

THE HISTORICAL ASPECT OF THE LAND QUESTION

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There is a Secret of History. The *mot de l'énigme* is Land. The great historians of the rank, for instance, of Mommsen, say the word, but then pass on, as though in haste to leave a dangerous ground. Lesser historians shun the mention of it altogether, or mention it in faltering accents. Time, with its effacement of old meanings, helps this obscurantism, and oblivion falls upon the theme.

What is the cause of this Conspiracy of Silence? The answer is again in one word, Landlordism. Historians and other writers, professors, and lecturers on history, are *protégés* of those whose interest lies in keeping "dark" concerning land. Now a *protégé* must not discuss what patrons do not wish to mention. But that would come to writing nothing of man's greatest struggles, longest wars, and bitterest distresses. "Well, then, let the historians write of wars, political struggles, and distress in social life. Let them write freely of the things that happened, and the sufferings endured. But let them never mention land and the ownership of land as being the ultimate causes of these happenings. They can write out the story, showing their knowledge of the facts; and if they are pressed for explanations they can point to intermediate and collateral causes: man's natural pugnacity, notions of honour, foolish mistakes, wild aspirations towards political freedom, and the like. That will satisfy the few inquiring minds, and the rest will never question. Only—no mention of the land and landlords! Mum's the word!"

These were the orders tacitly given by those who had the powers of censorship and suppression of books, removal of professors, and withdrawal of patronage. How could a man explain that land and landlordism were ultimate causes of nearly all wars and sufferings of the peoples, when his paymasters and his patrons were of the landlord class, or members of that nameless party whose sincere and secret faith was landlordism.

Besides, the peoples loved the soldiers. Tales of great battles always interested. Pity could be awakened and wild patriotism. There was no need to talk of land and ownership in order to fill up the lecture time or make a book of history. "Agrarian laws!" Well, they made such dull reading!

Dull, yes, but the dullness was deliberate, or else was due to plain stupidity. Let us consider a few national histories, and see what could have been made of the story of Land and Landlordism.

The national history best known throughout the English-speaking world is that of the "Children of Israel." The story of the Hebrews is the only history which has been read aloud for centuries in the hearing of the people, and diligently taught in all the schools. It is a story of a struggle to "possess the land," then to maintain a fair division of it among descendants of the conquerors. The institution of the Jubilee return of lands to their original owners is now known to have been a dream of prophets and idealist law-makers, but its importance as a principle cannot be over-estimated. Although the cleverer landholders retained by what the Bible calls oppression lands of their less ambitious "brethren," they kept them against the express injunction of the Tribal God—that is, of the prophets and liberators who declared they spoke for Him. "No land," said Yahweh, "shall be sold so as to be quite

cut off (see margin Leviticus xxii.). For the land is mine." To paraphrase: "No just man of our people must make claim to permanent ownership of any land: the land has been distributed to all our free men on an equal principle of justice, and the good patriot must be loyal to the general system. No individual can own land absolutely; he has it only in usufruct; it belongs to the whole tribe, and is in the unchanging guardianship of the Nation's God."

The usual struggle, of course, went on, in the course of which much land was claimed and kept, and the expropriators got such wealth and influence that they controlled even the opinions of the people; and the peasants of Galilee thought Jesus mad when He declared that the rich men of His time were not the best of men. "How hard it is for a man of property to come to see the higher truth," the Master pointed out to His disciples. "Well! Who, then, can be saved?" the poor men said, in pure bewilderment.

When He went on to pour His condemnation on those same high-placed proprietors because they "devoured" widows' houses and "for a pretence" made long prayers, "the common people heard Him gladly"—and the landowners knew they must take action. He was put to death.

In the history of Sparta also redistribution of the land was tried. The reforms in this direction, piously credited to the great Lycurgus, were really undertaken by Agis and Cleomenes at a later date. The struggle was keen between the true patriots, who were prepared to give allotments in Laconia to the landless citizens, and those who meant to keep exclusive privilege.

At Rome, again, if there is any meaning in the hundred years' revolution which divided the Senate (mostly the landowning classes) from the people, from the reforms of Gracchus to the settlement made by Cæsar, it is that the people wanted land in Italy and the Senate would not yield it; that the people wanted to assert the principle that the *ager publicus* was the domain land of the State, i.e., the property of the community alone, and the Senatorial party, with others who came in for profiteering, wanted to keep rent-free the lands assigned to them, and make them instruments of economic slavery; and that the lawless individuals of the nation, tempted by the notion of this absolute ownership, themselves in time and on occasion became petty landlords too, and asserted the same claim to *dominium* where they should have been content with usufruct.

Of course there were wars in Italy and in the provinces, and very few of them were about anything but this dominium and its consequences, until at last the Roman world grew weary of the strife, and the great statesman Julius Cæsar made some adjustment of the claims of common freedom against privilege. If Cæsar had not seen that provinces must live their own lives, in the enjoyment of their lands within one common state, and made the taxation represent acknowledgment at once of freedom and responsibility, there would have been no Roman Empire to endure five hundred years.

The story of our own land for the thousand years between the fifth century and the fifteenth is a story of land and land ownership far more than anything else. Our Saxon forefathers came to win land, and all through the so-called Heptarchy engaged in ceaseless fighting over what they had won.

The Feudal System brought another new order in; but it was above all a great land settlement, and based on those same principles laid down in the other States we have mentioned, viz., that a man received land through

the Political Chief on tenure loan from the State, and on condition of rendering services charged according to the size of the allotment. The English law (according at least to Coke and Blackstone) asserts this as a changeless principle: all land is holden mediately or immediately of the King, *i.e.*, no one *can* have true freehold land; all land is subject to old charges, services which sale or transfer cannot remit. Civil wars occurred through efforts of land-holders to shake off the claim for these services due to the State or larger community, represented by the feudal overlord. One meaning of Magna Charta, as Professor Pollard has pointed out, is that it was such an effort: the liberty which certain barons wanted was liberty to decline to render these dues, the "liberty" was a freehold each one wished to have created out of his feudal tenure. The lawless Barons of Stephen's and other weak reigns were playing the same game; and as in the Roman Republic, so here landless individuals have gradually joined in it, until most Englishmen suppose that land can be private property, and that "freehold" land, so far from owing rent or service to the State, can be actually let or sold to the State, as well as to other tenants or purchasers, for the private profit of the alleged "owners."

The purchaser of any "freehold" piece of land owes to the community the services which have anciently been charged upon it, for example, that he should present himself in the full armour of a knight on horseback at the call of the proper superior representing the State, *unless he pays* for another person to go in his place. "But such services ceased to be required." Only when money payment was accepted instead. "Well, but it is three hundred years since the claim was made." Then there are arrears long overdue! How else could the public charges have been met? How in the interval *have* the public moneys been raised? The answer is that they have been raised *pro tem.* by taxes laid upon the workers' work, the employers' capital, and the people's food and homes, gradually and almost secretly: no wonder that historians were not to mention the transference. No wonder that much was made of John Hampden's protest against paying ship-money; no wonder that histories represent the English people as madly desirous of "the vote," "the Charter," religious equality, and other desirable things; no wonder that we are supposed to have been oppressed by tyrannous kings; no wonder that the thirst for the destruction of neighbouring peoples and the glory of warfare have been emphasised—anything rather than that the people should know that the one indefeasible title which the English law permits is the title of the whole community to inalienable possession of the land, the soil, of Britain. Anything rather than that the peoples of Europe should know that they are fighting each other throughout the centuries, in order that the unlawful ownership of state lands may be left without taxation, and that attention may still be diverted from the history of Land!

system of masters, always having their workmen in their debt. The result was that, in general, the existing slave was only liberated by death.

But his last link was broken in June, 1799, by the George Third, chap. 56, which enacted that from and after its date, "all the colliers in Scotland who were bound colliers at the passing of the 15th George Third, chap. 28, shall be free from their servitude." This annihilated the relic.

SLAVERY IN COAL MINES

Scottish Conditions a Hundred Years Ago

(From Lord Cockburn's "Memorials of His Time")

An exposition of things not merely true, but provable, and yet incredible, would be a very curious work. And few countries could supply better materials for it than Scotland, where modern changes have been so numerous and so striking.

For example, there are few people who now know that so recently as 1799 there were slaves in this country. Twenty-five years before, that is, in 1775, there must have been thousands of them, for this was then the condition of all our colliers and salters. They were literally slaves. They could not be killed nor directly tortured, but they belonged, like the serfs of an older time, to their respective works, with which they were sold as a part of the gearing. With a few very rigid exceptions, the condition of the head of the family was the condition of the whole house. For though a child, IF NEVER ENTERED with the work, was free, yet entering was its natural and almost certain destination; for its doing was so valuable to its father, and its getting into other employment in the neighbourhood was resisted by the owner. So that wives, daughters, and sons went on from generation to generation under the system which was the family doom. Of course it was the interest of a wise master to use them well, as it was to use his other cattle well. But, as usual, the human animal had the worst of it. It had rights and could provoke by alluding to them. It could alarm and mutiny. It could not be slain, but it had no protection against fits of tyranny or anger. We do not know much of their exact personal or domestic condition. But we know what their work makes them, even when they are free, and when within the jealous benevolence of a softer age. We know that they formed a separate and avoided tribe, as to a great extent they still do, with a language and habits of their own, and we know what slavery, even in its best form, is and does. The completeness of their degradation is disclosed by one public fact. The statute, passed in 1701, which has been extolled as the Scotch Habeas Corpus Act, proceeds on the preamble that "Our Sovereign Lord, considering it is the interest of all his good subjects that the liberty of their persons be duly secured." Yet, while introducing regulations against "wrongous imprisonment, and undue delays in trials," the statute contains these words: "And sicklike it is hereby provided and declared that this present Act is no way to be extended to colliers or salters." That is, being slaves, they had no personal liberty to protect.

These facts enable us to understand the hereditary blackguardism which formed the secondary nature of these fixed underground gipsies, and the mysterious horror with which they were regarded, and which, in a certain degree, attaches to all subterranean labourers.

The first link of their chain was broken in 1715, by the 15th Act of George Third, chap. 28. It sets out on the preamble that "many colliers and salters ARE IN A STATE OF SLAVERY AND BONDAGE." It emancipates FUTURE ones entirely, that is, those who after the first of July, 1775, "SHALL BEGIN to work as colliers and salters." But the existing ones were only liberated gradually; those under 21 in 7 years, those between 21 and 35 in 10 years. The liberation of the father was declared to liberate his family. And the freed were put under the Act 1701. But this measure, though effective in checking new slavery, was made very nearly useless in its application to the existing slaves by one of its conditions. Instead of becoming free by mere lapse of time, no slave obtained his liberty unless he instituted a legal proceeding in the Sheriff Court, and incurred all the cost, delay, and trouble of lawsuit; his capacity to do which was extinguished by the invariable

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