

## CHAPTER IV

### HISTORICAL ASPECTS OF THE LAND QUESTION

A GENERAL history of the land question has not yet been written. One of the original, and now abandoned, purposes of the present volume was to have attempted such a history. That contemplated history was not intended to have been an objective one. Frankly, it was to have been a history that would have supplemented the preceding analysis of the land question, and its argument would perhaps have developed around the rather bald proposition that private property in land has always been a cause of the economic decay of civilization. Such a statement would obviously have been historically unprovable. Whatever may be the validity of economic or philosophic argument concerning the crucial part played by land tenure in the growth of human society, historical research can neither affirm nor deny broad generalizations in this field. Specific correlations between historical origins and land organization, or between the decline of some particular culture and land abuses, have been made,

but even here the honest disagreement of historians is so decisive that no acceptable conclusion can be reached.

The land question, however, is certainly not exceptional in the difficulties it presents to historical demonstration. Indeed, it may be seriously questioned whether history can, or even wishes to, demonstrate any causal correlation, just as it may be questioned whether history can be written objectively. Now, this is not going to develop into another essay on the "meaning of history," but there may be proposed the suggestion that (at least) social history is fundamentally illustrative, that it is the elaboration of an implicit or explicit point of view.

That suggestion is far from novel. No longer is it fashionable to insist upon a history written in terms of "pure" objectivity. It is being increasingly realized that throughout his history speaks the historian, that his pages illuminate his own immediate background no less than the times of which he writes. If this is so, the absence of scientific unanimity is not difficult to trace. It is not simply the paucity and untrustworthiness of sources, the ambiguities of language, the incomprehensibility of motives, the seeming irrationality of former practices—the historian, in addition, is writing in the eighteenth century and sees the rule of reason and nature, or in the nineteenth and witnesses the evolution of culture, or in the twentieth and has regard for the economic status of the common man.

In no field of history is such subjectivity more apparent than in economic and social history. It may at least be theoretically possible to chronicle the records of dynasties, royal successions, military campaigns, and the diplomatic amenities of intrigue without too much personal bias, but the rise of capitalism, the economic "causes" of wars and treaties, the forms of land tenure, the social background of revolutions—these seem to press too deeply into our own times to permit the laudable scientific detachment. Such statements may be truisms, but they may help to explain why a history of the land question has not been achieved, and why the following pages must remain a sketchy outline.

Another preliminary point: there will be no attempt made here to discuss the Marxian interpretation of history. It will simply be taken for granted that history cannot be read intelligibly unless its economic setting is appreciated. That background may loom as large or shrink as small as the particular historian's predilections allow, but it is a background that is never absent. However, such an economic background is not to be understood as implying any specific technical pattern. That is to say, an economic interpretation of history is not necessarily a "capitalistic" interpretation. Economic control means control of the avenues of the production and distribution of wealth, and the burden of the present work has been to indicate that such control does not involve any one system of

technology. Economic exploitation is hardly parochial.<sup>1</sup>

Particularly does this observation apply to ancient society. Minus a machine culture, and largely deficient—except for certain periods such as in Rome after the Punic Wars—in a “capitalistic” economy,<sup>2</sup> the ancient world still discloses a pathological economic system. That system demands interpretation even if not a “capitalistic” one.

The economic history of ancient times has, however, been faced by almost insurmountable obstacles, and it has been written only in sections; a unified and coherent study of its problems and disasters has not yet been, and perhaps never will be, achieved.<sup>3</sup> Absence of available source material, and, possibly of equal importance, an absence of interest comparable to that in the historical development of the capitalistic system, have militated against a much-needed exposition. It is therefore not to be expected that the ancient history section

<sup>1</sup> Even Marx did not confine himself to any single technology, but instead suggested an inclusion of all possible relations of production and consumption. See, for example, Professor Seligman's *The Economic Interpretation of History* (Columbia University Press, 1902; 1922 ed.), Part I, Chap. V.

<sup>2</sup> It is true that “capital” played a not inconspicuous part in ancient economic life, but it was commercial rather than industrial capital.

<sup>3</sup> Accounts of the difficulties in writing ancient economic history may be found in representative articles such as Rostovtzev's “The Decay of the Ancient World and Its Economic Explanations” (*The Economic History Review*, Vol. II, No. 2, January, 1930; especially p. 204); and Tenney Frank's “Recent Work on the Economic History of Ancient Rome” (*Journal of Economic and Business History*, Vol. I, No. 1, November, 1928, pp. 105-118.)

of the following essay will be able to add anything to the work of scholarship, but there will at least be made a serious attempt to consider a major aspect—possibly the major aspect—of former economic life, the land question.

But prefacing a mention of ancient economy must come a résumé of primitive practices—anthropology before history.

#### PRIMITIVE LAND TENURE

It is no longer proper in sociology or anthropology to make large generalizations. In fact, the whole trend of contemporary social research may be characterized by its insistence upon exceptions, exceptions, that is, to the "laws" and "principles" of the older approach. For example, the traditional interpretation of the development of human culture could point to simple evolutionary stages, to single-line growths: civilization had progressed from one clear-cut level to another. There were stone, bronze, iron ages, always in that sequence; pastoral cultures were succeeded by agricultural; nomadic life gave way to fixed habitations; and so on. Present-day investigators are not so confident. While they may be able to recognize certain broad channels of development, there is no longer any procrustean attempt to fit all the data of social life into rigid theories. There is more of a respect for individual cases, a respect that makes for wholesome accuracy—even if it means unpleasant anarchy for the nineteenth century "philosophies" of culture.

This type of approach is nowhere more evident than in the anthropologist's handling of private property. The over-simplified belief, at one time so popular, that there had been a definite unilineal evolution from one clearly recognizable status of property to another, and especially the statement that a primitive stage of communism had in each case preceded the gradual rise of the institution of private property, are no longer acceptable. That argument of a communism-to-private-property transition was an implicit or explicit part of a good bit of former sociological and historical theory. Statements such as these are typical of that position:

We have the strongest reason for thinking that property once belonged not to individuals or even to isolated families, but to larger societies composed on the patriarchal model. . . . It is more than likely that joint ownership and not separate ownership is the really archaic institution. (Sir Henry Maine.)<sup>4</sup>

There is a distinct legal idea of common property in land belonging to the clan or tribe. (E. B. Tylor.)<sup>5</sup>

Lands, as yet hardly a subject of property, were owned by the tribes in common. . . . These several forms of ownership tend to show that the oldest tenure by which land was held was by the tribe in common; that after its cultivation began, a portion of the tribe lands was divided among the gentes, each of which held their portion in com-

<sup>4</sup> *Ancient Law*, pp. 260, 251 of 4th American ed., from 10th English ed. (New York, Henry Holt, 1906; the first London ed. appeared in 1861.)

<sup>5</sup> *Anthropology*, p. 419. (New York, Appleton, 1881.) There is little regarding this point in his more famous *Primitive Culture*.

mon; and that this was followed, in course of time, by allotments to individuals, which allotments finally ripened into individual ownership in severalty. Unoccupied and waste lands still remained as the common property of the gens, the tribe and the nation. This, substantially, seems to have been the progress of experience with respect to the ownership of land. Personal property, generally, was subject to individual ownership. (L. H. Morgan.)<sup>6</sup>

Such remarks are illustrative of an entire literature. Communism, at least of landed property, was held to be the first economic "system." Especially was this argument connected with the whole Aryan problem. Just as the philology of Max Müller made the Aryan "race," from India to Germany and the British Isles, a homogeneous unit, so did the theory of primitive agrarian collectivism. Henry Maine, von Schroeder, and others pointed out that the Indian village, the German *Mark*, the Russian *mir*

<sup>6</sup> *Ancient Society*, pp. 527-528; 541-542. (New York, Henry Holt, 1878.) Part IV, on the "Growth of the Idea of Property," devotes much attention to this supposed development of private property out of an original communism. Morgan argued that there was little acquisitiveness in primitive life, and that the "greed for grain" and the whole psychology of private property arose only gradually.

In addition to Maine, Tylor, and Morgan, we find Herbert Spencer and Lord Avebury taking approximately the same view. In France, there were particularly Laveleye with his most important *Primitive Property* (Marriott tr., London, Macmillan, 1878 ed.), Viollet, and Dareste. Paul Lacombe's *Appropriation du Sol: Essai sur le Passage de la Propriété Collective à la Propriété Privée* (Paris, Armand Colin, 1912) is a more recent presentation of a very similar view. In Germany, von Maurer, important for his theory of the primitive, communistic German *Mark*, Haxthausen, Hanssen, Nasse, Bachofen, and Mommsen were impressed by like arguments. Other names, out of many more that might be added, are those of the Dane, Oluf Christien Olufsen, McLennan, and Teulon.

(although perhaps not strictly Aryan), and even the early Irish and Welsh communities, were all examples of Aryan communism.<sup>7</sup>

This is not to say, however, that such a hypothetical communism was always the object of praise. Both Maine and Laveleye, for example, agreed that the separate ownership of (at least landed) property was a rather late phenomenon, but whereas the former, coinciding largely with the general trend of the English school, saw in such a rise of the private property idea the development of progress and civilization, the latter connected it with many of the serious ills of economic life. In fact, the contrasting approaches to this supposed primitive economy were bound up with the much larger problems of a sociological golden age, of noble savages, and of "natural" à la Rousseau. Those who looked upon property as a fall from grace witnessed in primitive communism the pristine, uncorrupted naturalness of man, whereas the defenders of private property quite easily accepted such an early economic system as they did cannibalism, animism, or any other barbarian benightedness. The argument from the "natural" origins of economic communism was a dangerous two-edged blade. History,

<sup>7</sup> An interesting study that traces Semitic as well as Aryan agrarian origins to a communistic village society is found in the book of Henry Schaeffer, *Hebrew Tribal Economy and the Jubilee as Illustrated in Semitic and Indo-European Village Communities* (Leipzig, 1922; New York, Stechert). Professor Schaeffer discusses the village communes of Palestine, Babylon, India, Homeric Greece, Russia, Germany, Ireland, Wales, and England.



as usual, could afford no criterion of acceptability, even when there was a general agreement as to its findings.

But that historical agreement was not destined to continue. Fustel de Coulanges represents one of the earliest of the sceptics. His volume on *The Origins of Property in Land*<sup>8</sup> handles rather severely all the historical arguments for a primitive communistic society. Von Maurer, Mommsen, Laveleye, and especially Viollet are taken to task by the French scholar; he is particularly critical of the theory of the communal German *Mark*. Fustel does not hold that private property is necessarily a primary institution. His point, instead, is that communism in land has not been historically proven, at least not according to the rather strict canons of

<sup>8</sup> Ashley trans., London, Swan Sonnenschein, 1892. The work contains an enlightening introductory essay by Ashley on the English manor.

However, it must be pointed out that, in part at least, Fustel de Coulanges repudiated an earlier position in this attack on agrarian communism. In his *The Ancient City* he argues vigorously, it is true, that there was no common property in land in Greece and Rome, but he admits that such a system did exist in Germany. "Among the ancient Germans the earth belonged to no one." (See pp. 76-77 of the Small trans., Boston, Lee and Shepard, 1874.) He states, furthermore, that whereas the harvest belonged to the proprietor, the land did not, and he adds that the same was true among some of the Semitic races, the Slavic nations, and the Tartars. "On the other hand, the nations of Greece and Italy, from the earliest antiquity, always held to the idea of private property." Among the Greeks, Fustel thinks that there was even a reversal of the "natural" order, with the result that there was private property in land but not in crops. Such private property in land was largely religious in origin, being connected with the worship of the gods of the hearth and household. "A result of the old religious rules was that a community of property was never established among the ancients." (*Ibid.*, pp. 80-81.)

historical evidence that he lays down.<sup>9</sup> Another of the critics was Max Weber in the field of economic history.<sup>10</sup> His statement that "nothing definite can be said in general terms about the economic life of primitive man"<sup>11</sup> is a key to the whole modern attitude. These later scholars are much less confident as to just what history does reveal.

These earlier critics of the primitive communism thesis are introduced as typical of a changing attitude.<sup>12</sup> The new approach, as has already been sug-

<sup>9</sup> *The Origins of Property in Land*, pp. 151-152. A similar criticism of the older approach, as it applied to ancient Greece, may be found in Paul Guiraud's *La Propriété foncière en Grèce jusqu'à la conquête Romaine* (Paris, 1893).

<sup>10</sup> See especially Part I of the volume of his translated lectures published as *General Economic History*, edited by Hellman and Palyi, translated by Professor F. H. Knight (New York, Greenberg, 1927).

<sup>11</sup> *Ibid.*, p. 24. According to Weber and others, it was not the *Mark*, but the *Hufe* or "hide" that was the primitive basis of German land tenure, and that was a manor, three-field system representing a "share" but not a communal economy. It is true that Weber traces the collapse of equality among the *Hüfner* (hide-men), and the later development of the enclosures and the power of the feudal overlord, but he makes clear that private property in land and not agrarian communism was the probable basis of German economic organization.

<sup>12</sup> This same about-face is found among the critics of Aryan communism, especially in the studies of early Hindu life. The works of B. H. Baden-Powell, particular his *The Indian Village Community* (London, Longmans Green, 1896) and *The Origin and Growth of Village Communities in India* (London, Swan Sonnenschein, 1899) are representative of familiar criticism of the supposed communistic life of early India. This sentence from the latter work may be quoted: [The common ownership of land] "will probably be no longer defended by anyone. There is no evidence that the early Aryan tribes had any idea of the common ownership of land except that they possessed (as seems probable) the custom of the joint family and the joint inheritance of the members in succession to the head." (Pp. 113-114.) The study of the Indian village is important in this whole question of the foundations of (Aryan) economic life, since, as Baden-Powell demonstrates, the village is still alive while the German *Mark* is

gested, is less positive than the older one; its conclusions are tentative. This is particularly true since the rather recent substitution, in the study of primitive life, of the scientific anthropologist for the former more doctrinaire historian and sociologist. The anthropologist is duly suspicious of too easy generalizations, and is impressed only by tangible evidence. Such evidence is necessarily meager. It must confine itself largely to the study of contemporary primitive tribes, with some very slight assistance—at least so far as social life is concerned—from the cultural relics of early man. As a result, the more modern studies of primitive life are so often bare recitals of facts, perhaps fascinating as accounts of sojourns among aborigines, but ordinarily devoid of theorizing or “philosophy.”

The most serious qualifications that these newer anthropological studies seem to suggest, in their handling of the argument of primitive communism, concerns the abstract and conceptual phrasing of

long since dead. A good summary of this problem may be found in *The Agrarian System in Ancient India* by U. N. Ghoshal (University of Calcutta Press, 1930), especially Lecture V. Professor Ghoshal writes: “It thus appears that the private ownership of land was an established institution among the Indo-Aryans from the oldest times to which their history can be traced.” (P. 82.) He admits, however, communal ownership in grass lands. “Land-Tenure in Ancient India,” by E. Washburn Hopkins (*Political Science Quarterly*, Vol. XIII, No. 4, pp. 669-686), is another short summary which deals particularly with the early literature of India. Dr. Hopkins disagrees with some of Baden-Powell's conclusions, but he finds that the Indian epics, although their testimony is somewhat confusing, seem to imply private property in land.

the older point of view. We are now told that it is very difficult to speak of primitive property in general terms. It is awkward to employ such concepts as "communism" and "individualism," and dangerous to speak of one "system" *versus* another. For one thing, outright communism, *i.e.*, the complete exclusion of individual rights to property, is rarely found among primitive peoples.<sup>13</sup> While collective or joint ownership is common—although by no means universal—a strictly communal treatment of property appears only when either the property-owning sib or the collective group becomes coextensive with the community itself. In such a case there is an approach to communal ownership, but only an approach.<sup>14</sup> Again, in many cases "communism" and "individualism" exist side by side, and property is treated in part one way and in part the other, or (as among the Kirghiz) the two "systems" vary from season to season.<sup>15</sup> A theoretical conclusion, therefore, as to an evolution from com-

<sup>13</sup> R. H. Lowie's *Primitive Society* (New York, Liveright, 1920), especially Chap. IX, is perhaps the best recent account of this whole matter of primitive property given in small compass. See also his article on that particular topic in the *Encyclopaedia of the Social Sciences*, Vol. IX, pp. 76-77. For a short bibliography, note pp. 255-256 of *Primitive Society*, and pp. 122-123 of the *Encyclopaedia* article. There may also be mentioned in this connection G. T. Lapsley's "The Origin of Property in Land" in the *American Historical Review*, Vol. VIII, No. 3, pp. 426-448. The statement noted above in the text depends on pp. 205-206 of *Primitive Society*.

<sup>14</sup> *Ibid.*, p. 206.

<sup>15</sup> "Contrary to a common assumption, both individual and communal property exist wherever man is found." From A. A. Goldenweiser's popular *Early Civilization* (New York, Knopf, 1922), p. 137.

munism to individual property,<sup>16</sup> or a characterization of primitive economy as simply either this or that, would be exceedingly rash. Further, the anthropologists point out that even where there is the closest approximation to communism, as among the Arctic aborigines—due, perhaps, to the rigors of the climate—the absence of individual rights seems a matter of ethics and etiquette rather than of law. It appears to be tradition and good taste, rather than legal requirements, that force the sharing of food supplies with the needy, and forbid hoarding; the necessity for sharing is social (moral) altruism instead of the expression of communistic economics.

There is, however, one type of generalization that the anthropologist permits himself to make in handling primitive property, and that is a distinction between property in land and property in movable chattels—a distinction that seems most impressive. This generalization tends to point out that private property in movables is much more clearly defined than property in land.<sup>17</sup> Whereas with land there is ordinarily the emphasis upon joint ownership, the personal titles to chattels, on the

<sup>16</sup> In some cases the evolution of property has been just the reverse, developing from individual to joint ownership. (Lowie, *op. cit.*, pp. 232-233.) Herbert Spencer suggested a similar point, *i.e.*, that increasing civilization tends to produce "ethical sentiments" that would bring about voluntary communal coöperation instead of predatory conflict—an example of his semi-fatalistic belief in evolution's ultimate solution of economic problems. (Note his *Principles of Ethics*, Vol. I, pp. 262-263; and Vol. II, Part IV, *Justice*, p. 85; Appleton edition.)

<sup>17</sup> Lowie, p. 233.

contrary, are rather strictly individualized, and a collective treatment of land may go hand in hand with the private ownership of goods and implements. A distinction, for example, may be made between live-stock and land, or even between fruit trees and the land on which they stand—a distinction in terms of individual and collective control.<sup>18</sup>

This does not mean that a decisive and single system of collective land tenure is set up as against the private control of movables; it is simply that there seems to be a *general* difference in emphasis in the disposition of these two forms of primitive property. For land tenure cannot be treated in an over-simplified way any more than can other institutions of primitive society. Tenure is not the same in all regions; it varies according to status, and there is much individual property in land, even among hunting tribes.<sup>19</sup> Among the American natives, especially in the southern hemisphere, there is found perhaps the most extensive collective handling of landed property: this accords with the general "democracy" of the New World peoples in government and the administration of justice. There is some communal ownership, but land tenure (although there are many different forms) is usually under the control of a sib. That is, the joint ownership of land is rarely by large political groups, but is rather in the hands of smaller blood-kindred ones. On the other hand, the African tribes which are ordinarily under some form of royal domain,

<sup>18</sup> *Ibid.*, p. 226.

<sup>19</sup> *Ibid.*, pp. 214-215.

have developed a typical land ownership by the king, with a resulting feudal system. In Oceania the land tenure systems are quite diverse, with many examples of individual property in land.

Yet, despite these different treatments of land as property, there is still expressed the underlying conviction that land is largely the collective possession of the group. Lowie, for instance, even goes so far as to say that "a review of the systems of land tenure described in the preceding pages establishes beyond doubt the reality of that principle of joint ownership which so strongly impressed Sir Henry Maine."<sup>20</sup> He qualifies that statement in several instances, and he insists also that the burden of proof rests clearly on those who characterize primitive land tenure as completely communistic, but he does recognize that land, for the aborigine, has a different property status from that of movables.<sup>21</sup> This same point is made by other investigators, even by those who are most critical of "easy generalizations in terms of abstract cultural laws."<sup>22</sup>

<sup>20</sup> *Ibid.*, p. 231.

<sup>21</sup> Women and children in many tribes may own chattels but not land.

<sup>22</sup> For example, Carl Brinkman writes: "Some phase of tenure in commonalty is thus characteristic of most agricultural systems down to the rise of the peculiar individualistic property concept connected with modern entrepreneurial capitalism. . . . The vesting of land tenure in an individual as distinct from a social group, whether of contemporaries or of successive generations, is thus a very modern concept incapable of complete fulfillment even in a capitalist economy." (*Encyclopaedia of the Social Sciences*, Vol. IX, pp. 73-74.) He adds that all agrarian reforms, at least where land is the basic element of production and the foundation of national existence (and one might well ask: where is it not?), recognize the impossibility of accommodating land to strictly private ownership.

In the primitive approach to movables we have a closer approximation to the more modern concept of private property. Here the individual has a much wider power of ownership and disposal, especially of implements that are constantly used. The primitive collectivistic principle does not seem to apply to "capital" as it does to "land." Moreover, there is the implicit assumption that all property, individual or collective, must be subject to the test of effective utilization. The primitive characteristically insists on use as the measure of property. In fact, there is even made a distinction (as among the Zúñi) between used and unused land, with the former approaching the status of individual property, and the latter being handled collectively.<sup>23</sup> Title to movable property rests, in many cases, upon individual effort as well as upon effective use, and such an early "labor theory of property" is often applied to inheritance, a distinction being made, in terms of the power of disposal, between property that is inherited and property that is the result of labor. This use criterion is a determining factor even with intangible property, such as songs and names.

It will be seen, therefore, even from such a brief exposition as this, that little of a decisive nature can be proposed in dealing with primitive property. It is true that the earlier thesis of an original communistic society is no longer acceptable, although, as has just been noted, to hold that land, as distin-

<sup>23</sup> Lowie, p. 217.



guished from movables, is largely the object of collectivistic treatment, is still tenable. But nothing of the nature of definitive historical conclusions can be drawn from such modified findings. If private property has always existed, its champion will present that fact as testimony to its respectable and hoary ancestry; its enemies will infer that primitive man's ingenuousness has been exaggerated. If a distinction is made between landed and chattel property among aborigines, that is a proof of their economic astuteness or of their economic ignorance—according to the investigator's point of view. As with the figures of statistics, so with historical data: their use depends largely on the attitude of the user. That difficulty underlies any historical handling of a social institution.

#### ANCIENT LAND TENURE

It is impossible to locate the transition from primitive property concepts to those of ancient society. Even the criterion of written records, ordinarily used to distinguish between the prehistorical and the historical, is often of little unambiguous value. When we inquire, for example, about the foundations of all early agricultural economies, we find ourselves immediately in that shadowy borderland between the historical ancient and the prehistorical primitive. Certainly the establishment of an economic and social agrarian order must be located no later than the neolithic and early bronze

age periods.<sup>24</sup> (Urban civilization, demanding a different type of social structure, was, of course, a much later development.) And in the early establishment of a "system" of agricultural economics, there were naturally carried over practices and customs, later institutionalized, that testify to this primitive origin. For example, there is found some sort of public land among practically every agricultural people; this land, as in Rome, often came to have great political significance. Such commons were ordinarily pasturage and forest, untilled land, and were kept distinctly separate from cultivated fields. Farm lands were private property, but the unworked arable was not. Here is a clear throw-back to the primitive interest in agrarian collectivism, together with the primitive distinction between used and unused land.<sup>25</sup> This is not intended to imply that such public land was necessarily a dominant phase of ancient agricultural economy. It simply affords testimony to the indissoluble linkage between what we please to call the "primitive" and the "ancient" periods.

Private property, in land as well as in chattels, was certainly an integral aspect of social culture at the beginning of historical European civilization, wherever—between 5,000 and 10,000 B.C.—we may set the date of such a beginning, but even here there

<sup>24</sup> For a short discussion of this topic see the article by Fritz Heichelheim on "Ancient Land Tenure," *Encyclopaedia of the Social Sciences*, Vol. IX, pp. 77-82.

<sup>25</sup> *Ibid.*, pp. 77-78. Compare page 83, of same volume, from Heinrich Cunow's paper on "Medieval Land Tenure."

is no absence of transition from earlier centuries; it has been observed that "both individual and communal property exist wherever man is found."

It is beyond the scope of this exposition to suggest the details of the various forms of ancient land tenure. An outline of such tenure, however, may be sketched. And it will be discovered that ownership of land by the economically powerful has characterized every form of ancient landholding; there may be exceptions, but they are simply exceptions. The rapid rise of the warlike city societies, particularly in Egypt and Mesopotamia, set the model for the social and economic organization of all of Asia Minor and the Near East; that model was characterized by the steady accumulation of land in the hands of military and religious leaders, culminating in the king as the great landlord.<sup>26</sup>

#### *The Near East*

Economic history does not tell us much about the early land systems of Egypt and Mesopotamia. What little it does reveal seems to be rather simple: the land, especially in Egypt, was largely the property of the king. But it is not clear whether the regal dominion over land grew with the ruler's military power alone, or whether the earliest kings,

<sup>26</sup> "Religious charismata, the rights of conquest, and especially the dependence of land rent upon a centralized organization of land tenure, soon made the chief of the state the supreme landowner." (Heichelheim, *op. cit.*, p. 78.)

proffering themselves as the representatives and heirs of the clan's gods, laid claim, as surrogates of divinity, to all tribal territory.<sup>27</sup> There is little tradition of an early communal approach to landed property in Egypt.

In Sumer and Akkad, however, there seem to have been in operation both private and collective land ownership.<sup>28</sup> But with the rise of the great Sumerian dynasties, the land became the property of temple and king. ". . . The great holders of property under the Third Dynasty [about 2200 B.C.] were the temples of the city-gods, or rather the gods themselves. . . . and there is, of course, ample evidence that the same was true both of earlier and later ages. . . . The only possessor comparable with the gods was the king himself."<sup>29</sup> There were some "feudal" freemen and, obviously, very many slaves, but "of the state of the remaining population it is hard to speak, since there is not available for this period any such guide to social conditions as the Hammurabi Code supplies for a somewhat later age. In particular, the humbler, ingenuous classes remain almost invisible."<sup>30</sup>

<sup>27</sup> The attempt to show the relation between primitive tribal rule and the earliest kingdoms of Egypt, to bridge the gap between sociology and history, is found particularly in *From Tribe to Empire*, by Moret and Davy (Childe tr., London, Kegan Paul, Trench, Trubner and Co.; New York, Knopf, 1926). The connection between early Egyptian totemism and the symbols of the Pharaoh is rather clearly traced. (Note also pp. 142-143.)

<sup>28</sup> See *Mesopotamia: The Babylonian and Assyrian Civilization*, by Louis Delaporte (Childe tr., New York, Knopf, 1925), p. 101.

<sup>29</sup> *History and Monuments of Ur*, by C. J. Gadd (New York, Dutton, 1929), pp. 141-142.

<sup>30</sup> *Ibid.* Note also Edouard Cuq's *La Propriété foncière en Chaldée* (Paris, 1906).

The social and economic history of Egypt repeats the same formula with monotonous regularity. As early as the First Dynasty [approximately 3400 B.C.] "in all probability the land all belonged to the estate of the king, by whom it was entrusted to a noble class. . . . The people, with the possible exception of a free class of artificers and tradesmen, will have been slaves on these estates."<sup>31</sup> Royal lands were farmed out in the form of allotments, or as large estates, and the bulk of the population belonged to the land and was transferred with it; at best we find the semi-serfdom of a "colonate" system such as came into prominence later in Rome. With the exception of a few precarious private domains, the results of religious or personal bequests, this was the land economy of Egypt. It is not necessary to trace the rise and fall of Egyptian feudalism; it offers a problem of administration rather than of fundamentals. The so-called Middle Kingdom was dominated by the rise of powerful feudal landlords, with the resulting partial eclipse of the king and temples, but, following the triumph of Ahmon and the Theban dynasty, and particularly after the Hyksos invasion, the feudal ascendancy ended and "all Egypt was now the personal estate of the Pharaoh."<sup>32</sup> The

<sup>31</sup> Breasted's *History of Egypt* (London, Hodder and Houghton, 1922 ed.), p. 44. The same familiar point is made in any of the standard treatments of Egyptian life, e.g., Maspero's *Dawn of Civilization* (New York, Appleton, 1894), especially pp. 296-297 and 308 ff.; Flinders Petrie, *Social Life in Ancient Egypt* (London, Constable, 1925); the works of E. Meyer, and others.

<sup>32</sup> Breasted, p. 229.

temples also returned to their former landed power, and at a later period, for example under Rameses III, they owned some fifteen percent of the arable land.<sup>33</sup>

Babylonian and Assyrian land systems were little different from those of Egypt. The earlier Sumerian dynasties passed on their heritage of a nation dominated by king and priest and feudal lord, and after the rise to power of the city of Babylon there flourished a slave economy founded upon a most rigorous system of safeguards for private property—as presented in the Code of Hammurabi. It is true that, in the Kassite period, some of the important towns possessed great landed estates, and there is even some evidence of a communal agrarian organization following the Kassite reign,<sup>34</sup> but this was only an interlude; lands again passed under the complete control of the king.<sup>35</sup> The Assyrian Empire shows us the complete expression of an Oriental land system, with serfs attached to the soil and an almost universal absence of free agricultural land.<sup>36</sup>

The record of Egyptian and Mesopotamian land tenure is indeed a dreary one. And the “invisibility” of the “ingenuous” classes is all but total. There is, however, one rift in the rather dark background, and that is the “free land” tradition, about 1000 B.C., of the Phoenicians, Arameans, Lydians,

<sup>33</sup> *Ibid.*, pp. 491–493.

<sup>34</sup> Gadd, *op. cit.*, p. 212.

<sup>35</sup> Delaporte, *op. cit.*, p. 103.

<sup>36</sup> *Ibid.*, p. 294.

Medes, Persians, and, above all, of the Hebrews.<sup>37</sup> Not even the Assyrian Empire could completely extirpate the clamor for a more equitable arrangement of landed property. The Old Testament, in fact, may be regarded as one of the most interesting sources of agrarian radicalism.<sup>38</sup>

For one thing, the concept of private property in land among the Hebrews was very weak, and definite evidence of a semi-communal treatment of land can be found.<sup>39</sup> Moreover, there was prohibition of the spread of large estates—those verses in Deuteronomy and Isaiah that Neilson calls the eleventh commandment: "Thou shalt not remove thy neighbour's landmark, which they of old time have set in thine inheritance, which thou inherit in the land that the Lord thy God giveth thee to possess it." (Deuteronomy, XIX, 14.) "Cursed be he that removeth his neighbour's landmark; and

<sup>37</sup> Heichelheim, *op. cit.*, p. 78.

<sup>38</sup> The most thorough review of Bible land laws may be found in Frederick Verinder's *My Neighbour's Landmark* (London, Andrew Melrose, 1911). A recent and perhaps the most interesting interpretation of Scriptural land economics is *The Eleventh Commandment* by Francis Neilson (New York, Viking Press, 1933). (See also Neilson's earlier *The Old Freedom*, New York, Huebsch, 1919.) In this connection there may be mentioned the work of the late Adolf Damaschke, especially his article, "Die Bodenreform in der Bibel" (*Soziale Zeitfragen*, Berlin, 1906, XXVIII); and the appropriate chapters of his more ambitious *Die Bodenreform: Grundsätzliches und Geschichtliches zur Erkenntnis und Überwindung der Sozialen Not* (Jena, Gustav Fischer, 1918 ed.). Compare, in addition, P. S. P. Hancock's *The Latest Light on Bible Lands* (London, 1913).

<sup>39</sup> The division of the lands by Moses and Eleazar, and the numbering of the tribes in the plains of Moab, is in Numbers, XXVI; the division of the land of Canaan in Numbers, XXXIV; further land division is given in Joshua, XIII-XIX.

all the people shall say, Amen." (Deuteronomy, XXVII, 17.) "Woe unto them that join house to house, that lay field to field, till there be no place, that they may be placed alone in the midst of the earth!" (Isaiah, V, 8.)<sup>40</sup>

These "commandments" were not, as might possibly be inferred, safeguards for private property, implying a rigorous system of landed estates.<sup>41</sup> For the Hebrews, land was always the possession of Jehovah, and man was tenant of the Lord. "The land shall not be sold for ever: for the land is mine; for ye are strangers and sojourners with me." (Leviticus, XXV, 23.) David recognizes this tenancy to the Lord: ". . . thy land, which thou has given to thy people for an inheritance." (I Kings, VIII, 36.)

The most convincing evidence that the Hebrew people regarded land not from the viewpoint of completely private institutionalism, but from that of a theocratic, semi-collectivistic tribal economy is, of course, the famous jubilee provision. In the twenty-fifth chapter of Leviticus, there is found the distinct command that lands must be relinquished every fiftieth year, the year of jubilee:

<sup>40</sup> For the evil consequences of the violations of these "commandments," note Job, XXIV.

<sup>41</sup> "The boundaries of the family allotments were carefully marked, and the sanctity of these 'landmarks'—the outward and visible signs of the equal right to the use of the earth—was protected by the public and solemn denunciation of a curse against him who should dishonestly tamper with them. . . . For, to the Hebrew, the landmark was a sacred symbol. *But it was not the symbol of private 'property' in land.*" (Verinder, *op. cit.*, pp. 39-40.)



And ye shall hallow the fiftieth year, and proclaim liberty throughout all the land unto all the inhabitants thereof: it shall be a jubilee unto you; and ye shall return every man unto his possession, and ye shall return every man unto his family. (10.)

And in all the land of your possession ye shall grant a redemption for the land. If thy brother be waxen poor, and hath sold away some of his possession, and if any of his kin come to redeem it, then shall he redeem that which his brother sold. And if the man have none to redeem it, and himself be able to redeem it; Then let him count the years of the sale thereof, and restore the overplus unto the man to whom he sold it; that he may return unto his possession. But if he be not able to restore it to him, then that which is sold shall remain in the hand of him that hath bought it until the year of jubilee, and in the jubilee it shall go out, and he shall return unto his possession. (24-28.)

Thus, "the Hebrew did not own land. . . . He only enjoyed an interest in land, and, if he sold anything, he could only sell that interest. He could not sell the equal interest of his children or his children's children. The land of Canaan was, as it were, held from God on lease, by the families of Israel."<sup>42</sup>

There will be no intention here of entering into a discussion of the many problems concerning the jubilee. It is the belief of some authorities that the jubilee year was never actually put into practice, that it was nothing but a "paper" law. Other writers argue that, while there is no historical evidence for the actual observance of a jubilee, the

<sup>42</sup> Verinder, pp. 57-58.

strength of the jubilee tradition indicated some factual basis.<sup>43</sup> But whether or not the jubilee ever was practiced, it still testifies to the point made some pages back: that the Hebrews represented one of the exceptions to the Oriental serfdom system. They were an atavistic reminder of the primitive clan that cut back of the imperial traditions of the Near East.

### Greece

The difficulty in making the transition from primitive to ancient culture is particularly striking in Greece. Our knowledge of the Homeric period, for

<sup>43</sup> Wellhausen, one of the greatest authorities on Hebrew history, is entirely non-committal on the jubilee. (See his *Prolegomena to the History of Israel*, Black-Menzies tr., Edinburgh, Black, 1885, pp. 118-120.) Ewald says: "That no mention is made of it [the jubilee] in the miserably scanty historical narratives of the earlier centuries is purely accidental, and can furnish no support for such doubts, which are clearly refuted on other grounds. On a close inspection nothing is more certain than that the idea of the Jubilee is the last ring of a chain which only attains in it the necessary conclusion, and that the history of the Jubilee, in spite of its at first seemingly strange aspect, was once for centuries a reality in the national life of Israel." (*The Antiquities of Israel*, Solly tr., London, Longmans Green, 1876, p. 378.) *The Jewish Encyclopaedia* (Vol. X, pp. 605 ff.) discusses the tradition of jubilee observance before the Captivity, and connects it with the sabbatical years, which were definitely observed. Dean Milman writes: "This remarkable Agrarian law secured the political equality of the people, and anticipated all the mischiefs so fatal to the early republics of Greece and Italy, the appropriation of the whole territory of the state by a rich and powerful landed oligarchy, with the consequent convulsions of the community from the deadly struggle between the patrician and plebeian orders." (*The History of the Jews*, quoted in Neilson, *op. cit.*, p. 25.) "It is impossible to think that (as has sometimes been supposed) the institution of the jubilee is a mere paper-law—a theoretical completion of the system of seven; at least, as far as concerns the *land* (for the periodical redistribution of which

example, and the more recent information concerning the earlier Aegean civilization show us a people far removed from the "first Aryans." The Homeric picture is one of an aristocratic farmer society; what little we know of Minoan culture presents a more urban background, but neither resembles the traditional portrait of primitive. Of the semi-mythical, autochthonous Pelasgians, or of the conquering clans from the North—Dorians, Ionians, *et al.*—there is also little definitive knowledge, very little, at least, from the standpoint of economic history. Consequently, the familiar doctrine of primitive Aryan communism as operating in early Greece still meets with its usual ambiguous reception. There is the traditional approach, with its insistence that in Homeric times land was held as common property under a family (*genos*) system, and that the introduction of personal land ownership did not originate until the era of colonial expansion.<sup>44</sup> This is opposed by the more recent and more critical attitude, one that is sceptical of

there are analogies in other nations) it must date from ancient times in Israel." (From S. R. Driver's *An Introduction to the Literature of the Old Testament*, New York, Scribner, 1897, 6th ed., p. 57.)

<sup>44</sup> Statements such as these are illustrative: "There is evidence that the primitive Greeks, like all other Aryan communities, begin their career not merely as clans, but as clans whose members shared common property. At least, *land* belonged not to individuals but to groups of kinsmen, and could not be alienated." (From W. R. Patterson's *The Nemesis of Nations*, New York, Dutton, 1907, pp. 158-159. The book is a most fascinating, if unorthodox, handling of the economics of ancient slavery.) Glotz's important economic history devotes its first chapter to the Homeric family rule and the communal handling of land and other property. (*Ancient Greece at Work*, Dobie tr., New York,

the theory of early communistic origins and suspicious of any supposedly smooth transition from one land economy to another.<sup>45</sup>

It is perhaps wise, therefore, not to trouble too much with this almost insoluble problem of primitive communism, a question as unanswerable in Greek as in other ancient cultures. It may be more significant to mention simply the vital part played by land in Greek society and to trace briefly the Greek land problem. The most acceptable interpretation of early Greek land economics points out that the great estate did not characterize Greek society except at certain periods. Homeric life, it is true, was supposedly typified by large land holdings; the same was true in the years preceding the reforms of Solon, and also in the last stage of Greek life, the Hellenistic period. But, as a whole, Greece, at least as distinguished from Rome, did not pre-

Knopf, 1926.) Bury argues that private ownership of land began only with the Greek colonies. (*History of Greece*, London, Macmillan, 1913 ed., pp. 87, 106.) R. Pöhlmann, E. Meyer, Beloch and others represent, of course, the sources from which most of the English and French authorities mentioned here have made their divergent interpretations.

<sup>45</sup>The early work of Fustel de Coulanges has already been noted. (*Supra*, pp. 111-112.) Where Glotz sees in Homeric literature evidence for communal property in land, Toutain finds the opposite. He insists that Homer and Hesiod both show arable land to be private property; he denies family as well as collective ownership, and concludes that Homeric property was "private" and "unrestricted." (*The Economic Life of the Ancient World*, Dobie tr., London, Kegan Paul; New York, Knopf, 1930, pp. 43-46.) Paul Guiraud's work is also very critical of the theory of early communistic origins; following the lead of Fustel, he argues for the connection of private property with domestic religious worship. (*La Propriété foncière en Grèce jusqu'à la conquête Romaine*, Paris, 1893. See pp. 29-31.)

sent the flagrant and long-continued abuses of *latifundia*. "Nearly every citizen in an ordinary Greek state was a landowner. . . . Nearly all of it [land] in the normal Greek state was in the hands of small proprietors, who worked the soil themselves."<sup>46</sup> Hellenic economic life was dominated by its simplicity, by the insignificance of industry and manufacture, and by the corresponding prominence of land—also, of course, of commerce. "The landed tradition was the strongest and most persistent force in the inherited social economy of Greece."<sup>47</sup>

However, it must not be imagined that an agrarian problem was absent from Greece. In the sixth century, Athens, just as Sparta at a somewhat earlier time (*i.e.*, before the semi-mythical reforms of Lycurgus), was confronted by the serious problem of a rich landed class opposed to a landless

<sup>46</sup> A. E. Zimmern in *The Greek Commonwealth* (Oxford University Press, 4th ed., 1924, pp. 234, 233). Part III of this work, on Economics, is a most interesting interpretation of Greek economic life, one, however, that has been subjected to rather familiar criticism. For one thing, Zimmern's apology for Greek slavery is rather labored. (See Chap. XV of Part III, particularly pp. 384 ff., and also his *Solon and Croesus*, Oxford University Press, 1928, especially Chaps. IV and V.) Again, he emphasizes the non-economic psychology of the Greek, insisting that Greek happiness was essentially divorced from economic problems, and that the Greeks inherently had no desire for wealth or for great landed properties. (*The Greek Commonwealth*, opening of Part III, and p. 231.) Zimmern also argues ingeniously that the normal, conservative, indeed reactionary, way of looking at property in Greece was in terms of communism and social control, and that the setting up of the ideals of private property was the work of the radicals. In Plato's time, however, Greece was moving fast toward individualism, the Greek dislike for discipline and organization making impossible "political" socialism. (*Ibid.*, pp. 287-294.)

<sup>47</sup> *Ibid.*, p. 230.

and dispirited tenant group. The sixth century, in fact, represented a crisis in Hellenic economic life, especially in Attica. A money economy had been introduced into the Hellenic world,<sup>48</sup> and landowners no longer worked on their farms. "Manual labor now inspires only the contempt of those who profit by it."<sup>49</sup> The characteristic Greek small ownership system was being replaced by a modified colonate, and hired-men and debtors were being gradually driven into a serf-like status. "Two classes stand face to face: the great landlords own almost all the ground and the greater part of its returns, and the tenants, attached to the soil, work and die of hunger."<sup>50</sup> Aristotle, in the second paragraph of his *Athenian Constitution*, relates that ". . . the poorer classes, men, women and children, were the serfs of the rich. They were known as Pelātae and also as Hectēmōri, because they cultivated the lands of the rich at the rent thus indicated. The whole country was in the hands of a few persons, and if the tenants failed to pay their rent they were liable to be sold into slavery, and their children with them."<sup>51</sup> Plutarch's familiar *Life of Solon* paints this picture:

And the disparity of fortune between the rich and the poor, at that time [after the Cylonian sedition] also reached its height; so that the city seemed to be in a

<sup>48</sup> Heichelheim, *op. cit.*, p. 79.

<sup>49</sup> Glotz, *op. cit.*, p. 74.

<sup>50</sup> *Ibid.*, p. 81.

<sup>51</sup> Kenyon tr., Vol. X of Oxford edition of Aristotle's works.

truly dangerous condition, and no other means for freeing it from disturbances and settling it, to be possible but a despotic power. All the people were indebted to the rich; and either they tilled their land for their creditors, paying them a sixth part of the increase, and were, therefore, called Hectēmōri and Thetes, or else they engaged their bodies for the debt, and might be seized, and either sent into slavery at home, or sold to strangers; some (for no law forbade it) were forced to sell their children or flee their country to avoid the cruelty of their creditors; but the most part and the bravest of them began to combine together and encourage one another to stand to it, to choose a leader, to liberate the condemned debtors, divide the land, and change the government.

Relief for these conditions was sought in the reforms of Solon, but while there was an easing of debt, a cancellation of mortgages, and a reranking of citizens according to their estates, Solon's work was essentially conservative and nothing in the way of a redistribution of land, as supposedly with Lycurgus, was attempted. The fifth and fourth centuries, however, witnessed the return of the characteristic small landholding, at least in Attica. As a result of the various "seditions" and social struggles in the years following Solon, redistribution of the land was effected, and, with the exception of Sparta, the farming classes drove out the "tyrants" and absorbed the estates of the aristocrats.<sup>52</sup> Thus, "while Laconia was becoming a typical country of

<sup>52</sup> Heichelheim, p. 79.

large properties, Attica presented a particularly remarkable example of the opposite state of things. It had changed much since the days when it, too, had belonged to a small number of Eupatrids. . . . [At this time] the great majority of Athenian citizens lived on their land or from their land."<sup>53</sup> It was only during the Hellenistic era of Greek life that vast estates, anticipating the Roman model, became a permanent aspect of economic life. After Alexander's death, and especially after the downfall of the Selucids, Asia Minor and northern Africa were parcelled out in immense plantations cultivated by workers bound to the soil, and the mainland of Greece itself finally went the way of *latifundia*.

In this brief mention of the ancient Greek agrarian problem, there is the temptation to establish a correlation between the great periods of bloom and the society of small landholders. That, however, would be much too easy and unprovable a generalization. Yet, there seems to be little question that the land problem entered largely into Greek life as a determining factor. Toutain insists that great estates ruined Greece,<sup>54</sup> and Rostovtzev shows that the Greek social wars were economic in character, and "economic," for the ancient, meant one of two things—abolition of debts or redistribu-

<sup>53</sup> Glotz, pp. 246, 253.

<sup>54</sup> *Op. cit.*, pp. 115-116. Henri Berr, in the Introduction to Toutain's volume, states: "It would seem that in Greece, where land continued to be the main form of wealth until a late date, a certain equality was maintained fairly long." (P. xxiii.)



tion of the land.<sup>55</sup> Glotz argues that "the appropriation of the soil results in unequal distribution of landed property," and that "in a society in which natural economy prevails, movable property automatically goes to the families who own the land."<sup>56</sup> Waiving a query as to just what is meant by a "natural economy," this last statement must suggest an economic drift that characterized Greek no less than other ancient society. The connection between land tenure and slavery—that "nemesis" of ancient nations—cannot be authentically made, but it is not simply a fevered imagination that sees "movable property" (which, of course, includes slaves) going to "the families who own the land." Whether slavery would have persisted had Greece remained a country of small landholders—that is one of those perplexing and unanswerable historical riddles. But slavery, by whatever other name it may be called, cannot help persisting when land is owned by the few.

#### *Rome*

The question of land tenure in Rome is bound up very closely with the whole problem of primitive communism in land. Just as the late nineteenth century sociologist was generally impressed by the collectivistic life of early man, so the late nineteenth century historian ordinarily found a communistic state to be the original economy of the particular

<sup>55</sup> *The Social and Economic History of the Roman Empire* (Oxford University Press, 1926), p. 2.

<sup>56</sup> *Ancient Greece at Work* (*op. cit.*), p. 10.

nation in which he was interested. This was especially true in the case of Rome, and the name of Mommsen, in particular, is to be associated with such a thesis. He held that the ancient Latin made a clear distinction between property in land and property in goods, reserving the adjective "private" only for the latter. Mommsen wrote: "Since the arable land among the Romans was long cultivated upon the system of joint possession, and was not distributed until a comparatively late age, the idea of property was primarily associated not with immovable estate, but with estate in slaves and cattle."<sup>57</sup> Wealth among the early Latins, he argued, consisted of cattle and the products of the soil, not of land itself; moreover, even when landed property arose as an institution, the disposal of such property, at the death of the owner, was conditional upon the consent of the community.<sup>58</sup> Here, then, was a restatement, typical of many of the older historians, of the economics of primitive collectivism.

This belief in agrarian joint possession in early Rome has gone the way of the entire doctrine of land communism—it has become the object of severe, if polite, scepticism. The criticism is simply that no suitable evidence for such an economic

<sup>57</sup> *The History of Rome*, Vol. I, Chap. XI, p. 152. See also pp. 36 and 67. (Dickson tr., Everyman ed., London, Dent; New York, Dutton. Mommsen's work was first published in 1854-1856.)

<sup>58</sup> *Ibid.*, pp. 186-187, 428. Mommsen is among those who argue that the greatness of early Rome was built upon the mastery of her citizens over the soil of the country.

system has been found. It is not necessary to review the works of the more recent historians of Rome as to this point; unlike the approaches to other aspects of Roman history, there seems here to be a fair degree of harmony. The economic histories of Tenney Frank and Rostovtzev,<sup>59</sup> although they differ seriously in many of their conclusions, are illustrative samples of this newer interpretation. For example, Professor Frank writes that "it is highly probable that the Latin peoples respected property rights before they settled in the plains about Rome," and he disparages the supposed testimony for an earlier communal life.<sup>60</sup> Sixth century Latium was already characterized by a firmly established villa system, he argues, a system resembling the English manor. It disclosed the beginnings of a feudal clientship and, above all, a very strong sense of private property in land. The historian of ancient Rome seems thus unable to go behind the written and archaeological evidence that he has, and such evidence shows him little in the direction of primitive agrarian collectivism.

However, there is one major aspect of Roman life that does testify to some earlier form of community dominance, and that is the highly significant *ager publicus* (first, *ager Romanus*, later *ager Italicus*).

<sup>59</sup> Frank, *An Economic History of Rome* (Baltimore, Johns Hopkins University Press, 2nd ed., 1927); Rostovtzev, *op. cit.*

<sup>60</sup> Frank, pp. 15, 14-15. The Twelve Tables, for example, are inaccurate evidence of any early Roman economy, according to Professor Frank, for "the laws of private property had developed long and far before the fifth century when the twelve tables were drawn up."

This public land provided the very nucleus of the whole agrarian problem, and around it developed some of the most bitter struggles in the nation's social history.<sup>61</sup> Obtained largely through conquest, beginning with the earliest Latin wars, these lands were possessed by the state and were ordinarily leased for revenue. This *ager publicus*, however, could be alienated by means of gift or outright sale, although in either case the probability is that some governmental restrictions were imposed. In fact, there are writers who see in this conditional disposal of the public land—land which later amounted to an appreciable percentage of the territory of the republic—an attempted compromise of the perennial conflict between the public and private ownership of Roman land. At least, it was in the dimension of this alienation of public land that the characteristic agrarian laws, the very focus of Rome's agrarian problem, were located.

The tradition of the agrarian laws goes back as far as the fifth century, although the supposed work of Spurius Cassius (486) and Lucius Icilius (456) is perhaps apocryphal. A century later, however, the first important agrarian law, one that re-

<sup>61</sup> This short section on the Roman *ager publicus* is not being documented, since it is simply a review of material that may be found in standard histories or encyclopaedias. Attention must be called, however, to Volume I of the *Economic Survey of Ancient Rome*, edited by Frank (Johns Hopkins University Press, 1933). Two summary accounts of Roman public land also should be mentioned: *Public Lands and Agrarian Laws* by Andrew Stephenson (Johns Hopkins University Press, 1891) and "Land Problems in Ancient Rome," by H. Stuart Jones, in the *Edinburgh Review*, July, 1916, No. 457, pp. 60-79.

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remained a traditional part of the Roman constitution all throughout the life of the republic, was initiated in the tribunate of Licinius and Sextius (367). This classic Licinian law limited land holding to five hundred *jugera*. Now, whether this applied only to alienated *ager publicus*, or to all land (or even only to privately owned land) is not definitely known. It is known that the law was easily evaded, since there was no governmental machinery for the resumption of land held illegally, but the legislation remained as part of the formal structure of Roman land holding. In the third century, the history of the agrarian laws is associated chiefly with the name of the misunderstood Flaminius (232) and, to a lesser extent, with that of Marcus Manlius. While Flaminius was responsible for no definite legislation in the matter of the land question, he drew down upon himself the opposition of the economically powerful because of his insistence that newly acquired public land—in this case the *ager Gallicus*—be employed for public benefits instead of being rented to private landlords.

The Punic Wars greatly accelerated the tendency towards a Roman "capitalistic" system, and definitely prepared the way for a plantation economy; in fact, the close of the second Punic War (201) may be looked upon as the beginning of a veritable economic revolution in the Roman state. For more than half a century, free peasants had been drafted into the army during the intermittent wars with Carthage; the public land was being shamelessly

exploited by large landholders; interest was at a usurious rate; and the agrarian laws were flagrantly disregarded. For example, the economic reconstruction after the second Punic War included the renting of more than two million acres of public land in the form of large private estates.<sup>62</sup>

It was as a reaction against this growing concentration of landed property that the most famous of Rome's agrarian laws originated. The laws of the Gracchi, although short-lived and largely unsuccessful, represent one of the most colorful protests in all history against the unrestricted power of landed property. Tiberius Gracchus became the people's tribune in 134. Impressed by the disregard for the old Licinian laws and seemingly motivated by the idea that the state owed the citizens

<sup>62</sup> Plutarch, in his *Life of Tiberius Gracchus*, describes vividly conditions of the time: "Of the land which the Romans gained by conquest from their neighbours, part they sold publicly, and turned the remainder into common; this common land they assigned to such of the citizens as were poor and indigent, for which they were to pay only a small acknowledgment into the public treasury. But when the wealthy men began to offer larger rents, and drive the poorer people out, it was enacted by law that no person whatever should enjoy more than five hundred acres of ground. This act for some time checked the avarice of the richer, and was of greatest assistance to the poorer people, who retained under it their respective proportions of ground, as had been formerly rented by them. Afterwards the rich men of the neighbourhood contrived to get these lands again into their possession, under other people's names, and at last would not hesitate to claim most of them publicly in their own. The poor, who were thus deprived of their farms, were no longer either ready, as they had formerly been, to serve in war, or to be careful in the education of their children; insomuch that in a short time there were comparatively few freemen remaining in all Italy, which swarmed with work-houses full of foreign-born slaves. These the rich men employed in cultivating the ground from which they had dispossessed the citizens."

land,<sup>68</sup> he forced through his agrarian law in the following year. It was only through revamping the political machinery, and deposing, through popular vote, his fellow-tribune, Octavius, that Tiberius was able to overcome the fierce opposition of the senate.

The essence of the Gracchan law was the reclaiming of the public lands held illegally under the Licinian statute, and their redistribution in small lots at low rentals to the free peasants. No one was to hold more than the Licinian five hundred *jugera*, with, however, two hundred and fifty additional acres for each son. Originally Tiberius had proposed compensation for such reclaimed lands, but the bitterness of the opposition changed the final law into a less mild one—the surplus land was to be surrendered without compensation. Tiberius was murdered for his law, but such was the popular following of the dead leader that the senate did not dare to hinder enforcement, and actually some eighty thousand small homesteads resulted directly from this most significant of Rome's agrarian laws.

Gaius, the younger brother of Tiberius, became tribune in 124, and a year later he also added his

<sup>68</sup> The familiar speech of Tiberius, made eloquent to us by Plutarch, is indicative: "The savage beasts of Italy have their own dens; they have their places of repose and refuge; but the men who bear arms, and expose their lives for the safety of their country, enjoy in the meantime nothing more in it but the air and light; and, having no homes or settlements of their own, are constrained to wander from place to place with their wives and children. . . . They were styled the masters of the world, but had not one foot of ground which they could call their own."



name to the agrarian tradition. However, his legislation was only partially land-legislation: corn-doles, colonization, reestablishment of the voting classes, reform of the judicial authority and of the courts of justice, along with the modification of the land laws of Tiberius, gave his legislation a much wider scope than that of his brother, but it was perhaps therefore less significant as a purely agrarian contribution. He, likewise, fell a victim to the fury of the propertied class, and his murder—or enforced suicide—ended Rome's experiments with land laws.

The Gracchan laws were soon voided, and the end of the first century saw a complete reaction against the policies of the Gracchi, and the gradual abandonment of the once-cherished Roman tradition of the *ager publicus*. (The much-maligned Catiline may be mentioned as a possible protester against such a reaction.) Lands seized from conquered nations were no longer made public but were given as prizes to veterans, or helped to swell the *latifundia*. By 100 B.C. half of Africa was owned by six landlords, and not two thousand men in the state had landed property.<sup>64</sup> Rome was ruled by a few great landlords, and the middle class was near extinction.

This brief mention of Rome's public lands and of her agrarian laws may suggest the heritage of some

<sup>64</sup> See a remark made by Marcus Philippus, quoted by Cicero, *De Officiis*, II, 73.

early community control of landed property, but it is even more suggestive of the grave economic evils that must be indissolubly connected with the "decline" of the Empire. Now, there will be no naïve attempt here to add anything to what historians have said about the "fall" of Rome.<sup>65</sup> Despite their serious disagreements, it is hardly sensible to infer that when experts are divided, anyone can make a judgment. But neither is it sensible to refrain from noticing certain clearly recognizable elements that thrust themselves forward in almost every analysis of Rome's collapse. The economic failure of Rome,<sup>66</sup> and, spectacularly conspicuous in that failure, the glaring abuses of her land policies, represent such elements.

There are few economic analyses of Rome that do not subscribe, at least in part, to Pliny's judgment

<sup>65</sup> Gibbon's summary, in the last chapter of his work, of the four main (possible) causes of Rome's decline and fall really include nearly all the more recently suggested causes. He mentions: (1) Injuries of time and nature. This group would certainly include the biological and racial interpretations of the Empire's collapse, e.g., Seeck, Tenney Frank; the "disease" theories; and the soil exhaustion hypothesis, as represented by Simkhovitch. (2) Hostile attacks by barbarians and Christians. (3) Use and abuse of materials. This perhaps would contain the economic causes emphasizing the Marxian approach, or slavery, or unjust taxation, or the drain of precious metals to the East, or the land question. (Cf. Bücher, Weber, Salvioli.) (4) Domestic Roman quarrels—the "political" interpretation emphasized by historians such as Beloch, Kornemann, Ferrero.

Rostovtzev criticizes all these theories, concluding his argument with the rather cryptic remark: "Is not every civilization bound to decay as soon as it begins to penetrate the masses?" (*Op. cit.*, pp. 480-487.)

<sup>66</sup> "The economic history of Rome, neglected though it has been for so many centuries, is in truth the basis of its political, diplomatic, and military history." Paul Louis in *Ancient Rome at Work* (Wareing tr., New York, Knopf, 1927), p. 3.

that great estates ruined Italy and the provinces.<sup>67</sup> The collapse of the small farming class after the Punic Wars, the growth of the *latifundia*,<sup>68</sup> the private exploitation of the *ager publicus*, and, finally, the semi-serfdom of the colonate system,<sup>69</sup> provide an easy transition from a healthy order to the decadence of the Empire. Rome's earlier prosperity was largely the result of its rugged peasant class; when that declined so did the state itself.<sup>70</sup>

A most convincing summary of this transition in Roman land tenure may be found in the now rather famous article of Professor Westerman, "The Economic Basis of the Decline of Ancient Culture."<sup>71</sup> He locates Rome's decline chiefly in Asia Minor, for the rapid spread of tremendous landed estates there gradually infected Italy itself.<sup>72</sup> The

<sup>67</sup> *Verumque confitentibus latifundia perdidere Italiam; jam vero et provincias.* From his *Natural History*, XVIII, 7.

<sup>68</sup> A good brief account of the development of the *latifundia*, and the reasons for their development, may be found in the work of Paul Louis, *op. cit.*, pp. 171 ff.

<sup>69</sup> For a history of this institution, see *The Roman Colonate*, by Roth Clausen (Columbia University Press, 1925; *Studies in History, Economics and Public Law*, Vol. CXVII, No. 1). The volume is introduced by Professor Simkhovitch who argues—from his familiar hypothesis of Rome's decline—that the exhaustion of the soil forced laborers to leave the land; and that to retain them on the land a system such as the colonate had to be devised. See also the work of Fustel de Coulanges, *Le Colonat Romain* (Paris, 1884.)

<sup>70</sup> That specific statement is made in one of the most important of recent works on ancient economic history, *The Economic Life of the Ancient World*, by Jules Toutain (*op. cit.*), pp. 275 ff.

<sup>71</sup> *American Historical Review*, Vol. XX, No. 4, July, 1915; pp. 723-743.

<sup>72</sup> A vivid description of some of the vast estates in the Eastern Empire may be found in *The Large Estates of Byzantine Egypt*, by Edward Roche Hardy, Jr. (Columbia University Press, 1931).

Roman Eastern Empire had naturally inherited the Oriental and Hellenistic tradition of great plantations, ruled by the king or powerful nobles and priests, and with a serf population bound to the soil. A system of great landed estates, manned by *coloni*, was Rome's adaptation of what it found in its Eastern provinces.<sup>73</sup> (The *colonus*, nominally a freeman, although bound to the estate, was a much cheaper laborer than the outright slave: slaves had become very scarce!) Westerman concludes his argument by showing that, since there was no attempt to maintain the older free peasantry of the West, the colonate system spread over the whole Empire. Ruin of urban industry and of the agrarian population and agrarian production followed, and with that decline collapsed the economic structure of Rome. "What I have tried to do is to show that it was the loss of economic freedom, even more than the loss of political freedom, which had such disastrous results upon private initiative, and finally undermined the ancient Graeco-Roman civilization."<sup>74</sup>

Rome's land problem was its great problem. The almost savage bitterness and cruelty aroused by its agrarian struggles testify to their significance. "Although Livy may sometimes present us with fiction

<sup>73</sup> This must not be interpreted to mean that Rome originated the colonate. The same type of institution had been fairly common in the Near Eastern Empires. *Colonus* changed from its original meaning of "cultivator" to "tenant" about the time of Julius Caesar. Later it was to have the meaning of "serf."

<sup>74</sup> *Op. cit.*, p. 743.

instead of fact, no one can dispute his statement that in Rome any proposal regarding land never failed to throw the entire State into convulsions."<sup>75</sup>

This quotation continues: "The agrarian problem has been the great problem of history. . . . In Rome the abuse of property in land and the abuse of property in slaves were the two most aggravated forms of her economic and social disease, and they were the chief factors in her ultimate catastrophe." That "the abuse of property in land" was one of the two chief agencies for Rome's "ultimate catastrophe" is, of course, a statement that is no less unprovable than other historical generalization. But we are not looking, and cannot look, to history for scientific proofs. Perhaps, at best, history gives us only illustrations of a thesis. Rome's illustration, however, seems to be one of the most decisive. The spread of her vast landed estates, the resulting quasi-serfdom of the colonate system with its destruction of the Italian peasant farmer, the collapse of the tradition of the agrarian laws and of the *ager publicus*, the political dominance of a powerful land-owning class, and the economic and social decadence

<sup>75</sup> A statement from a brilliant, if unacademic, economic history of ancient times (a work that has been cited before), W. R. Paterson's *The Nemesis of Nations*, p. 227.

But here is a more academic judgment: "In the case of Roman history, the relation between the land question and national progress has always been so obvious that such historians as Nitzsch and Mommsen did not have to wait for the rise of the school of economic interpretation." Professor Seligman in *The Economic Interpretation of History* (*op. cit.*), p. 83: One of the most recent academic judgments on Rome's decline, that of Professor Oldfather, is emphatically insistent on its economic cause.

of a nation ridden by an unrestrained and unabashed landlordism—all this prepares a most convincing setting for Pliny's epitaph.

In concluding this sketch of primitive and ancient land tenure, one may possibly be met with the remark that all this is obvious enough: certainly the land problem must be the vital problem for all ancient economy, for all pre-"capitalistic" economy; there is nothing else to serve as a crucial economic agency. Even those who fail completely to appreciate the significance of land as the basis of all economic systems, capitalistic or non-capitalistic, may willingly admit that the source of ancient economic maladjustment is to be located in the unbalanced ownership and control of the soil. But that this is not a local problem, that land is ubiquitous, and that the land question is necessarily the same and universal, that land is the basis of the economic pyramid of all cultures, even the most capitalistic—why cannot that also be realized?

If land is clearly the economic basis of primitive and ancient society, it is no less so in medieval times.

#### FEUDAL LAND TENURE

In any reference to medieval institutions there must first be made the usual apology for still retaining terms like the "middle ages." The familiar strictures against parcelling history into neat packages with the appropriate labels attached will all

be accepted. Just when and where ancient history ceased and medieval times began, precisely what was the transition between the fall of Rome (if Rome ever did "fall," since many historians would now question the correct use of that word in such a connection) and the beginning of the "dark ages"—these queries, and many more of the same type, are coming to be regarded as largely meaningless or as suggesting false implications. Instead, the rather smooth flow from one period of history to the next is, in fact, well illustrated by this present discussion of the historical aspects of the land question, for here the relation between ancient and medieval economic practice is indeed a very intimate one; it is very difficult, for example, to distinguish any real gap between later Roman and early feudal tenure.

Again, in any non-specialized handling of feudalism, only a passing mention can be made of the historical controversies that arise at almost every point along the way. There has been considerable revision of thought during the past quarter of a century in regard to the feudal and manorial organizations, and some of the classic statements of the older authorities like Maitland, Thorold Rogers, Jessopp, Seebohm, and others are no longer *prima facie* evidence for an historical thesis. All that can be done, therefore, in the following pages is to state the more or less orthodox interpretation, and to note, where necessary, the amendments that are being offered by more recent scholarship. After all, no theory concerning feudalism is being defended in

this section; all that is being attempted is a brief résumé.

Feudalism was never universal even at the height of its usefulness. There were always allodial (free or unfiefed) lands, as, for example, in Toulouse and Languedoc, and also, of course, in the Church. Nevertheless, feudalism must be considered the typical medieval economy, the characteristic way that land was held and economic services rendered. Its organization may be traced to a blend of Roman, German, and Celtic customs, fused with certain practices peculiar to the medieval centuries. This is perhaps a compromise position but seems more acceptable, at least in a brief discussion such as this, than would be a review of the controversial statements emphasizing this or that original element.<sup>76</sup>

The Roman anticipations of the feudal system may be said to begin with the colonate.<sup>77</sup> *Coloni*, of course, were legally free. They were bound to the land—officially from the time of Constantine—but their persons were not bound, and so they were not slaves. (The resemblance between the *colonus* and the feudal *villein* is not a remote one.) However, as the great Roman landed estates spread, the *colonus* tended more and more to resemble a slave

<sup>76</sup> E. Lipson's *An Introduction to the Economic History of England* (London, Black, 1920 ed.) gives a good summary of the contrasting claims of Roman and Teutonic cultures in originating the feudal system, (Chap. I.) For a review of the transition from ancient to medieval land tenure, see the previously mentioned article by G. T. Lapsley, "The Origin of Property in Land."

<sup>77</sup> *Supra*, pp. 144-5.



rather than a freeman.<sup>78</sup> More characteristic than the earlier colonate in preparing the way for the medieval feudal régime, were the practices that helped to extend Roman landholdings, particularly the *precarium* and the *patrocinium*. These flourished especially after the fourth century. The former meant the surrender of land by a small holder to a larger one, with the original owner remaining on the land as a "precarious" tenant. "Commendation," the ritual of giving one's land, ordinarily accompanied the *precarium*. The *patrocinium* implied granting to landless men the privilege of becoming attached to the estate of a landlord and of serving him—privilege, since, as with also the *precarium* and the whole Roman client system, security and prestige might result from such a connection with a powerful patron. It is unnecessary to add that the spread of these practices made for a vast extension of landed estates in the closing centuries of the Roman era, estates which were cultivated by workers in all the various degrees of slavery and serfdom.<sup>79</sup>

In introducing the German origins of feudalism, we can return to the problems of primitive land tenure suggested by the older theses of Aryan communism and the *Mark*.<sup>80</sup> The scepticism with which these doctrines are now greeted has also been turned upon the belief that the primitive Teutonic agri-

<sup>78</sup> Cf. Munro and Sellery, *Medieval Civilization* (New York, Century, 1904 ed.), pp. 27-29.

<sup>79</sup> The nobles of this early semi-feudal system followed, however, a life quite different from that of their later descendants, a life that turned from war to the cultivation of literary amenities. (*Ibid.*, pp. 32-33.)

<sup>80</sup> *Supra*, pp. 109-112.

cultural system was the model for all early agrarian culture.<sup>81</sup> It is admitted that the original German land settlement was the village, and not the private homestead, and also that there was a decided clan and kinship dominance, particularly of the agnatic (masculine) type—a fact recognized by both Caesar and Tacitus.<sup>82</sup> Yet, as Weber points out very clearly, a family or clan economy does not necessarily develop into a collectivism; it may develop just as easily into a manorial system.<sup>83</sup> The “hide” (*Hufe*) was itself an anticipatory family manorial organization (the *Mark* was a collection of hides, hence the area occupied by a clan group), with a three-field system tracing back to the eighth century.<sup>84</sup>

This type of agrarian culture was, of course, in decided contrast with the Roman economy. The later Roman concepts of private property and individualistic holdings were as different from the Teutonic group dominance as was the Roman “square” practice of cultivation from the German “strip” agriculture. Nevertheless, certain elements of the Teutonic system fused very readily with the developing feudal character of late Roman society. For example, there was the German *comitatus*

<sup>81</sup> Cf. Heinrich Cunow's paper on “Medieval Land Tenure,” *Encyclopaedia of the Social Sciences*, Vol. IX, p. 82; and Weber's *General Economic History* (*op. cit.*), p. 17.

<sup>82</sup> From Vinogradoff's chapter on the beginnings of the modern world, *Cambridge Medieval History*, Vol. II, Chap. XX, pp. 633 ff.

<sup>83</sup> *Op. cit.*, p. 51. Cunow mentions that in the laws of the Salian Franks, which date back to the end of the fifth century, there was no reference to common fields, common pasturage, or even periodic reallocations. (*Op. cit.*, p. 84.)

<sup>84</sup> Weber, p. 6.

or *Gefölge*. Around the warlord gathered a group of companions or followers who were bound to him by service of a military or pecuniary nature, and who, in turn, received protection and assistance. Similarly, the Celtic clans and Gallic "clients" also rotated around powerful chieftains, a set of mutual services binding the relationship. It is not difficult to understand how the whole patron concept of Roman landholding could perhaps cement the personal institution of the *comitatus* with the agrarian aspects of the early manor, and so develop gradually an organized feudal "system."<sup>85</sup>

<sup>85</sup> The word "system" as applied to feudal society is perhaps a misnomer. It is true that a political organization based on land tenure was the essence of feudalism, but the details of such an organization differed widely from time to time, and from place to place. This discussion, moreover, necessarily limits itself to European feudalism. There have been feudal régimes all over the world at different periods, possibly the purest form being represented in Japan until past the middle of the nineteenth century.

One other point by way of digression: While there has been no attempt here to weigh the arguments concerning the priority of the Roman or Teutonic origins of feudalism, the question is very significant. For instance, in England the controversy really resolves itself into the problem of whether English economy began with a state of serfdom, *i.e.*, villa and *coloni*, and then developed freedom of contract later, or whether a feudal serfdom was built upon a society of freemen of the German type. The earlier belief that the English manor could be traced to the free Teutonic *Mark* was attacked particularly by Fustel de Coulanges and by Seebohm in his early work on *The English Village Community* (London, 1883). Paul Vinogradoff takes a rather modified position, largely favoring the Teutonic origin of the English manor. In his *The Growth of the Manor* (1905), *Villainage in England* (1892), and *English Society in the Eleventh Century* (1908), he includes even pre-Roman influences in the formation of the manorial economy. The works of Maitland and Round must also be mentioned in connection with this whole problem. Lipson (*op. cit.*) gives a good summary of the controversy (Chap. I).

An attempt to date the beginning of feudalism would indeed be very rash. As early as the Merovingian period, there is found the institution of the quasi-feudal benefice or *beneficium*, which was an extension or readaptation of the Roman *precarium*. It meant a grant of land made by a king, bishop, or great noble to a lesser landholder, with the land, however, still being subject to the will of the donor. The custom of commendation on the part of the beneficee was included. Thus, benefices may be said to have occupied a distinctly transitional position: they reversed the patronistic emphasis of the *precarium*, the land passing, as it were, in a different direction, but they did not reach the complete hereditary grant of land such as was found in the fief.

Charles Martel is ordinarily suggested as the figure most closely associated with the transformation of the benefice into the more typically feudal fief. His military demands for the campaigns against the Mohammedan invaders included confiscation of many Church lands.<sup>86</sup> These lands were then granted by the king to nobles in return for military services, especially services connected with the raising and quartering of a mounted soldiery. (Incidentally, Charles Martel was largely responsible for introducing the military character into western European feudalism.) Such lands were held as fiefs, the fief

<sup>86</sup> It has been estimated that at this time almost one-third of the land of Gaul belonged to the Church. (Vinogradoff, *Cambridge Medieval History*, *op. cit.*, p. 647.)

implying hereditary control and the rendition of services by the vassal. The fief was thus the *beneficium* made permanent, with the personal bond being added or accentuated. Therefore, according to the classic statement of feudal organization, it was the fief, which was ordinarily a grant of land, that became the very essence of feudalism. This position, however, has since come under attack. Office and privilege instead of the fief are being emphasized as of central significance in the feudal contract.<sup>87</sup> In any event, the services rendered by the vassal to the lord were almost completely personal in character, and were of an honorable freeman type, not menial. Military service particularly, also court attendance and advice, constituted the vassal's duties. Some money aids were occasionally added. In receiving the fief (*feodum*), the vassal did homage and pledged fealty to the lord, again emphasizing the personal character of the institution. In fact, the fief—and feudalism proper—embraced three different concepts: that of property, the fief itself; that of personal service on the part of the vassal; and finally the moral idea of fealty and homage.

The institution of the fief and feudalism was greatly strengthened at the end of the ninth century, following the disruption of Charlemagne's empire. Along with this collapse of the Frankish rule came the Norse invasions and other incursions,

<sup>87</sup> The work of Alfons Dopsch and his school can be noted in this connection.

all of which brought about a condition of semi-anarchy punctuated by the formation of local sovereignties. Against this background, feudalism, with its interlacing of relationships (since one lord could have many vassals, and the vassals, in turn, could be the feudal lords of other inferior vassals), could introduce a fairly permanent governmental system. A feudal hierarchy was, in fact, built up, culminating, as in France, with the highest noble, *i.e.*, the king. The tenth century found feudalism at the height of its usefulness, and the eleventh and twelfth centuries saw feudalism at its greatest extent, with a loose feudal federation stretching over almost all Europe. France, in particular, was dominated by the feudal system; the institution, however, was not so pronounced in Germany, and was almost absent from Italy, where the early growth of commerce, towns, and guilds acted as a serious barrier. England became distinctly feudal after the Norman invasion.

Feudalism, then, was specifically the contractual relationship between a landowning and a fighting class, involving a system of mutual obligations, protection on the part of the lord, service on the part of the vassal. It was a society arranged on the basis of contract, with status being determined by land tenure.

Nothing has been said yet of the agricultural economics of feudalism. The reason for this is that the relation between the manorial system and feudalism is not entirely clear. On the one hand, it may

be argued that while the manor was the peasant economy of feudalism, it never was technically a part of the system at all, and is included under feudalism only in the large sense of the term as it applies to all of medieval economic life. Feudalism, as has been seen, was a contractual, give-and-take relationship, an honorable submission of a lesser vassal to a greater noble, with the fief as its basis. The manor, on the contrary, implied a master-servant relationship, and was distinctly of a proprietary, not a personal category.<sup>88</sup> But, on the other hand, the manor can be looked upon as the very shadow of feudalism. ". . . The institution of the manor becomes in a very real sense the reflection of feudalism in its period of expansion during the early Middle Ages and later during the period of gradual decline."<sup>89</sup>

The same indecisiveness may be found in the matter of the manorial hierarchy. It would be entirely too easy to draw a parallel between the feudal stratification of classes from lowest vassal up to highest lord, and the manorial set-up ranging from the lowest predial serfs (the small class of outright slaves was ordinarily employed at domestic tasks in the lord's manor-house) up to the free villeins or socmen. For one thing, there is no real consensus of opinion as to the meaning of the various

<sup>88</sup>This is the approach of Ashley. Cf. his *An Introduction to English Economic History and Theory* (London, Longmans Green, 1888), Chap. I, and *passim*.

<sup>89</sup>Rudolf Köttschke in the *Encyclopaedia of the Social Sciences*, Vol. X, p. 97.

terms used in medieval serfdom; it is definitely known that the terms varied from country to country,<sup>90</sup> and in the same country at different periods. So, it is difficult to generalize about the medieval manor. As G. G. Coulton phrases it, in what may be regarded as a key sentence:<sup>91</sup> “. . . To a certain extent, any clear-cut modern description of the manor must necessarily be untrue to medieval facts, which were anything but clear-cut and uniform.”

There is, however, one generalization that seems permissible: the essential quality of the manor was certainly its economically independent, self-sufficient status. It was a self-sustaining economic unit, relying upon the outside world for only a few commodities, such as spices, salt, and the like. The average manor contained perhaps from twelve to sixty families, with 900 to 3000 acres of arable land, and as much again of other lands (there was often a seven-fold classification of manorial land). Its economic activities comprised “work in the fields, in the meadows, in the pastures and in the forests; gardening, wine growing, beekeeping and fishing; and in addition conversion of the various natural

<sup>90</sup> For example, on the continent the term *villein* ordinarily implied a free tenant, while in England it meant the cultivator of a *virgate* (about thirty acres) whose duties, unlike the more typical serf, were rather clearly defined although by no means completely certain. The four different types of land cultivators mentioned in Domesday Book are *bordarii*, *cotarii*, *villani*, and *socmanni*.

<sup>91</sup> *The Medieval Village* (Cambridge University Press, 1925), pp. 11-12.



products into usable commodities."<sup>92</sup> The agriculture was ordinarily in terms of the three-field system, *i.e.*, one field lying fallow, one devoted to spring crops, and the third to winter grains. This rotation of crops from one field to another made some of the arable land, that lying fallow, "common" at all times.<sup>93</sup> In addition, there was communal control of waste and pasture land, perhaps a reminder of the older village economy from which, among other origins, the medieval manor probably arose.<sup>94</sup>

This mention of communal land control may introduce one concluding remark concerning medieval land tenure. In both feudalism and the manorial system proper, there was no fixed concept of private property in land. Despite the fact that the whole medieval system was based on land, with some form of serfdom as the backbone of its agricultural economy, there was always a weakened idea of absolute ownership of land, and the concept of rigorous private property arose again only in the declining years of feudalism.<sup>95</sup> For instance, feudal

<sup>92</sup> Köttschke, p. 97.

<sup>93</sup> Vinogradoff, Vol. III of *Cambridge Medieval History*, from chapter on feudalism, pp. 474-475.

<sup>94</sup> As with the feudal institution itself, the origins of the manor were partly Roman, German, and even Celtic. Whether one holds the original condition of the manor peasant to have been serfdom or freedom depends on the relative significance given to the anticipatory Roman villa or the free German village. It is also argued (Dopsch) that the early German tribe possessed colonized slaves resembling the Roman *coloni*.

<sup>95</sup> Vinogradoff, *op. cit.*, Vol. II, pp. 633 ff. Similarly, Helen Douglas-Irvine points out that "mediaeval society had universally a collectivist element in that its unit was not the individual but

land holding was simply on the basis of tenure and service. This was true even of the lords themselves, since, with the exception of the king (who, however, might himself be a vassal to another ruler, as was the case occasionally in English and French medieval relations), each noble might be enfeoffed to a superior. "Absolute" ownership of land was pushed up, as it were, to a realm of ideal fiction. It was only with the gradual collapse of both the feudal and manorial orders, and the companion rise of the "capitalist" régime, that land once more took on its distinctly private character. Let us examine that transition very hastily.

#### POST-FEUDAL LAND TENURE

It may seem paradoxical to entitle all the systems of modern land holding merely as "post-feudal." But it must be recognized, as Weber suggests, that "the dissolution of the feudal land system resulted in the agricultural systems of to-day."<sup>86</sup> That dissolution, of course, has taken many forms, so that, short of drafting a history of land tenure in all existing European countries, it would be a palpable impossibility to do more here than outline briefly some developments of land tenure after the decline of feudalism. The rise of towns, the expansion of the guilds, the development of trade, commerce, and industry, and the ultimate appearance of national

the family." *The Making of Rural Europe* (London, Allen and Unwin, 1923), p. 33.

<sup>86</sup> *General Economic History* (*op. cit.*), p. 108.

states, all have contributed to that diversity in modern life which is the despair of system-makers. Such diversity manifested itself in land arrangements as in all other forms of economic and social life, and libraries have been written accounting for the systems of land tenure in the different nations.

To explain why feudalism and the manorial system of land control declined is a large order. No single cause, obviously, can be assigned for the break-up of the medieval economy. In general, the rise of "capitalism," *i.e.*, of a money economy with its substitution of financial aids for personal services, may be looked upon as the most decisive anti-feudal force. The development of market interests, of a bourgeoisie concerned with commerce and purchasing power rather than with barter, and the desire, even of the lords, for money payments—all point to a new economics.<sup>97</sup> That gradual change was perhaps accelerated by what Sir John Marriott calls "an act of God"—the Black Death of the mid-fourteenth century.<sup>98</sup> Yet here again does scholarly controversy arise. The older point of view, as expressed, for example, by Seebohm,<sup>99</sup> held that the plague was particularly severe in England, especially among the villeins, and that it practically depopulated the manors, carrying off from one-third to one-half of the workers. But later studies have discounted such a pessimistic view, insisting that

<sup>97</sup> Weber, pp. 93-94.

<sup>98</sup> *The English Land System* (London, John Murray, 1914), pp. 35 ff.

<sup>99</sup> *The English Village Community* (London, 1883).

even a one-third mortality was far-fetched.<sup>100</sup> The plague, like the Crusades and other spectacular events, can perhaps be best interpreted as a quickener of forces already at work in both England and the continent.<sup>101</sup>

These forces may be traced back all through the manorial period. For example, in England even at the height of the medieval system there had been introduced leasing practices, especially on the part of monasteries, that tended to circumvent the feudal hierarchy.<sup>102</sup> There was always present, furthermore, the desire of the villeins to rid themselves of the more burdensome of their services, such as the "boon" work during busy seasons, in

<sup>100</sup> See "The Black Death on the Estates of the See of Winchester," by A. Elizabeth Levett in *Oxford Studies in Social and Legal History* (Vol. V, 1916). Miss Levett criticizes Jessopp, Seebohm, Thorold Rogers, and other older authorities for their extreme statements concerning the Black Death. In a study of some sixty typical manors, she finds no sign of chaos or depopulation, and feels that the mortality rate was never anywhere as high as one-third. (Note pages 72-80.) She finds no trace of a sudden rise in wages, of a social revolution, or of the effects of a great cataclysm (102), and she depreciates any connection between the plague and the Peasants' Revolt (134). While Miss Levett admits that her work is a local study, yet she feels that these negative general conclusions are warranted. It is needless to add that her researches—and they are supported by other independent studies, such as those of Gray—almost completely undermine the rather neat conclusions of the classic writers on the collapse of the medieval system. The Black Death has characteristically played the rôle of *deus ex machina* in bringing about the demise of feudalism.

<sup>101</sup> Professor M. M. Knight writes: "Every disturbance of the customary order, such as a crusade or a plague, resulted in the freeing of some individuals through escape or formal manumission." *The Encyclopaedia of the Social Sciences*, Vol. XIII, p. 670.

<sup>102</sup> *Systems of Land Tenure in Various Countries*, J. W. Probyn ed., Cobden Club Essays (London, Cassell, Petter, Galpin; 1881 ed.), p. 181, from essay on English land tenure by C. Wren Hoskyns.

return for fixed duties or payments. This desire later coincided with the willingness of the lord to receive money dues. However, it would be impossible to date accurately the beginning of anything like a leasing system in England, for the whole transition from status to contract in this peasant economy was a most gradual one.<sup>103</sup> As early as the beginning of the thirteenth century that change was making itself felt, and by the end of Henry III's reign "the higher class of villeins and the lower class of freeholders insensibly passed into each other, so that . . . the best part of the rural population in England was assimilated and absorbed into a new class of tenant-farmers."<sup>104</sup>

The fourteenth century proved a crisis for the manor, especially in England. Wages were definitely rising due to a combination of causes that brought about a scarcity of labor supply. It was not simply the Black Death, but also the appearance of new labor alternatives such as the cloth trade, that put a premium on the services of the worker. The Statute of Labourers (1349), which attempted arbitrarily to lower wages, illustrates the Canute-like efforts of the time to grapple with an emancipated

<sup>103</sup> "Leases for limited terms were first important in the Middle Ages in the less humble ranks of rural society. . . . In the later Middle Ages the further practice arose in Italy, France, Spain and England of letting the holdings of customary tenants which fell vacant. In France this use was first followed at the end of the thirteenth century, and rather later in England, and it was everywhere stimulated by the Black Death." *The Making of Rural Europe* (op. cit.), p. 90.

<sup>104</sup> *English Land and English Landlords* by George C. Brodric (London, Cassell, Petter, Galpin; 1881), p. 10.

labor class, a class that showed its strength in the Peasants' Revolt of 1381.<sup>105</sup> The effect of this demand for labor forced the villeins away from the manors, thus "gaining for them freedom but with the loss of their länd"; also, those who remained on the land had their manorial services commuted largely into quit-rents, and became the important class called copyholders.<sup>106</sup> Entails and deeds were now a part of English land law.

In England the fifteenth century was characterized by the great spread of leasing, and before the middle of the century "the manorial system was broken into fragments."<sup>107</sup> This was the reputed golden age of English yeomanry. The War of the Roses had all but destroyed the power of the feudal barons, while leaving practically unharmed the lower classes, and there resulted a short-lived period dominated by numerous small proprietors and an amazing degree of social equality.<sup>108</sup>

But the end of the fifteenth and the whole of the sixteenth century witnessed a serious change. This was the famous, or notorious, Agrarian Revolution, "the most important event in the social history of the sixteenth century."<sup>109</sup> The Agrarian Revolution meant simply the tremendous growth of the large

<sup>105</sup> Miss Levett attributes the uprising of 1381 to a "momentary shock" plus a growing discontent; it was not directly connected with the plague. (*Op. cit.*, p. 159.)

<sup>106</sup> Coulton, *op. cit.*, pp. 385 ff.

<sup>107</sup> Marriott, *op. cit.*, pp. 49-50. "By 1400 serfdom as a combination of status and tenure was decaying rapidly." Knight, *op. cit.*, p. 670.

<sup>108</sup> Brodrick, *op. cit.*, pp. 18-20.

<sup>109</sup> Lipson, *op. cit.*, p. 141.

landed estate, chiefly by means of the enclosures and the conversion of arable land into pasturage. Sheep-grazing had become immensely profitable by this time, since the English woolen trade was assuming large proportions, and as much land as possible was therefore turned into extensive tracts for pasture. This was accomplished by the consolidation of the former manorial strips, the concentration of the holdings, the occupying of the common wastes, and the actual use of the arable for pasture. These were the ill-famed enclosures which, with the exception of some legislation such as the Tudor acts in restraint of sheep-grazing, were almost unrestricted, and ultimately brought about depopulation (in favor of sheep), pauperism, the great unemployment all throughout the sixteenth century, and a tremendous rise in rents.<sup>110</sup> In reality, the Agrarian Revolution was equally a business or commercial revolution. That is to say, in the sixteenth century, agriculture became for the first time a capitalistic business, and England's spectacular rise in the commercial world meant that her agriculture had to be exploited in the most profitable fashion. This demanded the extension of her woolen cultivation, and there are those who point

<sup>110</sup> For a few direct references to the Agrarian Revolution, the following may be noted: Lipson, *op. cit.*, Chap. IV; *The Enclosure and Redistribution of Our Land*, by W. H. R. Curtler (Oxford University Press, 1920); *Common Land and Inclosure*, by E. C. K. Gonner (London, Macmillan, 1912); *The Disappearance of the Small Landowner*, by Arthur H. Johnson (Oxford University Press, 1909); and R. H. Tawney's *The Agrarian Problem in the Sixteenth Century* (London, Longmans Green, 1913).

out that the enclosures, often initiated by large tenant-farmers as well as by the lords, were not entirely an unmixed evil.<sup>111</sup> At any rate, soon the gradual fall of woollen prices, the increase of commerce, and the rise of urban industry throughout the first part of the seventeenth century put an end, for a time, to the enclosures, economic laws once more proving stronger than legal statutes.

The history of English land tenure in the seventeenth century is made noteworthy by the only legal act pertaining directly to feudal land holding. By a statute of Charles II, on February 24, 1645,<sup>112</sup> all military tenures were turned into "free and common socage." This act really removed feudal burdens in England, and opened the way for modern family settlements. Although England never legally abolished the manorial system, as was the case in nearly all of the continental countries, this statute of Charles II does stand as something of a landmark. Moreover, "the system of family settlements has remained practically unchanged since the reign of Charles II, and the only material amendments introduced into it have been the creation of a simple machinery for barring entails by the act of William IV, for the abolition of Fines and Recoveries, and the facilities given by later statutes for the sale and improvement of settled estates."<sup>113</sup>

<sup>111</sup> See Marriott's chapter on the Agrarian Revolution. In this connection he quotes freely from R. E. Prothero's important *English Farming Past and Present*.

<sup>112</sup> 12 Chas. II, cap. 24.

<sup>113</sup> Brodrick, p. 65.



Looking upon the "eighteenth century" as extending roughly from 1688 to 1832 or 1850, this period saw another agrarian revolution and another series of enclosures in favor of sheep. With the development of the industrial system and the introduction of scientific agriculture, there arose again a demand for large landed tracts, and the program of the sixteenth century was once more put into operation in the eighteenth. This meant the final decay of the once-vaunted English yeomanry, with the year 1815 perhaps dating that decay. The nineteenth and twentieth centuries have added little to the fundamentals of English land tenures, although there have been some significant changes in English land law.<sup>114</sup>

Three critical periods<sup>115</sup> thus seem to present themselves in the history of English land tenure: the dissolution of the manorial economy; the conversion of England to a sheep-meadow; and the extinction of the common-field system and yeomanry with the final triumph of the enclosures and of the modern agricultural hierarchy. It will be noticed that feudalism and the manor system died "noiselessly." There was no abrupt constitutional upheaval. Because of that slow and gradual transition, feudalism has had perhaps a greater lasting effect in England than in any other European country. It has exercised a remarkable influence

<sup>114</sup> For such recent changes, see W. S. Holdsworth's *An Historical Introduction to the Land Law* (Oxford University Press, 1927).

<sup>115</sup> Marriott, p. 25.

on nearly all forms of English social arrangements.<sup>116</sup> There can be little doubt, for example, that the distinctly English custom of primogeniture is definitely tied up with the feudal background. The Norman lawyers introduced primogeniture along with feudal tenures, and by the end of the thirteenth century, with the exception of Kent, it had become universal throughout England.<sup>117</sup> The feudal lords, of course, needed primogeniture to maintain intact their landed inheritances and also to emphasize the fact that their tenures were not in the realm of property. However, since feudalism included tenants as well as lords, it must be recognized that primogeniture was also the object of opposition, for the vassals hoped that by division of inheritance tenures could be transformed into property. In other words, as Carl Brinkmann points out, primogeniture and feudalism cannot be tied up in any unilineal fashion: "On the three levels of feudal society—king, lords, and tenants—the evolution of primogeniture was neither parallel nor always dictated by identical interests."<sup>118</sup>

This matter of primogeniture may provide a transition to a very brief mention of post-feudal tenure on the continent. Primogeniture is exceptional in continental Europe, and presents therefore another example of the absence of unanimity in the feudal

<sup>116</sup> See R. M. Garnier's *History of the English Landed Interest* (London, Swan Sonnenschein, 1908), Vol. II, Chap. I; and Brodrick, *op. cit.*, p. 7.

<sup>117</sup> Brodrick, p. 22.

<sup>118</sup> *Encyclopaedia of the Social Sciences*, Vol. XII, p. 403.

system or its effects. In England, during and after the agrarian revolution of the eighteenth century, land control became a capitalistic industry and attracted large money investments. And primogeniture, permitting great quantities of land to be kept under entail, proved to be the steadfast ally of the large landed estate.<sup>119</sup> In continental Europe, on the other hand, with certain exceptions such as Spain, the Roman Campagna, and East Prussia, land tenure has been characterized by small agricultural holdings.<sup>120</sup> Another point of contrast between English tenure and that of (at least southern) continental countries is the question of an annual fixed rent. In England, and also in northern Europe, such a fixed rent is characteristic, whereas in the South the *métayer* system, *i.e.*, a share of the produce as rent, has dominated. This is ordinarily associated with the difference between a grain and a vine or tree agriculture.<sup>121</sup> But perhaps the most decisive differences between English and continental post-feudal land tenures are the legal terminations of the manorial system that have taken place in most European nations.

The most spectacular of such changes from a serf system was undoubtedly the work of the French

<sup>119</sup> It was not until the important land legislation of 1925 that any decisive amendment was made in English primogeniture. (*Ibid.*, p. 404; and Holdsworth, *op. cit.*)

<sup>120</sup> For example, Miss Douglas-Irvine quotes the following figures: In England and Wales 70% of land holdings are over 100 acres, while 60% of the arable and meadow land of France is divided into holdings of less than 100 acres. (*Op. cit.*, p. 135. See also pp. 113-114.)

<sup>121</sup> *Ibid.*, pp. 94 ff.

Revolution, although actually most of France's serfdom had ended centuries before.<sup>122</sup> Despite the splendid suddenness of this overthrow, and despite the fact that it was not until the last quarter of the eighteenth century that the feudal manor was officially extinguished in France, it must be remembered that ever since the bitter peasants' revolts of the fourteenth and fifteenth centuries, there had been a gradual spread of leasing and a great extension also of *métayage* or share-farming.<sup>123</sup> This was especially prevalent toward the close of the sixteenth century when peasant acquisition by purchase of small parcels of land became quite common. Moreover, while feudal tenures were legally ended by the Revolution, there was little immediate change, since the land fell into the hands of bourgeoisie renters.<sup>124</sup> This situation was changed in the nineteenth century, and France became famous for its thousands of small proprietors. Although by no means the sole cause, the Code Napoléon, establishing as a law of succession the equal division of property among all the children, was of tremendous influence in breaking up large landed estates. It must be added, however, that the soil of France is particularly susceptible to *la petite culture*. At any rate, land reformers in England throughout the nineteenth century could always point across the Chan-

<sup>122</sup> Coulton, *op. cit.*, p. 138.

<sup>123</sup> See the article by Cunow, mentioned previously, on European land tenure, *Encyclopaedia of the Social Sciences*, Vol. IX, pp. 83 ff.

<sup>124</sup> *Ibid.*

nel to a land tenure spectacularly different from their own.<sup>125</sup>

Germany's peasants suffered long under the manor system. Particularly true was this after the unsuccessful Peasants' War and the Thirty Years' War when their condition was worse than during the darkest period of the Middle Ages.<sup>126</sup> After the Treaty of Westphalia there was a marked improvement, with the exception of the territory east of the Elbe. Germany's emancipation from feudalism was gradual, but, unlike the development in England, it was characterized by a series of legal enactments. As early as 1783 in Baden there was the beginning of anti-feudal legislation, but it was not until well in the nineteenth century that feudal power was really broken. Of course, the different German states developed separately their liberating programs, but Prussia may be taken as fairly typical. There were three principal forms of change in Prussia: in 1807, "personal" villeinage was abolished as a result of the work of Stein and Hardenberg. Allodial (free) tenures were substituted for feudal ones four years later. (In addition, there was the general Regulation Edict of 1816.) But it was not until 1850, following the revolutionary

<sup>125</sup> Cliffe Leslie's essay in the Cobden Club's *Systems of Land Tenure in Various Countries* (*op. cit.*) is a good example of this typical nineteenth century English reform approach to French land tenure. In this connection the work of Arthur Young on French agriculture has always been regarded as definitive by English writers on the French system. Miss Douglas-Irvine, however, disparages Young's work (*op. cit.*, p. 75).

<sup>126</sup> Douglas-Irvine, pp. 80-81.

movements of 1848, that all forms of Prussian feudal holdings were removed.<sup>127</sup>

A word must be added concerning Russia, where it was not until 1861 that serfdom was finally abolished legally. Boris Godunov was the traditional inaugurator of the feudal system when, in acts of 1592, 1597, 1601, and 1606, he bound the Russian peasant to the soil, and put an end to the village economy, the *mir*, with its supposed common property in land. And it was 1797, when the Emperor Paul made a beginning, before conditions underwent any change. In 1848, Nicholas further liberalized serfdom, but in 1861, when Alexander II instituted his act of emancipation, fully half of the Russian peasants were still serfs—and actually remained so in all but name.<sup>128</sup>

It is no part of this sketch to trace other developments in post-feudal land tenure. In various parts of Europe different elements assumed direction at different times, elements such as the landlord, the village community, and the cultivating household.<sup>129</sup> As a result, "in part, the peasantry are freed from the land and the land from the peasantry, as in England; in part, the peasants are freed from

<sup>127</sup> For material on the German movement see R. B. D. Morier's essay in *Systems of Land Tenure*; Weber, *op. cit.*, pp. 95-111; and the source work of treatments like that of Douglas-Irvine—*Geschichte der deutschen Landwirtschaft* by Theodor von der Goltz. Note also the important works of Harriss Gostrell in this field.

<sup>128</sup> Cf. *Systems of Land Tenure*, essay on Russia by Julius Faucher; Weber; and Maxime Kovalevsky's *Modern Customs and Ancient Laws of Russia* (London, 1891).

<sup>129</sup> Douglas-Irvine, pp. 47-48.

the proprietor, as in France; in part, the system is a mixture, as in the rest of Europe, the east inclining more toward the English conditions."<sup>130</sup> The particular form of feudal dissolution, of course, has had important political and social consequences; it has determined, for instance, such things as the existence of a landed aristocracy, the degree of urbanization, and the like. But, in general, Weber's statement that "with the dissolution of the manors and of the remains of the earlier agrarian communism through consolidation, separation, etc., private property in land has been completely established,"<sup>131</sup> shows the transition that has been suggested in these last pages, the transition, namely, to complete private property in land. The decline of the manor and of feudalism meant only, as someone has said, that the *exploitation of the subjugated peasants by the lords was now carried out not by means of forced labor but by making them into rent-payers*. Such an observation would be quite in accord with the general thesis of this whole section.

To indicate how futile it would be to attempt even an outline of modern land tenure, it may be mentioned that, despite some very serious efforts, the present writer has been unable to discover any reputable answer to what appears a most significant question in the field of contemporary land economics—what is the present distribution of land own-

<sup>130</sup> Weber, p. 108.

<sup>131</sup> *Op. cit.*, p. 111.

ership in a country such as the United States?<sup>182</sup> Just how the land of a country is controlled by individuals or corporations would appear to be a momentous economic problem, and yet research librarians, internationally known economists, and at least two departments of the United States government have professed to be unable to give any satisfactory information on the matter. It is well realized in this connection that statistics concerning wealth distribution are immensely complicated, and this is no naïve demand for cheap and easy generalizations. Nevertheless, it would seem that some earnest research should be able to shed light on this problem.<sup>183</sup> Such a difficulty is noted simply to indi-

<sup>182</sup> There are discussions of this particular point in reference to countries like Spain, Mexico, and China where the land question has been spectacularly glaring, but discussion of the same problem for the more industrialized nations is conspicuously absent. Works like Frank Tannenbaum's *The Mexican Agrarian Revolution* (Washington, D.C., The Brookings Institution, 1930), and Professor Chen Han-seng's pamphlet, *The Agrarian Problem in China* (New York, Institute of Pacific Relations; see also a bibliography on the Chinese land question in the *Nankai Social and Economic Quarterly*, July, 1935), have not been duplicated for the capitalistic countries.

<sup>183</sup> There are, to be sure, studies on wealth and income in countries like the United States, but these include practically no mention of land, with the exception of its agricultural usages. For example, the various Year Books of the Department of Agriculture will tell of the appalling increase in farm tenantry, but that obviously is not the problem in question. (However, *Prairie Farmer*, of April 25, 1936, commenting editorially on AAA payments of over \$1,000,000 to certain individual farmers—for not planting—warns of the increasing size of farm holdings, and makes a plea for the wider distribution of farm land ownership. It adds that "the most dangerous of all monopolies is land monopoly. The amount of land is limited.") *Recent Social Trends in the United States* (New York, McGraw-Hill, 1933), that most ambitious survey, gives up as impossible the attempt to determine distribution of wealth in the country. (See



cate that any further discussion of land tenure here is precluded by unfamiliarity with certain aspects of economic methodology, or—to be less modest—by the very nature of the problem presented.

It was stated at the very beginning of this discussion that the subject-matter permitted no drastic, or even innocuous, thesis to be drawn, much as it might be desired. Nevertheless, it is believed that this presentation of some of the historical aspects of the land question is not entirely profitless. That is to say, attention must be focussed upon the thread of economic exploitation that winds all through so-

Vol. I, Chap. V, by Gay and Wolman, pp. 231-232.) Even an estimate of national wealth is held to be almost impossible, although national income is more easily determined. It might be added that in this whole work there is absolutely no reference to land as a category; it is referred to only in connection with agriculture and "natural resources." The matter of land distribution is also absent in standard treatments like: Robert T. Doane's *The Measurement of American Wealth* (New York, Harpers, 1933); W. R. Ingalls' *Wealth and Income of the American People* (York, Pa., 2nd ed., 1923); W. I. King's article on "Wealth Distribution in the United States at the Close of 1921," *Journal of American Statistical Association*, June, 1927, Vol. XXII, New Series 158, pp. 135-153; and his earlier *Wealth and Income of the People of the United States* (New York, Macmillan, 1915), which takes great pains to show how wrong socialism is. *The Encyclopaedia of the Social Sciences* gives figures as to land distribution in some of the smaller European countries, especially in the Balkans, but that is all.

If any who read this book know of material that will help answer this question, the writer will be very grateful for it. There are many persons, especially those interested in land reform, who continually quote figures to show that this or that percentage of the population owns all of the land, but I should like to see statistical backing for such statements before they can be accepted. Finally, the writer does not allow himself to believe that any sinister reasons prevent this material from becoming more accessible. Difficulty in determining it or inability to find it are alone being held responsible.

cial history. It has taken many different forms, this age-old species of economic privilege, but everywhere it has meant that those who own the land control those who do not. The argument that primitive and ancient slavery, medieval serfdom, and contemporary industrial peonage are no more than protean-like disguises of a basic and unitary thrall-dom may perhaps sound meaningless to both Marxian and orthodox historians. Moreover, it is an argument that must depend for any strength it possesses upon the economic propositions outlined in the preceding chapters of this work; an inductive reference to historical data can be no more than suggestive.

But if there is any weight in the contention that land monopoly is the fundamental monopoly, and that all economic exploitation, even if it is industrial or capitalistic in nature, may be traced to the exploitation of the elementary source of economic life, then history can be appealed to as an illustration. For it will show us that the private ownership of land has been perennial and ubiquitous; and it will disclose too frequently the conjunction between social misery and that most special of all economic weapons—ownership of the Earth. That is why we have talked about history.