

And the Land Lay Still

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I was in Perth last week giving a talk and leading a discussion on land issues with an enthusiastic audience of over 120 people. One member of the audience asked me what difference I thought independence would make. This question always gives me pause for thought and, after a few moments, I answered, *"I don't know."*

Now, this is of course the correct answer because I do not know – nobody can – but it hardly counts as an answer. I am being asked for my thoughts and opinion on the question – what do I think?

An independent Scotland (or even one with substantially greater autonomy) will have new powers and will inevitably develop a new politics.

With regard to the land question, independence will in fact bring very little by way of political and economic power that does not already exist in the devolved Scottish Parliament. The power to reform the laws of land tenure, planning, land use, governance and taxation of land are all already in place. The fact that radical land reform has not happened suggests that those political parties who have had the opportunity to take action have either not wished to do so or have not considered it a priority.

But what about policy? What might be the policies and platform of the party or parties that successfully win Parliamentary elections in a newly independent Scotland. It is safe to say that these will (broadly speaking) be the same political parties that exist today (although it is fun to speculate on what future there would be for the SNP in an independent Scotland given the wide range of political views of its members and MSPs).

In other words, if one wishes to see radical reform of the role that land plays in our economy (remember that it was a land speculation bubble that triggered the credit crunch and the collapse of the Irish economy), then such reform is wholly dependent upon it being taken up as a policy platform by political parties. This is not happening now with the powers that exist so what difference would independence make?

Well, maybe a new politics will emerge. The creation of a newly-independent state will inevitably be a rather exciting and possibly scary place. The political mood may of itself lead to a radical change of outlook among the political class but it is hard to speculate on such matters and thus it is reasonable to suggest that in an independent Parliament little will change from a strictly

“powers and policy” perspective. Of course if the mood music does indeed change as a consequence of a new politics then that might shift the innately conservative disposition of the mainstream political parties but that, I insist, is in the realms of speculation.

So my answer moves from *“I don’t know”* to *“well, it depends.”*

Still a fairly pathetic answer and not a very adequate response to someone who has paid £5 for a ticket and perhaps feels he is entitled to a rather less nuanced and hedged response. So I go further.

“OK, consider this.”

One of the few powers that would be new in an independent Scotland would be direct representation in EU decision-making. Currently, this is a matter reserved to Westminster and on matters such as the future of the Common Agricultural Policy (CAP) and Common Fisheries Policy (CFP), Scottish Ministers have to rely on the relevant UK Minister taking the lead in the negotiations and the respective positions of each may well be very different. Now is a good time to observe such matters since the EC has published proposals for reform of the CAP from 2013.

So what position is the Scottish Government taking on CAP reform? Well, one of the proposals from the EU is that, because of the expansion of the EU and the need to promote greater equity among its members, there should be an upper ceiling on the amount of subsidy paid to any one farmer. The Scottish Government’s Cabinet Secretary for Rural Affairs and the Environment, Richard Lochhead, opposes this and so does Alyn Smith, the SNP MEP for Scotland.

They will both very likely have to bow to the inevitable but the reason for their opposition is based on the fact that Scotland (and for that matter the UK as a whole) has a disproportionate number of large farmers and landowners . Whether that is a good thing or not appears not to be something that Ministers pause to consider.

Currently, Scotland’s farmers and landowners receive over £500 million in public subsidies each year. The division of the spoils is somewhat skewed, however. During the 10 years from 2000 to 2009, the top 50 recipients of the subsidies included many of Scotland’s Dukes, Earls and Lords who between them received £168 million – over £3.3 million each. (it is ironic that there is no ceiling to the largesse from public subsidies to landowners at a time when housing benefits and welfare payments to the poorest are being capped). This lot stand to lose this cash if such a proposal is adopted.

Which brings me back to the question I was asked originally. What difference would an independent Scotland make? Repeat – it depends on the positions

taken by the elected politicians and government of the emergent state. That's not a cop-out, it's merely a statement of the obvious.

You see, maybe I am missing something, but it has always been a cause for some wonder that the Scottish Government are keen to keep rewarding big farmers and landowners with seemingly unlimited largesse. Who is making the policy here and in whose interests? Is it the public (whose cash this is) or is it a cabal of big farming lobbyists and politicians whose misguided interpretation of their Ministerial office is to seek to serve just such vested interests?

In other words, powerful voices in Scotland have always shaped public discourse and policy. Historically, on the land question, this has been through the influence of vested interests in the House of Lords but even within a devolved Scotland, powerful interests have continued to manage to exert disproportionate influence through the process of elite capture – whereby resources and policy intended to deliver public benefits are usurped by a few politically and economically powerful groups. All governments, all parliaments and all societies need to be alert to such a possibility.

Richard Lochhead shows signs of succumbing. In a recent tweet he said in relation to fisheries talks he was attending in Luxembourg on the eve of the 2011 SNP conference, *“hopefully in coming years I will be here representing Scotland at the top table giving our farmers and fishermen a loud voice.”*

Wrong. That's not his job. He is not the Cabinet Secretary for Farmers and Fishermen.

The National Farmers Union of Scotland and the Scottish Fishermen's Federation are the appropriate organisations to give farmers and fishermen a loud voice. The job of government Ministers is to promote the public interest in public policy and in how public money is disbursed. It is very easy for this crucial distinction to be lost when Ministers spend so much of the time in the company of those whose vested interests are often diametrically aligned to the interests of the public or indeed to those of the rather more numerous but poorly represented small farmers, crofters, tenants and others.

Ultimately, we will get the politicians and the government we deserve whether that be in a devolved Scotland or an independent Scotland. Constitutional change does not of itself alter the dynamics of power within society. Neither does it guarantee any particular outcome in relation to land reform.

“Next question?”