

...Written in Footnotes of Fire and Blood

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Several weeks ago, Sheldon Richman asked me by private email if I'd read G.E. Mingay's account of the enclosures (*Parliamentary Enclosure in England*), which puts them in a considerably more positive light than the Marxists and other radical historians I relied on in writing Chapter Four of *Mutualist Political Economy*. I had to confess I had not. My readings, besides *Dat Ol' Debbil* Karl Marx himself (the material on primitive accumulation in Vol. 1 of *Capital*), included the Hammonds (*The Village Labourer*), R. H. Tawney, E.P. Thompson, Maurice Dobb, and Christopher Hill. On the other hand, I read a considerable amount of Rothbard and his radical Lockean followers, whose analysis of the period coincided quite astonishingly with that of the radical leftists. Rothbard and the left-Rothbardians seemed to agree with the Marxists that the history of land tenure in late medieval and early modern Europe was characterized by "political appropriation" (Nock's term) of the land by propertied elites at the expense of the legitimate labor-made property of the peasants.

Autodidact that I am, I made the unwarranted assumption that this unlikely consensus of left and right created a considerable presumption in favor of that version of events. But I found I'd neglected a lot of recent historiographic crossfire over the nature of the enclosures, and dutifully put Mingay on my to-read list.

Now Sheldon raises the question again in this blog post: "Did the Early Factory Workers Welcome Their Fate?" One question he points to is the relative standard of living of the peasantry before land expropriation, versus that of the factory laborer. In his comments at a blog post of mine, he cites Fernand Braudel on the comparative nastiness of peasant life. But as frequent commenter and polymath P.M. Lawrence points out, the proper comparison is not to a worker in the Dark Satanic Mills, but to the standard of living that could have been achieved by a peasant subsistence farmer *without* the tax and rent burdens suffered under feudalism. Available evidence, he says, suggests an average work week of twenty hours for a subsistence farmer when he keeps his full output for himself.

In weighing the claims and counter-claims about the enclosures, Sheldon reasonably gives greater weight to those claims that go against the grains of a historian's bias.

Writers on the industrial "revolution" often have ideological agendas that color their descriptions, so it is hard to know whom to credit and whom to doubt. What I look for are statements that go against an author's own grain. When the Marxist historian

Gabriel Kolko (*The Triumph of Conservatism*) writes that market competition intensified in the late nineteenth century and that it took government intervention to create cartels, that is impressive because Marxists usually think markets naturally become concentrated. Likewise, when the left historian Fernand Braudel (*Civilization and Capitalism, 15th-18 Century: The Structures of Everyday Life*) portrays pre-industrial life as poor, nasty, brutish, and short, again, that is informative, since many anti-industrialists have romanticized pre-industrial life.

It can work the other way too. For example, in *Human Action*, Ludwig von Mises writes:

*But the fact remains that for the surplus population which the enclosure movement had **reduced to dire wretchedness** and for which there was literally no room left in the frame of the prevailing system of production, work in the factories was salvation.* (Emphasis added.)

As another example of the right-wing version of the argumentum a fortiori, he provides this quote from Rosenberg's and Birdzell's *How the West Grew Rich*:

In theory, the [parliamentary enclosure] acts compensated the cottagers for the loss of their common rights by giving them some of the enclosed land. But *the cottagers were not effectively represented in Parliament, and there is much reason to believe that the compensation was in practice inadequate.* [This implies that the cottagers had no choice in the matter; who would freely accept inadequate compensation? –S.R.] In any event, animal husbandry was often essential to the villagers' margin of prosperity over the barest subsistence, and the commons were essential to animal husbandry. *Thus, quite apart from any question of the inadequacy of compensation, the long-term effect of enclosure was an impoverishment of agricultural labor.*

* * *

The shift from open-field agriculture, in which each villein cultivated a number of small strips, to small holdings agriculture was ... not necessarily of benefit to those who ended as tenants of large landowners, and *it was a disaster for the agricultural workers it left wholly landless.* [Emphasis added.]

Further confusing the issue, though, Birdzell and Rosenberg nevertheless use a version of the "best available alternative" argument:

In point of fact, there is good reason to think that the alternatives supposedly sacrificed by early factory workers were much less attractive than factory work – which is not to say that factory work was attractive otherwise than by comparison to the alternatives... But if early factory work was oppressive, the alternatives open to those who voted with their feet for factory work were worse. The early factories were able to attract workers with low wages because the wages were still well above the poverty level ...

But in light of their admissions quoted above, this doesn't make a whole lot of sense. As Sheldon points out,

This seems out of kilter. If the cottagers had to leave the land because of acts of Parliament, how can we say simply that they chose “oppressive” factory work because it was the superior alternative? Other alternatives were foreclosed by government intervention, no?

The various remarks by the landed gentry during the Parliamentary enclosures certainly suggest that *they* viewed things differently. As they saw it, they had the devil’s time getting peasants to “vote with their feet” and head for the factories, so long as (as P.M. Lawrence put it) they had access to three acres and a cow.

Sheldon also dismisses, with contempt, arguments for the “net efficiency” of enclosures despite their harm to the victims:

This makes two objectionable assumptions: First, that hurt can be weighed against gain. Suddenly an individualist becomes a collectivist. There is no social hurt and social gain. There is subjective hurt to specific individuals that is produced by the subjective gain seized by other specific individuals. There can be no hurt-gain calculation. You can’t tote things up to determine “net gain.” Really. I thought we were all methodological individualists now.

Quite right. Some of the vulgar libertarian defenses I’ve seen of enclosures, on the grounds that the enclosers could use the land more efficiently, are indistinguishable from the arguments for eminent domain to promote the “best and highest use.” And Sheldon himself draws the same parallel:

...maybe a cottager would be unwilling to give up his “ancient rights” at any cost, like Mrs. Kelo in New London, Connecticut. One suspects that some libertarians think that you can legitimately deprive someone of his rights as long as you compensate him. But this can’t be. It is a violation of rights. As I’ve written in the eminent-domain context (and isn’t this the same thing?), logically there can be no just compensation in a forced sale. What signals that a level of compensation is just is that it is freely accepted by the property owner.

Anyway, since Sheldon has advanced the discussion with this thoughtful post, and made such a painstaking attempt to sort through the evidence available to him, I figure I ought to do the same. So here’s what I can gather, having not actually read Mingay for myself, from my reading to date.

Probably the most recent scholarly work I’ve read on enclosures is *The Invention of Capitalism*, by the Marxist Michael Perelman. The only major Mingay work he directly addresses is *The Agricultural Revolution* (1966), coauthored with J.D. Chambers. Perelman cites Mingay mainly in discussions of the size garden plot the gentry considered advisable for the laborer to retain after enclosure, in order to reduce the amount of his subsistence cost that had to be met by the employer, but at the same time to make him dependent on wages for a substantial part of his livelihood and thus bar him from self-sufficiency on the land. Perelman strongly suggests, in these passages, that although enclosure as a legal process involved some formalities of compensation to villagers, the overall structure of the process was designed under the primary influence of the landed classes. In a society where the typical JP and member of Parliament were jockeying

for position on the lap of the local squire, and the franchise was limited to barely one percent of the population, this is hardly surprising.

On the subject of the contemporary landed classes' view of enclosure, I presented (in Chapter Four of *Mutualist Political Economy*) a fairly long string of quotes on their benefit in getting more work out of the laboring classes, with reduced access to the means of subsistence bringing them under the control of the employing classes. The quotes are presented in the original text with full citation, as well as more informally in this blog post. The discussions by the landed gentry are, in my view, damningly frank. Although I have no statistical data as to how typical they are, they at least demonstrate that some members of the gentry—both consciously and vocally—saw the enclosures as performing essentially the function the radical historians have attributed to them.

So here they are again. As I say, if you want the citations you can go to the online chapter from my book.

...to lay them [the poor] under the necessity of labouring all the time they can spare from rest and sleep, in order to procure the common necessities of life.

That mankind in general, are naturally inclined to ease and indolence, we fatally experience to be true, from the conduct of our manufacturing populace, who do not labour, upon an average, above four days in a week, unless provisions happen to be very dear... I hope I have said enough to make it appear that the moderate labour of six days in a week is no slavery... But our populace have adopted a notion, that as Englishmen they enjoy a birthright privilege of being more free and independent than in any country in Europe. Now this idea, as far as it may affect the bravery of our troops, may be of some use; but the less the manufacturing poor have of it, certainly the better for themselves and for the State. The labouring people should never think themselves independent of their superiors... It is extremely dangerous to encourage mobs in a commercial state like ours, where, perhaps, seven parts out of eight of the whole, are people with little or no property. The cure will not be perfect, till our manufacturing poor are contented to labour six days for the same sum which they now earn in four days.

Every one but an idiot knows that the lower classes must be kept poor, or they will never be industrious.

...the use of common land by labourers operates upon the mind as a sort of independence.

[leaving the laborer] possessed of more land than his family can cultivate in the evenings [meant that] the farmer can no longer depend on him for constant work.

Legal constraint to labour is attended with too much trouble, violence, and noise, creates ill will etc., whereas hunger is not only a peaceable, silent, unremitted pres-

sure, but, as the most natural motive to industry and labour, it calls forth the most powerful exertions...

It seems to be a law of nature that the poor should be to a certain degree improvident, that there may be always some to fulfill the most servile, the most sordid, and the most ignoble offices in the community. The stock of human happiness is thereby much increased. The more delicate ones are thereby freed from drudgery, and can pursue higher callings etc. undisturbed.

[among] the greatest of evils to agriculture would be to place the labourer in a state of independence.

Farmers, like manufacturers, require constant labourers—men who have no other means of support than their daily labour, men whom they can depend on.

[Enclosure would force laborers] to work every day in the year. [Children would] be put out to labour early [and the] subordination of the lower ranks of society... would be thereby considerably secured.

It would be easier, where property is well secured, to live without money than without poor; for who would do the work? ...As they ought to be kept from starving, so they should receive nothing worth saving. If here and there one of the lowest class by uncommon industry, and pinching his belly, lifts himself above the condition he was brought up in, nobody ought to hinder him; ...but it is the interest of all rich nations, that the greatest part of the poor should almost never be idle, and yet continually spend what they get... Those that get their living by their daily labour... have nothing to stir them up to be serviceable but their wants which it is prudence to relieve, but folly to cure... To make the society happy and people easier under the meanest circumstances, it is requisite that great numbers of them should be ignorant as well as poor... [Mandeville, *Fable of the Bees*]

As I have said, I have not yet read Mingay (some Clapham, though, if that's any consolation). Although secondary reviews are no substitute for a first-hand reading, I did find a lot of intriguing material in David McNally's extended critique of Clapham and Mingay (from a subheading of Chapter One, "Creating the Market in Labour: from Feudalism to Capitalism," in *Against the Market*). It's reproduced in the archives of the alt.philosophy.debate Usenet group. Here's how McNally characterizes the findings of "liberal" historians like Clapham and Mingay:

Since the early 1950s, orthodox liberal historiography has maintained that, rather than being the great loss for the poor depicted by populist and socialist historians, enclosure actually contributed to major improvements in the conditions of the bulk of the rural population. Instead of dispossessing small tenants and depopulating villages, enclosure is said to have stimulated demand for agricultural labour, the effects of which can be measured in population increases in enclosed villages.

Interestingly, McNally suggests that Marx got the history right; his radical heirs, though, not only got it wrong, but share a common failing with “liberal” historians like Clapham and Mingay. Mingay and the Hammonds share an excessive emphasis on the Parliamentary enclosures from the mid-18th century on. In fact, contrary to the historiography of contemporary right and left, the Parliamentary enclosures of commons were an anti-climax compared to the far more significant waves of enclosures of open fields under the Tudors, and in the seventeenth century.

A wave of enclosure swept parts of England during the second half of the fifteenth century. By 1500 almost half the country was enclosed, with the remainder consisting of open fields. After the 1520s, the rate of enclosure slowed, only to pick up again in the seventeenth century. (J.R. Wordie, ‘The Chronology of English Enclosure, 1500–1914’, *Economic History Review*, 2nd series, 1983, pp.492–4.) Tudor enclosures were concentrated in the Midlands, and often involved massive dislocation and depopulation as a result of the shift from arable farming to sheep and cattle grazing. Indeed, as much as 80 per cent of all enclosure during the period 1485–1607 took place in the Midlands, resulting in perhaps 20 per cent of the land in that region being enclosed. (Joan Thirsk, *Tudor Enclosures*, London: Routledge and Kegan Paul, 1959, pp. 20–21; Martin, pp. 134–8. See also John T. Swain, *Industry Before the Industrial Revolution: North-East Lancashire c. 1500–1640*, Manchester: Manchester University Press, 1986.)

Contrary to interpretations that emphasize parliamentary enclosure after 1760, it is now clear that the greatest wave took place during the seventeenth century and the first half of the eighteenth. Nearly 30 per cent of England was enclosed in the years between 1600 and 1760. Indeed, on the eve of the parliamentary enclosure movement, England was already 75 per cent enclosed. (Wordie, pp. 486, 495.) This is not to minimize the great burst of activity between 1760 and 1830 in which some 6 million acres of land were enclosed by Act of Parliament; it is to insist, however, that the resort to Parliament characterized only the last phase in a centuries-long process when enclosure by other means had run its course.

...those historians, including some early socialist writers, who laid almost exclusive emphasis on parliamentary enclosure often underestimated the degree to which it was merely the violent completion of a process which had started two centuries earlier. The latter was Marx’s view. ‘The prelude to revolution that laid the foundation of the capitalist mode of production’, he wrote, ‘was played out in the last third of the fifteenth century and the first few decades of the sixteenth. A mass of “free” and unattached proletarians was hurled onto the labour-market by dissolution of the bands of feudal retainers.’ And as crucial moments in this continuing process, Marx identified ‘the spoliation [spoliation?] of the Church’s property, the fraudulent alienation of the state domains, the theft of the common lands, the usurpation of feudal and clan property and its transformation into modern private property’.

But McNally also finds fault with the “liberal” account of Parliamentary enclosure. He challenges the claim that population increased disproportionately in enclosed villages:

One important recent study has shown that, during the main period of parliamentary enclosure, population rose in both enclosed and unenclosed villages, and that

the rate of growth was no faster in the former. Enclosure cannot therefore be said to have had a uniquely stimulative effect on population growth. The same study also demonstrates that there was a 'positive association' between enclosure and migration out of villages. Finally, a definite correlation has been established between the extent of enclosure and reliance on poor rates. (N.F.R. Crafts, 'Enclosure and Labor Supply Revisited', *Explorations in Economic History* 15, 1978, pp. 176–7,180. K.D.M. Snell, *Annals of the Labouring Poor: Social Change and Agrarian England 1660–1990*, Cambridge: Cambridge University Press, 1985, pp. 197–206. See also Hoskins, pp. 269–73.) The heart of the modern liberal account has thus been refuted; indeed, the older socialist picture now seems remarkably accurate — parliamentary enclosure resulted in outmigration and a higher level of pauperization.

He also argues that Mingay has a methodological flaw, in asserting that Parliamentary enclosures did not swell the ranks of the rural proletariat.

This brings us to the third flaw in the liberal account: its systematic underestimation of the size of the agrarian proletariat. By insisting that every owner of land be treated as a non-labourer — indeed, as an 'entrepreneur' — liberal economic historians have obscured the marked growth of a rural proletariat during the rise of agrarian capitalism. This can best be seen in the way Clapham continually underestimated the size of the agrarian proletariat in both 1688 and 1831, an underestimation which has entered into the modern liberal orthodoxy. (J.H. Clapham, 'The Growth of an Agrarian Proletariat 1688–1832: A Statistical Note', *Cambridge Historical Journal* 1, 1923, pp. 92–5. These figures are reproduced by Chambers and Mingay, p. 103, and, ironically, by Maurice Dobb, *Studies in the Development of Capitalism*, rev. edn, New York: International, 1963, p. 230.) Clapham took as his starting point Gregory King's figures on the social structure of England in 1688. He then lumped freeholders of the 'better sort' together with 'lesser' freeholders and tenant farmers to construct an 'entrepreneur class'. Then, on the basis of estimates of the number of rural labourers, he concluded that the ratio of wage-labourers to employers of labour ('entrepreneurs') in rural England was 1.74:1.

It is not difficult to detect a central error in this argument. Once we realize that most 'lesser freehold' families would not have employed any wage-labourers, and that a large proportion of the members of many of these families would have been engaged in wage-labour themselves, it is clear that the actual ratio would be much higher.

And in a related failing, McNally says, Mingay neglects the extent to which enclosures were a tipping point for small, impoverished tenant farmers:

As Mingay has noted in another context, 'the very small farmers — occupiers of perhaps 25 acres and less — could hardly survive without some additional form of income; the land itself, unless used for specialized production or amply supplemented by common, would hardly yield sufficient to pay the rent and keep the family.' (Mingay, 'Size of Farms', pp. 472–3.) He goes on to point out that only in rare circumstances could such small occupiers engage in specialized farming for the market. Yet

the other means of support — farming ‘amply supplemented by common’ — is precisely that which was being destroyed by parliamentary enclosure, to the tune of six million acres via enclosure Act (about one-quarter of the cultivated area of England) and another 8 million acres by ‘agreement’. (R.A. Butlin, ‘The Enclosure of Open Fields and Extinction of Common Rights in England, circa 1600–1750: a review’ in, *Change in the Countryside: Essays on Rural England 1500–1900*, eds H.S.A. Fox and R.A. Butlin, London: Institute of British Geographers, 1779, p. 75.) The impact of enclosure on small tenants, whose lands were inadequate to procure subsistence, can only have been dramatic, forcing them into growing reliance on wage-labour — as proponents of enclosure said it should.

McNally also quotes from many of the same contemporary representatives of landed opinion that I have cited, summing it up this way:

It was precisely these elements of material and spiritual independence that many of the most outspoken advocates of enclosure sought to destroy.

Eighteenth-century proponents of enclosure were remarkably forthright in this respect. Common rights and access to common lands, they argued, allowed a degree of social and economic independence, and thereby produced a lazy, dissolute mass of rural poor who eschewed honest labour and church attendance, and whose idleness resulted in drunkenness, riotous behaviour and moral laxity. Denying such people common lands and common rights would force them to conform to the harsh discipline imposed by the market in labour...

The argument for enclosure as a means to destroying ‘independence’ was echoed throughout the next half-century.

Here, for example, are some good ones I haven’t used yet:

As the Poor Law Commissioners of 1834 stated in their Report, ‘we can do little or nothing to prevent pauperism; the farmers will have it: they prefer that the labourers should be slaves; they object to their having gardens saying, “The more they work for themselves, the less they work for us.”’ (As cited in *ibid.*, p. 196.) Similar statements were made to the 1844 Select Committee on Enclosures. ‘They will not seek for labour until they are compelled to do it’, a witness from Newbury in Berkshire told the Committee. Describing one parish, he claimed that only as a result of a recent enclosure did the poor now constitute ‘a respectable class looking up to the wealthier classes for labour’. Indeed, ‘respectability’ was defined regularly in terms of objective dependence on one’s betters.

...‘In sauntering after his cattle’, wrote one agriculturalist, ‘he acquires a habit of indolence. Quarter, half and occasionally whole days are imperceptibly lost. Day labour becomes disgusting; the aversion increases by indulgence; and at length the sale of a half-fed calf, or hog, furnishes the means of adding intemperance to idleness.’ (Cited in *ibid.*, p. 172.) Advocates of enclosure thus made much more than a narrowly economic case for enclosure of the commons; their argument was fully social, emphasizing that elimination of the means to economic independence was

essential to creating a disciplined labour force. The campaign for enclosure of common lands was presented as a great moral crusade designed to eliminate idleness, intemperance and riotous behaviour, and to render the poor sober and respectable.

It is true, in a sense, that Parliamentary enclosures alone did not dramatically swell the ranks of the rural wage-labor force. The problem is that the “liberal” historians drastically underestimate the size of the rural proletariat in the sixteenth and seventeenth centuries. McNally cites a table from Lachmann’s *From Manor to Market*, showing that the percentage of peasants employed as wage laborers—11 or 12% in the early to mid-16th century—swelled to 35% in 1600. And it continued to increase over the course of the 17th century, reaching 56% in 1688. If this is true, it is as Marx said—the waves of enclosures in the late Tudor and Stuart period drove the peasantry from the land in swarms, into the wage labor market.

One aspect of land expropriation that is neglected in these debates is abrogations of traditional tenure rights other than common. Chief among them was the land “reform” passed during the Interregnum (actually credited as part of 1 Charles II, along with a lot of other legislation repassed by the Cavalier Parliament). The practical effect of this “reform,” which ostensibly abolished feudal tenure, was to abolish it upward. Rather than regularizing the customary tenure rights of the cultivator as a modern right of private property, the “reform” instead regularized the property claims of the landed aristocracy under feudal legal theory as modern rights of private property, and transformed the peasant cultivators into tenants at will. To use Nock’s terminology, “law-made” property was regularized at the expense of “labor-made” property.

If McNally is right, rumors of the death of radical historiography are greatly exaggerated. I’ve still got to read Mingay, though, dammit!

Addendum. Another item on my to-read list is William Lazonick’s article on the enclosures in the *Review of Radical Political Economics*, Vol. 6, No. 2, Summer 1974, pp. 1–59, which reportedly deals with arguments by Clapham and Mingay.

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