

OTHER LAWS, OTHER LANDSCAPES SETTLEMENT OF THE WORLD'S TEMPERATE GRASSLANDS

John H. PATERSON

Résumé

Les années 1815 à 1914 ont constitué pour l'Europe un vrai « Siècle d'émigrant ». Plus de 40 millions ont quitté l'Europe, dont beaucoup pour les prairies tempérées des autres continents. Pour ces derniers se posaient 4 questions : (1) combien d'hectares pourrait-on acquérir, (2) à quel prix, (3) en quelle localisation - choix libre ou assigné, (4) sous quelles conditions foncières ? Pour l'émigrant particulier, il existait un choix énorme de destinations.

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In Europe, the hundred years between 1815 and 1914 might be called the Century of the Emigrant. During those years, and the periods just before and just after them, over 40 million people left Europe for new homes overseas, not to speak of the thousands of European Russians who moved to new environments within the confines of their vast, continental empire.

The list of factors giving rise to this movement was a long, and, often, a tragic one, overpopulation in farm areas; high rents or landlord pressure; industrialization and the death of handcrafts; political changes or religious persecution : these were some of the expulsive influences. Facilitating factors were the release of constraints on personal freedom of movement, and the growth of new modes of travel by sea and land. And the main attractive factors that drew the emigrants to the ports and ships were the search for freedom, personal dignity, and land.

It is last for us to imagine, today, the force of that last factor, land. These emigrants were leaving a continent where all land « belonged » to someone and, if it could be had at all, it was in minute parcels, at high rents; if it could be held on to, it was by courtesy of the landlord, or at the cost of endless haggling over lengths of hectares and their boundaries. To these people came word that, overseas, there were hectares by the thousand to be had for the settling-land, and title too. The revelation must have been nuclear.

Not all the emigrant millions, of course, wished to settle on the new land. But Chose who did were beneficiaries of a remarkable coincidence : that just

at this time, when a modernising Europe was needing to shed a huge population, surplus to its new requirements, there opened up an equally huge area of potential farmland to receive them. This area was the world of the temperate grasslands.

Every habitable continent possessed them, lying between humid forest lands and arid desert or semi-desert. Seasonal rainfall, usually varying between 500 mm on the humid fringes and 250 mm on the arid, inhibited tree growth. The grasslands were lying ready for the 19th Century's great experiment : what use could be made of them ? The emigrants were the people who answered the question, and at a tragically high price.

But whatever the hidden hazards, first impressions could hardly have been more encouraging. The grasslands were sparsely populated, and by mainly nomadic people, who could surely be encouraged to migrate to somewhere else. Railways, now in fashion, could be built with unprecedented speed; the record in North America was 9 miles (14 km) in a single day. The railways brought in immigrants, and carried out their produce to the ports - Buenos Aires, Port Arthur, Port Adelaide, Melbourne. In Russia, the rivers leading to Odessa and Rostov served the same purpose.

So here, on the grasslands one day, stood the individual emigrant, family and belongings around him, watching the train depart. But where was he ? - on the Prairies or Great Plains of North America, the Pampas of South America, the South African veldt, or the grasslands of Australasia - and which part of Australasia ? Three things had largely combined to make up his, and his family's mind.

One was the reports of friends who had preceded him. The second was the propaganda issued - in Europe - by agencies in the new territories anxious to recruit him. The third was the answer he had been able to obtain to the question, « How much land, and on what terras ? ». It is with this third decider that we are here concerned.

Most of the metropolitan agencies interested in grassland settlement had a philosophy of colonization, a desire to recoup the costs - largely military - of protecting the new settlers, and a determination to extend their writ wherever their flag waved. Most of the frontier communities, on the other hand, felt that they knew best what they needed, and wished only that the home government would leave them alone. Out of these contradictory stances there emerged a wide variety of policies, some metropolitan and some local, and all of them subject to constant modification, usually in favour of the locals. There also emerged, in due course, a wide variety of landscapes, the products not so much of physical differences (for these were slight) as of different land policies.

This being the case, it is strange that geographers, with their primary concern for landscape, have shown so little interest in systematic study of these policy differences and their impact. Apart from Meinig [3], [4], [5], who has splendidly described three separate grassland areas, most other scholars have confined themselves to a single continent or area. In southern Africa, the work of A.J. Christopher has been outstanding, if only for his dramatic demonstration [2] of contrasting landscape of two areas in the very same region, where different land policies met head on - in Natal. The present author has demonstrated the same type of clash in the USA, between American, French and Spanish systems of land holding [6].

So the intending emigrant, if he was wise, would have made careful enquiries before deciding which ship to board at Liverpool or Hamburg. He was going to need - whether or not he realized it from the start - answers to at least four questions, each of them vital to his future :

1. How much land could he obtain ?

For men with capital, or « planters » as they were often known, limits were very generous, and increased if the planter brought able-bodied settlers with him. For individual migrants, with little or no capital, the critical factor was to be able to secure enough land to subsist. This amount naturally

depended on terrain, soil, climate and access to markets. Enticing as the grant size might look to land-starved Europeans, it proved in practice to be almost invariably too small for subsistence, at least when set by metropolitan authorities. The classic case was the United States' Homestead Act of 1862, making available at minimal cost 160 acres (64.8 ha) of public land - just at the time when the westward-moving frontier had reached a point beyond which 160 acres were of little use, on account of increasing aridity.

This was a field in which competition could and did take place. The early English colonies in North America competed with each other for settlers and so, within our period, did the various Australian settlements, by offering attractively-sized grants. Some newcomers, in fact, moved several times between the settlements, as they became more aware of possibilities, in a kind of bargain-hunting process [1].

How much land could be obtained on the various frontiers also depended to an important extent on the granting authority's assumption about the use to which the land was to be put. That there should be any doubt about this was a function in turn of the grasslands' intermediate situation between humid and arid margins. The humid edge was fit for cultivation; the dry edge and the rougher areas were not. Somewhere, shifting from year to year, from a boundary line between the two uses. Trial and error confirmed this; trial and error located the line, though normally only in retrospect, after errors had been made. On one side of the line was the domain of the farmer; on the other, the kingdom of the rancher.

The trouble was that the metropolitan governments - and none more so than the British - tended to take for granted that what were being founded were settlements of farmers and cultivators, and thus that 20 or 50 hectares formed a generous grant. But in grazing districts, as the Dutch in South Africa and the Mexicans in Texas realized, twenty times those amounts might be necessary to yield a livelihood. Yet the small-farm concept persisted. In the USA, up to 1861, Congress would not approve larger basic grants than 160 acres (64.8 ha) because the North feared that anything bigger might become a plantation, and plantations meant slaves. Decades later, on most of the dry grasslands, ranchland could only be had on short-term leasehold.

2. What would the land cost ?

There quickly arose a conflict of interest between the metropolis or government, on one hand, and the new communities on the other. To the authorities, the empty lands were a source of revenue : to several, the land was their sole asset. They therefore wished to maximize revenue from its sale, and it is no surprise to find them setting high - unrealistically high - prices for it. To the settlers, however, who (wrongly) perceived the land as empty and useless without them, there seemed no justice in charging for land that would have value only after they had settled it. They therefore argued that land should be free.

Over our period, this conflict was resolved largely in favour of local interests. The high-priced lands proved to be very poor sellers, while the authorities for their part developed other assets and sources of revenue. Settlers quickly pressed for credit terms on their purchases and, once those were granted, repayment became spasmodic and neglected. The US and Canadian Homestead Acts of 1862 and 1872, although unsatisfactory in a number of ways, marked the end of a process of price lowering - to zero - that had begun almost 70 years before.

3. Free choice of location, or restricted allocation ?

No less important to the settler than the first two questions was the third : in these wide open new spaces was the settler free to choose his or her own patch of 10, or 25, or 50 hectares at will, or were they simply told where to go, in the same way that seats today are allocated in an airplane ?

Most of the governments involved in land disposai tried sensibly to keep their frontier community from scattering too widely; sensibly, because it reduced the problem of defending the frontier, and it kept down the cost of survey and services. Most opened their new lands a tract at a time, but allowed for choice within the tract. Some - notably the USA after 1785 - adopted the principle of « no disposai without prior survey »; this superseded the earlier practice of « metes and bounds », by which settlers picked their land where they wished, and then paid to have it surveyed.

Freest choice of ail was surely that given the Afrikaner trek-farmers in South Africa : they needed only to find a spring or water source in the radius circumference with that walk as radius, to secure for themselves a loan-farm of say 2,000 hectares, for which they would then pay a peppercorn rent. At the other extreme lay the federally-surveyed lands of

the USA, laid out in gridirons of one-mile (1.6 km) squares, with every square known, numbered and astronomically fixed from the border of Pennsylvania to the western ocean. Modified versions of this gridiron appeared in Australia and parts of the Pampas colonies later, and Canada adopted it for the Prairies. Nobody today believes that this was an ideal arrangement, but it has certainly saved a great deal of litigation over the years.

Whatever the degree of control over settlers that was attempted, every frontier threw up two problems. One was squatting - informal settlement beyond the frontier, which had later to be either dislodged or regularised : in the USA the latter course was taken under the Preemption Act of 1841. The second was « peacocking » - the problem of first arrivais claiming a piece of land or, more usually, a water source, possession of which sterilised - quite literally - a large surrounding area that was valueless without it. Until a body of water law was developed for the area, there was no immediate means of dealing with this problem, except by violent local measures.

4. On what legal terms could land be occupied ?

Just as they had known them in the Europe from which they came, so the emigrants encountered a full range of varieties of ownership terms and tenancies in the new lands. Occupance of empty areas did not, by any means, imply a full bundle of rights of ownership for the first settlers. Even in those cases where land was free or virtually so, there were obligations before full title was obtained : generally those of clearing and cultivating a set proportion of the holding, and of residing on it for a given number of years. The fall-out from these obligations was considerable : settlers either abandoned the land, or cheated on the conditions, and hoped that the land officials would not fuit out.

The metropolitan governments, for die most part - English, Spanish, French - were reluctant in the beginning to grant too complete a title to the lands of which they were disposing; they wanted revenue and, to get it, they needed to retain some control over settlers. Even in the Argentine, in the bonanza years of the give-away 1810-1830 period, a system of emphyteusis, or loan-farms, existed alongside the free grants by dictators to their cronies, and a similar arrangement operated in South Africa. In most areas, it was possible to start by renting from the government and then convert to ownership by

purchase : indeed, in the Argentine emphyteusis holders were pressured in 1838 into buying by having their rents raised if they did not. Big landowners then made way, so to speak, for another generation of settlers by offering short leases - usually 3 years - on parts of their land : these tenants would plough and prepare the land for them to take over again, as soon as the lease ran out.

Immigrants from Europe knew all about landlords and tenancy : these features counted very heavily in their choice of a destination. Ownership in fee simple, on the American model, was the goal of most of them, whereby the settler gained the whole bundle of rights except for government's power of eminent domain. Fee-simple ownership of low- or zero-priced land was better still, but for many that was a long time coming.

Given the maze of regulations, and the frequency with which those regulations were changed, it is a wonder that any of these emigrants from Europe - many of them with very limited information about the outside world - made a successful landfall at all. But they did, in spite of countless mistakes and hideous disappointments, and today they and their successors feed much of the world. There remains a comparative study to be made of their experiences.

When it comes, let us hope that it does justice to those bewildered, brave pioneers.

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John H. PATERSON
Oakhurst Terrace 8
Benton
NEWCASTLE - upon - TYNE
NE 12 9 NY, GRANDE-BRETAGNE