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Title: Current Scottish land reform and reclaiming the Commons: building community resilience

Introduction

While much attention in analyses of wealth inequalities and inequities focuses on property and share ownership, the ownership of land itself remains important. Land ownership facilitates access to the agencies of power, authority and governance (Rights and Resources Initiative, 2015). This contextualizes the nature of the narratives and socio-cultural accounts that pertain to land, as well as the community relationships to, with and for land and its resources. Reflecting the differing territorial contexts and hierarchal arrangements across northern latitudes, the actors and partners involved in using and managing land collectively - as 'landed commons' (Van den Broeck, 2019) - represent different spatial scales (geographies) yet each are necessarily interconnected (communities) (Cantele, 2016). Such issues continue to be explored in the global literature on land conflicts and on inclusive, integrated development. Furthermore, introducing the compulsory right to transfer the ownership of land by various means is not without controversy. Concerns over the impacts of enacting the right to buy traditional land for the institutions of property rights and governance (Otsuki et al., 2017; Pedersen, 2016) have been examined in different contexts, including specific cases of the 'tragedy of the grabbed commons' (Dell'Angelo et al., 2017). While these reforms and conflicts are often discussed with regard to developing countries (more broadly), there are nonetheless important debates and useful analyses to be undertaken in the developed economies of Europe, Australasia and North America, not least by way of an appreciation of the integrative context of property ownership globally but also in terms of the capacity for landed commons to be realized locally.

As a nation with an exceptionally high concentration of land ownership (Glass et al., 2019; Hoffman, 2013; McEwen, 1981; Sellar, 2006; Wightman, 2015), Scotland presents a 'small nation' case study offering potential impact on global land reform policy and 'community building' and resilience debates. Strategic policy shifts to provide a contemporary solution to Scotland's 'land question' have included national government facilitation of local community 'buyouts': that is land bought by the community under land reform legislationⁱ. This enhanced Scottish national position of supporting collective ownership of *local* assets and resource, that is 'community' scaled ownership of assets, is offered here as a landed commons context for wider critique. Scotland's community buyouts range in size and scale of ambition. In undertaking a community buyout, each community negotiates local histories and socio-economic contexts, as well as intra-community politics, to greater or lesser success. Consequently, the accounts and narratives (socio-cultural discourse) of community identity, of 'localness' and empowerment are all important factors in both objectifying and achieving resilienceⁱⁱ. The commonality and variation of experience is one aspect of where media and broader social and cultural discourse plays a key role in the articulation of the debate, but arguably it also informs the nature of what is understood as resilience, and 'community building' success. By way of illustration, we refer to examples of community buyouts (and how these have been reported in media and other discourse) most especially in Scotland's island contexts of the Hebrides, with particular reference to the island of Eigg.

By way of further introduction, it should be noted that Scotland's 'land question' is itself a complex interplay of land agitation histories, economic power struggles, political discourses and cultural accounts (Cameron, 1996, 2001; 2013; Howell, 2013; Hunter, 1986; 2014; McEwan, 1981; Young, 1975). It is a debate subject to varying phases of controversy, policy and wider public interest (Burnett 2014; Brooks, 2016; Judah, 2015; McFadyen 2019; McKenna, 2013; Monbiot, 2014; Nicholson, 2003; Philips, 2018). Scotland's highlands and islands region encompasses the 'six crofting counties' (see below) but crucially it is also the Gàidhealtachd and symbolically central to Scotland's land reform. This heartland of Scotland's Gaelic language communities presents a complex history of identity, cultural 'struggle', devastating migration and land 'clearance'. Ownership of land – and indeed what land signifies - has consequently featured large as a national debate of 'fight', 'struggle', 'resistance' and recalcitrance where 'a conjunction of romantic and aggrieved views of the Highland past' (Cameron, 2001: 87)

figure large in the press, policy and indeed culturalⁱⁱⁱ representational accounts (e.g. Dewar, 1998; Henneman and McIntosh, 2009; Hunter and MacLean, 2012; Mackenzie, 2013; Maclean and Carrell, 1986; McIntosh, 2001; Stewart et al., 2001; Withers, 2005; Wightman, 1997, 2014, 2015). The idea of landed commons and the building of communities and their resilience in Scotland is therefore actively informed by these longer histories of debate and representation.

This article aims to explore the significance of the community buyout experiences in Scotland for the wider landed commons movement. There are two objectives: first to examine the historical and contemporary drivers for reversing the concentration of land ownership in Scotland; second to illustrate how these developments have been delivering change. Based on more than a decade of fieldwork in, on and with these communities, the analysis is informed by and undertaken in the context of literature drawn from several social science disciplines.

The structure of the article is as follows: first a brief current context is provided of Scotland's land ownership, with reference to how conditions in Scotland's highlands and islands region created the foundations for a national government facilitation of community buyouts of privately and state-owned land and property. The case is presented that Scotland demonstrates an example of transformative opportunity where fundamental changes are taking place in land ownership, land reform legislation and community empowerment. Secondly, with Scotland in mind, a review of literature positions the landed commons terrain in terms of models, governance and policy developments, not least in relation to the rules and property rights literature as articulated in particular by Ostrom (2008) and Schlager and Ostrom (1992). Thirdly, community building and resilience is explored with reference to the public 'national' and 'local' narratives and debates. Examples of socio-cultural commentaries and accounts, with particular focus on where the transfer of public assets and responsibilities is involved, is highlighted as illustrative of Scotland's 'buyout' community building narratives and a broader Scottish remote rural community resilience. The potential for community building, transformation and change is then illustrated with a focus on Scotland's islands, most especially with reference to an illustrative case example of the island of Eigg, in Scotland's Hebrides. Finally, some concluding comments, with suggestions for policy recommendations and ideas for transferring the learning to other contexts, are offered.

Scottish land reform: a brief introductory context

As Warren (2009) has recorded: the ownership of land in Scotland is much more heavily concentrated than elsewhere in Europe with 608 owners controlling half the country and a mere 18 owners holding 10 per cent. Of land in private hands, '30 per cent is held by 103 owners, each with 9,000 hectares or more, and 50 per cent by 343 owners. A minuscule 0.025 per cent of the population owns 67 per cent of the privately-owned rural land. Thirty owners have more than 25,000 hectares [61,750 acres] each'^{iv}. Hunter and MacLean (2012) have demonstrated that this concentration is both relatively recent and not inevitable, with close neighbors such as Denmark, Ireland and France offering different models for breaking up large estates.

It should be noted then that Scotland has a particular concentration of large land estates held in relatively 'few hands' and this dominates ideas and appreciations of Scotland's land resource. And, whilst across Scotland there are various farming operations, land holding and histories of reform are significantly underpinned by a land holding system unique to Scotland, namely crofting^v. Crofting is synonymous with Scotland's modern history of rural land reform yet positions vary on the value of the term and its application. Today crofting and its alignment with progressive small communities across the highlands and islands region presents (and is adopted as) a narrative of renaissance and appropriateness for sustainable living contexts (Hains et al., 2013) (i.e. biodiversity, small scale family and community based working, a degree of common asset sharing, and expressive of deep cultural histories of people 'knowing' the land that is complexly predicated on Scotland's Gaelic cultural and social history, ethnicity and ecologies (McIntosh, 2001; MacLeod, 2009; MacKinnon, 2018). Crofting is promoted as a framework to not only sustain people on the land but as an attractive prospect of retaining and attracting people to the land across the crofting counties of the highlands and islands where depopulation and wider demographic and migration vulnerabilities are historic challenges^{vi}. As illustrative of broader policy and

governance shifts in terms of the sustainability agenda in Scotland, crofting policy underwent reform. Narratives and policy repositioned crofting 'for all', to reflect an ambition of a sustainable and inclusive growth mindset that was representative of all living and working in remote and rural crofting areas. This chimed with a wider valorizing of communities of *place* as Macleod (2009)^{vii} notes where 'a strong signal that the future development of crofting will occur on the basis of broad and inclusive geographical communities of "place" rather than narrower and potentially more exclusive communities of "function"'; for a fuller useful discussion of the relationship between crofting, land reform, community and place see MacLeod and Busby (2010).

After a period of extensive land reform in the crofting counties of the highlands and islands of Scotland in the late 19th century and limited extension of crofting (small subsistence scale farming) tenure to state-owned land in the following decades, most tenant farmers in Scotland had no security of tenure through the 20th century. So for crofting, farming and other communities across the country, land was in the hands of often absentee landowners and lairds, with community economic, social and political development dependent on their desires and plans. Although economic pressures encouraged some large estates to transfer some of their holdings to smaller owner occupiers, expansions of extensive state and private forestry perpetuated unequal non-local ownership patterns as did substantial purchases of estates by heritage bodies and NGOs. Accounts of who 'is', 'owns' or has 'control' of community assets as land, physical resources, culture, language, history and image circulate regularly, informed by and informing of socio-political allegiance, policy and cultural expression in Scotland, as explored by McCrone (1997) and Bryden and Geisler (2007)^{viii}. Cultural narratives are contingent on political narratives and *vice versa* and Scotland as a small nation is currently navigating these debates within a wider appreciation of geopolitics: where land reform, inclusion and social justice are at the heart of future national government ambitions^{ix}. Cooperative and community activities within remote and rural communities *most especially* have sought to counter the 'land question' and the related 'tragedy of the commons' (Hardin, 1968). In highlighting Scottish remote rural and island buyouts, we seek to illustrate some of the resilience challenges faced by remote-rural communities on the European periphery; places differentiated as socio-economically and culturally 'fragile' yet actively countering the sustainability challenges of geography, histories and assets (natural and human) (Scottish Government, 2020a,2020b).

Following devolution, the re-convening of the Scottish Parliament in 1999 (itself a historic transformative policy shift) removed the ability of the House of Lords, the unelected upper house of the UK parliament, to block land reform legislation. In 2003, the ground-breaking Land Reform Act and the Agricultural Holdings Act promoted community ownership of land. Significantly, building on longer activism on the political left and especially in reference to the highlands and islands, an appetite for more sustained reform gained broader momentum in the 1990s (Hunter and MacLean, 2012; Wightman, 2015)^x. Indeed, the embryonic moves to community ownership were first instigated as privatization of state-owned lands by the former right-wing Conservative government, although this transition was often resisted by crofters. In contrast to the promotion of owner-occupancy in Denmark and Ireland for instance, or de-collectivization of state farms in central and eastern Europe, the recommendations of expert and citizens groups (Land Reform Policy Group, 1999) informed the 2003 Land Reform Act to promote a unique Scottish development. Community or *common ownership* was encouraged rather than private ownership, building on local crofting institutions as anticipated by the theorizing of Ostrom (2005), Ostrom et al. (1999) and Hodgson (2006). As Peacock, former Highland politician and Policy Director of Community Land Scotland, has argued:

"Scottish policy toward land is increasingly rooted in explicit concerns about fairness, equality and the fulfilment of the human rights, in securing greater diversity in land ownership and tenure. Wider economic policy has a focus on more inclusive and sustainable economic growth, and empowering communities"

(Peacock, 2018: 1).

Latest moves to promote these drivers for reform are therefore rooted in a national consensus around inclusive growth, justice and community empowerment, an ethos deeply informing of The Land Reform (Scotland) Act 2003 and its rights for community ownership of land, the Community Empowerment (Scotland) Act 2015 and

the subsequent Land Reform (Scotland) Act 2016. Community empowerment and common ownership therefore are embedded into mainstream public thinking across the Scottish Parliament and nation. The establishment of the Scottish Land Commission, questions over the costs of monopoly power afforded by concentrated land ownership, the counter benefits of economies of scale and scope, and the advantages of public accountability offered by state ownership of large forests are all encouraging a lively and ongoing consideration of how land reform can ensure the commons in Scotland are progressively 'ploughed and reploughed' (Cantele, 2016). To enlighten that discourse, it is useful to consider how successful recent transfers to communities have been based on a review of the landed commons literature, as it especially informs Scotland's current situation.

Scotland's landed commons: theoretical contexts

Reviews and analyses of community buyouts in Scotland (Brown, 2006; Bryden and Geisler, 2007; Combe et al., 2020; Mulholland et al., 2015; Sellar, 2006; Skerratt, 2013; SPICe, 2019) have identified that ownership and management of the commons acquired under land reform requires elements of effective and efficient partnerships, internal capacity building, institutions as social rules and norms, and consistent governance arrangements to support essential changes in practice and process. As well as needing financial capital and revenue, and other elements of successful business plans, together these reports have confirmed the importance of the local community being able to recognise and mobilise appropriate social capitals (that is, the relationships, networks and links between individuals and communities) which can unite the community, provide linkages and relationships with other agencies and partners (Bourdieu, 1986; Bryden and Geisler, 2007; McCrone, 1997). The economic, social and political environment and institutional landscape are therefore different from the usual contexts for discussions on land reform and its impacts.

Models of land reform

The land reform debate as discussed in the 'Ploughing up the Landed Commons' workshop (Cantele, 2016) and in other fora for study has been informed by the seminal editorial by Bernstein (2002: 433) where he argued that:

the end of state-led development from the 1970s coincided with (i) the final wave of major redistributive land reform, and its place within transitions to capitalism, that lasted from about 1910 to the 1970s, and (ii) the beginnings of contemporary 'globalization'. Self-styled 'new wave' agrarian reform in the age of neo-liberalism, centred on property rights, is unlikely to deliver much on its claims to both stimulate agricultural productivity and reduce rural poverty.

In Scotland, in contrast to that developing world focus, the land reform debate, changing legislation and a move to community buyouts have been driven by reactions to monopoly ownership and stifled development opportunities, rather than some of the typical factors Bernstein describes. The features and lessons from Scotland can be considered to represent a place-specific movement which contrasts and contradicts the widely applied Bernstein hypothesis. Indeed, it was noted in the 'Ploughing up the Landed Commons' seminar (Cantele, 2016) that Scotland appeared to be facilitating the re-establishment of the community ownership of land^{xi} while most other European societies were pursuing increased private ownership (Hartvigsen, 2013; Swinnen, 2002; Van den Broeck, 2019). Thus, consistent with broader strategies to reduce the contrasts with the neighboring regional arc of Nordic countries, recent changes in land ownership in Scotland have created actual and symbolic spaces within which Scotland's people can nurture and develop the collective capabilities which will help their communities to sustain and grow, offering a challenge to any suggestion that the Bernstein paradigm is incontrovertible and irreversible (Brown, 2006; Bryden and Geisler, 2007).

The neoliberal and market-dominant elements highlighted by Bernstein (2002: 448-450), which have been compounded by both an erosion of collective labor power and the concentration of capital, mean land ownership reforms in Europe have often led to fragmentation and inefficiencies in production (Hartvigsen, 2013; Swinnen, 1999). The moves to a community basis for land ownership, use and management in Scotland reaffirms the essential historical relationship between the land and the people in the culture of the Highlands and Islands

(Fraser Darling, 1955; Hunter, 2014; Hunter and MacLean, 2012), as captured by MacAskill (1999). The movement for land reform in Scotland (since 1990) therefore needs to be informed by literatures that differ from both Bernstein on the one hand and those emphasizing breaking up large estates on the other, whether in historical terms (e.g. Hartvigsen, 2013) or after the changes in regimes in central and eastern Europe (Swinnen, 2002). In particular, there is a need to draw on insights from the perspectives of those critiquing partnership working, leadership and managing the commons within the regional development literature.

Regional development strategies: partnerships and institutions

While local and community level concerns have encouraged transfers of major estate holdings away from private ownership, the general moves have been within and consistent with overall regional development strategies. The recent essential model of economic development in Scotland follows the experiences and learning from decades of strategic interventions across Europe as a whole (Capello and Nijkamp, 2019); and is delivered through facilitating (and other supply-side interventions) investment in infrastructure and human capital. Typical approaches are intended to build resilience in local and regional economies overcoming the 'development of the underdevelopment' of community and nation (Danson, 1991; 2015) as presented in the Scottish Regeneration Strategy (Scottish Government, 2011), Structural Fund Programmes (Danson et al., 1997), Economic Action Plan (Scottish Government, 2020c) and the National Economic Framework (Scottish Government, 2018). Partnership working is applied extensively in each of these local and regional strategies and embodied into government and governance policy. This has followed a long period (from the mid-1970s onwards) of European and Scottish 'integrated operations' being applied to organize local and regional development: this means of delivering economic development strategies has been extensively reviewed before being endorsed by the OECD (2006) and academics (McCann and Varga, 2017; Pike et al., 2017). While this overall approach of promoting and securing cooperation across agencies is expected to be rooted within area initiatives and plans, regardless of funding sources, there has been a parallel recognition of the role and necessity for an appropriate institutional landscape to be in place to complement these and to promote inclusion from the bottom up (Christie et al., 2017; Danson and Lloyd, 2012). Therefore, within communities and between these localities and higher level authorities there is an expectation that bonding, bridging and linking social capitals will all be critical in underpinning community buyouts of land (McCrone, 1997).

Managing the commons

At this more local level, monopoly private ownership of land presents problems of underutilization of resources, negative externalities and sub-optimal development of community potential (Danson, 2019; Glass et al., 2019): key drivers for reform of land ownership. So, transferring these large estates into community ownership has been seen as the solution to stifled development and associated issues. In the context of large estates with substantial areas of commons, McKenna et al. (2007: 158) have explored how genuine challenges presented by 'open access' to these 'commons' (Hardin, 1968), where there are no effective property rights for land, are extremely rare. The use of a 'true common property resource' is more usually restricted to particular individuals, with regulations used to maintain sustainability. The stability of a 'true common property resource' is threatened when some users act as rent-seekers and their overuse restricts the 'common' resources available to other members and so the expected gains from solving the original commons problem are lost (Libecap, 2006; McKenna et al, 2007; Tollison, 2010).

In the setting of the Scottish land reforms, where very large estates are turned into commons for a relatively small number of users, such dangers are not usually presented: rent-seeking is commonly unnecessary and unlikely to degrade the quantity or quality of resource for other users (as the common resource is so extensive). However, there are instances of conflicts based on the perceived pursuit of private gains around access of renewable energy sources to the grid and exploitation of offshore seaweed resources (Simpson, 2018). These considerations highlight the importance of establishing appropriate forms of governance for community buyouts, which are consistent with both theoretical arguments (e.g. Ostrom et al., 1999) and potential exploitation of the commons by communities in such environments (e.g. McKenna et al., 2007), to guard against self-satisfying behavior to the detriment of the wider community while also underpinning the potential benefits of common ownership.

Governance of the commons to build resilience

Although informed by the theory and experiences generally in managing the commons, the focus in this article is on how debates about governance and resilience of commons need to be reframed within the specific context of Scottish land reform. Consistent with the partnership process, and appropriate to the particular context of community land buyouts under investigation here, Ostrom et al. (1999: 278) suggest that co-operation between 'nested institutions at varying scales' can contribute to managing resources effectively. These analyses encourage the pursuit of a balance between bonding, bridging and linking social capitals (Aldrich and Meyer, 2014; Putnam, 2000) with regard to community governance of their assets and activities (Bowles and Gintis, 2002); that is, they should seek the benefits of partnership working with agencies external to the community alongside engagement with and by the membership in the community itself. These demands could prove difficult initially for vulnerable and diverse communities, which may lack the necessary capabilities for partnership working. Recognizing this involves emphasizing a need to build resilience and appreciation of the mutual gains from ownership of and collaboration around the commons first (Steiner and Markantoni, 2014). To facilitate this in Scotland, McKenna et al. (2007) argued for establishing a new management model within the community group before brokering relations with external partners based on local community control as the only viable starting point. This promises the governance legitimacy required and would be considered free from politicization from external authorities, whether private or state. Similarly, Riddoch (2013), one of a number of nationally high-profile activists, and a facilitator and articulator of 'community voices', has argued that empowering local people and developing their management and skills undoubtedly 'builds resilience across and within the community'. Furthermore, appropriate governance structures, processes and practices ensure these investments can succeed.

Agencies and buyout communities have been informed in establishing these elements of governance by Ostrom's work (1990, 2005) on Common Pool Resources and by the application of theories of local public economies and democratic governance (Saunders, 2014). Governance is also (and must be) subject to public scrutiny and debate where questions are asked of what buyout success is, or what could it be? A number of Scottish studies (Currie et al., 2018; Danson, 2015; Stott, 2011) highlight that communities must increase the capacities (resilience) of their institutions in order to take on the challenges of buyout governance, ownership and management. In seeking an appropriate governance structure, there is the need to safeguard the democratic rights of the community owners while encouraging enterprising and management behaviors by the board and executive to realize the benefits of community ownership. These balancing structures and processes may threaten to generate a lack or 'stalemate' of leadership with no agreed or 'common' decision making on how the land and other assets should be used or managed, a concern raised by McKenna et al. (2007). Paradoxically, therefore, Hardin's 'tragedy of the commons' (1968), the result of which is depleted and useless land, can come about through not only opportunistic behavior of the community but also through a group acting as sole owners, and/or through delayed or restricted management or use. This line of thought can be extended to assets other than land such as buildings and built structures e.g. the 'big house' (estate house), village hall, local shop but also piers, recreation grounds, where they fall into disrepair and are left unused (Scottish Communities Finance, 2018). As above, acceptable governance arrangements and professional management structures and processes are pre-requisites for successful transfer of ownership of landed estates to the community, so that resilience can be built and sustained (Steiner and Farmer, 2017). By way of illustration the Assynt Crofters Trust has undertaken considerable work on its collectively owned assets and the very archiving of the place history of Assynt (going forward) is itself recognized as something to be held in collective ownership and trust, building again on a longer national tradition in Scotland of (collective and co-operative) community investment, management and articulation of cultural assets.

Debates on the inequity of access to and ownership of land resources and community assets have gained significant ground in recent years but have built on a long Scottish radical tradition. Scotland, as nation, as communities, regions and localities, now more than ever, collectively and democratically examines and debates land as an issue of inequity of both power and identity (Scottish Government, 2020a) where, for example, '432 private landowners own 50% of the private land in rural Scotland. ... half of a fundamental resource for the

country is owned by 0.008% of the population' (Land Reform Review Group, 2014: 159). This degree of land ownership concentration and the consolidated power and influence it wields is exceptional in European terms and has long demanded explanation, attention and legislation to reform (Dewar 1998; Glass et al., 2019; Land Reform Review Group, 2014; McEwan, 1981; Wightman, 1997, 2015). As these authors argue, although not perfect, the collective debate and communication channels made possible within Scotland's national governance structures and public sphere, including its media and cultural discourse, are important as a platform for public information, commentary and debate. It is to this context we turn now with particular focus on the case of buyouts in Scotland's islands.

Scotland's islands: a changing landscape of land ownership reform and resilience

Since the first of Scotland's 'modern' community buyouts in Assynt in 1993^{xii} (MacAskill, 1999), Knoydart in 1999 and the 'small Hebridean' island of Gigha (2002) and (discussed further below) Eigg (in 1997), many small communities across Scotland have followed these *pioneering* examples.^{xiii} Of the 540,000 acres of land currently owned by communities across Scotland, many are in the island communities of Scotland's Hebrides^{xiv} (see *Community Land Scotland* for a fuller picture of current buyouts).^{xv} Celebrations aside, questions over the nature of power, ownership, voice, and 'community' cohesion and sustainability (resilience) frequently arise. The highly mediated 'romance' of the 'small island' stories of Eigg and Gigha, and Ulva (in 2018) (Philips, 2018; McKenna 2020) do offer attractive and accessible stories of 'people power'. Small (tiny) communities such as Knoydart^{xvi} or Ulva, that at the time of buyout had just 6 residents on the island^{xvii}, are interesting examples of community strength and cohesion against historically problematic issues of little local collective control over one's 'own place' or 'destiny'. Crucially, the buyouts each *variously* evidence a countering of place vulnerabilities, both natural and socio-economic. Furthermore, the political and social justice narratives of the re-claiming of the land for the people, exemplified best by the 'first buyout' by the Assynt Crofters^{xviii} and later by the island of Eigg, speaks to a current demos of wider national and local empowerment activity and expression. Whilst not without challenge and controversy land reform has unquestionably shifted Scotland's axis to one of enhanced confidence and further collective ambition. The accounts of the early buyouts spoke to many across the highlands and islands and generated a broader focus on the possibility of land reform for other areas and organizations beyond its small remote rural communities. The interconnected synergies of opportunity, confidence and critique is important here, not least where Scotland has long looked beyond itself for comparative reference of rural experience but also resilience.

The global nature of local assets is increasingly recognized in regard of the climate emergency, energy demands^{xix}, food production, biodiversity, and the global sustainable development goals more generally. This is especially evident in small island contexts^{xx} and the sustainability of Scotland's islands must address such challenges under current political-economic and environmental conditions. Significantly, a certain degree of stability and promise has been forthcoming here through land reform with local enterprise, local community ownership and management, each arguably offering more secure futures (resilience) for island and remote rural communities (Burnett and Danson 2016, 2017; Steiner and Atterton, 2015). As discussed earlier, land reform has indeed been especially important in addressing the limitations imposed by a number of private landowners exemplified here in the journalism tropes around buyout anniversaries (in this case Knoydart at 10 years) and their *sustained* resilience and success: 'For the 117 or so citizens (the exact figure is disputed) who call this place home, isolation has engendered a unique sense of community, breeding co-operative skills needed to survive and thrive since acquiring for themselves the 17,000 acres of rugged mountain and loch side after centuries of feudal ownership' (Brown, 2011). Community development and improvement of land-based activities and resilience through collective ownership of common assets has offered attractive copy for journalism and broadcast television and radio with much to celebrate. It is nonetheless important to point out that community buyouts are not without challenge and various energies are required - natural and human - to sustain their success. There is an appetite and requirement for investment in and support for the sustainability of island buyout enterprise and schemes.^{xxi} Environmental economic drivers - such as renewables as community revenue generation - are often prioritized in island buyout situations (see Gigha) ^{xxii} but are not without local

complexities, resulting in varying degrees of energy ‘self-sufficiency’ success. There is widespread precedence for collective energy ownership within Scotland’s recent community buyout history and the public discourse and opinion pieces on this are in themselves sustaining of ambition and knowledge sharing (c.f. McCombes (2019) on Knoydart) but the case of Eigg is notable. By way of a further case focus illustrating Scotland’s highlands and islands public sphere of community action and commons realization, we conclude this section with a short illustration of Eigg’s buyout experience as one illustrative of a sense of communal control of collective assets.

Eigg: an example of community building resilience

Prior to 1997 the small Scottish island of Eigg, lying 16 miles west of Scotland’s mainland, was an island with a community of just 65. The island, as with many Scottish islands, was still being run in a ‘semi-feudal style’ by its succession of private owners throughout the twentieth century. By the late 1990s as the community approached the millennium, the island’s future prospects looked bleak. Tethered to the mainland by limited and expensive ferry and freight services both frequently affected by weather, the island’s demographic smallness and its physical, offshore situation posed real challenges. The usual pressures of rural social demographics of depopulation and a resident aging population, a bare minimum of social services provision, limited employment opportunities, low wage economy and seasonality of work, and transport limitations are continuing challenges for all remote rural islands in Scotland. On Eigg by the late 1990s these conditions were further compounded by the lack of investment in island housing and key infrastructure, as well as insecurities around both employment and housing for island tenants.

In 1997 following an ambitious, long, yet ultimately ground-breaking fund-raising appeal the island was effectively purchased from the incumbent private landowner. This ‘David and Goliath’ styled community buyout success was singular to Eigg’s own particular situation and the collective action of islanders and their supporters but it symbolically represented a political act of resistance to a long history of often debilitating private landownership exploitation in Scotland, echoing the principles of the CPR approach promoted by Ostrom (1990). A partnership was formed between the Eigg residents, Scottish Wildlife Trust and Highland Council, who came together in the formation of the Isle of Eigg Heritage Trust (Dressler, 1998). The transfer of the island’s ownership to collective, community hands of a trust was an important step in the community taking local and collective control of the island’s assets with a view to managing these sustainably yet with an understanding of the vagaries of local context.

Eigg is a ‘world-renowned’^{xxiii} example of micro-community ambition, agency and action^{xxiv}. Celebrating their community buyout 20th anniversary in 2017, the islanders’ tenacity, flexibility and confidence in securing a community future despite continuing challenges to remote small island living, was globally heralded as a keystone example of island community enterprise, remote social development and Scottish collective community action. Crucially Eigg has attracted considerable media focus as an island community on a journey that went from a difficult (intolerable) situation to one of collective resolution and (exemplary) buyout success exemplified not least by the recurring David vs Goliath media trope. As with all other Scottish buyouts, media played a key role in both drawing attention (both welcome and unwelcome) to Eigg as one journalist suggests: ‘The story of the islanders who wanted to buy their own island was portrayed as a jolly romp in the style of Compton Mackenzie’s *Whisky Galore*, in which Hebridean islanders rebel against British bureaucrats. Eigg folk didn’t particularly relish this stereotype, but it captured imaginations and raised money’ (Barkham, 2017). Its ‘small islandness’ and ‘Hebridean-ness’, and its ‘conflict status’ spoke to global consumption of a remote rural (and Scottish) romantic gaze being clearly disrupted. Its pre-buyout situation and subsequent global campaign (chiming with expanding digital and social media) for the community buyout (and its impact on their fundraising) can be seen as especially representative of the wider mediatization of Scotland’s ‘land question’. Drawing on facts and events the inevitable journalistic tropes emerged and dominated where ‘horror stories’ of both landlords and communities were variously presented as ‘villains’, ‘dispossessed’, and ‘disenchanted’; Eigg’s campaign spoke to broader Scottish land reform discourse and experience. Amid the headlines of ‘disagreements’, deprivations, ‘hostilities’ and eventual ‘triumphs’^{xxv} what dominated most especially were media narratives of *ordinary* ‘islanders’, as ‘radical’, ‘plucky underdogs’. Crucially what emerged longer term is a discourse of activism that is politically engaged and ideologically motivated (islandness, localism, community

and sustainability) from within a local sense of necessity but representative of a Scottish national sense of long-standing landed commons injustice. Eigg's experience also (as with other buyouts) makes, quite simply, a great story to tell.^{xxvi}

Eigg, as with each other community buyouts, has had to define, activate and reposition its objectives over several years in response to both internal and external pressures and ambitions. Currently a number of buyouts are undergoing a status of review and reflection, as is the wider policy discourse (public debate) in Scotland. The emerging histories, and the undoubted complexities of the economic, political and cultural drivers of community ownership at both macro and micro levels of management require constant examination. Building resilience (Aldrich and Meyer, 2014; Currie et al., 2018; Danson, 2019; Skerratt, 2013) and adopting appropriate governance arrangements (Bowles and Gintis, 2002; Ostrom, 2002) has been informed by and has adhered to the good practices proposed as offering potential for beneficial transfers to both urban and other rural contexts (Steiner and Farmer, 2017; Riddoch 2013) and this process continues.

Discussion

The first research objective of this analysis was to examine the historical and contemporary drivers for reversing the concentration of land ownership in Scotland. It was demonstrated that land reform in Scotland has been promoted to address uniquely high concentrations of ownership which have stifled sustainable development and enterprise, limited homebuilding and employment creation, forced migration, and perpetuated the legacy of the Highland clearances. Reflecting the landscape of the institutions and social capitals of the crofting tenure system (McCrone, 1997; Scottish Government, 2020b), communities have been pursuing collective buyouts of large estates and other lands owned by absentee lairds, contrasting with the owner-occupation route to development in Ireland and Denmark (Hunter and MacLean, 2015). The balance towards success of these moves to community ownership of the commons lends evidence to support the expectations of Ostrom (1990) that institutions for collective action would overcome the challenges inherited from the previous monopoly landowners. Mostly the analyses of the land buyouts in Scotland have suggested transitions to community ownership have been settled without recourse to courts and appeals, and subsequently been successful in economic, social and environmental terms (Mulholland et al., 2015; SPICe, 2019). Apart from the Scottish Conservative (2015) party position, and some sympathetic media references in support of rejecting the land reform ambitions, likening them to 'Mugabe-stye' land 'grabbing' (Astor, 2015; Cochrane, 2002; McIntosh, 2015; Nelson 2015), there has been only limited criticism of the outcomes of these changes. Bryden and Geisler (2007) and MacLeod (2019), amongst others (see SPICe, 2019), catalogue progress and make the case for further legislation and support for extending the land reform agenda. With almost two decades worth of land reform related buyouts and community ownership of assets activity, the public sphere of discourse and debate in and of Scotland offers a rich comparative site for further research into 'commons' narratives and its mediatization more widely.

The second research objective was to illustrate how these developments deliver change. The specific type and nature of economic and social development depends on the particularities of each community buyout, not least the vulnerabilities of each place. As the analysis has shown, debates and accounts of what is understood as 'commons' are varied. In terms of Scotland, communities have exemplified (and continue to build) resilience with legacies and governance structures mitigating most of the expected rent-seeking within the usual common property resource context. Understanding the processes and outcomes of assets transfer – land and property - in these remote geographies such as Scotland's islands is ongoing but research offers case studies that focus on particular place vulnerabilities and contextual appreciation. Further, all buyouts have demonstrated enterprise, innovation, initiative and planning to realize repopulation, improved housing, employment and business growth, sensitivity to ecosystems and regeneration of the natural environment (Burnett and Danson, 2016, 2017; Combe et al., 2020). The progress catalogued here in the example drawn from Scotland's Hebrides, and with a particular focus on Eigg, illustrates the more general benefits accrued across mainland and island Scotland (Peacock, 2018) from regaining control over ownership and management of the commons. Further land reform legislation and

investment has been encouraged by these successes, with extensions of interest and coverage to rural communities in more southern parts of the country and into urban areas (Combe et al., 2020; MacLeod, 2019).

The land reform debate in Scotland is vibrant, inter-sectoral, and complex in its various positions and ambitions. For some, there is too much made of the 'land question', especially more recently with the considerable gains made to position community ownership of assets as a core pillar of Scottish Government policy. Yet, for others, retaining a spotlight on the debate itself is as important as any sense of policy gain. Iniquity over ownership remains, but the nature of community ownership itself requires ongoing scrutiny if lessons are to be gained from what constitutes good practice and 'futureproofing', whilst countering potential abuses of power within Scotland's unfolding community ownership landscape. Scotland's assets and their sustainable commons future - on land and at sea - is a wicked problem complexly debated (Brown, 2006; Bryden and Geisler, 2007; Chenevix-Trench and Philip, 2001; Combe et al., 2020; Henneman and McIntosh, 2009; MacLeod, 2019; Peacock, 2018; Sellar, 2006; Skerratt, 2013; Wightman et al., 2004). Furthermore, central to the debates over *what* is 'the land' and the nature of asset ownership today, remains the question of *who* is 'the land', and each question is enhanced by engaging sociological, ecological and anthropogenic critiques. Landed commons as an ambition and a reality shapes and is informed by policy, account and lived experience as well as ideological contestation and championing from various formal and informal groups and institutions. In a digital age of broader inclusive media literacy, the capacity for many to express, document and record their individual and collective view on land reform and community ownership in Scotland has been significantly enhanced by social media platforms (including those attached to broadcasters, periodicals and newspapers). Here opinions and debate can flow 'freely' and can galvanize support (including fundraising) and reaffirm commitments as to why campaigning action, investment of time (and money) in the name of community ownership and support for a landed commons are not just worthwhile but also necessary. The capacity of communities to undertake change, and how they undertake this - appraising and reassessing the "meeting of needs", the nature of shared engagement and negotiating complex resilience futures - is rightly under scrutiny, however, and all media and cultural expressions play an essential role in facilitating this fully.

Conclusions

Land reform in Scotland since 1990 has not followed the developments projected by the forces of neoliberalism (Bernstein, 2002) on the one hand nor those generated by the breaking up of large estates whether privately owned (Hartvigsen, 2013) or state owned (Swinnen, 2002). Rather the community collectively has led change, with governance and resilience informed by theory (Ostrom, 1990) and experience (McCrone, 1997; McKenna et al., 2007). here are limitations and delays in achieving all the potential advantages of collective ownership, and these are recognized and critical in restricting the pace of change and expansion into new communities across Scotland. In urban Scotland, there may be challenges for communities in identifying their attachment to their city, town or location or to specific neighborhoods or environments within these places; defining the community: 'who is the land' and boundaries: 'what is the land' are both more problematic than in rural spaces. Further, having appropriate governance arrangements, institutional thickness and capacity to meet the opportunities presented by community buyouts (Beer and Lester, 2015; Rodriguez-Pose, 2013) may prove to be barriers to sensitively translating the successes of the highlands and islands into constructive opportunities for the rest of Scotland. Feedback from the 'landed commons' seminar suggested these directions of travel and any record of peaceful transitions are pertinent to other contexts within Europe, North America and Australasia, and to the different circumstances of developing countries. It is hoped therefore that the analysis presented here should be of interest to scholars of social and economic development, and inform their own policy and practice debates in regard of future commons resilience.

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ⁱ The 'Community right to buy' allows communities in Scotland to apply to register an interest in land and the opportunity to buy that land when it comes up for sale' (Scottish Government, 2016).

ⁱⁱ See the short film 'Our Land, Building a Future – Highlands and Islands Enterprise': <https://youtu.be/EoFp1WBnRBO>; or view at <https://www.hie.co.uk/support/support-for-community-organisations/community-assets/>.

ⁱⁱⁱ See (for example) wide reference to the touring theatre performances, audience accounts and related press of *The Cheviot, the Stag and the Black, Black Oil*, 7:84 Theatre Company (Scotland) 1973 <https://digital.nls.uk/scottish-theatre/cheviot/> such as James Hunter (2018) 'What can Scotland learn from community land ownership?' <https://www.communitylandscotland.org.uk/wp-content/uploads/2018/05/Jim-Hunter-speech.pdf>; but more extensively digital media magazines such as *Bella Caledonia* (<https://bellacaledonia.org.uk/about-us/>) and *Scottish Review* <https://www.scottishreview.net/>.

^{iv} See David Cameron in his commentary 'Land: not out of our hands' at <http://www.communitylandscotland.org.uk/wp-content/uploads/2014/06/Land-Not-out-of-our-hands.-DC-July-2013.pdf>.

^v <https://www.crofting.scotland.gov.uk/crofting>; see also <https://www2.gov.scot/crofting>.

^{vi} This is widely articulated across sectors by the national government (<https://www2.gov.scot/crofting>): "The Scottish Government values crofting as a form of land tenure and recognises the added contribution that crofting continues to make to the rural economy and the sustainability of rural and remote rural communities"; see also the Crofting Commission (<https://www.crofting.scotland.gov.uk/>), the regional development agencies such as Highland and Islands Enterprise (<https://www.hie.co.uk/support/support-for->

[community-organisations/community-assets/crofting/](#)) and the Scottish Crofting Federation (the organizational body for crofters) (<https://www.crofting.org/>).

vii <https://calummacleodblog.wordpress.com/2020/06/01/land-reform-and-the-economic-recovery/>

viii See Rob Gibson's blog: for example, 'The 90s - Land Reform Recalled and Revived', quoting Tom Nairn: 'The reason the land question arouses such deep feelings in the Lowlands as well as in Gaeldom is that it symbolises impotence so perfectly. The largest of Scotland's private domains, Buccleuch Estates, is four times the size of the European Union's smallest state, Luxemburg. Now, the blights Scotland suffers from are, of course, not all rural, or connected with land ownership. But they are connected with an absent democracy, for which this monstrous scale of land alienation is an appropriate emblem'; <https://www.robjibson.scot/post/the-90s-land-reform-recalled-and-revived>.

ix The Scottish Government's commitment to the UNESCO SDGs (sustainable development goals) has significantly informed policy across all sectors.

x One of the authors of this article was a member of the Scottish Secretary of State's advisory group on land reform in the UK Parliament that subsequently informed the legislation in the Scottish Parliament.

xi 'Community ownership' can be land held collectively, in trust or in some other form of public tenure. We are not including ownership by charitable bodies and NGOs in this analysis as this raises a set of issues which stretch the boundaries between 'communities of place' and 'communities of practice' beyond the scope of this analysis of the commons.

xii See McIntosh, A <http://www.theassyncrofters.co.uk/25th-anniversary/key-speeches-from-the-events/>.

xiii It should be noted that in 1908 the crofting township of Glendale on Skye offered an early and historical example of community estate 'buyout': <https://www.communitylandscotland.org.uk/members/the-glendale-estate/>.

xiv The largest buyout to date in in the Outer Hebrides (South Uist, Eriskay and Benbecula of 32,371 ha), with further island community buyouts evidenced by those of the Stornoway Trust (28,000ha), North Harris (25,802ha), Galson (22,662ha), Pairc Trust (10,835ha), West Harris (6,578ha), Carloway (4,654ha), and a number of smaller holdings.

xv <http://www.communitylandscotland.org.uk/>.

xvi On Knoydart's "transformation": 'A decade ago the residents of this Scottish outpost bought out their absentee landlords and took control of their own destiny. Their lives have been transformed' (Brown, 2009); see also *The Knoydart Foundation* <http://knoydart.org/>.

xvii See Rahim (2019) for an example of a 'headline' media narrative on the 'repopulation possibilities' of buyouts countering small island demographic vulnerabilities.

xviii <http://www.theassyncrofters.co.uk/history/>.

xix The island of Gigha hosts the first community-owned grid-connected wind farm in Scotland. The island community's wind turbines - Gigha's 'Dancing Ladies' (named Faith, Hope and Charity) are iconic for the island community's regeneration in a number of ways; see for example <https://scottishcommunityalliance.org.uk/2016/09/21/a-new-dance-for-gigha/>; see also Ross (2016).

xx <https://europeansmallislands.com/>.

xxi Scottish Centre for Islands Studies: (2018) Scotland's small islands: sustainability, enterprise and adapting to change unpublished research, Fieldwork Interviews July 2018 .

xxii <http://www.gigha.org.uk/>.

xxiii See for example Gardiner's report for the BBC: <http://www.bbc.com/future/story/20170329-the-extraordinary-electricity-of-the-scottish-island-of-eigg>.

xxiv <http://www.communitypower.scot/case-studies/projects/eigg-electric/>.

xxv See for example Vaughan, M. 1995: Lord of the troubled isle, 30th March 1995, *The Herald*:

<https://www.heraldscotland.com/news/12127508.lord-of-the-troubled-isle/>; Hodge, W. 1997: Island Tenants Triumph: They're the Lairds Now, *The New York Times*, June 6th, 1997:

<https://www.nytimes.com/1997/06/06/world/island-tenants-triumph-they-re-the-lairds-now.html>; Berry, C. 2020: The Isle of Eigg and the possibilities of building a new economy, 27th May 2020:

<https://www.aljazeera.com/opinions/2020/5/27/the-isle-of-eigg-and-the-possibilities-of-building-a-new-economy/>.