoming the deeply felt distinction between crofters and non-crofters ('incomers') will not prove easy, as shown by the refusal of crofters at Sandwood to serve on the management committee with non-crofters. Community ownership can be the making or breaking of a community.

Finally, one can never ignore the financial bottom line. In the long term, will these ventures prove viable? It is one thing to raise funds for a one-off purchase, quite another to raise cash for the unglamorous, expensive business of long term land

management. Running Mar Lodge costs the NTS around £250,000 annually. Will charitable memberships stay generous down the decades and centuries (because these are the timescales over which these experiments should be assessed)? Will the public and the state continue to back the fine sentiment of ‘the land to the people’ with hard cash? Just as private landowners can hit hard times and be forced to sell, so some of the exciting new experiments in community ownership are likely to founder on financial rocks. It seems, then, that those who are sceptical about the viability of crofting trusts, community forests and the like (and there are plenty, both locally and further afield) have a good deal of ammunition. So will the sceptics have the last laugh, or will communities have the dogged persistence to realise and sustain their enlightened visions?

Social ownership: here to stay or gone tomorrow?

Are these new social ownership structures long term solutions to ‘the land question’, or are they emergency first aid measures which will be rendered redundant by changing circumstances? Further, do conservation and community ownership *both* have a future, or will the former evolve into (or merge with) the latter? Concerning conservation ownership, some very definite benefits have accrued to people and environments, as identified above. Some visionary ecological restoration programmes have been initiated which will not come to fruition for decades or even centuries. An argument can be made for continuity of ownership to see these through. However, the rapid emergence of these organisations as major landowners is a phenomenon which is widely perceived as a symptom of failure, of the ineffectiveness of conservation policy.²⁰ Andy Wightman suggests that conservation groups ‘should be asking themselves not how much more land they can buy, but how soon they can get rid of it’.²¹ The visionary objectives could be maintained, but the ownership and management should (it is argued) become more locally rooted. This is partly because conservation only tends to work well if it is ‘owned’ – either legally and/or psychologically – by local people.

Some go much further than this temporal critique and are fiercely critical of conservation bureaucracy in general and of the big environmental charities in particular. The loudest and most persistent of these critics is Ian Mitchell who castigates the RSPB and Scottish Natural Heritage (amongst others) for imposing their own agendas on local communities.²² He accuses them of behaving in arrogant and secretive ways reminiscent of absentee landowners. Certainly there are plenty of rural communities,

especially in the north and west, which resent what they perceive as the high-handed, insensitive behaviour of conservationists and their apparently greater concern for wildlife and landscape than people. There is a fear that their growing influence may frustrate efforts to repopulate rural areas and give local communities control of their own destinies. A conference in 2001 entitled '*People: the Forgotten Species*' gave vent to these feelings of marginalisation and showed that a backlash against conservation ownership is gathering momentum.²³ At the conference, Michael Wigan commented bitterly that 'indigenous people are the new Species of Special Scientific Interest'. There is thus a sense in which community ownership and conservation ownership can pull in opposite directions, the one orientated around local priorities, the other driven by national and international agendas. If, as suggested earlier, the two tributaries of social ownership are merging to form one stream, then clearly there are still some strong counter currents.

A hunger for ownership?

In recent years the various community buyouts have received considerable media attention, and the central place given to the community right-to-buy in land reform legislation has ensured that the concept has been constantly in the spotlight. The political (and financial) tide is running strongly in its favour. It would be a mistake, however, to conclude that local communities everywhere are pawing the ground to become landowners. Many crofters, in particular, have few quarrels with their landlords. Crofters have had a right-to-buy since 1976, and the 1997 Transfer of Crofting Estates Act enables crofting communities to take possession of the 1400 state-owned crofting holdings, but the take-up has been minimal so far. The state is widely perceived as a paternalistic and non-intrusive landowner. Keenly aware of their present strong legal rights and of the costs involved in working up a viable business plan, a lot of crofters are prepared to live with the *status quo*. Similarly, many other rural communities may not be happy with their current lot but have no appetite for the financial burdens and responsibilities that ownership brings. So the new legislation may not so much fling open the floodgates as ease open the tap.²⁴ Andy Wightman, a strong advocate of an expansion of community ownership, also thinks that the current Bill will change little, and is sharply critical of the fact that 'the fashionable idea of community' has become 'the holy grail of land reform'.²⁵ In his view, the fundamental problem that land reform should be addressing is the concentrated pattern of land ownership, and he believes that the

current legislative proposals will do little to address that issue or to empower communities.²⁶

Private, social and state: the ownership triumvirate

Increased diversity of ownership is generally acknowledged to be a desirable objective, and it seems likely that, for a time at least, increasing amounts of land will continue to be bought and managed by communities and environmental groups. But the current rate of growth could not be sustained indefinitely because there are unavoidable financial, social and environmental constraints which set upper limits to what will be possible. Growth is likely to tail off as some kind of equilibrium emerges. This, of course, will be a dynamic not a static equilibrium, constantly adjusting to changes in the political and financial landscape, but social ownership is here to stay for the foreseeable future.

All three forms of ownership have their pros and cons. Even private ownership, despite all the high-profile examples of abuse, can have a lot going for it.²⁷ Land ownership is power. It's how that power is exercised that counts. Integral to much writing on land reform is the view that the environment suffers under the current system and would flourish if the planned reforms were enacted, but no form of tenure is a magic bullet which automatically revitalises communities and regenerates the environment. Just as private owners are a mixed bunch – enlightened or exploitative, innovative or blinkered – so there will be examples of good and bad management by community groups and conservation charities. As Anna Paterson says, 'one form of ownership is little different from another when it comes to putting earning more money ahead of love of the land. ... No landowner can be trusted always to put the welfare of the landscape first.'²⁸ The harsh reality is that much Scottish land has only modest potential for productive diversification, yet high risk of environmental damage, so the benign options are limited.

Stewardship: common ground?

Land reform is a gamble which is probably well worth taking for the politicians involved, but whether it will also pay long term dividends for rural economies, local communities, crofting townships and the environment remains hard to predict. Of course, land reform generally and the rise of social ownership specifically are not taking place in a political vacuum. They cannot be divorced from the many other current questions about rural

futures, nor from the web of national and international influences that are shaping those futures. These influences are pushing in divergent directions. On the one hand, power is being devolved further and further down the line, apparently giving local communities and individuals a real say in the future of their lives and their local environment. On the other, globalisation ensures that the options available are specified by forces operating at international and global level. It is a sad irony that just when historically disempowered rural people are being encouraged to flex their muscles and take charge of their future, their room for manoeuvre has never been narrower.

Given the fractured nature of the land reform debate, it is worth asking whether there are any shared concepts which provide common ground. Arguably, the ancient idea of stewardship is one, summing up as it does the sense of responsibility that has long been regarded as part and parcel of owning land in Scotland.²⁹ It is embraced by landowners and conservationists alike.³⁰ Ancient it may be, but it has been rapidly gaining contemporary currency, reflecting the changed roles of owners, managers and citizens in the use and management of natural resources. In a recent report exploring the meanings and implications of stewardship, WWF Scotland suggests that the current moves towards greater diversity of land ownership may help to foster a wider sense of stewardship.³¹ It may be a fond hope, but perhaps the banner of stewardship is one around which the warring factions in the land reform debate could rally. Is it too utopian to imagine that private landowners, conservation groups and local communities could join hands across the great divide and collaborate in delivering rural development and enlightened environmental stewardship?

Notes and references

1. Warren, C.R. 1999. Scottish land reform: time to get lairds a-leaping? ECOS 20(1): 2-12.
Warren, C.R. 2000. Scottish land reform: the first act. ECOS 21(1): 94-96.
2. The so-called 'right to buy' provisions for non-crofting local communities actually constitute a right of pre-emption. Details of the Bill and of responses to the 2001 consultation are available on the Scottish Executive website. Interestingly, 81% of the responses to the consultation related solely to access. For detailed discussion and critique, see: Wightman, A. 2001. Land Reform: the Draft Bill. Caledonia Briefings 4. 20pp.
www.caledonia.org.uk/land/brief04.htm
3. Cameron, E.A. 2001. 'Unfinished business': The Land Question and the Scottish Parliament. Contemporary British History 15(1): 83-114.
4. Wightman, A. 1996. Who owns Scotland? Canongate, Edinburgh. 237 pp.
5. Johnston, J.L. 2000. Scotland's Nature in Trust: the National Trust for Scotland and its wildlife and crofting management. Poyser, London. 266 pp.
6. MacAskill, J. 1999. We have won the land. Acair, Stornoway. 224 pp.
7. Dressler, C. 2000. The Isle of Eigg Heritage Trust – the first eighteen months. In: Boyd, G. and Reid, D. (eds), Social Land Ownership, Volume Two: eight more case studies from the Highlands and Islands of Scotland. Community Learning Scotland, Inverness. pp. 19-25. See also the articles in this issue by Camille Dressler and John Chester which bring the story of Eigg up to date. www.caledonia.org.uk/socialland/eigg.htm
8. Boyd, G. and Reid, D. (eds) 1999. Social Land Ownership: eight case studies from the Highlands and Islands of Scotland. Volume One. Community Learning Scotland, Inverness. 68 pp. www.caledonia.org.uk/socialland/nfp1and.htm
Boyd, G. and Reid, D. (eds) 2000. Social Land Ownership, Volume Two: eight more case studies from the Highlands and Islands of Scotland. Community Learning Scotland, Inverness. 76 pp. www.caledonia.org.uk/socialland/nfp02.htm
9. SNH. 2001. Rural Development Forestry. Scottish Natural Heritage, Battleby. 148 pp.
10. Matheson, C. 2000. Abriachan Forest Trust. In: Boyd, G. and Reid, D. (eds), Social Land Ownership, Volume Two: eight more case studies from the Highlands and Islands of Scotland. Community Learning Scotland, Inverness. pp. 43-48.
www.caledonia.org.uk/socialland/abriacha.htm
11. McIntyre, J.A.R. 2001. Community forestry – the Sunart experience. Scottish Forestry 55(2): 99-103.
12. Tylden-Wright, R. 2000. The Laggan Forest Partnership. In: Boyd, G. and Reid, D. (eds), Social Land Ownership, Volume Two: eight more case studies from the Highlands and Islands of Scotland. Community Learning Scotland, Inverness. pp. 27-35.
www.caledonia.org.uk/socialland/laggan.htm
13. Taylor, S., Street, L. and Mayhew, P. 1999. Nature reserves and local people: two case studies from badenoch and Strathspey. In: Boyd, G. and Reid, D. (eds), Social Land Ownership: eight case studies from the Highlands and Islands of Scotland. Volume One. Community Learning Scotland, Inverness. pp. 61-64.
www.caledonia.org.uk/socialland/reserves.htm
14. Dugan, D. 1997. The Abernethy experience: deer management in a conservation forest. In: Rose, H. (ed.), Deer in Forestry – Beyond 2000. Minutes of a conference in March 1997, Battleby. pp. 7-11.
15. MacAskill, 1999, *op. cit.*
16. Chenevix-Trench, H. and Philip, L.J. 2001. Community and conservation land ownership in Highland Scotland: a common focus in a changing context. Scottish Geographical Journal 117(2): 139-156. www.caledonia.org.uk/socialland/joint_owners.htm
17. Reid, D. 1999. Overview. In: Boyd, G. and Reid, D. (eds), Social Land Ownership: eight case studies from the Highlands and Islands of Scotland. Volume One. Community Learning Scotland, Inverness. pp. 7-12. www.caledonia.org.uk/socialland/overview.htm
18. MacKenzie, J. 1999. Business planning: the Assynt experience. In: Boyd, G. and Reid, D. (eds), Social Land Ownership: eight case studies from the Highlands and Islands of Scotland. Volume One. Community Learning Scotland, Inverness. pp. 23-28.
www.caledonia.org.uk/socialland/assynt.htm

19. Chenevix-Trench and Philip, 2001, *op. cit.*
20. Aitken, R. 1997. A vision for Scotland's finest landscapes. In: Protecting Scotland's Finest Landscapes: Time for action on National Parks. Proceedings of a conference, 17th September 1997. Scottish Wildlife and Countryside Link, Perth. pp. 9-14.
21. Wightman, 1996, *op. cit.*, p.183.
22. Mitchell, I. 1999. Isles of the West. Canongate, Edinburgh. 226 pp.
23. Macleod, K. (ed.) 2001. People: the Forgotten Species. Proceedings of a conference, Perth, 12-10-2001.
24. However, in the Western Isles local politicians are encouraging crofters to stage a mass buyout on the day that the Land Reform Bill becomes law.
25. Wightman, A. 1999. Scotland: land and power - the agenda for land reform. Luath Press, Edinburgh. p.72.
26. Wightman, A. 2001. Land Reform Draft Bill Part II – Community Right-to-Buy. Caledonia Briefings 3. 16 pp. www.caledonia.org.uk/land/brief03.htm
27. Warren, C.R. 2002. Managing Scotland's Environment. Edinburgh University Press, Edinburgh. 410 pp.
28. Paterson, A. 2002. Scotland's Landscape: endangered icon. Edinburgh University Press, Edinburgh. pp.148-9.
29. Callander, R.F. 1998. How Scotland is owned. Canongate, Edinburgh. 226 pp.
30. Bryden, J. and Hart, K. 2000. Land reform, planning and people: and issue of stewardship? In: Holmes, G. and Crofts, R. (eds), Scotland's Environment: the future. Tuckwell Press, East Linton. pp. 104-118.
31. WWFS. 2001. Stewardship of Natural Resources: a WWF Scotland Report. WWF Scotland, Aberfeldy. 14 pp.

Further information

Charles Warren is a Senior Lecturer in the School of Geography & Geosciences at the University of St Andrews, and is the author of *Managing Scotland's Environment* (Edinburgh University Press, 2002). He can be contacted at: charles.warren@st-andrews.ac.uk

The **British Association of Nature Conservationist** (BANC) can be contacted at www.banc.org.uk

© ECOS Magazine 2002