

## Land at Dunvegan in Skye, earmarked for re-wilding



Photograph: DUNVEGAN CASTLE

# Land rights at the heart of the fight for climate justice



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**Dr Calum MacLeod, of Community Land Scotland, on COP26, green lairds and on local groups seeking ownership and control of the land on which they live...**

Last week I had the privilege of accompanying a group of indigenous leaders representing the Global Alliance of Territorial Communities, a coalition of indigenous and local communities from the Amazon Basin, Brazil, Indonesia and Mesoamerica on a visit to Kilfinan Community Forest in Argyll.

The group are in Glasgow during COP26 to advocate for respect of their rights and the inclusion of forest peoples in global negotiations on forests and climate change.

My very minor role in the proceedings was to provide some Scottish land reform and community ownership context for the indigenous leaders and journalists who made the journey north to Kilfinan.

At first glance, the land issues facing these indigenous peoples are of an entirely different order to those experienced in Scotland; quite literally a matter of life and death for some campaigners courageous enough to take a stand to defend their peoples' land rights.

That's why the alliance demands an end to violence against, and criminalisation and murder of, their peoples, together with recognition and enforcement of their legitimate territorial rights, direct access to climate finance, full respect of the right to free, prior and informed consent, and incorporation of traditional knowledge in climate change strategies.

But look a little closer and it soon becomes apparent that local communities in both the global north and south are prey to the same market forces commodifying and financialising the climate emergency in the service of already wealthy elites.

Land, as always, is the gateway prize leading to further riches.

There's nothing new in that, of course.

In Scotland the brutality of the

Highland clearances of the 18th and 19th centuries was shaped largely by the financial returns that estates populated by sheep and deer, rather than people, dropped into the lairds' laps.

The malign historical influence of global capital has also seeped into Highland estates via other troubling tributaries. Take, by way of example, the impact of the fund (worth £16 billion at current values) established by the British government in 1834 to compensate former plantation slave owners for the loss of their 'property' when slavery was abolished in the British Empire in 1833.

Ground-breaking research by Dr Iain MacKinnon of Coventry University and Dr Andrew Mackillop of Glasgow University conservatively estimates that purchases of estates in the west Highlands and Islands by significant beneficiaries of slavery derived wealth cumulatively amounted to 1,144,395 acres between 1736 and 1939, with the number of sales peaking in the years immediately following creation of the compensation fund.

In so doing, that wealth helped to consolidate the concentrated pattern of large-scale land ownership that exists in the region to this day.

Neither is there anything new in the idea that local communities are best placed to make decisions about the land they occupy in ways that promote economically, ecologically, socially and culturally sustainable development.

Decades ago, the late Nobel Prize winning political economist, Elinor Ostrom, devised a set of principles for managing 'common pool' environmental resources such as forests.

Professor Ostrom's principles included matching rules governing use of common goods to local needs and conditions; ensuring that those affected by the rules can participate in modifying the rules; and making sure the rule-making rights of community members are respected by outside authorities.

Strip away the academic veneer from Professor Ostrom's 'common pool

management' principles and the contemporary bare wire of what the indigenous leaders visiting Kilfinan are campaigning for is exposed.

Namely, land rights that empower local people to take the lead in tackling the climate emergency in ways that benefit their communities and the planet as a whole.

In Kilfinan the visiting indigenous leaders witnessed some of these principles being put into practice following the transformation of a previous tract of commercial forestry into a valuable local asset of 1,300 acres of community-owned woodland.

They were able to see the timber processing yard creating employment and a local supply chain for sustainable wood products including firewood processing. They saw the hydroelectric scheme that generates local energy supply; the woodland path network and land leased to the Kilfinan Allotment Group.

They saw affordable housing and forest school sites for local children to learn about and within their natural environment. Above all, they saw the quiet confidence of a community making the most of its land assets for the betterment of the place and its people.

It hardly needs saying that we should nourish and spread that sense of confidence widely, by enabling more communities to benefit directly from the land where they live.

In that sense, several of the Global Alliance of Territorial Communities' demands highlighted earlier echo Scottish communities' demands insofar as they emphasise local control and sustainability through enhanced land rights.

The framing and context may differ, but this is essentially a shared global struggle for community land rights in the face of a neo-liberal commodification of the climate emergency in which land is economic, social and political power.

In the Highlands that process of

commodification marches to the drumbeat of the green lairds, a relatively new strain of the landed elite within Scotland's structurally dysfunctional pattern of concentrated rural land ownership.

They range from individual millionaires and billionaires determined to impose their own (rarely, if ever, the community's) 'vision' for what great swathes of the Highlands should look like, to multinational corporations and, increasingly, institutions such as universities. They are looking for opportunities to offset their carbon emissions and burnish their green credentials, and large-scale private investors are also intent on mopping up the lucrative financial returns spilling forth from the 'natural capital' bandwidth.

As COP26 draws to a close, some will say that incorporating community land rights into efforts to tackle the climate emergency is an unaffordable luxury given the 'code red' existential nature of the crisis facing us.

'Let green capitalists act now to save the planet and claim the spoils' is the unspoken subtext of that argument.

As the indigenous leaders within the Global Alliance for Territorial Communities know only too well, that perspective is both discredited and ultimately unsustainable. We know it here in Scotland too. Another narrative is not only possible but essential.

One which places protection and enhancement of local community land rights at the heart of the pathway to global climate justice.

Anything else really is yet more 'blah, blah, blah'.

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