For Sale – Scotland’s most famous mountain range: land ‘ownership’ in Scotland

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Abstract

The nature of land ownership is infrequently discussed by practitioners of outdoor education, though it is often central to the way they work. The recent controversy over the proposed sale of the Cuillins mountain range on the Isle of Skye in Scotland provoked heated discussion over rights to and benefits of this important place. The main point at issue was the role of the Cuillins as property, whether as that of one man or of society as a whole. This point raised questions about to who should benefit, and how, from various kinds of ownership of land. It alerted interested citizens to the flexible and changing nature of relationships to land and hence to land use.

This paper explores the origins of some of the confused and confusing ideas about property ownership. It uses this explanation to analyse voices from the media debate about the Cuillins as property, in order to understand the wide-ranging cultural assumptions used by different interest groups in responding publicly to the issue. The discussion that follows highlights for outdoor educators how understanding of long-standing traditions in the use of both public and private land is politically important for their practice. It suggests the importance of their having a pro-active role in public debate about the nature of land ownership and its relationship to land use.

Introduction

Reactions varied from feelings of ‘dumbfoundment’ (Gilchrist, 2000, p. 2) to accusations that ‘he should hang his head in shame…’ for ‘…obscene avarice’ (Tierney, 2000, p. 15) in ‘blackmailing the nation’ (Grove, 2001, p. 1). Such a situation ‘would be treated with incomprehension in Switzerland, Italy and France.’ (MacAskill, 2000, p. 7). This heat was generated throughout Britain in March 2000 when John Macleod, the ‘Laird’ of Dunvegan Castle on the Isle of Skye in Western Scotland, tried to sell the Cuillin mountains for £10m (FPDSavills, 2000, p. 2). The Cuillins are 35 square miles (9060 ha) of wild country, their rugged volcanic peaks a mecca for climbers and walkers from all over the British Isles and further afield. They are a renowned land mark on Skye, where they form a stark, black and jagged ridge towering over the green, rolling land and seascape.

The argument revolved around the question: who ‘owns’ the Cuillins? The individual, John Macleod? The members of the Macleod Clan? The State? The residents of Skye? Climbers and tourists? Or just everyone, or no-one? In what ways can these different people ‘own’ land, especially important, iconic, spectacular or wild places?

Outdoor educators and their representatives were active in this argument. They defended their right to access the Cuillins, and also, in a relationship sense, to have some ownership rights to it. They argued that Macleod’s claims could potentially strengthen his own and other landowners’ powers to determine conditions of access to land generally, to control or direct change in the way land is
used, and who might use it. Further to their argument, individual property ‘ownership’ of such a place could weaken the relationship to it of others who knew and loved that place. Additionally, in the case of outdoor educators, it could alter the experience they could have in such a place, by restricting routes and narrowing the range of possible destinations.

In the absence of a formal public process, the media was the major source of information and debate, providing a forum in which a political process was on display. This article examines the published views of interested parties to the proposed sale of the Cuillins, showing how assumptions about rights to value, use and benefit from land were intertwined with different concepts of land ownership. Through their use of land, outdoor educators depend directly on how their culture regards these concepts, but they are not well understood within the field.

As the Cuillins case shows, access and land use and tenure are not static anywhere; indeed conflicts often arise from contending pressures for economic and social benefits from land. Ownership is based on cultural traditions about spiritual and social ways of ‘owning’ nature, underpinned by legal rights that determine who benefits from land as a resource and in what way. As a professional group, outdoor educators may be disempowered in the nature and conditions of their access to land by ignorance of how these are determined. This article therefore argues that outdoor educators of any country need to be aware of issues of ‘ownership’ of land, whether private, communal or state-based.

**The Basis of Macleod's Claim to the Cuillins**

Macleod wanted to sell the Cuillins to finance the repair of his 800 year-old castle and expand its value for tourism by building a luxury resort. Skye, like most parts of the Scottish Highlands and Islands, has had a depressed economy for years. It is heavily dependent on a combination of tourism and crofting (small tenant farming with intergenerational tenure guaranteed legally) (Toogood, 2003). Dunvegan Castle is a significant tourism site that employs about 80 people (some seasonal). It attracts up to 1000 visitors per day in summer and 145,000 per year, and is one of the top 20 tourist attractions in Scotland (FPDSavills, 2000, p. 1; Grove, 2001, p. 1). The Government is the biggest employer on Skye, but Macleod is the second.

Macleod claimed he was entitled to sell the Cuillins because of his hereditary feudal role as ‘clan chieftain’. His disputed claims to ownership can be traced to a Crown grant, in this case of 1611. The relationship between the chief and his local community at this time were communal, involving reciprocal rights and responsibilities to the land and its resources. The Charter for the grant, the verbal description of the land involved, has only vague reference to the mountain range, not to precise boundaries that have come to characterise our legal and economic definition of ‘ownership’ since that time (Blackwell, 2000b; Davidson, 2000; Grove, 2001). Not only have relationships to land as property changed, so too have relationships between landlords like Macleod and other local people, to say nothing of the dispersed descendants of the Macleod clan, many of whom would now have no personal connection with the place of their ancestors’ origin (Macleod, 2000, p. 10).

A further recent change has been in the way the land itself is valued. Its value was largely uncontested until recently, as its rugged nature has kept it economically useless. However, the growth in tourism and recreation and recognition of the need for nature conservation in Scotland has altered that. Qualities such as uniqueness, aesthetics of scenery, scientific values, wilderness, soil and catchment have been re-evaluated. ‘Wasteland’, or land that was too rugged for anything other than sheep
and deer, has been reassessed in Scotland over the last 20 years for its recreation and conservation value (Smout, 2000, p. 143). The Cuillins contain a national scenic area and several sites of special scientific interest (Cairns, 2000, p. 3).

A Debate in Progress
The issue has evolved since it first made headlines in 2000, and is still being redefined. A proposal in July 2003 by public agencies and conservation bodies was for Macleod to hand over responsibility for the castle and land to a Trust that would then manage the property (and pay for the repairs). Macleod and his family would continue to live in the castle (McNeish, 2003, p. 15; Ross, 2003, p. 3). The details of this offer are still being negotiated (November 2004). The current proposed outcome looks like achieving the aim of many protagonists, which was to find a way that the Cuillins could satisfy the social and economic needs of Macleod and the wider needs of others. Hence Macleod’s provocative position and the resulting questioning and debate over the three years of the controversy have clarified how Scots and others define and value ‘ownership’ of significant places and have already resulted in a shift from the initial position.

How Does ‘Property’ Define ‘Ownership’?
It is commonly accepted in Scotland, and also in many former British colonies that an individual can have almost exclusive possession of land as a tightly defined geographical ‘thing’ (Bromley, 1991, p. 2). This is a relatively recent and not legally accurate view of ownership of land. Before feudalism, land was recognised not as a thing, but as a range of rights that could legitimately be held over a place. The rights of one user did not exclude the rights of others to that place (known technically as usufruct). In fact ‘property is a benefit (or income) stream, and a property right is a claim to a benefit stream that the state will agree to protect through the assignment of duty to others who may covet, or somehow interfere with, the benefit stream.’ (Bromley, 1991, p. 2). Hence several people can have a use interest in, or receive benefit, from the same piece of land: for example, one person may have a right to collect rent from it, another to work on it and pay rent, whilst others may gather wood or hunt animals, walk across it, practise sacred rituals on it. The role of law is to ensure that each user’s rights are protected but also not exceeded. Traditionally, land use in the Highlands and Islands was based on this kind of access and communal ownership, as it is still for many indigenous cultures. This is perhaps best expressed 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’ (Hunter, 1986, p. 2). The benefits from land formed a continuum of rights of different kinds to different places and their resources, not a clear distinction between tightly compartmentalised rights of individuals to the resources of private land, and a number of general benefits as well as some benefits to particular citizens from public land.

The idea that private property was the best way to ensure general well-being became dominant and has been vigorously encouraged since the Enlightenment in the 17th century. It has led to a dramatic cultural shift, as it is now generally accepted in cultures of Western European origin that private property ownership is a cornerstone of progress and social benefit. In debates of the time, philosophers such as Locke and Rousseau agreed that understanding property relationships is central to understanding how social and political relationships are organized, but disagreed about whether private property was a benefit. Locke saw its preservation as ‘The chief end (of Society)...’ (Wootton, 1993, p. 273-86). He argued that a person was entitled to claim whatever they could in the interests of securing sustenance and benefiting from the fruits of their labour (Bromley, 1991, p. 3). Rousseau rejected both the morality and practicality of this view. He began his exploration
of the origins and foundations of inequality by considering how land ownership had contributed to inequality:

The first person who, having fenced off a plot of ground, took it into his head to say this is mine and found people simple enough to believe him, was the true founder of a civil society (Rousseau, 1968, p. 192).

Several ideas are involved here. First, intrinsic to this idea of property is exclusive use. Exclusive use gives an owner power over resources from land: power to dispossess others of basic needs, to control qualities such as space, beauty or peace, and to determine the treatment of ecological features such as timber, soil or water whose degradation or destruction may impinge on others.

Second, it is plain that (in the view of Rousseau) others don’t have to accept the assertion of exclusive ownership. Ownership, and the conditions or limitations in which ownership operates, are contestable and therefore capable of evolving.

Third, Rousseau is not happy that audacious assumptions about ownership have come to define and enable ‘civility’. In fact he argues that the commodification of nature has led to most crimes and wars! Echoing the Gaelic proverb, he argued that it is self-evident that ‘the fruits of the earth belong equally to us all, and the Earth itself to nobody.’ (Rousseau, 1968, p. 192). In this he was supported by Kant, who viewed the earth as ‘our common possession’ and therefore not able to be truly ‘owned’. Kant nevertheless recognised the need for ‘a social contract allowing private ownership of the earth and its produce’ within a moral framework of rights and responsibilities (quoted in Bromley, 1991, p. 6-7).

Despite Rousseau’s and others’ concerns, many societies are now committed to the principle that the ownership of land by some is necessarily of benefit to all. Over the last two hundred years, with the growing power of capitalism and individual enterprise, private land has increasingly become a commodity, with exclusive rights to its use and strong assumptions about landowners’ entitlement to do as they like with minimal accountability. Further, the capacity of a strong idea of private property to effectively describe and regulate people’s relationships to land is often not questioned, despite abundant evidence that this idea does not really cover the changing range of needs that a society may have from land.

Nevertheless, two hundred years after Locke, civil societies also continue to nurture some examples of traditional rights. For example, public access to private land for some purposes such as ‘rights of way’ may be accepted, or limits on a person’s right to dam a river or clear vegetation on their land. Thus citizens expect some limitations on the rights of landowners, although the nature of these limits may vary culturally and ecologically.

In addition, the European pre-Enlightenment system of commonly held land still accords much more closely with the traditions of many indigenous people about ‘ownership’ than does the current one in the ‘developed’ world. Such rights continue to be evident in practices such as private use of public land to graze cattle, gather firewood or camp.

We can also think of these issues in terms of control and management: some of the benefits of land are seen to be maximised by state ownership, maybe those that flow from national parks, some through communal ownership, such as a sports field, some may be derived from private ownership,
such as the income from dairy farming. Hence a society may agree that some forms of right are best protected by each kind of ‘ownership’. When there is disagreement about the use and value of a resource, usually through change, as in the Cuillins case, interested parties call upon the wider society to stand by their rights, their claims to a benefit stream. ‘Land is often called ‘property’ in everyday usage, but the real property is the benefit stream that someone owns and the State agrees to protect’ (Bromley, 1991, p. 15). As is the case in the Cuillins, personal views on what constitutes a benefit may vary quite widely: benefit can be from financial profit, from a view, from a recreational or resource use, from a spiritual relationship.

Thus laws about land in Scotland and other countries where outdoor educators practice are a complex mixture of protection and restriction, both for owners and others. Changes to these laws, or the implementation of them, frequently lead to debate and controversy. In the Cuillins case, there was no formal public process in place to address the problem. Hence the media was an important forum in supplying information, in giving voice to interested parties and thus providing a fascinating exchange of public understanding and values. Textual analysis of this exchange through letters, editorials and articles from both individual and public sources are used here to show the diverse ways in which various claims and values about the Cuillins are underpinned by the broad positions described above. The analysis reveals a lack of common understanding or agreement about the basis of these claims and values, showing why it is difficult to reach agreement on such issues.

**Contending Views on the Cuillins: Private Property**

Macleod claimed for himself the benefits of private ownership, arguing that these were the reward for his shouldeing of the duties of an individual property owner. He accepted responsibility for the burden of making unpopular decisions ‘Chieftaincy is not a title, it’s a state of being’ (Grove, 2001, p. 1), although this burden was no doubt to be eased somewhat by the £10 million he would earn from the sale. He argued that he had no choice as his responsibility was to maintain the castle fabric and utilise its value to Skye residents for employment. As he has ‘held the Cuillins in trust for the nation all of my life’, so he must accept his destiny, making decisions about the future of the mountains alone and thus excluding the forms of ‘ownership’ others felt about the mountains. ‘The problem belongs to me and no-one else’ (Tierney, 2000, p. 17).

But when pushed by an interviewer, Macleod became rather more specific about his concept of ownership. It is a right achieved as a reward for winning a physical power struggle, in the manner supported by Locke, quoted in the previous section. ‘We paid for the Cuillins with our blood. Then you didn’t need bits of paper; you laid down your life. Clan chiefs have been forced to become landlords’ (McGinty & Arnaud, 2000, p. 16). In this latter statement Macleod acknowledged that a traditional clan-based relationship of mutual obligation had become a commercial one: he had the right to profit from what had become ‘his’ as a consequence of historical processes. Donald Macleod, columnist for the Western Highlands Free Press (Macleod, 2000, p. 10) also gave this line of thinking an ironic twist by pointing out that ownership under the clan system involved mutual obligations and benefits. He suggested that if Macleod’s claims to ownership were derived from the 17th century, then contemporary relationships were also alive. Hence the ‘Chief’ and clan were both ‘owners’. Therefore, Macleod suggested, we all own the Cuillins and now we want our share: all the Macleods of the world should benefit from the sale!

In justifying his right to benefit Macleod was not alone, as ‘there are very few people on Skye who don’t make money from the Cuillins in one way or another’ (Edwards & MacKinnon, 2000,
p. 13). This acknowledgement put accusations of personal benefit against Macleod into a different perspective, suggesting that most people have rather different views on property where they stand to gain financially from it.

**Who Owns the Cuillins: State Ownership**

Macleod’s attitude to property was supported and developed by Linklater, columnist for The Times (Linklater, 2000, p. 1). In defending Macleod, he rejected state ownership, denying that the Crown either already owned, or should purchase the Cuillins to become public land. He argued that state ownership is a disaster, pointing to Eastern Europe and the problems of ‘nationalisation’. He and Macleod agreed that politics is a vulgar interference in the traditional pattern of land ownership and so is government management, which is distant, bureaucratic, inefficient and ultimately impersonal, lacking the ‘loving attention the land needs if it is to thrive’ (Linklater, 2000, p. 2).

Such arguments placed implicit faith in the virtue of private ownership as the means to protect land for all its values. ‘Land use is what’s important… Land ownership isn’t, provided it’s not the government that owns everything. I think that is death… If you want your neighbour to live a good life you wouldn’t want that’ (Macleod, quoted in Tierney, 2000, p. 17).

Others took the opposite view, questioning whether private ownership is adequate for protection of some values: suggesting that government should pay for and support protection of wild land, or protect biodiversity through controls over private owners.

Climbers and Outdoor Educators, through their peak bodies, were amongst those arguing for either State control or communal ownership, but they were mainly interested in protecting access under any form of ownership. There are 20 Munros¹ in the Cuillins, making them an iconic place for climbers and other recreationists (Bennet, 1999). In Scotland, it is necessary for such groups to uphold vigorously their rights to access the countryside, most of which is privately owned. Although access is now assured legally and therefore people have the right to use the land in ways that don’t conflict with the landowner’s purposes, both at an individual and political level this has to be frequently negotiated and asserted.

In The Scottish Mountaineer Howett (2000) and Kempe (2000) argued that such places had to be effectively managed as quality recreational and conservation resources. The risks that these objectives would not be achieved under private ownership were too great, and worse still, private ownership might imperil access, especially if it were to a foreign owner who might not respect local traditions.

The precedent set over the last few years by the growing number of land purchases by private conservation bodies was not a realistic solution either, because private trusts can’t afford to buy or maintain all the land that needs to be acquired in the public interest (Kempe 2000, p. 11). Only a nation has the kind of money and responsibility needed to own and properly manage significant mountain areas. Although the example of the concurrent sale of Ben Nevis by the Fairfax-Lucy family to the John Muir Trust for much less money was contrasted to Macleod’s alleged greed, there was also concern that this kind of philanthropy would not adequately serve the public interest.

Ownership by private trusts enabled national governments to avoid responsibility for confronting important questions about conservation and land management, especially in wild places that have significant values over and above commercial ones. ‘Instead of pressing for national solutions to the
needs of wild land, over the last ten years there has been a tendency to solve problems by buying it. The result has been that concerns about conservation has been marginalized to areas that have been owned by conservation bodies rather than becoming part of mainstream policy and practice’ (Kempe 2000 p. 11). Ownership by conservation interests is not really the solution to beneficial land management any more than ownership by private individuals is. Some even see it as a threat, as ‘the conservation landlords’ still retain the ultimate control afforded by ‘ownership’.

‘Community’ Approaches to Ownership
Land reformers argued strongly for recognition of general community rights in access to land. Macleod was only able to attempt the sale because of his and other landowners’ self-interested and unreasonable dominance of access and land management. These protagonists had a clear definition and solution: to reform land-holding arrangements in

…the last outpost of feudal land law and the country with the most concentrated patterns of private land ownership in Europe… the archaic, secretive, anti-democratic, feudal and exclusive system that constitutes Scottish land ownership … needs to be finally consigned to the history books (Wightman, quoted in Linklater, 2000, p. 2).

In other words, the dominance of the private property concept was at the root of the problem. It needed to be replaced with a more diverse and flexible model that would enable different groups to access benefits from the Cuillins according to different needs and relationships.

Unlike Macleod who saw his claim as originally earned by right, land reformers found such claims illegitimate and disputed the means such families used to acquire and maintain ownership for the last 400 years. For them the passage of time did not make the claim to ownership any stronger if its foundation was unjust. The West Highland Free Press weighed in against the Crown Estate Commissioners’ ‘… half-hearted conclusions’ after they investigated and decided not to challenge Macleod’s claims to ownership of the Cuillins. For the Press writer, Macleod was just a squatter, as are many others. The article quotes Tom Johnston, Scottish Secretary of 90 years ago:

The first step in (Land Law) Reform… is to destroy these superstitions. Show the people that our Old Nobility is not noble, that its lands are stolen lands – stolen either by force or fraud; show people that the title-deeds are rape, murder, massacre, cheating or Court harlotry; dissolve the halo of divinity that surrounds the hereditary title…(Editorial, West Highland Free Press, 2000 p. 2).

The idea that the government or a nature conservation trust such as the John Muir Trust or the National Trust could step in and buy the land from Macleod was, to the Press and others, tacit acceptance of Macleod’s claims and tantamount to endorsement of landowners’ privilege and hegemony in Scotland. The long history of oppression and exploitation by landlords on Skye and elsewhere no doubt contributed to some strong public opinion against Macleod. Some people even argued that in asking (indirectly) for money from the government to repair his roof he had attempted to blackmail the nation.

Opinion varied however: for those who accepted that maybe Macleod did ‘own’ the Cuillins, his fault was greed in not taking a more philanthropic approach in fixing the price, or effrontery in selling his own and other people’s heritage. But others drew from another view of property altogether, arguing that an individual can’t own mountains any more than air and therefore Macleod shouldn’t be allowed to make a profit from a public asset. He should be giving it to the nation, not selling it (even though this wouldn’t solve Macleod’s problems).
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For local people the issue was to determine how the land is used and managed so as to derive economic value from it rather than seeing this being drained off to far away places. These people made the assumption that despite ancient charters, the land is *de facto* communal property. Macleod couldn’t place a price on Scotland’s most distinctive mountain range ‘He should hang his head in shame for trying to sell what God gave to the people of Skye’ according to a local MP (‘Cuillins under the hammer at offers over £10 million,’ 2000, p. 1). *Sunday Herald* columnist Muriel Gray pointed out that it was ridiculous of Macleod to be noble about re-inforcing rights of access in the sale process. Thanks to trespass laws in Scotland and general public interest he couldn’t stop it even if he wanted to, nor could any future owner (Gray, 2000, p. 25).

**Who Owns the Cuillins? Everyone and No-one**

Some local people argued that the mountains themselves would remain unaffected by matters of ownership, and that changes in ownership could not affect their relationship to the mountains, based as it was on spiritual and aesthetic grounds. This was supported by mountaineers, ramblers and others for whom access was the real issue: this they did not see as ownership dependent. The Cuillins defy the control of humans according to author and traveller Jim Crumley: ‘Some places belong to the ’clan of dreams’’ (Crumley, 2000, p. 1). For these people the mountains would still be the Cuillins no matter what human concerns may come and go. One article quoted Sorley MacLean, the Scottish poet who grew up looking across at the Cuillins from the nearby isle of Raasay, and speaks for them in his poem ‘The Cuillin’:

… beyond misery, despair, hatred, treachery,

beyond guilt and defilement; watchful,

heroic, the Cuillin is seen

rising on the other side of sorrow. (Gilchrist, 2000, p. 3)

This view accepts that the petty preoccupations of established property laws are quite inadequate to deal with the realities of people’s relationships with land, that it is futile to attempt to own nature (Steinberg, c1995). This attempt to establish a clear distance between the values of property and those of the spirit seems to ignore the historical reality of the spiritual misery that results from people’s dispossession of their land.

Others extended this idea to argue for their right to have the mountains managed as they wanted them because: they ‘own’ the Cuillins as much or more than Macleod does because they use it and have a strong ‘sense of place’ invested in it (Crumley, 2000, p. 1). But Macleod tended to take the opposite position: that the mountains held particular spiritual value for him as owner. So selling was the saddest decision of his life because the mountains are ‘part of my soul’. For this reason, he agreed that ‘To put any monetary value on the Cuillins is deeply reprehensible, distasteful, immoral you might say’ (‘Repair my roof and save the Cuillins,’ 2000, p. 10).

**Land Ownership and Outdoor Education in Scotland**

In the case study described here, Macleod’s claim for the Cuillins has led to a public review of that land’s use and value. ‘People were [not] simple enough to believe him’, as Rousseau might have said: so they rejected Macleod’s right to benefits from the private ownership of the Cuillins and asserted that the place had a wide range of other benefits that could or should be recognised and shared by all citizens, particularly the long-standing benefit and tradition of freedom of access. The Cuillins case shows that a range of benefit streams for citizens in general cannot be assured without protection. Unless a range of benefits are recognised and asserted for and by ordinary citizens, they
may diminish or disappear. These include spiritual fulfilment, scenic and aesthetic appreciation, educational, recreational and tourist access, opportunities for conservation, development or alternative investment in the public interest.

Land ownership and management is a sensitive issue in Scotland where 80% of land is privately owned (Toogood, 2003). This situation has led outdoor educators such as Higgins (2002) to be active in arguing against the current dominance of private ownership of empty landscapes, on the grounds that private benefits to individual owners do not compensate for the evident problems of large scale land degradation, loss of biodiversity and economic deprivation (Higgins, 2002, p. 153). When tightly defined concepts of private land ownership dominate a place or a culture, Governments and citizens are limited in their capacity to reappraise use of resources or to address changing needs. Obstacles such as the varying degrees of interest and self-interest, understanding, commitment and capacity of owners make such problems hard to address. For example in Scotland the weak tradition of State control of land is partly why National Parks are a recent innovation. Loch Lomond and the Trossachs (2002) and the Cairngorms National Park (2003) are only to a small extent on public land, and have been created subject to a weighty set of interests and rights. Flexibility of land tenure is needed to address contemporary issues such as recreation access, land degradation, and unacceptable development (Blackwell, 2000a).

Outdoor educators can usefully explore how local traditions of land ownership have supported different values in relationship to places. This leads to explorations of the history of the landscape and opens up possibilities for interpretation of how land could or should be used. The idea that the condition of land is not a given, but subject to change, can inculcate a sense of responsibility for its future (Nicol & Higgins, 1998).

For Higgins and others (Nicol & Higgins, 1998; White, 1998), understanding the particular circumstances of land ownership and use is central in defining and extending the fabric of outdoor education. Higgins (2002) outlines how patterns of land ownership since Feudal times in Scotland have shaped the ecology, the economy, the landscape and the current accepted uses of the Highlands and Islands. Indeed, Nicol and Higgins (1998) argue that the curriculum needs to be shaped towards recognition that places reflect how people want them to be, and that political understanding is necessary in order to protect landscapes from undesired change.

**Conclusion**

The sheer extent of private ownership of land in Scotland makes it a vexed issue for outdoor educators in a way that it is not, but perhaps should be, elsewhere. It is worth noting here that issues of land tenure extend well beyond Scotland, as both the idea of outdoor education and the legal structures that shape land use have been derived significantly from British traditions in former British colonies. Hence in such places most citizens are a lot more attuned to the role and value of private land ownership than they are of public land, even though public land ownership is much greater than in Britain and is the venue for most outdoor education. Although outdoor education leaders commonly recognise spiritual relationships to land in the public domain, it is hard to encourage or educate for the practical, especially political, dimensions of such connections

This common heritage asserts the economic value of land rather than its other values. It leads to a culturally narrow and perhaps ultimately not very helpful view of land ownership and has a
significant influence on where and how we practice. Possibly outdoor educators tend to take for
granted their rights and values in terms of ‘ownership’ of public land and leave private land out
of their considerations almost entirely. Outdoor education traditionally takes place in sites of low
economic value but high scenic, iconic and conservation value, and therefore conflicts of the type
considered in this article are fortunately rare. However, as happened in the Cuillins case, there are
increasing pressures on national parks and other protected areas for tourism and other development,
which could change their nature for many outdoor education experiences.

Author Gavin Maxwell’s view is one shared by many outdoor educators: people cannot possess
mountains, they are possessed by them. But Maxwell goes on to point out that places can be altered
by others who don’t share this view ‘…we do not know why nor at what point we squandered our
heritage; we only know, too late, that it cannot be recovered or restored’ (quoted in Crumley, 2000,
p. 1). For educators, the ‘perception amongst resident and visitor alike that [a place] has always
been, and will always be like it is at present’ presents a psychological and educational barrier to

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Notes

1. ‘Munros’ is a general term given to all the peaks in Great Britain of over 3000 feet
(approx. 914 metres), of which there are about 284. Many people make it a goal to ‘bag’ as many
of them as possible.

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