

Hunting and Hegemony in the Highlands of Scotland:

A study in the ideology of landscapes and landownership

By

Andy Wightman

Noragric Working Paper No. 36
September 2004

Noragric
Agricultural University of Norway

Noragric is the Centre for International Environment and Development Studies at the Agricultural University of Norway (NLH). Noragric's activities include research, education and assignments, focusing particularly, but not exclusively, on developing countries and countries with economies in transition. Besides Noragric's role as the international gateway for NLH, Noragric also acts on behalf of the Norwegian College of Veterinary Medicine (NVH) and of Norwegian Agricultural Research International (NARI), which form alliances with NLH.

Noragric Working Papers present research outcome, reviews and literature studies. They are intended to serve as a medium for Noragric staff and guest researchers to receive comments and suggestions for improving research papers, and to circulate preliminary information and research reports that have not yet reached formal publication.

The findings in this Working Paper do not necessarily reflect the views of Noragric. Extracts from this publication may only be reproduced after prior consultation with the author and on condition that the source is indicated. For rights of reproduction or translation contact Noragric.

Correspondence address of the author:

Andy Wightman
9 Inverleith Terrace
Edinburgh
EH3 5NS

E-mail: andywightman@caledonia.org.uk

<http://www.whoownsscotland.org.uk>

<http://andywightman.com>

<http://andywightman.blogspot.com/>

<http://www.caledonia.org.uk/land>

<http://isleofskye.me.uk>

http://www.dpchallenge.com/profile.php?USER_ID=16957

Wightman, Andy, Hunting and Hegemony in the Highlands of Scotland, Noragric Working Paper No. 36 (September, 2004)

Noragric

Agricultural University of Norway

P.O. Box 5003

N-1432 Ås

Norway

Tel.: +47 64 94 99 50

Fax: +47 64 94 07 60

Internet: <http://www.nlh.no/noragric>

ISSN: 0809-4934

Photo credits: J.B. Aune, T.A.Benjaminsen, G. Synnevåg

Cover design: Spekter Reklamebyrå as, Ås

Printed at: Rotator, Ås

CONTENTS

Abstract	1
1. WHAT IS A HUNTING ESTATE?	1
2. THE HIGHLANDS ARE A PARADISE IN A STATE OF NATURAL GRACE	6
3. THE ECONOMICS OF HIGHLAND SPORTING ESTATES	7
4. A DEVASTATED TERRAIN	10
5. THE FREEDOM TO ROAM	14
6. A CLASH OF IDEOLOGIES	15
7. A FUTURE FOR THE HUNTING ESTATE	17
CONCLUSIONS	23
REFERENCES	24

Illustrations

The Distribution of Sporting Estates in the Highlands of Scotland	3
The Author Working on a Hunting Estate in his Youth	5

Hunting and Hegemony in the Highlands of Scotland: A study in the ideology of landscapes and landownership

By Andy Wightman¹

Abstract

This paper reviews and explores the role of hunting estates in the creation and propagation of an ideology of the Highland landscape in Scotland. It seeks to understand a number of thematic debates that have contributed towards a re-assessment of the role of hunting estate and its hegemonic status in the division and use of land in the Highlands and Islands. In particular, the paper attempts to explore the changing face of the hunting estate, how it is constructed and the discourses surrounding its role, purpose and character. The paper concludes by arguing that the era of the Highland Sporting Estate may be ending, that new imperatives in rural development and community empowerment are hastening this demise but that public policy has failed to address the role and purpose of such landholdings.

Keywords: Scotland, hunting estates, sporting estates, deer-stalking. Land ownership, land reform, ideology of landscapes.

1. WHAT IS A HUNTING ESTATE?

Hunting estates are a widespread form of landholding in the Highlands and Islands of Scotland. There are around 340 such properties covering around 2.1m hectares of land - over 50% of all privately owned land in the region (See Fig 1). The typical estate ranges in size from 5000 to 8000 hectares.

The history of this phenomenon is relatively recent. Prior to 1811 there were only six or seven deer forests² actively managed for hunting (Orr, 1982). Long the preserve of the Monarchy and nobility, such hunting grounds had been abandoned as a consequence of the decline of the highland aristocracy and the growing pressures on landowners to earn income from the land.

What happened next, however, was a process that utterly transformed the nature, character and pattern of landholding in the region. During the second half of the 19th century, there was a marked decline in the sheep farming economy. This coincided with rising levels of

¹ Andy Wightman is a self-employed writer and researcher. He is author of Who Owns Scotland and is Director of the Land programme of the Caledonia Centre for Social Development, Scotland.

² A deer forest is the term given to a large tract of land devoted to deer stalking. The term 'forest' is used in its archaic sense of a hunting ground. Most sporting estates in Scotland are devoid of woodland cover.

wealth in the south of Britain and the growing passion for the sport of deerstalking and other hunting activities. Technical progress in the design of the rifle and the penetration of the railway also helped to open the Highlands to the tourist (Orr, 1982).

This prompted a rapid growth in the leasing of deer forests by wealthy individuals from the British landed and mercantile classes. Queen Victoria herself lent her own imprimatur to the process when her husband Prince Albert first leased Balmoral Estate on Deeside in 1848 and later purchased it in 1852. There followed a rapid expansion in the process of ‘afforestation’³.

One writer recently observed that, ‘*Everybody who was anybody in 1850 wanted a Highland sporting estate. There were plenty of takers in the Victorian world of burgeoning industrial capitalism - an emergent class of nouveau riche, redolent with competitive snobbery, desperate to emulate a traditional land-owning aristocracy*’ (Lister-Kaye, 1994).

³ Afforestation = the transformation of highland ground to deer forest (see note 2 above). Again, forest in this sense does not imply the presence of trees. The term afforestation was used by writers in the 19th century who needed a term to describe the process of creating a deer forest. Afforestation must have seemed the obvious choice.

Sporting Estates in the Highlands and Islands

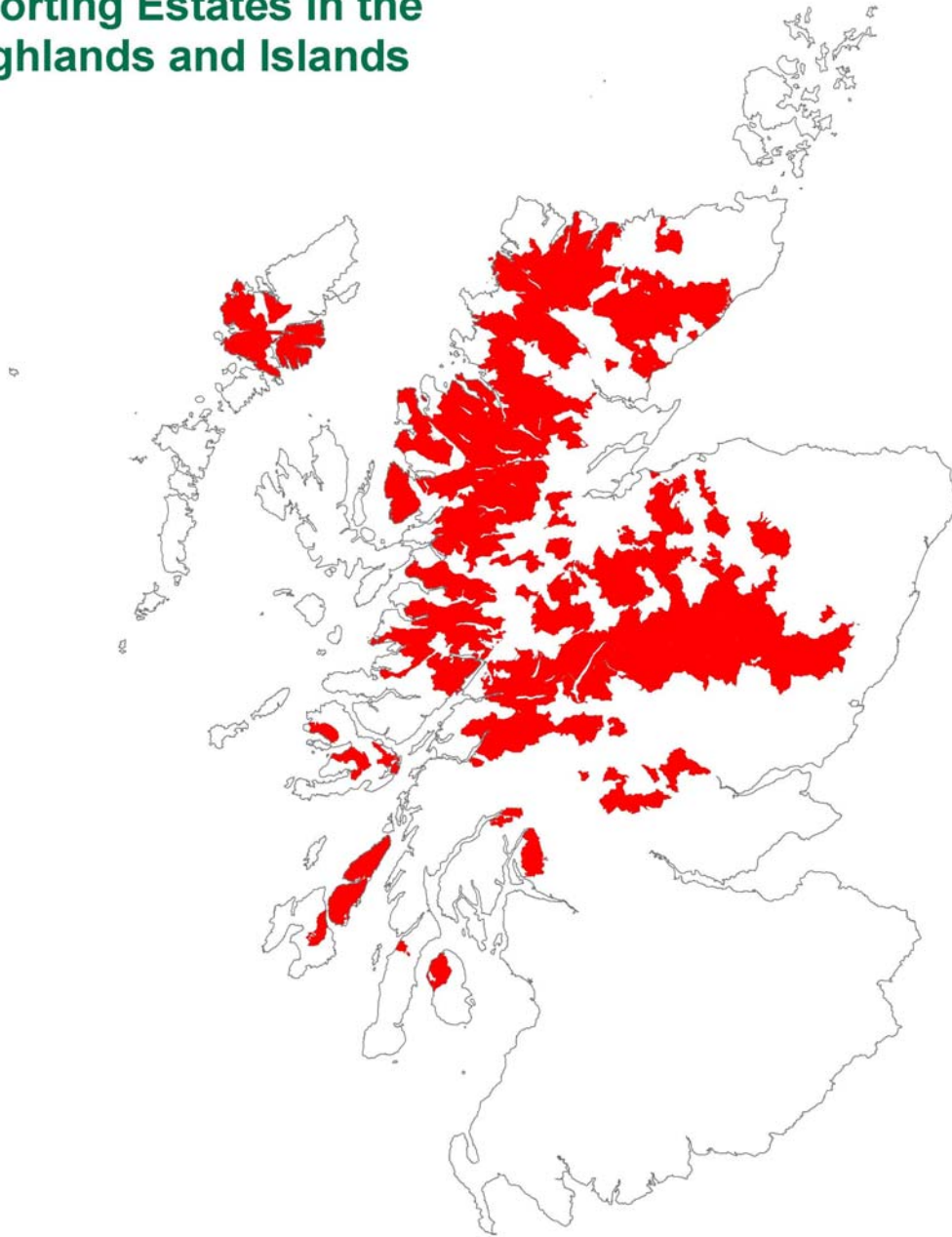


Fig. 1 Distribution of Sporting Estates in the Highlands of Scotland.

This nouveau riche class of emergent landed proprietors built lodges and houses, pushed roads into the glens, constructed paths for the passage of hunters and ponies (to extract deer carcasses), built boundary fences, devised and implemented new game management

technique, and passed new laws to embed the new regime by entrenching hunting rights. As a consequence, a triumphant new cultural formation took hold - the Highland Sporting Estate.

It formed the centrepiece of the social calendar for the upper classes who would head north on the new railways to shoot grouse (*Lagopus lagopus scoticus*), stalk deer (*Cervus elaphus*) and fish for salmon (*Salmo salar*). By 1873, the number of estates had risen to 79 and by the end of the 19th century, there were between 130 and 150 deer forests covering 1 million hectares - a vast outdoor playground for the upper strata of British society. By 1906, deer forests extended over around 1.4 million hectares of land in the Highlands and Islands - a hunting nirvana.

These developments cannot be seen outwith the wider context of what has been popularly termed 'tartanry, royalty and Balmorality'⁴, a process of social and cultural change involving the recasting of the cultural geography of the Highlands and Islands whereby selected traditional cultural icons were resurrected and developed quite consciously by landowning and social elites to form a new cultural genre. (Trevor-Roper, 1983; Withers, 1992; Womack, 1989; Pringle, 1988). From this period derive many of the cultural icons now regarded as part of traditional Scottish culture but which in reality are highly modified and carefully constructed adaptations of elements of older indigenous cultures.

⁴ Balmoral is the private Highland estate owned by the Queen. Balmorality was a term first coined by Scott-Moncrieff, 1932.



The Author Working on a Hunting Estate in his Youth

The growth in sporting estates, for example, led to specialised cultural inventions such as estate tartans or tweeds. The wealthy *nouveau riche* tenants and landowners were keen to mimic perceived indigenous customs and, in an attempt to appropriate the traditions of clan chiefs who supplied their retainers with clan tartan, they had tweeds specially designed for use by themselves and their staff, a practice that continues today (Harrison, 1995).

The spread of sporting estates necessitated a re-articulation of Scottishness by the new elite who came from afar to hunt, shoot and fish in a region which, 50 years earlier, had been an agrarian peasant economy and which had now become decisively transformed into a capitalist hunting estate economy. Ownership and control of land was concentrated in the hands of a wealthy elite whose social and economic roots lay largely outwith the region and whose principal interest and motivation for holding land was the social status it afforded together with the private enjoyment of hunting. Whilst agriculture and, to a much lesser extent, forestry were also significant economic activities, they took place within a landholding framework dominated by large sporting estates where concerns over game management were (and continue to be) the over-riding preoccupation of proprietors.

Today, the sporting estate continues to provide a place for quiet relaxation and the pursuit of hunting by their owners, friends and tenants.

Higgins et al (2002) concluded that of a sample of 218 estates,

- 39% of legal title are held in the name of an individual or individuals;
 - 23% are held by trusts;
 - 21% by companies registered in the UK;
 - 16% by companies registered offshore.
-
- 50% have been owned by the current owner or their family for 25 years or less;
 - 20% have been owned by the current owner or their family for 26 to 50 years;
 - 30% have been owned by the current owner or their family for over 50 years.
-
- 66% are owned by absentee-owners (defined by principal place of residence).
-
- 39% of estates were obtained by inheritance
 - 61% of estates were purchased.

This important research helped to re-focus attention on the contemporary nature of the phenomenon and the changing character of those who own these large tracts of land. This was significant since Sporting Estates remain highly contested places.

2. THE HIGHLANDS ARE A PARADISE IN A STATE OF NATURAL GRACE

The sporting estate phenomenon has attracted much attention over the years from critics and adherents alike both of whom have sought in various ways to challenge or uphold the hegemony of hunting estates in the Highlands. During their genesis, the process of afforestation (see footnote 3) was resisted in many parts of the country (physically in some cases). Gaelic culture at that time was still prevalent across the Highlands and Islands, and it repeatedly failed to understand the new dispensation and its accompanying game laws which were alien to older indigenous traditions. This cultural alienation is evident in the Gaelic proverb which asserts that ‘*everyone has a right to a deer from the hill, a tree from the forest, and a salmon from the river*’. Such a view forms part of a wider belief system which has consistently found it difficult to reconcile the fact that ‘*the fish that was yesterday miles from the land was claimed by the landlord the moment it reached the shore*’ (Hunter, 1976).

It is important to understand that the Highland Clearances were at this time still a living memory and, whilst the development of hunting estates was merely the next stage on the transition to a capitalist system of landholding, the emotions that the Clearances had evoked were in many senses rekindled by the spread of the hunting estates.

The hunting estate remains the dominant landholding framework in the Highlands and Islands and since its genesis, has resisted any attempt at reform bolstered by a political climate that has taken little serious interest in its affairs. The British upper classes and, now, a much wider sector of society are passionate about hunting. Ownership of a Scottish hunting Estate is the epitome of the hunting lifestyle allowing for the enjoyment of exclusive hunting rights over large areas of country. This conspicuous consumption of leisure is thus intimately bound up with the ideology of landownership and the sanctity of property rights. Any challenge to the hegemony of the hunting estate attracts equally passionate defence. As for former Editor of the Daily Telegraph and keen hunter, Max Hastings wrote,

‘The delusion is widely held in Scotland that the Highlands are a paradise in a state of natural grace, which might more properly be held in public ownership. The Scots must be told again and again until they start to believe it, that their hills are in reality intensively and expensively managed by private landowners, almost all of whom incur huge financial cost in doing so, which would have to be made good from the public purse if they were not there.’ (Hastings, 1995).

Stripping away some of the more rhetorical flourishes, there are a number of significant themes that continue to inform debates about the role of hunting estates. In what follows, I want to explore three of these, namely economics, environment and public access.

3. THE ECONOMICS OF HIGHLAND SPORTING ESTATES

Highland hunting estates are almost universally claimed by their adherents to be uneconomic enterprises. This argument is frequently deployed in defence of the hunting estate regime in terms of the beneficial impacts that the net inflow of funds from external sources brings to some of the most fragile parts of rural Scotland.

The argument is persuasive since as businesses, hunting estates generate little if any surplus revenue. Thus the expenditure that is generated through employment and services bought locally, is claimed to be a valuable contribution to the rural economy, even more so by virtue of the fact that it is not generating a return. In the absence of any official data on the economics of estates, it is difficult to quantify such impacts. However, one estate did recently publish financial information, which, in addition to providing some specific data, demonstrated how such information can be used to convey very specific messages.

The estate concerned is the Letterewe Estate in Wester Ross. It covers 32,000 ha of roadless wild country and has for long been one of Scotland's most famous deer forests. The estate is owned by a wealthy Dutch businessman, Paul van Vlissingen who is an active conservationist, has promoted enlightened policies for public access and is a patron of various arts and cultural projects. Conscious of the debates in Scotland on land matters since he purchased the first part of his estate in 1978, he has (unusually among his peers), sought to take an active part in these debates. One way in which he did this was to publish a 10-year Management Plan for Letterewe in September 1998 (Letterewe Estate, 1998).

The Plan outlines the management objectives ('the natural development of wild land, its flora and fauna in all its interrelationships') and argues that the owners see the estate as a 'valuable wild land asset to be loved', rather than as 'a producer of income'. The plan was launched at a press conference in September 1998 against the backdrop of the political debate on land reform in Scotland. And van Vlissingen made a number of comments on the prospects of land reform (van Vlissingen, 1998).

What makes the Plan interesting is its presentation of the estate as a benevolent institution which incurs heavy operating deficits and which finances scientific research and provides other 'local support'. To reinforce this message, the Plan includes a summary of the estate's finances as follows (excluding scientific research and 'other local support'): -

Present estimated market value	£ 8 000 000
Average Annual Income	£ 130 000
Average Annual Costs	£ 250 000
Yearly out-of-pocket loss	£ 120 000
Loss of income on Asset value at 7%	£ 560 000
Total loss of income to owners per annum	£ 680 000

Such a financial presentation reinforces the view of sporting estates as benevolent institutions in which losses are inevitable and which make significant financial inputs to the local economy. But interestingly the figures imply more than the usual simple annual revenue losses and suggest that investment income foregone on the asset value (i.e. the income the owner would have received if it were invested elsewhere) represents a further benevolent contribution to the local economy. On this basis the total 'loss of income' to the owners is a breathtaking £680 000 per annum.

However, not only is the revenue loss impossible to analyse any further (e.g. is the private consumption of the estate for holidays and hunting paid for in these accounts?), but the figures do not reveal that the underlying asset (the land) has undergone significant capital appreciation. On the basis of the purchase price of the estate (which was bought in different parcels since 1978 for a total of £3 405 000) and a current value of £8 000 000, the property has grown in value by 7.8% per annum. In 1999 alone such growth will yield a capital appreciation of £624 000, a figure which outperforms the opportunity cost of investment elsewhere and which is more than sufficient to finance ongoing annual operating deficits.

Letterewe, far from being a loss-making concern, has actually performed handsomely and against such a scenario, annual losses are not inevitable trading losses but the price paid for the consumption of non-market benefits. The fact that the land asset has appreciated so markedly is evidence of substantial net benefits being derived from the asset. Further complications in interpreting the nature and scale of the financial performance are introduced if one attempts to include potential tax liability since the core part of the estate is owned by Clyde properties NV, a company registered in Curaçao, a tax haven in the Dutch Antilles. (Wightman and Higgins, 2000).

Letterewe's finances are typical of the sporting estate sector and recent research has confirmed that revenue losses for an average estate is in the order of £40,000 per year (the average estate being approximately one quarter of the size of Letterewe) (Higgins et al, 2002)

The reality for most estates is that they are owned to provide tangible benefits to the owner by way of a place to relax, enjoy holidays and undertake a range of leisure pursuits. The 'loss' incurred in doing so is in fact the cost of leisure. Despite this, capital returns can be

gained from estate ownership. As one leading estate agent wrote recently in an in-house magazine for owners of Bentley cars,

‘Be your interests fishing, shooting, walking or golf, or simply to identify an ideal environment to raise your family in an increasingly uncertain world, Scotland has the best to offer. As an investment, owning Scottish property, particularly a quality sporting or residential property, has generally proved very rewarding with significant long term capital gain being achieved in many cases. Of late, such property investments have proved safer and considerably more rewarding than many other investments. As these properties are in short supply, they will continue to prove a sound investment in years to come.’ (Bound, 2003).

Thus the kind of expenditure incurred in running a hunting estate is not being spent out of some sense of rural development obligation but spent on the costs of consuming a leisure asset of this scale (it would be much cheaper to rent a few weeks hunting and stay in a local hotel). In this sense the role of the hunting estate can better be understood as a form of conspicuous consumption (Veblen, 1899) than as any form of agricultural, or rural enterprise.

And, whilst hunting estates undoubtedly bring revenue into the communities within which they are located, there may well be alternative ways of generating such revenue. The hunting estate is not an inevitable consequence of geography or economics but a human construction designed to supply specific benefits to a defined group of people. An understanding of the nature of these benefits and how they are delivered is essential to understanding the wider significance of the sporting estate phenomenon and its role in the rural economy.

4. A DEVASTATED TERRAIN

A good deal of rhetoric has been generated on the topic of Highland land use and the health, sustainability and future of upland ecosystems. From Government enquiries (e.g. Deer Forest Commission, 1922) to the writings of Frank Fraser Darling (1955), the state of the environment has been debated and contested for well over a century. Sporting estates (together with sheep farming) are popularly believed to be responsible for the environmental degradation on a wide scale associated with deforestation and the continuing ‘problem’ of an over population of Red Deer (e.g. Hunt, 2003).

Whilst there is evidence that current levels of grazing by all forms of herbivore are causing significant problems in certain areas, there is little evidence that such problems are universal or are any worse than they once were (Milner et al, 2002⁵). What is clear is that during the late 19th century, the expansion of sporting estates was directly responsible for the widespread persecution of a range of bird species and some mammals considered to be a threat to populations of game (Lister Kaye. 1994).

In recent years, the management of land for game species, in particular the management of grouse moors has been blamed for the continuing incidence of poisoning of rare birds of prey such as Golden Eagle (*Aquila chrysaetos*) and Red Kite (*Milvus milvus*) (RSPB, 2003; Whitfield et al, 2003). As Whitfield et al conclude, ‘the results of this study confirm the supposition made in the absence of a formal analysis by previous authors: illegal poisoning in the uplands of Scotland occurs disproportionately on land actively managed as grouse moor’.

Increasingly, the consequences of long term degradation of the environment by overgrazing have become more evident and there is now a widespread consensus that for many upland ecosystems, the process of ecological restoration is necessary and prudent for their long term sustainability. The range of activity prompted by this more enlightened approach to environmental management has provided still more debate and discussion concerning the future of the hunting estate. Two main developments in this field are worth discussing in more detail - state sponsored reforestation and the role of the voluntary sector.

For much of the 20th century, forestry policy in Scotland was concerned with the establishment of commercial coniferous plantations. Little or no attention was given to the protection or restoration of indigenous woodland, a task that was left to the state conservation agencies and voluntary nature conservation groups. Since the 1990s, however, and following on from both public pressure and international obligations, the state forestry sector has embraced the need to protect, restore and expand the area of native woodland in Scotland.

Traditionally, due to the grazing pressure of sheep and wild red deer, this has had to involve the fencing of large areas and the establishment of new forests through planting or natural

⁵ This interesting study was financed privately by Paul van Vlissingen and documents the results of a three-year study of the ecology and animal grazing regimes on Letterewe Estate.

regeneration. However, deer fences are expensive, unsightly and have been implicated in the death of rare fauna such as Capercaillie (*Tetrao urogallus*). The radical route to reforestation is natural regeneration without recourse to fencing by reducing the grazing pressure from herbivores. That this can yield success is demonstrated by ten years of managing the Creag Meagaidh National Nature reserve in the Central Highlands. In this case, the Nature Conservancy Council (now Scottish Natural Heritage) acquired the 3940 hectare estate in 1985 and a consistent culling effort has allowed the recovery of indigenous birch woodland (Ramsay, 1995).

Creag Meagaidh demonstrates that ecological restoration is possible without recourse to the artificial imposition of fencing. Hunting estates, however, have very different objectives and are less inclined to adopt such radical techniques. Nevertheless, the imperative to regenerate some of the most ecologically important remnants of native forest has strengthened and hunting estates have been blamed for failing to embrace such new approaches.

Creag Meagaidh, which had been part of a much larger hunting estate, was purchased by the state in order to avoid the land being afforested by a private forestry company. It represented one of a number of land use conflicts in the 1980s whereby one arm of Government (the Forestry Commission) was providing grants and tax concessions to encourage afforestation whilst another arm (the Nature Conservancy Council) was designating the same land as a nature reserve. In this particular case the NCC entered the land market and acquired the land in order to protect and further the nature conservation and ecological restoration of the land.

The NCC were not alone in recognising that perceived failures in land use policy could potentially be solved at least in part by the acquisition of land. During the 20th century, voluntary conservation and amenity bodies had been acquiring substantial areas of land. The first phase took place in between 1930 and 1950 when the National Trust for Scotland, a charitable membership body, acquired a number of hunting estates in areas of outstanding scenic value such as Glencoe and Kintail. Their intervention in the land market was enabled by the benevolence of a private philanthropist, Percy Unna, a keen mountaineer whose concerns over public access prompted him to set up the Mountainous Country Fund to acquire further such areas.

There followed a lull in this activity until the 1980s when, amid growing concerns about nature conservation and amenity in key parts of the country, a wider range of voluntary bodies including the Royal Society for the Protection of Birds, the Scottish Wildlife Trust and the John Muir Trust began acquiring ever larger areas of land (Wightman, 1996a;1996b). Some of these acquisitions involved hunting estates, the most prominent among them being the 30,000 ha Mar Lodge Estate in the Cairngorms⁶. This controversial acquisition helped to re-ignite a debate about landownership in Scotland. Were such areas of national and international conservation and recreational importance adequately safeguarded by the unregulated international market in land? The answer, according to the voluntary bodies, was patently not but not being keen to get drawn into a political debate about landownership, they instead adopted a strategy of acquiring as much of this land as was possible. Soon other prominent hunting estates, such as Glen Feshie, came on the market followed by more public debate but in this case no successful intervention.

Such interventions, however, may not help to resolve the underlying conflict between management as a hunting estate and management in the wider public interest. As one critic commented, ‘In the final analysis, the rapid rise of conservation landowning in Scotland is a statement of failure not success. It represents a first aid response to the deeper problem of power over land.’ Reflecting unease over whether the ownership by voluntary bodies was in fact a good thing in a region blighted by absentee ownership, he continued,

‘To solve this underlying problem we need to make that power more accountable to the wider public interest through a fundamental review of property rights. We need to distribute that power more widely and we need to integrate conservation with wider land use policies. We need to spread the ownership of land use problems and in so doing generate more lasting solutions. Conservation should be seen as an engine of economic and cultural regeneration in the remoter parts of this country and not something to be run by outside elites. Unless one wants the country to be run by a benign ecological dictatorship, then local interests must be given more responsibility, authority and accountability over land use.’ (Wightman, 1997).

The voluntary sector’s interest in land acquisition grew during the 1980s at a time when the Conservative Government was hostile to any state-led solution and was reluctant to admit

⁶ See <http://www.marlodgeestate.org.uk>

that there was even any fundamental problem. Meanwhile, a number of community bodies were beginning to intervene in the land market to secure local social and economic interests, with an early notable success in 1993 with the acquisition of the North Assynt Estate in Sutherland in 1993⁷.

Notwithstanding these developments, hunting estates continue to present something of a problematique. In an era in which land reform is now being actively pursued, there does not appear to be much appetite for any meaningful intervention in the hegemony of the hunting estate. In part this is because the current focus of land reform is on the rights of communities to acquire land. Hunting estates don't have very many people living on them, are expensive to acquire, and present limited opportunities for economic activity. However, as will be noted shortly, there are ways in which communities can reform the structural dynamics of the hunting estate in beneficial ways. Nevertheless, neither the state nor the voluntary sector has succeeded in resolving the paradox of an unregulated free market in land of outstanding scenic, recreational and nature conservation value. A confident state might simply create new powers of compulsory acquisition or market-led intervention. However, the appetite for such decisive action is notably absent for the moment at least.

5. THE FREEDOM TO ROAM

The final example of the contestation of these spaces is the case of outdoor recreation and public access. During the late 19th and early 20th century, a number of prominent access disputes pitted politicians and members of the public against hunting estates and their resistance to allowing public access. This led to campaigns for a statutory right of access by MPs such as James Bryce but these all fell foul of the political power and influence of private landowning interests.

Despite this, a tradition of 'freedom to roam' persisted across most of Scotland and, in particular the wilder uncultivated open spaces in the Highlands (Blackshaw, 1999). During the second half of the 20th century, increasing numbers of people began taking to the hills in pursuit of leisure activities such as mountaineering, hillwalking, canoeing and, latterly, mountain biking. In 1972, the prominent human ecologist Frank Fraser Darling asserted that

⁷ See <http://www.assyntcrofters.co.uk>

outdoor recreation was the primary land use in much of the Highlands and Islands (Darling, 1972). This relentless pressure became keenly felt by a number of hunting estates that were located in areas of particular attraction for outdoor recreationalists.

As a consequence, a dialogue opened up between recreational interests and landowning interests, culminating in an Access Concordat published in 1996 which has since been superseded by legislation enshrining its principles in law. Thus, on the access front, hunting estates have had to confront, accommodate, and eventually yield to, the growth in outdoor recreational participation. Management of hunting in the more popular mountain areas has been adapted to integrate hunting with other forms of outdoor recreation and, in the process, some have begun to question the future role of the hunting estate (Wightman & Higgins, 2002). Since, they argue, it was established as an exclusive hunting reserve, what rationale is there today when everyone has a legal right to access, when the opportunities to hunt are no longer so confined to a wealthy elite, and when hunting itself as a pastime, a 'country sport', a 'field sport' is increasingly under pressure from the opponents of 'blood sports', a pressure which has already seen fox-hunting banned in Scotland.

The answer to this question may lie in a re-assessment of the role of hunting as a recreational pursuit and thus of the sporting estate as the delivery vehicle of that activity. In short the past battles over access and the recent legislative reforms may hold the clue to the survival of the hunting estate into the 21st century (of which more later).

6. A CLASH OF IDEOLOGIES

These debates about the rural economy, the environment, outdoor recreation, and the place of the Highland sporting estate have only partly been about these topics. The sub-text to much of these discussions has been the role of property rights in determining the development of an entire region and, in particular, the role of hunting estates. Such has been the hegemony of the hunting estate, however, that participants have rarely been afforded the political space to resolve such debates at this fundamental level. As a consequence, hunting estates have become an unquestioned fixture in the literal and political landscape, unable to be lodged from the mental map of the future but unable to be accommodated either within the changing reality of land use and realpolitic in the Highlands.

Over the past two decades, land use in the Highlands and Islands has been the subject of a growing debate. This has been stimulated by growing public policy engagement in the fields of environmental protection and rural development and by the pronounced growth in outdoor recreation, particularly, hillwalking and mountaineering, but also canoeing and mountain biking. The pattern of outdoor recreation is changing rapidly and participation in a wide range of pursuits is growing fast. New laws on public access underpin this growth and may be important in raising the international attractiveness of Scotland as a tourism destination for those interested in the great outdoors.

Hunting estates, from occupying something of a marginal interest, are increasingly attracting closer scrutiny. There is increasing public intervention in the management of game populations. The Highlands and Islands, for long associated with depopulation and economic decline are now increasingly being recognised as an region of emerging economic importance with a rising population and a City - Inverness - that is one of the fastest growing in Europe.

Arguments over ownership of hunting estates have mainly taken place within a wider debate about landownership and land reform in Scotland, a debate prompted by a very concentrated pattern of landownership, historical grievances, economic concerns about the role of land in rural development, and environmental disputes.

Such debates, however, have found little in the way of political expression until recently. Following the establishment of the Scottish parliament, a topic for so long marginalised within political discourse has moved centre stage. The significance of the Parliament is that it provides more time for Scottish legislation (compared to the crowded Parliamentary timetable in Westminster), provides democratic oversight (Scottish legislators alone now make the bulk of Scots law) and removes the influence of the House of Lords (this Second Chamber of Westminster Parliament consisted until recently of a large number of hereditary peers and landed aristocracy)

Thus, a suite of reforms has been introduced including:

- the abolition of the system of feudal land tenure

- a right to buy for tenant farmers if and when their farm is put up for sale
- a similar right to buy for rural communities
- a right of responsible public access for recreation and passage

The exact impact of these reforms remains to be seen. However, it is clear that they will have a marginal effect on the hunting estate for the following reasons,

- Few people live on hunting estates and few communities are interested in purchasing land with so few beneficial assets
- few hunting estates have tenant farmers
- existing access practices already provide substantial practical freedoms.

However, no landholding that occupies over 50% of all the privately owned land in the region can be immune to the new dominant political reality which is that *land now matters* and land reform is a legitimate subject for legislative action.

Against this background and the fact that the stereotype of an absentee, wealthy landowner interested in little more than a few weeks hunting on his estate is substantially derived from the hunting estate phenomenon, there are growing signs that the hunting estate is changing and that the nature and character of this unique Scottish phenomenon may undergo a reform as dramatic as that which ushered it in 150 years ago.

7. A FUTURE FOR THE HUNTING ESTATE

The hunting estate, as currently constituted is something of an anachronism. It was created in a very different era and yet has persisted despite increasing questions over its contemporary validity and role. Partly as a consequence of the changing political, economic, environment and social context, however, it is hard to see how it can survive unaltered. Little creative thinking has gone into this question, however but what follows represents the outcome of a recent study conducted by the author into the future economics of the Highland sporting estate (Wightman and Higgins, 2000).

Arguably the most significant contextual factor in the future of the hunting estate is the fact that outdoor recreation is now among the most significant economic activities in the

Highlands and Islands and continues to grow rapidly. Hunting activities are in fact part of outdoor recreation but in the UK this is only accepted with some hesitation. Hunting as a pastime, a sport, a recreational activity, has been marginalised as such because of popular concerns about the morality of killing animals and the perceived elite nature of its social formation in contrast to other more egalitarian pursuits.

Given the lack of engagement by sporting estates in the broader tourism and recreational market placers (see for example Johnston, 2004), it is at least legitimate therefore to question whether the Highland sporting estate is the most useful and efficient vehicle for the kind of investment in, and management of, the land resource base upon which outdoor recreation (including hunting) depends. Such a concern goes beyond mere academic curiosity and arises from the seeming disparity between, on the one hand, the necessity to manage outdoor recreation, and on the other hand the peculiar and concentrated pattern of ownership of sporting estates, the high capital values associated with them, and the particular motives of their owners.

In European terms it is also notable that the investment made by public and voluntary associations in mountain huts, footpaths and other aspects of the recreational infrastructure in many countries is difficult to foster in Scotland where the land resource is held in large privately-owned hunting reserves. Indeed, currently much of the footpath infrastructure and accommodation in mountain areas is far inferior in its extent, range, quality and management to almost everything that other countries in Europe have to offer. Mountain accommodation in particular is struggling to cope with the demands being placed upon it (Crowe & Reid, 1998).

Whatever view one takes of how the resource should be managed there is little doubt that in order to sustain and develop the outdoor recreational economy, a strategic approach is long overdue. Such an approach should also incorporate hunting within the wider range of outdoor recreational pursuits since as a sport it shares many of the same values of the outdoor experience (wild nature, physical endeavour and skills) that are central to mountaineering and walking.

To develop such a strategic approach it will be necessary to challenge the hegemony of the sporting estate and to conduct a more informed and critical appraisal of its role in the outdoor

recreational economy. This is not necessarily to suggest that it has no role but it is evident that the personal attitudes and motivations of the 340 or so sporting estate owners has been and continues to be somewhat different from those who see an alternative future for the 2.1 million hectares of land in question.

Visions of an alternative future can be generated which may involve a radically different division of land and organisation of land use. The purpose of doing so is primarily to make the point that such alternatives do indeed exist and that they might prove more appropriate to the social, economic and environmental challenges of the 21st century than the social and economic assumptions and structures which persist today as the legacy of the Victorian and Edwardian sporting estate.

Furthermore, public policy on such matters has been dogged by normative and reductionist thinking and has suffered from a lack of visionary strategic thinking. Sporting estates, hunting, and the wider outdoor recreational economy have been sorely neglected whilst other key land uses such as agriculture and forestry have at least enjoyed some, albeit limited, visionary thinking⁸.

A strategic view of the future needs to acknowledge that hunting and other forms of outdoor recreation are desirable and legitimate forms of land use which should be developed within a new framework which seeks to optimise land use, increase investment, and broaden the base of decision making and accountability over land use in the Highlands. Arguably, the current sporting estate regime does not do this for a range of economic, social and environmental reasons, namely,

- It is not driven by rational economic criteria in its management and does not even maximise the potential income from hunting;
- It has fostered an elitist social formation which has contributed to the dislocation of local communities and culture;
- It has been responsible for restrictions on access and environmental degradation;
- At best it tolerates other recreational activities rather than embracing and developing them and represents an opportunity cost in terms of the full exploitation of alternative recreational activities;
- High capital values associated with the consumption of status and leisure has precluded alternative approaches to the management of the Highland hills.

⁸ See, for example, Callander, 1995. *Forests and People in Rural Scotland*. A Discussion Paper published by the Forests and People in Rural Areas Initiative.

The purpose of any alternative approach would be to achieve optimum recreational land use from Highland hills by putting in place a framework of ownership and control within which all forms of recreational land use were developed and promoted. This would involve looking at each activity and seeking to develop its strengths, manage its impacts and meet its needs for the future.

Such an approach might aim to achieve the following specific objectives:

- Ecological restoration and management of the wild nature experience for hillwalkers and hunters (wildness is currently part of the hillwalking experience but has been eroded for hunters by bulldozed tracks and the use of mechanised vehicles)
- Pro-active management of hillwalking economy in terms of huts, lodges and trails (along the lines of countries like Norway) designed to attract more participants and achieve dispersal of impacts throughout the Highlands and Islands
- Retention of wealthy hunters who can own lodges and lease hunting as part of the wider distribution of hunting opportunities
- Self-employment of gamekeepers who also act as guides and nature wardens
- Improved game management, particularly of red deer through licensing schemes.

This envisions a future for the region that places recreation land use at the heart of economic development and environmental enhancement. Central to such a future is that areas such as the Mamores and the Cairngorms would be vested in community land trusts and where recreational development would be overseen by the community but implemented by private enterprise.

This would involve alienating land for fixed developments, in particular hunting lodges and other forms of accommodation. The kind of substantial wealth possessed by many prospective sporting estate owners could be captured by offering them not a sporting estate *en bloc* but the opportunity to buy the lodges (where much of the money is spent) and by selling them long leases (5-10 years) of the hunting rights (which would be vested in the local community). Meanwhile not-for-profit organisations could be franchised to develop and promote trails, guidance and information. There would be substantial reforestation to improve the environment and to diversify the recreational experience for both hunters and other users.

Gamekeepers could become self-employed or employees of private hunting businesses which purchase or lease licences from the community. They could become more multi-skilled in other forms of recreation and in environmental management thus developing a highly skilled and trained hunter/mountain guide/naturalist capable of integrating a range of disciplines that are currently sectoral. This would also extend the work season for individuals.

Such an alternative vision for the future does of course raise questions about the mechanics of achieving it. This is a vexed question although it is interesting to note that elements of an alternative way forward have already been proposed by Callander & MacKenzie (1991), MacMillan (1999), and Lister-Kaye (1994). In particular the idea of community-owned hunting estates working in partnership with private individuals owning hunting lodges that was floated by Wightman and Higgins in 2000 has in fact come to fruition in one case - that of the North Harris Estate. In 2003, the community successfully purchased this 22,228 hectare hunting estate in the Outer Hebrides in partnership with a businessman who purchased the most expensive asset - Amhuinnsuidhe Castle⁹

The current climate for land reform suggests that it might become easier in future to challenge some of the shibboleths that have been erected both by protagonists and antagonists of the sporting estate regime. So far, however, only a relatively limited set of land reform measures has been put forward which tend to deal with the more acute symptoms of the current system and division of land. A more radical approach would be required to achieve even a modest change in the pattern and character of Highland sporting estates.

It is abundantly clear, for example, that the current unregulated market in sporting estate is one important reason for the inflated values of such holdings. Wealthy interests from around the world are bidding against each other and forcing up prices. A reduction in value of estates consequent on more regulation would be a good thing if, for example, capital previously committed to purchase no longer simply transferred to the previous owner but was available for investment in infrastructure and on a hunting licence from the local community thereby gaining greater leverage from the substantial capital deployed in sporting estates.

⁹ See <http://www.north-harris.org>

Even if radical changes are not possible there are a range of options available to policy makers which could improve the social, economic and environmental benefits flowing from the existing sporting estate regime. These include a more accountable framework of public regulation through company law as argued by Boyd (1999), and the adoption of whole estate management planning and environmental and social auditing.

All this of course raises many questions that require further exploration. Crucially, however, the sporting regime is not an inevitable fixture in the Highland landscape and could very well be a transient phenomenon. Whether it should be or will be will depend on the extent to which public policy-makers are willing to engage in rather more serious study and enquiry than has been evident in the past.

CONCLUSIONS

Hunting estates persist as the dominant feature in the division of land in the Highlands and Islands. They form part of an elitist leisure economy that is slowly having to come to terms with the forces of modernity. The process of change, though slow, is part of a wider cultural and political renaissance currently taking place in Scotland in response to new found autonomy and the first tentative steps to resolving the centuries old 'land question'. Within this context, the proprietorial grip over how the Highland landscape is ordered and fashioned is weakening.

In order to achieve the kind of changes imagined above, the critics of the hunting estate are going to have to put aside their prejudices about hunting fishing and shooting. Unless adopting a moral standpoint to blood sports, they need to accept the benefits that the hunting economy can bring. Equally those advocates of the status quo need to recognise that sporting estates are a product of their time, that the wider community has legitimate interests in wild places, that hunting as a recreation should be the subject of public policy interventions just as other recreations, and that the sporting estate as currently constructed is an anachronism.

In all, it is the relationship between people, nature and landed power in the Highlands that provides the basis for understanding the environment of today and the extraordinary division of land that persists.

REFERENCES

- Blackshaw, A. 1999. Implied Permission and the Traditions of Customary Access. *Edinburgh Law Review*, Vol. 3 No. 3.
- Bound, J. 2003. Found, the perfect sporting estate. Broughton's online magazine.
http://www.broughtonmagazine.co.uk/issue2/content/found_sporting_estate.html
- Boyd, G. 1999. Tweeds, Drams and Ponies. Bulldozing the Sporting Estate Image from Benevolent Rural Institution to Modern Commercial Business. *Reforesting Scotland* 20. Spring 1999.
- Callander, R.F. & MacKenzie, N. 1991. *The Management of Wild Red Deer in Scotland*. Rural Forum, Perth.
- Crowe, L. & Reid, P. 1998. The increasing commercialization of countryside recreation facilities: the case of Scottish mountain bothies. *Managing Leisure* 3, 204-212.
- Darling, F.F., 1955. *West Highland Survey. An Essay in Human Ecology*. Oxford.
- Darling, F.F. 1972. Memorandum submitted to Select Committee on Scottish Affairs. *Land Resource Use in Scotland*. Vol. III, 443. London: H.C. 511-iii.
- Deer Forest Commission, 1922. *Report of the Departmental Committee on Lands in Scotland used as Deer Forests*. Cd. 1636, London.
- Harrison, E.P. 1995. *Scottish Estate Tweeds*. Johnstons of Elgin, Elgin.
- Hastings, M. 1995. Animal rights and Wrongs. *The Field*, June 1995.
- Higgins, P., Wightman, A. and MacMillan, D. 2002. *Sporting Estates and Recreational Land Use in the Highlands and Islands of Scotland*. ESRC Report R000223163.
- Hunt, J.F. 2003. *Impacts of Wild Deer in Scotland – How Fares the Public Interest?*. WWF Scotland, Aberfeldy.
- Hunter, J. 1976. *The Making of the Crofting Community*. John Donald, Edinburgh. p. 156.
- Johnston, J. 2004. Lairds told to satisfy tourists' 'tartan' dream. *Sunday Herald*, 25 January 2004.
- Letterewe Estate. *1998 Letterewe Management Plan 1999 - 2009*. Letterewe Estate, Letterewe.
- Lister-Kaye, J. 1994. *Ill Fares the Land. A Sustainable Land Ethic for the Sporting Estates of the Highlands and Islands*. Scottish Natural Heritage, Edinburgh. p.13.

- Macmillan, D. 1999. *The Economic Case for Land Reform*. University of Aberdeen Department of Agriculture Economics Group Research paper: Ref 99/1. University of Aberdeen, Aberdeen.
- Milner, J.M., Alexander, J.S. and Griffin, A.M. 2002. *A Highland Deer Herd and its Habitat*. Red Lion House, London.
- Orr, W. 1982. *Deer Forests Landlords and Crofters*. John Donald, Edinburgh.
- Scott-Moncrieff, G.S. 1932. Balmorality. In: DC Thomson, *Scotland in Quest of her Youth*. Oliver and Boyd, Edinburgh. pp. 69-86.
- Pringle, T.R. 1988. 'The privation of history: Landseer, Victoria and the Highland myth' in D.E. Cosgrove and S. Daniels (eds.), *The Iconography of Landscape*. Cambridge University Press.
- Ramsay, P. 1995. *Revival of the Land. Creag Meagaidh National Nature Reserve*. Scottish Natural Heritage, Perth.
- RSPB, 2003. *Persecution. A review of bird of prey persecution in Scotland 2001*. RSPB, Edinburgh.
- Trevor-Roper, H. 1983. The invention of tradition: the Highland tradition of Scotland in: E.J. Hobsbawm & T.O. Ranger, *The Invention of Tradition*. Cambridge University Press
- van Vlissingen, P. 1998. Highland landowner quashes rumours. *The Herald*, 23 September 1998.
- Veblen, T. 1994 [1899]. *The Theory of the Leisure Class*. Penguin, London.
- Wightman, A. 1996a. *Who Owns Scotland*. Canongate, Edinburgh.
- Wightman, A. 1996b. *Organisational Profiles: Not-for-Profit Landowning Organisations in the Highlands and Islands of Scotland*. Report prepared for Highlands & Islands Enterprise and Scottish Natural Heritage.
- Wightman, A. 1997. Do we want Scotland's finest landscapes controlled by a benign ecological dictatorship? *Scotland on Sunday*. 23 February 1997.
- Wightman, A. & Higgins, P. Sporting Estates & the Recreational Economy in the Highlands and Islands of Scotland. *Scottish Affairs* 31 (2000), 18-36
- Wightman, A. & Higgins, P. The Cultural Politics of Hunting: Sporting Estates and Recreational Land use in the Highlands and Islands of Scotland. *Culture Sport Society* Vol.5 No.1, pp 53-70.
- Whitfield, P., McLeod, D.R.A., Watson, J., Fielding, A.H. and Haworth, P.F., 2003. The association of grouse moor in Scotland with then illegal use of poison to control predators. *Biological Conservation* 114 (2003) pp. 157-163.

Withers, C.W.J. 1992. 'The Historical Creation of the Scottish Highlands' in I. Donnachie & C. Whatley (eds.), *The Manufacture of Scottish History*. Polygon, Edinburgh.

Womack, P. 1989. *Improvement and Romance: Constructing the Myth of the Highlands*. MacMillan, London.