

# Land-System-Centred Perspective of History: A Criticism

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## **Introduction**

The belief in the historically progressive nature and civilizing function of private landed property was the salient feature of nineteenth-century European social thought. This had the relation of cause and effect with the characteristic of the nineteenth-century European historical studies that weighed heavily on the so-called land system or land relationships. The land-system-centred perspective of history that prevailed in nineteenth-century European social thought produced the peculiar dichotomy of West (Europe) and East (Asia) based on the existence and non-existence of private landed property. The formative process of this dichotomy will be examined in Part 1.

In the actual history of the world in the nineteenth century, the belief in the historically progressive nature and civilizing function of private landed property formed the ideological basis of the colonial policy of European powers, in particular, of the British and the U.S.A. This will be testified by the Raiyatwari Settlement introduced into India by the English East India Company and the policy of land allotment in severalty to the so-called Indians in the nineteenth-century U.S.A (Part 2).

Having been under the strong influence of nineteenth-century European historical studies, the main stream of historical studies in Asian countries including modern Japan (after the Meiji Restoration of 1868) and independent India has been more or less land-system-centred. The dynamism of historical development of societies in non-European areas, however, must have been much more diverse. In other words, the land-system-centred perspective of history is questionable as the method to understand the various dynamisms of historical development in non-European societies. Thus, the problem to be pursued is the unique dynamism of historical development of societies in non-European areas in the pre-modern period. This problem will be investigated in Part 3 focusing on the dynamism of historical development in Indian society.

### **1. Existence and Non-existence of Private Landed Property: Dichotomy of West and East in Modern European Social Thought**

#### (1) FRANÇOIS BERNIER TO MONTESQUIEU

In nineteenth-century European social thought, the existence and non-existence of private landed property were dichotomously positioned to West (Europe) and East (Asia). The first European thinker who asserted this dichotomous positioning of West and East would be François Bernier (A.D. 1620-88), a French humanist in the seventeenth century, who travelled through the Ottoman Empire and Safavid Persia to reach Delhi, the capital of the Mughals, and stayed there for more than 10 years. He published his travelogue (*Histoire de la dernière révolution des États du Grand Mogol, ...*, Paris, 1670) immediately after his return to France that won much popularity in the academic circles of Europe. In the letter addressed to Colbert, that was appended to his travelogue, he claimed that the existence of private landed property in European states was more advantageous for the king as well as for the people than the non-existence of private landed property under the monopoly of all lands by the king in Asiatic states. Bernier wrote to Colbert as follows:

From what I have said, a question will naturally arise, whether it would not be more advantageous for the king as well as for the people, if the former ceased to be sole possessor of the land, and the right of private property were recognised in the *Indies* as it is with us? I have carefully compared the condition of *European* states, where that right is acknowledged, with the condition of those countries where it is not known, and am persuaded that the absence of it among the people is injurious to the best interests of the Sovereign himself. ... As the ground is seldom tilled otherwise than by compulsion, and as no person is found willing and able to repair the ditches and canals for the conveyance of water, it happens that

the whole country is badly cultivated, and a great part rendered unproductive from the want of irrigation. The houses, too, are left in a dilapidated condition, there being few people who will either build new ones, or repair those which are tumbling down. The peasant cannot avoid asking himself this question: 'Why should I toil for a tyrant who may come tomorrow and lay his rapacious hands upon all I possess and value, without leaving me, if such should be his humour, the means to drag on my miserable existence?' (Bernier, tr. by Archibald Constable 1891: 226-227)

His observation that private landownership did not exist in Asiatic states as the king was the sole possessor of the land, though accepted by European thinkers after him as the authentic view based on his actual experience in Asia, was, in fact, a politically motivated assertion with the intention to criticize the absolutistic inclination of Louis XIV. He might have heard a rumour in India that Louis XIV was thinking of forfeiture of all the lands (fiefs) of the aristocrats to realize the monopoly of land by the king. Bernier, as an aristocratic ideologue, wanted to warn Colbert that the monopolization of all the lands (fiefs) by the king would bring about such devastation of the realm as in Asiatic states where no private landed property existed. He continued to write to Colbert as follows:

How happy and thankful should we feel, My lord, that in our quarter of the globe, Kings are not the sole proprietors of the soil! Were they so, we should seek in vain for countries well cultivated and populous, for well-built and opulent cities, for a polite, contented, and flourishing people. If this exclusive and baneful right prevailed, far different would be the real riches of the sovereigns of *Europe*, and the loyalty and fidelity with which they are served. They would soon reign over solitudes and deserts, over mendicants and barbarians. (Bernier, tr. by Archibald Constable 1891: 232)

With such political purpose as revealed in the quotation above, he emphasized the non-existence of private landed property in Asiatic states in contrast to its existence in European states, though he himself must have known that some sort of private landed property existed in Asiatic states like the Mughal empire.

Drawing, most probably, on Bernier's observation of Asiatic states, Montesquieu (A.D. 1689-1755) uncritically assumed the non-existence of private landed property under the monopolization of landownership by the king to be the testimony to the most oppressive form of Asiatic despotism as against the existence of private landed property under European monarchy and republican polity. Montesquieu declared as follows:

Of all despotic governments, none is more oppressive to itself than the one whose prince declares himself owner of all the land and heir to all his subjects. This always results in abandoning the cultivation of the land and, if the prince is a merchant, in ruining every kind of industry.

In these states, nothing is repaired, nothing improved. Houses are built only for a lifetime; one digs no ditches, plants no trees; one draws all from the land, and returns nothing to it; all is fallow, all is deserted. (Montesquieu, tr. by A.M. Cohler et al. 1989: 61)

By the authority of Montesquieu, the non-existence of private landed property in Asia under the monopolization of landownership by the king came to be recognized as an unquestionable fact in modern European social thought.

## (2) AUGUST VON HAXTHAUSEN AND GEORG L. VON MAURER

In the first half of the nineteenth century, Freiherr August von Haxthausen (A.D. 1792-1866), a Prussian diplomat invited to Russia by the Russian government, 'discovered' a characteristic type of village community in Russia called *mir* in which the farm land was jointly (commonly) owned and periodically re-allotted to the community members (Haxthausen 1847/1852). The 'discovery' of *mir* much excited the academic circles of Europe at that time, as *mir* was assumed to be the remains of the primitive or archaic community. It led to the understanding that in Asia the primitive community with communal landownership (non-existence of private landed property) continued to exist up to the nineteenth century, as Russia was deemed to be the typical (barbarous) Asiatic country by European people at that time.

In the field of historical studies, on the other hand, Georg Ludwig von Maurer (A.D. 1790-1872) argued that in ancient Germania there existed a primitive community in which the farm land was yearly re-allotted to the community members basing on the following description by Tacitus in *Germania*:

*arva per annos mutant, et superest ager* (ch. 26).

Maurer translated it as follows:

[D]as Ackerland wechseln sie jährlich und Gemeinland bleibt übrig, d. h. eine gemeine unvertheilte Mark bleibt übrig (Maurer 1854: 6, n. 21).

Thus, Maurer believed that he discovered a primitive community in ancient Germania in which the farm land was under the joint (common) ownership (communal land ownership), and yearly

re-allotted to the community members. This, however, proved later to have been a misinterpretation of Tacitus' description by Maurer. Tacitus actually meant by this sentence that the community members yearly changed the land-parcel they cultivated, as land allotted to them was too abundant to be entirely cultivated every year.

The 'discovery' of *mir* by Haxthausen united with the illusionary picture of the primitive community in ancient Germania drawn by Maurer gave birth to the peculiar historical thinking in nineteenth-century European social thought that in the primitive community the land had been held in common (non-existence of private landed property) and periodically re-allotted to the community members to secure the equality of economical merit amongst them (the mythical theory of the primitive community!).

As the corollary of this historical thinking, the community under Asiatic states, the so-called Asiatic community, was assumed to be the primitive community, as, according to the social thought of modern Europe since Montesquieu, private landed property did not exist in Asiatic states (the continuance of the primitive community up to the present in Asia!).

### (3) HENRY MAINE AND MARX/ENGELS

Henry Maine (A.D. 1822-1888), the founder of the historical school of jurisprudence in England, claimed that the primitive community of ancient Teutonic type, that was assumed to have lacked private landed property, could be found in present-day India (nineteenth-century India). Henry Maine wrote in his well-known book, *Village-Communities in the East and West*, as follows:

The Village-Community of India exhibits resemblances to the Teutonic Township which are much too strong and numerous to be accidental; ... It has the same double aspects of a group of families united by the assumption of common kinship, and of a company of persons exercising joint ownership over land. ... But the Indian Village-Community is a living, and not a dead, institution (Maine 1887: 12).

Henry Maine served in India as the Legal Member of the Governor-General's Executive Council for more than 6 years (from 1862 to 1869), but he stayed in Calcutta, the then capital of British India, without seeing the actual societies in rural India. Thus his image of the Indian village community was nothing more than the illusionary image of the primitive community forged by modern European social thinkers before him.

Karl Marx (A.D. 1818-1883), in spite of his severe criticism of Henry Maine, shared with Henry Maine the same illusionary image of East (Asia) saying that 'Bernier rightly considered the basis of all phenomena in the East—He refers to Turkey, Persia, Hindustan—to be the *absence of private property in land*. This is the real key, even to the Oriental heaven ...' (Marx's letter to F.

Engels dated 2 June 1853, Marx & Engels 2001: 311). Engels replied to Marx in his letter dated 6 June 1853 as follows:

The absence of property in land is indeed the key to the whole of the East. Herein lies its political and religious history. But how does it come about that the Orientals did not arrive at landed property, even in its feudal form? (Marx & Engels 2001: 312)

#### (4) TWISTED DICHOTOMY OF WEST AND EAST

The dichotomous positioning of West (Europe) and East (Asia) based on the existence and non-existence of private landed property was thus firmly established in nineteenth-century European social thought regardless of the difference of the political stand. The same dichotomous positioning of West and East was observable in the thinking of the 'right-wing' thinkers like Henry Maine as well as in that of the 'left-wing' thinkers such as Marx and Engels. This was the shared illusionary image of East (Asia) in nineteenth-century social thought of Europe.

In this queer dichotomy, East (Asia) was positioned not only on the opposite side of West (Europe) but also on the historically primitive stage of West. Henry Maine remarked as follows:

I propose in this Lecture to describe summarily and remark upon the Indian forms of property and tenure corresponding to the ancient modes of holding and cultivating land in Europe which I discussed at some length last week. It does not appear to me a hazardous proposition that the Indian and the ancient European systems of enjoyment and tillage by men grouped in village-communities are in all essential particulars identical (Maine 1887: 103).

Thus, the dichotomous positioning of West (Europe) and East (Asia) based on the existence and non-existence of private landed property in nineteenth-century European social thought was the 'twisted' dichotomy in the sense that East was positioned on the primitive stage of West. This twisted dichotomy of West and East made the reality-based understanding of Asian societies difficult and the distorted image of Asia produced by this twisted dichotomy in nineteenth-century European social thought lingers up to the present.

## 2. Introduction of Modern Private Landed Property into Colonized Areas

The belief in the historically progressive nature and civilizing function of private landed property, that was the characteristic feature of nineteenth-century European social thought, urged European

colonialists to introduce forcibly the private landed property of modern jurisprudence into the colonized areas such as India and North America.

#### (1) RAIYATWARI SETTLEMENT IN COLONIAL INDIA

The English East India Company introduced the land-tax system called the Raiyatwari Settlement into south India (Madras Presidency) in the early years of the nineteenth century and western India (Bombay Presidency) from the 1830s. The Raiyatwari Settlement bestowed the proprietary right of the land in English modern jurisprudence on *ra'iyats* (Indian peasants) who, in return, were made severally responsible for the payment of the land tax levied on their land. Joint responsibility of the village community for the payment of taxes under the former governments was abolished. If a peasant failed to pay the land tax levied on his land, his land was immediately forfeited and sold by auction.

The Raiyatwari Settlement was theoretically based on the rent theory (taxation theory) of English political economy, especially that of David Ricardo.<sup>1</sup> The rent payable to the landlord was the net produce to be calculated by deducting from the gross produce the following A and B:

A: Average profit of money invested by the agricultural capitalist

B: Average wage to be paid to the agricultural labourers hired by the agricultural capitalist, and the cost of production (depreciation of agricultural tools, and seeds, fertilizer, &c.)

The land tax in the Raiyatwari Settlement, in theory, was levied on the landlord (rent) only, leaving the average profit of invested money to the agricultural capitalist and the average wage to the agricultural labourers without taxing them.

In nineteenth-century India (Madras and Bombay Presidencies), however, the agricultural

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1 G. Wingate and H.E. Goldsmid, the actual founders of the Raiyatwari Settlement of the Bombay Presidency, wrote in their report as follows:

As proprietary rights are fully recognized under our settlement, and the Board's [Board of Revenue] objection, if applicable to Sir T. Munro's system, are equally so to ours, we deem it incumbent to state our reasons for believing the Board to have arrived at a mistaken conclusion upon this important point. It appears to us that a proprietary right in land can only be destroyed by the imposition of an assessment so heavy as to absorb the whole of rent, the portion remaining will give a value to the land, and enable its possessor to let it or sell it, which of necessity constitutes him a proprietor. Whether or not Sir T. Munro disregarded the rights of the real proprietors, and recorded the land simply in the names of the actual occupants, who thus became responsible for the payment of the assessment, we do not think it necessary to inquire, but we unhesitatingly record that our settlement recognizes all existing proprietary rights, and that the proprietor has the fullest liberty to assign his land to under tenants upon whatever terms he chooses, and which right is everywhere exercised. (Goldsmid & Wingate 1840: Appendix p. 2)

production was not managed by agricultural capitalists as in England, but by small-farming peasants. Thus, the Raiyatwari Settlement was introduced into the Madras and Bombay Presidencies on the unrealistic assumption that a peasant as the landlord of his land let his land to himself as the agricultural capitalist, and then, the peasant as the agricultural capitalist hired himself as the agricultural labourer to manage his land capitalistically. If the land tax be collected from the rent only, then, the peasant as the landlord could secure the remaining portion of rent after paying the land tax, and the same peasant as the agricultural capitalist could secure the average profit of money invested by him, and again the same peasant as the agricultural labourer could secure the average wage for his labour. In theory then the land tax of the Raiyatwari Settlement could not be so heavy as to ruin the peasants.

The Raiyatwari Settlement in the Bombay Presidency in its strict sense was first introduced in Indapur Taluka of Poona District in 1836 by G. Wingate (A.D. 1812-1879) after the failure of R.K. Pringle's preliminary settlement. Table I below shows the land-tax rates of Wingate in comparison with the reduced rates of H.E. Goldsmid (A.D. 1812-1855) after the failure of Wingate's settlement.

**Table 1: Land-Tax Scale of Wingate and Goldsmid**

Types of soil	Net produce per acre estimated by Wingate			Wingate's land-tax rates per acre			Goldsmid's land-tax rates per acre		
	R.	a.	p.	R.	a.	p.	R.	a.	p.
1st Black	2	8	0	1	12	1	0	12	0
2nd Black	1	15	3	1	3	6	0	8*	0
3rd Black	1	7	9	0	13	10	0	9*	7
1st Red	2	0	6	1	4	9	0	6	10
2nd Red	1	5	3	0	11	6	0	5	2
3rd Red	0	14	4	0	5	10	0	4	2
1st <i>burud</i>	1	2	1	0	9	7	0	3	0
2nd <i>burud</i>	0	13	2	0	4	9	0	2	5
3rd <i>burud</i>	0	10	0	0	2	2	0	1	0

(Source: Kumar 1968: 118, Table D; 120, Table E)

Notes:

- 1 R(upee)=16 a(nna), 1a(nna)=12 p(ai)
2. *Burud* is sandy soil.
3. Some figures in the Table taken from Table E on p. 120 of Kumar's book, especially the figures with asterisks, are questionable. Moreover, some of Wingate's rates shown in Table E are different from those in Table D on p. 118 of the same book.



According to Wingate's Land-Tax Scale, the land tax on the 1st black, the best land of all, covered slightly more than 70 % of the net produce (rent) and the land tax on the 3rd *burud*, the poorest of all, nearly 22 %. With this 'scientific' Land-Tax Scale, Wingate proceeded to introduce the Raiyatwari Settlement into all the districts of the Bombay Presidency. His settlement, however, proved to be extreme over-assessment. The economic conditions prevailing in the Bombay Presidency at that time were so different from those in modern England that the rent theory (taxation theory) of the political economy could hardly function in the Bombay Presidency.

Experiencing the failure of the Wingate's settlement, Goldsmid tried to modify the system so as to make it applicable to the social reality of the Bombay Presidency at that time. He practically shelved the rent (taxation) theory of the political economy and followed the expedient principle that the land tax of all the classes of land should be settled in accordance with the customary rates that had obtained in pre-colonial western India under the Maratha kingdom, &c. The land-tax rates of all the classes of land thus reduced by Goldsmid were mostly less than half of Wingate's rates as shown in Table 1. This means that the land-tax rates of Wingate were almost double the land-tax rates of the former governments.

The Raiyatwari Settlement bestowed on the peasants the private landed property of modern English jurisprudence. It did not, however, lead to the formation of the progressive and civilized agriculturist class in whose agricultural management the landownership and actual land-use would have been strongly united. The modern private landed property bestowed on the peasants by the Raiyatwari Settlement rather functioned to sever the nexus between the peasants and their land, and, as a result, contributed to the formation and rapid development of landlordism of mainly money-lenders and merchants through the purchase and accumulation of land of peasants impoverished under the land-tax system of British India (cf. the tables in Charlesworth 1985: 105, 184-195, 197). This was the actual result of the forcible introduction of the private landed property of modern English jurisprudence into Indian society.

## (2) ALLOTMENT OF THE INDIAN LANDS IN SEVERALTY IN THE NINETEENTH-CENTURY U.S.A

Among the so-called American Indians in eighteenth-century North America, the territory of each Indian 'nation' or 'tribe' was more or less clearly recognized but, generally speaking, the ownership of land, either common landownership or private landownership, did not develop highly within the territory.

By the so-called Indian treaties concluded between the U.S.A. and Indian 'nations' by the early years of the nineteenth century, part of the territory of Indian 'nations' was ceded to the U.S.A. but the remaining territory and the 'tribal government' of the Indian 'nations' were left intact. The treaty with the 'Choctaw Nation' concluded in 1830, for example, provided: 'The Government and people of the United States are hereby obliged to secure to the said Choctaw