

The Socialism of To-day.—I.

A PAPER READ BEFORE THE CANADIAN INSTITUTE,
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CENTRAL Europe, as Tacitus describes it, was occupied in the first stage of its history by a number of independent tribes chiefly of the same race, and having the same forms of tribal government. As the most important affairs of any people, and those upon which its existence may be said to depend, relate directly or indirectly to land, it is practically unnecessary to go into detail with respect to any other part of public polity.

Landholdings amongst the embryo-forms of the modern German, French and English nations were under the allotment of the magistrates. As these magistrates were elected by popular vote, and were directly responsible to the people, the land itself may be said to have been under popular control. When the Franks conquered Gaul and came in contact with the Roman civil law whilst they adopted some of its best provisions, they did not change in any essential the chief features of their own simple system. Position and power were due to wealth. The rank due to noble birth had not yet been evolved. As the capabilities of all men are different, so are their circumstances likely to be, and thus in the very earliest times we find that some members of the tribe had acquired more property than others. Naturally, too, the dependent placed themselves under the protection of the wealthy and powerful, and so, in course of time, we find the position of the chief men of the country due not only to their wealth but to the number of their dependents as well. History had advanced a stage. The accumulation of property had the effect of gradually repressing the nomadic habits of the people who began to prefer settling down upon land and a fixed abode to the uncertainty of a wandering life.

Upon this foundation of society was built the Feudal System from which has sprung such a vast proportion of our modern systems of society and government.

The accumulation of property made it necessary to devise means for its better protection. Hence arose the castles and armed bands of retainers. In time these owners of property, surrounded by armed dependents, became the order of nobles.

The making of arms and the simple instruments of agriculture produced in turn the artificers and craftsmen who when they had at a later date formed themselves into Guilds, took rank as a distinct class.

The principle of the early Feudal System was neither degrading nor oppressive, and the duty of mutual obligation was both recognized and obeyed. In the formation of these armed bands for purposes of protection and display began the profession of arms. A profession whose followers were so splendid and so powerful, naturally became the nursery of a leading and exclusive class. From this class arose the order of gentlemen. To perpetuate the distinction between those pre-eminent in power and the profession of arms and the class of dependents and retainers, and to render this distinction at all times provable, heraldic devices were employed. To those whose ancestors had possessed heraldic badges descended the ancestral glory and pride of origin. Pride of birth therefore succeeded pride of property, and the customs of the country secured preferment to the high-born, whilst corresponding disabilities fell to the lot of the dependents. But whatever the distinctions were that marked the line between class and mass, the essence of the Feudal System itself was that all should live upon and out of the land. To even the humblest follower was secured the privilege of private tillage and his rights of common were extensive and profitable.

Below the order of gentlemen were the freemen and villeins. The freemen in towns were the citizens and burghers, and in the country those whose tenure of land was not such as bound them in person to the soil. The villein was not free. Personal slavery had originated in time immemorial through captivity, crime, or debt. In the early middle ages it was greatly extended by periods of famine lasting occasionally for more than a quarter of a century at a time, and causing even freemen to sell themselves into servitude. The villein could not leave the lord's estate or sell the holding upon which he dwelt provisions which while they nominally curtailed his freedom, often rescued him from

becoming a landless, homeless wanderer. Upon the continent there was, it is true, a large number of villeins who were at the still readier disposal of the lord. Yet even these had sources of subsistence that sufficed for all their wants. And it is also to be noted that the relations of dependents to others than their lords were almost wholly unrestricted.

The condition of society had not yet become so artificial as to put a barrier between the humblest peasant and his daily bread. The position of the lower orders was tolerable if not satisfactory. The development of class distinctions was not retarded by discontent. In fact so easy and inoffensive was their rise that it was accompanied by a voluntary and needless subjection of the people. The loss of manly spirit and self-respect became alarming. But as usual when a grave crisis arises a solution is at hand. The higher classes bestirred themselves. From Hallam we learn that "the clergy and especially several popes enforced it as a duty upon laymen and inveighed against the scandal of keeping Christians in bondage." The chivalrous spirit of the age responded. The practice of manumission grew rapidly, and, as Hallam further says, "as society advanced in Europe the manumission of slaves became more frequent. . . . Even where they had no legal title to property it was accounted inhuman to divest them of their little possession, nor was the poverty perhaps less tolerable upon the whole than that of the modern peasantry in most countries in Europe." But this advancement of society was accompanied by a gradual process of separation from the land of the peasant or dependent class which to-day is the proletariat, without land and at the bidding of the capitalist. Such then is the transformation. Instead of securing protection and a large measure of personal comfort at the hands of a class of landowners whose chief concern was to parade an army of retainers, workingmen, are reduced practically to selling their labour to the capitalist for a bare and uncertain means of subsistence.

The first important step in the changing condition of the labourer was in the alienating by the lord of small portions of his domain. This marks the decay of the feudal principle. The occupants being no longer required and receiving their freedom set out for pastures new. No obstacle was put in their way. Although their earnings were at their lord's disposal he seldom took them, and, as Hallam finely remarks, "But this which the rapacity of more commercial times would have instantly suggested might escape a feudal superior who, wealthy beyond all his wants, and guarded by the haughtiness of ancestry against the desire of such pitiful gains, was better pleased to win the affection of his dependents than to improve his fortune at their expense." As a fair example of the generosity of the lords, and there certainly are but few records of their oppressing in these early times, we may take the case of copyhold. The free tenants-in-villinage were allowed a copy of the entry of their *customary* right upon the court-roll a concession as binding as it was often inconvenient to the lord. Then, too, the laws for the recovery of escaped villeins were not strict. By manumission, escape and disintegration, before the end of the fourteenth century, the class of serfs and villeins had become changed into that of free labourers-for-hire. Had enfranchisement by manumission gone on and without interruption by the alienation of the labourer from the land, and by the development of capitalism, we should now have a free people upon a soil held by a free tenure, two conditions that seem absolutely necessary to the prevention of want and misery. Any system is pernicious by, or by permission of which their means of procuring direct subsistence from the land and the people themselves are separated.

In England the present land system really rose with the Restoration. "The House of Lords began during the popular rejoicing by emancipating the estates of the great landowners from their ancient liabilities at the expense of the poorest class of the community, those who were thenceforward visited by the excise" (Rogers). The estates of those freeholders who had no documentary evidence of title were confiscated and turned into tenancies-at-will. A century before the magistrates had been empowered to fix the wages of labourers and artizans. The latter were now on the very threshold of calamity. Though without rights they were tied to the soil by the law of parochial settlement. They were worse off than ever before. During the Commonwealth the employers had relaxed the severity of the laws against work-