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## TWO

# The people's land?

**Now into one a hundred fields are thrown  
Their tenants banished, and their pleasure flown!<sup>1</sup>**

Community ownership, cooperation, empowerment: all these might seem a throwback to another, collectivist age, when land was seen as a resource for all to share – somewhere to grow food, graze animals, plant trees, collect firewood, draw water and, at times, seek inspiration. However, as outlined later, resourceful communities in Scotland and, to some extent, in England are taking some of these values into a modern setting through either outright community ownership of large estates or through targeted community land trusts. From the Highlands and Islands, to Oxfordshire, Devon and Cumbria, they are delivering affordable housing, new businesses and community facilities, driven by need rather than by greed – using land as a vital resource against which they can borrow and build, with the added collateral of communities sometimes buying shares in local trusts to unleash development.

Many people, of course, once had a small a stake in land, however informal. In a small corner of England, they still do. While part of our landscape has been transformed by industrial-scale farming, forestation

and mineral extraction, little has changed on five hundred acres at Laxton, in North Nottinghamshire, since the early 17th century; plots are neatly laid out in long strips on open fields, tended lovingly by 18 smallholders and farmers.<sup>2</sup>

This is the only part of Britain to have survived one of the most turbulent periods of rural history: the Enclosures. Through the 17th, 18th and 19th centuries, millions of acres of open fields – on which rural workers had commoners' rights for grazing and growing – were appropriated and enclosed in a long series of parliamentary acts, forcing the poor off the land. Laxton, ironically now owned by the Crown Estate – a big property, landownership and trading business, technically belonging to the reigning monarch 'in right of the Crown' – has thus become a testament to a forgotten way of life.

Everything is neatly detailed on an elaborate estate map – a valuable work of art evoking a rural idyll of haymaking, harvesting, oxen, sheep and contented workers – now held at the University of Oxford's Bodleian library. It was produced by a cartographer, Mark Pierce, in 1635, for the then owner, Sir William Courten, a merchant made rich from East Indian trade.

These open-field systems stretched back to medieval times, when much of England and Wales was common land. As Kate Ashbrook recorded in 2015 for the 150th anniversary of the Open Spaces Society: 'Much of England and Wales was once common ... required to be left to the commoners, but little was.'<sup>3</sup> Soon, of course, enclosed land – appropriated by the powerful – assumed a bigger monetary value and became a commodity. It could be bought, sold, inherited or bequeathed, thus conferring even more power, status and wealth on owners. Today, this is underlined with agricultural land prices reaching such dizzying heights that aspiring farmers – outlined in Chapter Three – are priced out of the market by an elite seeking advantageous tax havens to offload spare millions.

In the run-up to the Enclosures, of course, common land was viewed as inefficient by an acquisitive ruling and landed class, which saw great potential for expanding already substantial estates. With that expansion would come even more power, prestige and, of course,

capital appreciation from an emerging market economy and a valuable traded commodity, which is, of course, a finite resource: our land.

Even today, opinion on the reasoning behind the Enclosures is divided. The writer and land reform campaigner Kevin Cahill is in no doubt that the various enclosure acts in the 17th, 18th and 19th centuries – ‘decided in favour of the peerage by the peerage’ – demonstrated the ‘irreversible nature of the change in both power and ownership in Britain’.<sup>4</sup> Our land thus became *their* land.

According to Cahill, the Enclosures were particularly invidious because the aristocracy took from a weak monarchy ‘rights which were really those of the common people ... at a time when the common people had neither representation nor power’. In one estimate, 6 million acres of land, a quarter of all cultivated acreage, were appropriated from the second quarter of the 18th century to the first quarter of the 19th, ‘mainly by the politically dominant landowners’, according to the academic and writer Raymond Williams.<sup>5</sup> He records a long process of ‘conquest and seizure ... the land gained by killing, by repression, by political bargains’.

While acknowledging the justifiable grievances of those who lost common grazing land to rich individuals, Peter Clery,<sup>6</sup> with a background in banking and land management, argues that the Enclosures are a subject of ‘misunderstanding and sometimes misplaced emotional concern’. He loftily contends that the advantages of consolidating strips into workable holdings ‘must have been obvious to the meanest intelligence ... enclosures were essential ... for increased food production to meet the needs of a growing (urban) population’.

However, Dr Hugh Ellis, Director of Policy at the Town and Country Planning Association, is quite clear that agricultural modernisation should not have led to the dispossession of people’s land rights, and in Scotland, evicting people from their homes in the infamous Highland Clearances, when thousands were removed by rapacious landlords to make way for sheep.

In their book, *Rebuilding Britain: planning for a better future*,<sup>7</sup> Hugh Ellis and Kate Henderson remind us that the enclosure of common land dispossessed tens of thousands of poor rural workers of their

livelihoods – and by the 1870s, after the final Enclosure Act, the idea of collective land rights in Britain had been largely extinguished. The repercussions from these ‘legal’ land-grabs undoubtedly influenced a radical, reforming Liberal Chancellor of the Exchequer (and subsequent Prime Minister) David Lloyd George in the early 20th century. His 1910 People’s Budget hit the landed gentry with land taxes in order to pay for an emerging welfare state. Land reform was high on his agenda – just as it is today in a Scottish government led by social-democrat-inclined First Minister, Nicola Sturgeon.

However, it took almost 80 years after the last Enclosure Act to gain democratic control over land use – falling short of the full-scale public ownership of land initially promised by the Labour Party – through the groundbreaking Town and Country Planning Act 1947, which effectively ‘nationalised’ the right to develop land. This was a key element of the post-war settlement – whittled away by the 2010–15 Conservative-led government – which delivered a National Health Service, a welfare state, national parks, a substantial footpath network in England and Wales with the same legal status as a highway, and much else.

As the late geographer Sir Peter Hall<sup>8</sup> argued, it is difficult to comprehend in today’s political climate the intense emotions surrounding land over the last two decades of the 19th century as repercussions from the enclosures resonated throughout England: ‘Essentially, it represented a struggle for power between the old landed classes ... and new interests who wanted to dismantle the social influence of the landed estates’, he wrote in 2014, shortly before his death.

British agriculture was in crisis at the time, beset by a series of poor harvests and overseas competition from new markets in the Americas and Australasia, for instance. Farm rents were declining as a result, cereal acreage was dramatically down and one landowner, the Duke of Marlborough, remarked in 1885 that half the land would be put on the market, if there was demand – there was not.

Perhaps unsurprisingly, demand for land reform was growing; a Land Nationalisation Society was formed in 1881, producing many

pamphlets – although, as Hall observed, the very term ‘nationalisation’ covered a wide political spectrum, from outright compulsory purchase to progressive nationalisation of all land for the community. Some suggested, with perhaps undue idealism, that a plentiful supply of rural plots would persuade city-dwellers to flock back to the land.

Ebenezer Howard was a practical idealist. Born in London, he had spent four years in the US as a pioneer farmer and later as a shorthand writer in Chicago. Returning to London, a city buzzing with a new radicalism, he began to focus on land. With prices depressed, it was a good time to test his idealism, and so the ‘garden city’ ideal was born – a near-utopian plan for a self-contained community with high-quality houses, each with a plot for growing food, and with jobs on the doorstep. It has proved enduring, albeit on a smaller scale than Howard envisaged.<sup>9</sup>

Today, it has found favour with all main political parties as one means of solving an acute shortage of housing, particularly in the South-East and East of England, though it is far from clear whether they have signed up to the Howardian ideal of capturing the increase in land values that development creates for the benefit of the community. Collectivism, after all, has largely disappeared from the political lexicon. However, its ethos underpins Letchworth Garden City, in Hertfordshire – Howard’s ultimate creation, and forerunner to 28 subsequent new towns – which remains a vibrant community of 33,000. It has an asset base of property and land valued at £130 million, which, in turn, delivers £10 million annually for community benefit.

Howard’s idealism chimed with a ‘back to the land’ theme taken up by a Liberal government, elected in 1906. Some ministers wanted to promote smallholdings for the many landless labourers as a first step on the housing ladder; today, as we shall see, the challenge of getting more younger people onto that ladder, with the average age of farmers estimated at well over 60, is still proving elusive for many aspirants.

However, unlike today, this was a time of considerable activism. The radical housing campaigner and social reformer Octavia Hill – one of the founders of the National Trust in 1895, legally embedded with special legislation in 1907 – was another practical idealist. The

Trust emerged from her passion, a 'fundamental conviction that the poor deserved equal cultural and aesthetic opportunities as the rich', according to the historian Tristram Hunt.<sup>10</sup>

On one level, she might well approve of today's organisation, which has undoubtedly helped to open up the countryside for recreation, while maintaining its 627,000 varied acres of mountain moor and farmland and 775 miles of coastline to a generally high standard, with the help of several thousand tenants and volunteers. Thus, it provides a level of countryside access, and of stewardship, the envy of many other countries.

With 4.2 million members, the Trust also has around 215 grand mansions and houses, splendid gardens, and estates, alongside 40 castles, around 80 nature reserves and much else. However, less well-known is its role as a substantial landlord, with 5,000 housing tenants and 1,800 tenant farmers (including 800 on largish farms), who manage 80% of its land. As we shall see, relations with some of these tenants have been, at best, challenging.<sup>11</sup> Perhaps under pressure, the Trust now appears to be changing course, promising to spend £100 million annually over the next 10 years on the conservation of its houses, gardens and countryside, while developing ways of managing land on a large scale to 'benefit farmers, the economy and the environment'.<sup>12</sup>

A year after the National Trust Act 1907, Lloyd George, similarly infused with radicalism, became Chancellor of the Exchequer, in charge of the finances of Britain and (then) pre-partition Ireland. Passions were running high. Land became a defining political issue in his subsequent People's Budget. Tories were aghast at his taxation proposals: a rise in income tax, a super-tax on incomes over £5,000 and increased death duties, for instance. A Liberal colleague, and former Prime Minister, Lord Rosebery, dismissed the reforms as 'pure socialism', claiming that the budget should be renamed a 'revolution'. The landed class concurred. Lloyd George was unmoved.

As Britain's biggest private landowner, the present Duke of Buccleuch and Queensberry underlines a sense of betrayal, and bitterness, still lingering in the old aristocracy over 100 years later:

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Wallington Estate's grand house, donated to the National Trust by former Labour cabinet minister Sir Charles Trevelyan because of his disdain for private land ownership

The balance of power in Britain would be transformed ... effectively stripping the hereditary peerage of its political power ... embarking on a new era of heavy, and ultimately penal taxation that would put paid to many old families and their traditional lands.<sup>13</sup>

Amid the political ferment, one thing eventually became clear: Britain would rarely again experience such a radical passion to reform land (and landlordism), though the Scottish government's current legislative proposals – strengthening pioneering land reform legislation delivered by a Labour–Liberal Democrat Scottish government in 2003 – mark the first attempt in over 100 years to address ownership and the common good.<sup>14</sup> The post-war Labour government, while briefly flirting with full land nationalisation, backed away from radical reform. Now, the Town and Country Planning Act 1947 in England, which



delivered control of development on our land – seen as a precursor to public ownership – has been whittled down beyond recognition by a 2010–15 Conservative-led Coalition government committed to creating a smaller state.

The reformist interwar years also proved a turning point in the long campaign for wider access to the mountains, moors and wilderness areas of Britain. Frustrated that so much of our land, often devoted to field sports, was effectively out of bounds for the urban masses seeking fresh air and recreation, a large group of activists from Manchester brought matters to a head in April 1932. They staged a ‘mass trespass’ at Kinder Scout, in the Peak District – for landowners and the British establishment, the ultimate act of civil disobedience – and clashed with gamekeepers (more accurately, vice versa!). Five of the protesters were arrested, charged with unlawful assembly and breach of the peace, and jailed. Their action, and harsh treatment, provoked a national outcry.

While it proved a defining moment in a long battle for a legal ‘right to roam’ in the countryside, it took another 68 years to fully realise the full fruits of their labours. They were finally enshrined in England’s Countryside and Rights of Way Act 2000, which delivered relatively free access with the publication of new maps showing open areas. However, there was a more immediate impact.

Ministers in the post-1945 Labour government – such as the Chancellor of the Exchequer, Hugh Dalton – were determined to build on the legacy of the ‘mass trespass’ movement. The result was truly far-reaching legislation, embodied in the National Parks and Access to the Countryside Act 1949. It gave 137,000 miles of footpaths in England and Wales the legal status of highways (*‘rights of way’* meant exactly that!), laid the foundations for long-distance national trails (such as the 268-mile Pennine Way) and created 13 national parks (two more were created much later in Scotland). Significantly, the first national park – doubtless in recognition of the Kinder Scout ‘mass trespass’ – was designated in the Peak District, followed closely by the Lake District.

Interviewing Lady (Barbara) Castle in 2001, a year before her death aged 91, she vividly recalled the ‘mass trespasses’ in her formative

political years, shortly after becoming an MP in 1945. They clearly still aroused a lingering sense of injustice, particularly after walking alongside Dalton in the Northern Pennines and encountering 'keep out' signs, which particularly irritated the one-time Chancellor. Lady Castle recalled: 'These lads and lasses after 1945 said "what were we fighting for if we can't get access to our own countryside?"' She railed: 'The landowners were selfish and self-centred. The working class coming from the industrial areas were clearly the enemy.'<sup>15</sup>

In England, during the ideological climate of 2010–15 – the mindless deconstruction of the planning system; the abolition of regional and national 'quangos'; sidelining the Department of the Environment, Food and Rural Affairs; and scrapping the post of rural advocate, charged with advising the government, as a 'critical friend', on all aspects of the (English) countryside – the wide-ranging reforms of Lloyd George appear audacious. He laid the foundations for the first rural development commission, finally abolished by the 2010–15 Conservative-led government, as well as the Forestry Commission, now the UK's biggest landowner, which narrowly avoided privatisation in the early stages of the last government after it was forced to shelve sell-off proposals following a public outcry from countryside groups. Whether it remains secure in public ownership is an open question. Some fear that the threat of partial privatisation, at least, is on the horizon. The Unite trade union, representing forestry workers, has warned that the UK government might still be 'paving the way' for a forest sell-off.<sup>16</sup>

Lloyd George matched his fierce rhetoric with a passion for delivery rare in contemporary politicians. Today, it is significant that the outcry from the landed classes in Scotland over the Scottish government's determination to push through another round of land reform represents, in many ways, a rerun of the arguments deployed by the aristocracy to attack Lloyd George's rural agenda. His abiding question – 'Who made 10,000 people owners of the land and the rest of us trespassers in the land of our birth?' – still has resonance. In this context, the comments of Scotland's First Minister, Nicola Sturgeon, in

November 2014 are worth recording: 'Scotland's land must be an asset that benefits the many, not the few', she told the Scottish Parliament.<sup>17</sup>

Financial pressure was bearing down on the big estates after the First World War: by 1919, for instance, death duties were increased to 40% on estates worth over £2 million. Partly as a result, the country would soon see the biggest shift in landownership since the dissolution of the monasteries in the 16th century. A combination of high taxation, rising land prices and battlefield slaughter resulted in such a massive transfer of land that, by 1939, owner-occupied farmers held over half of all the agricultural acres.<sup>18</sup> However, many aristocrats still held on to substantial holdings, sometimes by selling outlying portions, mineral rights and other areas for development. Furthermore, in consolidating their estates, they have still managed to remain a powerful force in swathes of Britain.

As Arthur Marwick<sup>19</sup> notes in his study of British society and the First World War:

The frequent deaths in battle of young aristocrats made the burden of death duties even greater than it otherwise might have been ... land values had greatly risen, while rents had not: by selling, the landowner could put the increased value straight into his pocket ... they emerged ... still in residence in their country seats, with their territorial empires considerably reduced, but with their incomes ... probably much healthier than they had been for many years.

Moreover, as I shall argue in Chapter Four, the influence of the old landed class, albeit exercised discreetly, remains strong in some areas.

Throughout the 1930s, land reform remained an issue – not always a burning one – for the Labour Party. Clement Attlee, the future prime minister, who came from a family of Surrey corn merchants, even declared in 1937 that his party 'stood for the national ownership of land'. Labour's post-war manifesto took up the theme, committing the party to 'working towards' land nationalisation.

However, as the historian David Kynaston<sup>20</sup> points out, nationalisation was effectively off the agenda. Instead, with a new Agriculture Act 1947 guaranteeing farm prices, it became 'jackpot time' for many farmers. With this new subsidy regime foreshadowing an era of industrialised farming, the landscape of rural Britain began to change in pursuit of a remorseless goal of maximising production – and, as Kynaston notes, all against the illusion that the character of rural Britain would be unaffected.

Farming, thus, became a powerful lobby. Post-war Labour became its friend; on leaving office, Tom Williams, Attlee's Minister of Agriculture, was even given a small dinner party at Claridges Hotel by a grateful Duke of Norfolk! Today, with the Department for the Environment, Food and Rural Affairs – successor to the old Ministry of Agriculture, Fisheries and Food – a sadly diminished force, it would be hard to imagine any agriculture minister being feted like this.

It might be even harder to imagine a group of activist land reformers, disillusioned about promises surrounding democracy and access to land, setting up their own communities with the aim of creating a cooperative society. They were eventually forced off the land in a violent clash at St George's Hill in Surrey. Their champion, Gerald Winstanley, recorded with some prescience that 'the buying and selling of land, and the fruits on it, one to another, is The cursed thing'.<sup>21</sup> They were The Diggers, and that was the 17th century. Yet, Leon Rosselson's (1974) poem, evoking their struggle, still inspires another generation of activists in Scotland and in England: 'The sin of property we do disdain. No man has any right to buy and sell the earth for private gain.'<sup>22</sup>

## Notes

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- <sup>2</sup> See: [www.laxtonvisitorcentre.org.uk](http://www.laxtonvisitorcentre.org.uk) and [www.nottingham.ac.uk/manuscriptsandspecialcollections/learning/laxton/introduction.aspx](http://www.nottingham.ac.uk/manuscriptsandspecialcollections/learning/laxton/introduction.aspx)
- <sup>3</sup> Ashbook, K. (2015) *Saving open spaces*, Stroud: Pitkin Publishing and The History Press. Available at: [www.thehistorypress.co.uk](http://www.thehistorypress.co.uk)

## WHOSE LAND IS OUR LAND?

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- 22 Rosselson, L., see: [www.leonrosselson.co.uk](http://www.leonrosselson.co.uk)