

# The Allan MacRae Memorial Debate

## Stoer 4th July 2018

*This house believes that land reform measures in Scotland to date have done little to further their primary objective of greater social justice*

### **Opposing the motion** – Iain MacKinnon

I ask you to oppose the motion. Not because I am being complacent about the role of land reform so far in supporting greater social justice in our lands; but because I believe that justice cannot be forced; it must be found.

I want to elaborate on what I mean by this, by considering land reform in terms of the history that created the need for land reform in the first place. This long view of land reform may prompt us to reconsider the extent of the political work that land reform is doing in Scotland today; and the pace at which it should, in consequence, proceed.

The present land reform moment sparked into life 25 years ago when the Assynt crofters, with Allan MacRae in the van, took on private landownership and won the land; it subsequently achieved legislative recognition with the passing of the 2003 Act.

But this was not the beginning of land reform in Scotland.

The Crofters Act of 1886 was, of course, a land reform process. The risings of that time were in response to evictions and impoverishment that today are usually called the Highland Clearances, but which at the time were more often considered a process of 'domestic' or home colonization, articulated as such by people like Patrick Sellar and his Sutherland-shire partner-in-crime William Young, and by Sir John Sinclair of Ulbster the first president of the Board of Agriculture.

This 19th century internal colonisation - as described by Alastair McIntosh in his speech on Monday as part of this celebratory week - is integral to why land reform is happening in Scotland today. However, it is not the beginning of Scotland's land reform journey, or of its internal colonisation.

In the early 17th century King James VI called the Gaelic speaking people of the Highlands and Islands 'savages' and 'barbarians' some of whom should be transported or rooted out - a statement which might be considered a kind of 'land reform' policy. James went on to implement this policy through endeavours such as the plantation of Lewis, using around 500 mercenaries to try to create a Lowland colony on the island, to subjugate the people already living there to new rules, and to wipe out - with the backing of law - their leaders.

And, as Andy Wightman's research argues, land reform's historical context must be taken back further still, to include the development of feudal tenure, often associated with David I. Historians call his reign from 1124 to 1153 'a revolution'. It is said to have been the inception of profound changes in social, economic and tenurial customs in Scotland, at times achieved by great violence.

As an example, if you look at a map of who had land in north west Scotland in the 13th century, one name stands out among all the 'Macs' that you would expect to find here. It is the name Bisset, an Anglo Norman family who, in addition to lands in Ireland and elsewhere in Scotland, appear to have held land in South West Ross. We don't know how they got there but the record suggests they were a particularly violent family. And there is this gnomic comment in the Annals of Ulster, an Irish Gaelic viewpoint on the politics of the medieval period. On the death of a senior member of the Bisset family, he was described in the Annals as 'destroyer of Gaels and churches'.

These were the kinds of families who benefitted from feudal tenure, a form of landholding that if you remember was finally abolished less than a decade ago, and which has had an enduring impact on the way that land and power is distributed in Scotland today.

Thus, I would say it can be argued that what has been happening in the last 25 years of land reform, is a response to 1,000 years of economic impoverishment, social oppression, political subjugation and cultural devastation, at times with genocidal intent, through the medium of land.

This is the historical context in which land is distributed and held and contested in Scotland today. These moments in history that I have outlined can be considered as layers in a deeply sedimented structure of domination, a millennium in the making, and this background structure means that land reform is not simply about changing patterns of land use and ownership. It is also about recognising, and changing, how we do things politically in our society today; how we make decisions and policies relating to land, land tenure, and the communities who live on the land.

I want to take as an example the reform of crofting tenure in 2010 when the duty-to-report provision was introduced at the end of the legislative process, so that all crofting grazings committees are required to report on the condition of their neighbours' crofts.

If you remember, it caused outrage when it was introduced, condemned by the Scottish Crofting Federation as an obligation to 'snitch on your neighbours', and also by the likes of Iain MacIver, factor of the community owned Stornoway Trust and now a crofting commissioner, and a hugely respected figure in the Islands.

Peter was actually involved in the parliamentary debate on the duty-to-report and to his credit he was one of the few MSPs who questioned it. And I am not saying that the MSP who introduced the duty to report did so with any bad intentions. But the fact is that it was introduced - as a matter of land reform - without any formal consultation or dialogue with the people on whom it was being imposed. And it was introduced, I should add, using a normative legislative procedure of the Scottish Parliament. This, I put to you, is a

contemporary example of the way in which an enduring structure of domination for decision-making on matters relating to land works in Scotland today - and it is all the more difficult to see, because it is considered part of our 'normal' way of doing things.

This is part of Scotland's low intensity democratic system

The term 'low intensity democracy', draws on the phrase 'low intensity warfare' where, for example, bombs from a drone drop on people in the Middle East because a button is pressed in a military base in faraway lands.

The argument is that we live in a 'low intensity democracy' when as a society we press a button or put an X in a voting box and believe that we have fulfilled our democratic responsibility as citizens for the next four of five years.

The real political revolution taking place in parts of Scotland at the moment is that those communities where land reform is happening are moving from being low intensity to high intensity democracies.

So, for instance, a few years back when I asked one of the first generation of community leaders on the Isle of Eigg about the governance structure of the island, they told me that in addition to the main Isle of Eigg Trust which meets every few weeks, a whole series of sub-committees for things like housing, transport, the pier development, the electric grid, and so on, were also working, sometimes several in a week, and people going out to meetings on this very regular basis.

Another example, one given to me by Alastair McIntosh, and I want to acknowledge that it was in conversation with Alastair that this line of argument emerged, is from the island of Iona where, he said, the school role has increased from around six to over 20 in the last few years because the community is able to access land and to put affordable housing on that land, enabling young families to live on the island.

In his talk here on Monday, Alastair also mentioned 'John's Hydro', in honour of the endeavours of John MacKenzie to realise the hydro-electric project now generating a substantial income for the ACT from the waters of Loch Poll.

Agnes Rennie, chair of the Galson Trust, told me yesterday evening that 13 people will be employed on Galson this summer; before community control of the land the estate employed no-one.

It seems to me that projects such as these, and the extraordinary commitments shown by members of community owned estates in Scotland, are a result of these communities coming to a much deeper sense of what it is to exercise one's democratic responsibility as a citizen on behalf of one's place and of the people with whom one shares that place.

This is high intensity democracy.

It is important to stress that this new system is not being imposed or forced in some way, which is a tendency among some professional politicians when seeking to achieve aims that they consider to be good ones (the duty-to-report being an example).

Instead, the strength of what is happening in land reform is that it is happening at its own pace and unfolding from within.

And when CLS take a roadshow to visit areas where community ownership is either fragile or not-yet-existent and share inspirational stories, they seed ideas that may not appear immediately, or for a year, or a decade or a generation; but they are proceeding by offering good examples and dialogue, not diktat or imposition.

When I spoke with Alastair he argued that the power of land reform in Scotland is that it is being done in a non-violent way. Some liberation movements respond to the indirect violence of structural forms of oppression with direct violent resistance - think, perhaps, of the troubles in Ireland - and the domination system responds, in kind with direct violence.

What is happening in Scottish land reform is different. In response to longstanding internal colonisation we are beginning to decolonise our ways of decision-making. At its best, decisions on livelihood and resource governance and the future of community are being made at a more local level and proceed as a result of much more intense and involved dialogue and negotiation and sense of responsibilities; this still involves working with difference and conflict, but also involves new ways of negotiating difference and building relationships to overcome and prevent conflict.

Seeds of a different way of making change happen have germinated and are now growing mainly in remoter parts of north-west Scotland, perhaps in places where community decision-making structures have been more powerfully retained in the face of 1,000 years of external domination. I put it to you that this decolonisation process, and the development of new ways of making change happen, should grow, like a good crop of crofters' potatoes, fertilised by seaweed from the shore or manure from the cow.

That is, by all means support it with judicious use of local resources, energy and good-will, for the power of this way of making change comes from it taking place within place, and at its own pace. But we should be very wary of seeking to force change from outside; we overlook a lot if we overlook these deep democratic changes that are now taking place quietly within communities throughout Scotland and which, if carefully supported and allowed to develop, have the potential to quite transform the ways that we act politically and make decisions in and for our societies.

Social justice cannot be forced; it must be discovered and nurtured as a practice by those who would be its beneficiaries. For this reason I would argue that the slogan for land reform's role in supporting greater social justice in Scotland is 'go slow, go further', and so I call upon you to oppose the motion.