

MONEY, LAND AND TRADE

An Economic History of the Muslim Mediterranean

Edited by: Nelly Hanna

2002, I.B. Tauris Publishers, LONDON . NEW YORK

Why Study Ownership? An Approach to the Study of the Social History of Egypt¹

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The study of individual ownership is especially important to social historians because of debates among the various materialist approaches to history. For Marxists, ownership is a historically conditioned form of the appropriation of material wealth expressing the relationships between people in the processes of social production. For them, forms of ownership are a manifestation of the relationships of classes and groups to the means of production. The development of forms of ownership is determined by the development of productive forces. Therefore, changes of modes of production lead towards changes in forms of ownership. Different forms of ownership thus represent different stages in the development of the division of labour.

Even though Marxists and non-Marxists disagree over the five stages of societal development based upon ownership, they generally agree that there is a strong relationship between private ownership and capitalist social formation, and that the development of private ownership is linked to economic classes and liberalism with all its socio-political patterns.

Hence, the study of individual ownership is important for Marxists as well as for liberal historians. Yet, most of the debate among those two groups centered around the European experience. The experiences of the rest of the world, including those of Asia, Africa and Latin America were studied in reference to the European one. Most of these non-European experiences were placed within the frameworks of the "Asiatic mode of production" by Marxists and "traditional societies" by liberals. Since the Middle East and the Arab world fall

¹This paper has been translated from Arabic by Amina ElBendary.

within these two categories, it is therefore important to shed light on their historical experiences and clarify their position vis-à-vis the Marxist and liberal theoretical models. Both are equally Eurocentric, and take the European model as a measure of development by which to judge the experiences of non-European societies.

However, before plunging into the debate about the nature of development of the Middle East and the Arab world and how to deal with Eurocentrism in this context, it is important to discuss ownership in Egypt within its historical context.

Since Egypt was one of the earliest agricultural societies, it was able to produce one of the most sophisticated civilizations of ancient times. Egyptian agriculture depended upon the Nile as its main source of irrigation; its civilization was thereby almost entirely related to making optimum use of that river which occupied a sacred position in ancient Egyptian culture. This need led to the establishment of a sophisticated irrigation system and the accompanying advancement of sciences related to controlling the river, such as mathematics, engineering and astronomy. The Nile allowed Egypt to establish an important sedentary society that functioned as a catalyst to help establish the earliest centralized government in the world. This government was largely developed according to the need for an authority to control the river and manage agriculture, the basis of the Egyptian economy. The regulation of Nile water and establishment of various irrigation projects necessitated that the government exercise control over agricultural lands and peasants to ensure the financial resources needed to maintain and develop the irrigation system.

Therefore, agricultural lands have theoretically been the property of the state since ancient times. Ancient Egyptian literature is full of clear references to the belief that the lands of Egypt were bestowed on the pharaoh by the gods. Throughout history, the rulers of Egypt continued to consider this a right of state, one that they exercised when they needed to reorganize society and its social forces or when grave economic or social crises occurred.

This is not to say that the state busied itself with direct agrarian management. It considered that farmers were its agents in working the land according to a system of land tenure that regulated farmers' rights and duties according to their land-holdings. In return, farmers paid taxes in lieu of rent. These taxes were the financial returns for the right of usufruct.

Importantly, there is clear evidence that land tenures had been inherited since pharaonic times. A farmer could also pawn his tenure or sell his usufruct to others. In pharaonic Egypt, the ruler also bestowed large areas of land on his senior employees. These became their tax-exempt private farms, whose usufruct was held for life. This usufruct was sellable and inheritable.

In ancient times, the ruler usually kept large areas of agricultural land for himself and his family. In the Roman world, these private plantations were known as *gé ousiake*. Most of them were originally uncultivated lands that were granted to senior state officials, who would reclaim and farm them out. During these times, the religious establishment controlled large areas of tax-exempt lands, whose revenues financed temples and the clergy.²

After the Arabs conquered Egypt in 641 AD, they maintained the system of land tenure that was already in place under the Byzantines. The land itself theoretically became the property of the treasury (*bayt al-mal*), to which farmers paid the land taxes (*kharaj*). But some individuals were granted large estates by the caliphs. These estates became their full property (*milk*), which they could sell and inherit, and upon which they paid tithe (‘*ushr*) taxes. This type of land tenure increased with time.

According to the position of three of the Sunni schools of jurisprudence – the Shafi’ites, the Malikis and the Hanbalis – and the Shi’ite schools, farmers who possessed the usufruct of lands owned by the treasury had to pay *kharaj* taxes. However property of its farmer and that *kharaj* represented taxes paid to the state in return for its maintenance of public works.³

Three ancient systems of hand tenure continued to exist throughout the Islamic period: land belonging to the ruler; *kharaji* lands and private property. In the Ayyubid and Mamluk periods the innovative system of military and civil *iqta*’s (tax farms) was introduced. This was a system of tax concessions for agricultural lands granted in return for military and civil services. But even under this system, farmers still retained their usufruct. There was also an increase in pious endowment (*waqf*) lands founded to support charitable and religious causes.⁴

During the Ottoman period, the system of *iqta*’ progressively ceased to exist, and was replaced by *iltizam*, another system of tax farming. However, the three other types of land tenure – *kharaji*, *miri* (state-owned) and *milk* (privately owned) – which included *rizaq* (sing. *rizqa*) lands, continued to exist.⁵ In the nineteenth century, two important developments occurred. First, the *lawa’ih al-atiyan* (land codes) were promulgated, thus confirming the hitherto customary rights of holders of *kharagi* lands. Secondly, the right of private ownership of

²For details see Pirenne, 1936, vol. 2, PP. 48 – 52, 358; Rostovtzeff, 1964, PP. 268, 276, 411.

³Nasr Allah, 1984, PP. 14 – 17.

⁴For related documents, see Grohmann, 1934, vol. 2, PP. 57 -69, vol. 3, PP. 67 – 93, 102 – 6 and vol. 4, P. 70.

⁵Rizaq lands were lands designated for the support of local pious and public works. They were subject only to the basic land tax and were usually administered by a family of religious notables in each village: Cuno, 1992, p. 36.

rizqa agricultural land was granted by the ruler to certain individuals, the *ab'adiyahat* and *shfalhk* (or *jafalik*). *Ab'adiyahat* were uncultivated lands granted by the viceroy to certain persons as a tax-exempt *rizqa*. *Shafalik* were numerous village granted by Muhammad 'Ali to himself and members of his family as tax-exempt *rizqas*.

Another important legal step came under Khedive Isma'il (1863 – 79), who was in debt and in desperate need of funds, prompting the state to pass the *muqabala* law in 1871. This law offered the option of converting *miri* and *kharaji* land into private property, in return for paying the equivalent of six years' tax on the land. The option involved an absolute title deed to the land and a subsequent 50 per cent tax reduction. However, after the bankruptcy of the Egyptian treasury, coupled with increased European financial intervention, the government annulled this tax break in 1880, while confirming the absolute title of all those who had paid the *muqabala* on their land.⁶ Finally, in April 1891, a decision was taken whereby this right was extended to all *kharaji* lands – even those where the *muqabala* had not been paid.⁷

The Egyptian model of ownership has tempted some scholars to argue that Egypt fits into the model of the “Asiatic mode of production”. To explore this idea, Ahmad Sadiq Sa'd wrote a two-volume work in which he attempted to prove that the Egyptian experience fits the Asiatic model.⁸ He argued that since land in Egypt was considered to be the property of the state entrusted to the ruler; it was a kind of communal property. Thus, the relationships of production can be described as a type of “general enslavement”, meaning that the individual producers working on the communal holdings were in reality “slaves” to the state, embodied in the ruler. But a social formation usually includes several modes of production other than a dominant one: it usually comprises transitory characteristics, reflecting internal contradictions within that structure. These contradictions could be the factors behind change, given the appropriate conditions. When these conditions are not available, the status quo is maintained and society remains stagnant. Ahmad Sadiq Sa'd considered that in the case of Egypt, change occurred only under external pressure. He thus viewed the British occupation as having played the major role in driving Egypt towards capitalism. In his eyes, the model of the Asiatic mode of production, as detailed by Marxists, can clearly be identified in Egypt.

⁶Ibid., pp. 203 – 4.

⁷For more details on the development of property rights in the nineteenth century: 'Abbas Hamid, 1973; Dusuki, 1978; Barakat, 1978.

⁸Sa'd, 1983. In 1984, Dar al-Kalima arranged a symposium in Beirut to discuss the book. The symposium was supervised by Suhair Lutfi and included Abu Sayf Yusuf, Ahmad Sadik Sa'd, Galal Amin, Salah Qunsuh, 'Adil Husayn, 'Ali Mukhtar and Fu'ad Mursi. These papers were published by Suhair Lutfi (see Bibliography).

First of all, Sa'd argues, there was an absence of individual property in Egypt and a prevalence of communal land tenure; the other systems of land tenure which co-existed were weak and without influence. Secondly, this formation was primitive insofar as it was tied to natural powers but became more developed as it integrated social classes. Thirdly, Egypt was characterized by a strong central government involved in the economy and society: it was not simply a centralized state but a state that had specific roles to play. If these roles were not fulfilled, the whole structure would have collapsed and been subjected to chaos and disorder. In this formation, the ruling class monopolized the surplus and the work of farmers.

Sa'd goes on to assert his theory by referring to what he calls the concept of “the class/state”. He argues that the property-owning class in Egypt was the ruling class, and that the conformity of state and state institutions with ownership was clear in the Egyptian experience, making it difficult for individuals exterior to the ruling institutions to control the means of production. He stated that this formation, established in Egypt on the basis of a centralized state, inevitably led to stagnation and under-development. This argument is clear even though the incident of breakdown in the central authority was accompanied by a comprehensive breakdown in all social functions. Society regained its vitality only when the central state regained its unity and power. In the Egyptian experience, the central state led to progress and development, maintained the welfare of society and unleashed its potentials.

Samir Amin, also a Marxist scholar, puts forward another perspective on the model of ownership associated with the centralized state. He attempts to provide another interpretation for the Asiatic mode of production, in what he terms the “tributary mode of production”. The basis of this mode is the presence of a ruling “tributary” class that centralizes surplus through the state. Its superstructure is represented in a strong unifying ideology. This is a powerful system that nevertheless perpetuates itself. It is different from the Western feudal system which, in his view, was characterized by an ability to exceed that of mature tributary formations. Amin agrees with the proponents of the Asiatic mode of production in that the Eastern tributary mode of production, of which he takes Egypt as an example, is linked to underdevelopment, while the European model is the ideal model for progress.⁹

As for the liberal view of the model of ownership within the framework of a centralized state, the proponents of modernization theory consider the Eastern type of agricultural society to be traditional society within which structures are identical. Such a society is regarded as lacking in institutions which perform their functions in a rational way. Such a society is considered to be self-

⁹Amin, 1985, pp. 78 – 80.

sufficient and based on kinship relations and a familiar system, which provides the political authorities with a large degree of stability. The only way for this type of society to experience modernity is through a capitalist transition, brought about by laying the foundations for individual property ownership and industrialization. These conditions would lead to the rise in individual property and consequently to the rise of independent social structures and autonomous institutions.¹⁰ Thus, agricultural society in which a centralized state controls the means of production is defined as traditional, backward and stagnant, a society that does not move towards progress except by adopting the Western model for development.

The conclusions of the liberal school do not differ from those reached by Marxists. Both schools of thought consider the European model to be the ideal one for development and progress, and do not see any other alternatives. The only way to realize this model is through achieving an “industrial revolution” that would be the apogee of a capitalist transformation, with full ownership of the means of production. The only difference between the two schools is that the Asiatic mode of production stresses the alienation of producers from the means of production as a precondition.

Is the Western European model then the ideal measure for development that non-European societies ought to follow if they are not to be doomed to underdevelopment and decline? In other words, are there rigid prototypes on which societies must be modeled, is there one law governing the development of all societies?

To answer this question, one must realize that both Marxism and Liberalism used Western Europe as the model of their theories. This particular region of Europe had experienced industrial revolution, which differed from one country to another in shape and content economically, socially, politically and culturally. The circumstances in Eastern Europe, however, were remarkably different to those in Western and Central Europe which experienced capitalism. In fact, the transformation to capitalism in itself caused wide debates over its nature. Different pre-capitalist modes of production co-existed in Eastern Europe alongside the capitalist one. This led to social structures in these countries that differed from those in Western Europe, and which differed from one country to another within Eastern Europe itself.

Marxist and liberal frames of analysis do not provide theoretical ideas that are suitable to explain the development of all types of human society. The theories do not even provide comprehensible explanations for their model, Europe, because of the differences in the circumstances of development from one

¹⁰For details: Eisenstadt, 1963; Black, 1966.

society to another within Europe itself. Thus, the Eurocentric idea that Europe is the appropriate measure for the development of all societies is questionable. This is especially an issue in dealing with non-European societies, the circumstances of which are markedly different from those of European societies.

The concept of the Asiatic mode of production in the writings of Marx and Engels, subsequently developed by Marxists, is the weakest aspect in Marxist thought. When Marx introduced the idea, he was not well informed about developments outside Europe: his knowledge of the rest of the world was general and superficial. He was confused by ancient Eastern societies which were the centers of ancient civilizations, because their models did not conform to his conceptualization of the five stages of development of society. He therefore lumped the development of all these societies together in one basket and called it “the Asiatic mode of production”. To this, other Marxist theorists added the idea of “oriental despotism”, linking it to the idea of the centralized state in hydraulic societies such as China, India and Egypt, despite the fact that the differences between these societies outweighed the similarities. Thus, Marxist thinkers described and categorized these societies as ones in which a stagnant and backward mode of production prevailed. Such an idea is hardly free of racism.

The same applies to the idea of the “traditional societies” introduced by liberals of the modernization school. These theorists also study non-European societies as though they were all the same; the differences in the degree of development among these societies are not taken into consideration. Some theories take regions which have provided humanity with important civilizational achievements to be primitive societies taking their first footsteps on the road to development. They consider all that is agrarian to be underdeveloped and stagnant as long as it lacks private ownership and individualism, and as long as its social and political institutions are not similar to their Western counterparts. Thus, it becomes the “duty” of the West to help those underdeveloped peoples catch up with the train of progress through “modernization”. Here, racism is clear in all its connotations. The idea of “the white man's burden” that was used to legitimize colonial expansion in Asia, Africa and the New World in the nineteenth century.

Society cannot be shaped according to a defined model. It is a changing organic manifestation, the development of which is controlled by material conditions which are not the same in every society. Nor are they necessarily equal in their influence. The role of the material situation in promoting change differs fundamentally from one society to another. A specific theoretical framework cannot explain the development of all societies. Theories are abstractions based on conditions of specific societies: a theory might explain a particular society or

it could explain specific stages of development, but it would be a mistake to generalize a story and turn it into a model that “must” be applied to “all” societies. In such a case, societies that do not stand up to the measure of the defined theory would be excluded from the model and be considered anomalies that must be moulded in order to fit the theoretical model.

This is not to say that one should ignore theories. That would be absurd. One may make use of a certain theory in explaining some stages in the development of society – theory can be used as a tool of analysis. The historian must then explain the specificity of the development of other stages which do not fit the theoretical framework. A good example is the criticism of basic Marxist doctrines by neo-Marxists, since empirical studies have indicated that the five-stage theory of traditional Marxist thought, its historical determinism and the role of class struggle in the transition from one stage to another are not accurate.

The ideas of modernization are also problematic in that change resulting from external influences does not elicit the same result as inner changes unless it touches the basic structures. This logic is difficult to achieve within the framework of modernization.

Russia, China and Japan are good examples of development that do not fit the theoretical model of stages. It was Russia, not Britain, that had experienced the move to socialism even before its capitalist experience had matured according to Marxist specifications. The same applies to China. Japan experienced its industrial revolution at the hands of a feudal aristocracy according to a framework which employed the cultural heritage of what has been termed a “traditional society”.

But then where does the Egyptian experience lie in the context of this discussion? What is the role of ownership in determining the framework of that experience? The natural environment and Egypt's strategic geographical position have played an important role in defining its experience. Environmental conditions drove people to collect around the valley of the Nile and to respond to the challenge of that great river in a way that integrated human beings and the environment. As this study has argued, this necessitated a centralized state that strictly regulated the economy, and that provided protection against both natural conditions and external aggression. This needed a detailed division of duties that gave the central administration the power to oversee production in order to ensure the optimum use of all agricultural land so that none would lie fallow.

Thus, the state's role in distributing land tenure among producers became essential to the process. It led to the development of a special form of ownership feebly tied to the state's theoretical right to the land. The state usually did not use this right except when lands were at risk of being lost to desertification or

when establishing large public works. The producer (farmer) assumed the burden for this through obligatory *corvée* labour in public works known as *sukhra*. The farmer was also limited in his rights to move or emigrate, which formed a tie between himself and the land. These conditions put aside, the individual producer was totally free to plant what he liked, and could use his landholdings whichever way he chose, including pawning or selling his usufruct. The individual was therefore not a “slave” but rather someone who could benefit from the fruits of his labour.

A system of pawning the *gharuqa*, prevailed in Egypt during the Ottoman period until the stabilization of private ownership in 1891. The *gharuqa*, like many other legal customary practices, seems to have been a continuation of pre-Ottoman customary usages, in that the Ottomans generally kept earlier legal and customary practices in place after their conquest of Egypt. This particular type of pawning was, in reality, a veiled sale of land. It gave the creditor the right to farm the land and to use its produce throughout the terms of the pawn, which were usually in perpetuity.¹¹ Since the producing farmer's landholdings were already inheritable, one can consider that these landholdings were *de facto* property. The only limitation was that it could not be entrusted to a *waqf*. This was a right reserved only to private ownership which had existed, albeit in a limited fashion, since at least pre-Ottoman times.

Agricultural production in Ottoman Egypt covered the needs of the local and foreign markets. The Egyptian economy was a market economy, not a subsistence one. This applied to both agricultural and craft industries, a fact which explains the flexibility of the economy during the first decade of the nineteenth century, when Muhammad ‘Ali steered Egyptian agriculture towards foreign markets. It also explains the success of Egypt's industrialization, even though it did not follow the European model. There were many similarities in this experience with the Japanese one which came four decades later.

During Muhammad ‘Ali rule, mercantile capital played an important role in commercializing agriculture in Egypt, and in leading it to provide for both local and foreign markets. Commercial houses achieved a remarkable degree of capital accumulation. Central authorities played a regulatory role over the local market and a sometimes protective role when dealing with foreign markets.

The external factor; in this case aggression, played an important role in aborting Muhammad ‘Ali's experience. It curtailed the attempt at development and made the Egyptian economy dependent on the European economy. It is within this context that, in the late nineteenth century, laws were promulgated legalizing

¹¹For more details: Yusuf, 1913, pp. 62 – 76.

private property. These laws simply legalized hitherto customary practices for the benefit of foreign investors in agricultural credit.

The status of ownership in the Egyptian experience allowed for the rise of a class structure based upon property which was a means to attain power; correspondingly, power was a tool to expand property. There were also opportunities to expand small land tenures, as there existed a rural proletariat.

The role of central power in the Egyptian experience has been fundamental in regulating, monitoring and providing internal and external security. The best example is the correlation between economic and social crises combined with a weak central authority incapable of playing its regulatory and monetary functions. Conversely, society prospered when central power was strong. This is in clear opposition to both Marxist and Liberal theories. In fact, the state played a remarkable role in developing social structures under both Muhammad 'Ali and, much later, during the regime of the July 1952 revolution.

Conclusion

Through the study of ownership, it becomes clear that the Egyptian experience has its specificities which must be taken into account when analyzing and explaining its historical development. This experience emphasizes that there are multiple routes to development, also making clear that scholars are in need of new methodological tools in dealing with societies whose histories go back to ancient times and which have their own specificities. Eurocentric theoretical frameworks are not suitable as methodological tools in dealing with such societies.

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