

**Proto-industrialisation, property rights and the land market in Catalonia, 18th
and 19th centuries**

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Introduction

This paper stems from research into the relationship between property rights and land ownership on the one hand, and proto-industrialisation on the other. Given that most forms of proto-industry identified thus far in Europe emerged in rural areas, it is clear that agrarian conditions must be relevant both to understanding why proto-industry developed where it did, and also what its impact and subsequent development may have been. Moreover, it is in periods of rapid change, such as proto-industrialisation, that we might be more likely to see breakdowns in traditional institutions and structures that might favour the development of factors such as a market in land.

Initially, the commonly held view was that proto-industry emerged in areas of poor soils, often mountainous regions, or in upland areas of pastoral farming, often also where manorial and communal regulations were relatively weak, and usually where social stratification among the peasantry meant the existence of a large group of smallholders who needed or welcomed the opportunities offered by by-employments.¹ In other areas, proto-industry arose where impartible inheritance had restricted access to land.² Studies of other proto-industrial regions have played down the importance of poor soils and subsistence-based agriculture in determining the location of proto-industry, notably in Gay Gullickson's study of the Pays de Caux, a region of commercial agriculture and proto-industry combined.³ Nonetheless, it

¹ P. Kriedte, H. Medick and J. Schlumbohm, *Industrialisation before industrialisation*, trans. B. Schempp (Cambridge, 1981), Ch. 1; J. Thirsk, "Industries in the countryside" in F.J. Fisher (ed.), *Essays in the economic and social history of Tudor and Stuart England* (Cambridge, 1961), pp. 70-88; R. Braun, *Industrialisation and everyday life*, trans. S. Hanbury Tennison (Cambridge, 1990; 1st German ed., 1960).

² Thirsk, "Industries in the countryside"; J. Schlumbohm, "From peasant society to class society: some aspects of family and class in a northwest German protoindustrial parish, 17th – 19th centuries", *Journal of Family History*, 17,2 (1992), pp. 183-99.

³ G. Gullickson, *Spinners and weavers of Auffay. Rural industry and the sexual division of labour in a French village, 1750-1850* (Cambridge, 1986).

remains the case that proto-industry seems always to have developed in areas where the opportunity costs of working outside the agricultural sector were low, whether because of the quality of the soil, the small size of landholdings or seasonal unemployment, as in the Pays de Caux. As Didier Terrier points out, even when proto-industry arose in regions of commercial agriculture and fertile soils, as in the Cambrésis, there was still a correlation at the village level between access to land and poverty on the one hand and the strength of proto-industry on the other.⁴

Ownership of or access to land is thus often a crucial variable in determining the emergence of proto-industry in a given region. Similarly, the nature of landholding in proto-industrial regions may also have been important in shaping the subsequent development of proto-industry and its impact on agrarian, demographic and social structures. Pat Hudson has thus explained the differences in organisation of production in the Yorkshire worsted and woollen industries in terms of underlying agrarian structures.⁵ In the woollen industry, production was controlled by independent clothiers who were usually substantial owner-occupiers, whereas the worsted industry came to be dominated by a handful of manufacturers with considerable landholdings who put work out to largely landless producers. In terms of impact, many historians have claimed that where proto-industry was combined with landlessness, the subsequent proletarianisation and immiseration of producers was more likely than in regions where proto-industry remained embedded in agrarian structures and producers retained some access to land. Similarly, demographic change, particularly population growth, appears to have been more frequent in areas where proto-industry disrupted traditional patterns of landholding and reproduction.⁶ Thus, Hendrickx attributes the absence of any impact of proto-industry on marriage ages in the Netherland parishes of Borne and Wierden to the fact that both

⁴ D. Terrier, *Les deux âges de la proto-industrie. Les tisserands du Cambrésis et du Saint-Quentinois, 1730-1880* (Paris, 1996), pp. 78-99.

⁵ P. Hudson, *The genesis of industrial capital. A study of the West Riding wool textile industry c.1750-1850* (Cambridge, 1986).

⁶ Schlumbohm, "Peasant society to class society"; U. Pfister, "Proto-industrialization and demographic change: the canton of Zürich revisited", *Journal of European Economic History*, 18,3 (1989), pp. 269-62.

communities remained firmly rooted in agriculture, with proto-industry acting only as a by-employment.⁷ Similarly, Hudson's and King's comparison of the two Yorkshire parishes of Calverley and Sowerby point to a greater impact of proto-industry in Sowerby, where proto-industry developed along putting-out lines and in a context of restricted access to land, than in Calverley, where landholdings remained substantial and producers were more independent.⁸ The ability of proto-industry to alter the traditional balance between population and land in different communities may well have impacted upon the ways in and frequency with which land transfers took place. An argument particularly relevant to the line of investigation pursued in this paper is that of Liana Vardi, who sees proto-industry in the Cambrésis village of Montigny as responsible for the emergence of a more active market in land by changing attitudes towards the possession of land.⁹ Vardi argues that, as other opportunities to earn a living arose, combined with declining opportunities in agriculture, peasants increasingly viewed land as a commodity that they were prepared to sell, rather than transmit to their children. Land sales thus increased at the expense of inheritance transfers.

In investigating the complex relationship between property rights, land ownership and proto-industrialisation, Catalonia proves an interesting case study. First, it was not only a region where proto-industry developed, but one where proto-industry led to subsequent successful factory industrialisation, in contrast to much of southern Europe.¹⁰ Moreover, proto-industrialisation in this case was preceded and accompanied by the transformation of the agrarian sector, particularly the expansion

⁷ F. Hendrickxs, "In order not to fall into poverty." *Production and reproduction in the transition from proto-industry to factory industry in Borne and Wierden (the Netherlands), 1800-1900* (Amsterdam, 1997).

⁸ P. Hudson and S. King, "Two textile townships, c.1660-1820: a comparative demographic analysis", *Economic History Review*, LIII,4 (2000), pp.706-41.

⁹ L. Vardi, *The land and the loom. Peasants and profit in northern France 1680-1800* (Durham, NC., 1993).

¹⁰ On the proto-industrial origins of the industrial revolution in Catalonia, see A. Garcia Balañà, *La fabricació de la fàbrica. Treball i política a la Catalunya cotonera (1784-1874)* (Barcelona, 2004); J.K.J. Thomson, "An explanation of the 'take-off' of the Catalan cotton industry", *Economic History Review*, LVIII,4 (2005), pp. 701-35; L. Ferrer Alòs, "Bergadanas, continuas y mules. Tres geografías de la hilatura del algodón en Cataluña (1790-1830)", *Revista de Historia Económica*, 22 (2004), pp. 337-86.

of commercial viticulture. The expansion of viticulture is in itself of interest, since it occurred through the medium of new types of sharecropping contracts, which both allowed for new forms of access to land, and represented new forms of property rights. In addition, however, the co-existence of commercial viticulture and proto-industry in the same region is relevant to the debates surrounding proto-industry. Traditionally, viticulture and proto-industry were viewed as incompatible, given the greater labour requirements of the former throughout the year, as compared to the seasonal slack periods in agriculture.¹¹ For a long time, Catalan historians also subscribed to this view, following Jaume Torras' much cited example of the town council of Montblanc in southern Catalonia, who claimed that viticulture had pushed rural industry out of the region altogether.¹² More recently, however, work has shown that proto-industry developed even in the more commercialised areas of Catalan viticulture, albeit with a division of labour between the sexes whereby textile production was confined almost exclusively to female spinning.¹³ In other areas, as will be discussed below, the combination of the two activities was far more important, and less rigidly divided.

Catalonia is also of interest in terms of its distinctive property rights and inheritance customs, compared with much of Spain. With regard to the first, peasants enjoyed emphyteutic rights to land that were quasi-property rights, including the right to sell, lease or bequeath property as they chose. With regard to the second, Catalan customary law followed strict impartible inheritance, whereby some 75-80% of all property was transmitted intact to the eldest son, or daughter in the absence of sons, leaving only small portions, usually cash, for younger children. Both features of Catalan society have been held up as responsible for Catalonia's precocious industrialisation and transition to agrarian capitalism, relative to the rest of Spain.

¹¹ F. Mendels, "Seasons and regions in agriculture and industry during the process of industrialization" in S. Pollard (ed.), *Region und Industrialisierung* (Göttingen, 1980), pp. 177-95.

¹² J. Torras, "Especialización agrícola e industria rural en Cataluña en el siglo XVIII", *Revista de Historia Económica*, 2,3 (1984), pp. 113-27.

¹³ A. Garcia Balañà, *La fabricació de la fàbrica. Treball i política a la Catalunya cotonera (1784-1874)* (Barcelona, 2004), pp. 91-3.

Catalan property rights have been seen as providing landowners with greater flexibility and greater incentives to invest in and experiment with production, while inheritance practices have been viewed as providing stability over time in the ownership of land, while at the same time allowing for a dynamic element in the person of younger sons, who were free to take their portions and invest in commerce or industry.¹⁴

This paper represents a first tentative step towards investigating the issues raised above through the micro-study of a proto-industrial community over the eighteenth and early nineteenth centuries. Before presenting some preliminary findings on landholding and land transfers, however, it is necessary to set these in context by providing a brief overview both of Catalonia's economic transformation over the eighteenth century and of the distinctive system of property rights which conditioned access to land and determined its importance.

The context

The economic transformation of Catalonia over the long eighteenth century was essentially a process of regional specialisation, driven initially by the rising demand from abroad for wine and spirits.¹⁵ This demand stimulated viticulture in the southern and coastal areas, where the soil was too poor for large-scale grain production. As a result, western Catalonia, where soils were better, was increasingly devoted to agriculture. In turn, rural industry became concentrated in the central, mountainous region of Catalonia, where soils were also poor and the climate often too cold for vines. Traditional woollen manufactures in these areas took advantage of the abolition of customs barriers within Spain after the end of the War of Spanish Succession to capture extra-regional domestic markets. By 1778, Catalan clothiers

¹⁴ For the most vivid and perhaps most cited expression of this idealisation of Catalan inheritance customs, see Jaume Vicens Vives, *Notícia de Catalunya* (Barcelona, 1984; 1st ed., 1960).

¹⁵ This section draws heavily on Pierre Vilar's classic study, *La Catalogne dans l'Espagne moderne Recherches sur les fondements économiques des structures nationales* (Paris, 1962), 3 vols. For a concise summary, see J. Torras, "L'economia catalana abans del 1800. Un esquema" in J. Nadal (ed.), *Història econòmica de la Catalunya contemporània* (Barcelona, 1990), vol. I, pp.14-38.

were purchasing 28% of all wool sold within Spain, at a time when Catalonia accounted for only 10% of the Spanish population. The cotton industry, by contrast, began in the early eighteenth century as a Barcelona industry, in the form of centralised manufactures for the production of printed calicoes, in response to a 1728 ban on the import of Asian calicoes and European imitations.¹⁶ Gradually, similar concerns were founded elsewhere, although the true geographical extension of the industry lay in taking over the putting-out networks for spinning and weaving established by the woollen industry. By the 1780s and 90s, cotton was displacing wool in many areas of Catalonia, although mechanisation of production did not come into its own until the early decades of the nineteenth century.

Catalan law recognised two types of property rights: *domini directe* (seigneurial rights) and *domini útil* (use rights).¹⁷ The holder of the *domini directe* claimed tithe and other payments, such as *lluïsmes*, fines payable every time the land changed hands. The holder of the *domini útil*, ceded to him or his predecessors at some point in the past, was initially the cultivator of the land. By the eighteenth century, however, the two categories of property rights no longer corresponded, if they had ever done so, to a feudal class and a class of cultivators. The emphyteutic nature of use rights meant these could be ceded, sold, leased or otherwise transferred, in exchange for payments in cash or kind, or on a sharecropping basis, so long as the rights of the *senyor directe* were recognised. The owner of the *domini útil* was often not the cultivator by the eighteenth century; nonetheless, he was able to extract much of the surplus produced, often up to a third and much more than the value of the tithe and other payments claimed by the *senyor directe*. The difference, however, was that the same person might and usually did, exercise *domini directe* over a wide area, whereas the *domini útil* tended to be much more fragmented as small plots had gradually been ceded over time. For every plot of land, therefore, there was a feudal lord (*senyor directe*) and an owner of the use rights, usually described as the owner

¹⁶ J.K.J. Thomson, *A distinctive industrialization. Cotton in Barcelona 1728-1832* (Cambridge, 1992).

¹⁷ For this section, see Vilar, *Catalogne*, II, pp. 491-501 and R. Congost, *Els propietaris i els altres* (Vic, 1990), pp. 39-47.

(*propietari*) of the land. The two sets of rights could be sold or transferred independently of each other. The feudal lord was usually absent, often resident outside of Catalonia altogether, the owner frequently also lived elsewhere, though not always. A further difference was that the *senyor directe* usually ceded all control over cultivation, whereas the owner could stipulate the terms on which land was sold or leased and the manner in which it was cultivated.

It is the *domini útil* that tends to be regarded as “property”, both by contemporaries and by historians. It is the form of property rights captured by most sources. Nevertheless, the different forms in which use rights could be transferred were also, for the most part, emphyteutic contracts that thus created the fiction of property rights. The *establiment* represented the cession of use rights over a parcel of land perpetually, in return for a fixed payment (*cens*). With other contracts, particularly the transfer of larger family estates (*masos*), payment might be on a sharecropping basis. With regard to the expansion of viticulture in the period concerned, an important version of the *establiment* was the *rabassa morta* contract, which ceded the use rights to a small plot of land for the life of the vines (i.e. indefinitely) in return for the clearing, planting and cultivating of the land, and payment of a share of the crop.¹⁸

As mentioned previously, contemporaries, Catalans and foreigners alike, were unanimous in hailing emphyteusis as the basis of Catalonia’s economic prosperity in the eighteenth and nineteenth centuries.¹⁹ As Congost points out, however, the fiction of property rights embodied in emphyteusis masks the difference between the nominal payment of, for example, a hen by the owner of the *domini útil* to the *senyor directe* and the third of the produce the former could claim from the smallholder to whom he had ceded the use of a small parcel of his land.²⁰ The question of fictitious property

¹⁸ For an overview of the *rabassa morta* contract in English, see J. Carmona and J. Simpson, “The ‘rabassa morta’ contract in Catalan viticulture: the rise and decline of a long-term sharecropping contract, 1670s-1920s”, *Journal of Economic History*, 59,2 (1999), pp. 290-315.

¹⁹ See Vilar, *La Catalogne*, III, pp. 495-501. For English commentaries on the subject, see Arthur Young, “Travels in Catalonia”, *Annals of Agriculture*, 8 (1787), pp? and Joseph Townsend, *A Journey through Spain in the years 1786 and 1787* (London, 1992).

²⁰ Congost, *Els propietaris*, pp. 64-7.

rights is a vital one, to which this paper will return. It should also be noted, however, that the ability to transfer all or part of one's rights over land had created by the eighteenth century a complicated series of layers of ownership of and access to land that are often only partially captured by the sources, if at all. This will hopefully become evident in the analysis that follows.

The case study, sources and methodology

The micro-study chosen to investigate the questions posed in the introduction is that of the town of Igualada, situated in the central proto-industrial district described above, but bordering on the viticulture zone.²¹ It is some 60 kilometres west of Barcelona. Here, as elsewhere in Catalonia, local clothiers took advantage of the new market conditions opened up by the Bourbon administration in 1714, and began producing higher quality cloths for Castilian markets. By the 1760s, Igualada was the largest cloth manufacturing town in Catalonia. Production of woollen cloths had not only increased from around 300 cloths a year in the late seventeenth century to around 1,750 cloths, but the quality of these cloths had also improved.²² By the 1780s, however, cotton was rapidly being introduced to the area, and displacing wool. By 1820, Igualada was the second most important centre for cotton spinning in Catalonia, and the fourth for weaving.²³ As textile production expanded, so did the town's population. From a low estimate of 1,630 in 1717, Igualada's population had reached 4,925 by 1787 and 7,731 by 1830.²⁴ Most of this growth can be attributed to the textile industry, which by 1765 was employing 28% of all household heads with

²¹ Proto-industry and population growth in Igualada are the subject of my PhD thesis: J.E. Marfany, "Proto-industrialisation and demographic change in Catalonia, 1680-1829" (PhD, University of Cambridge, 2003). The main findings regarding population are presented, along with a more in-depth analysis of proto-industry, in J. Marfany, "Is it still helpful to talk about proto-industrialisation? Some suggestions from a Catalan case study", *Economic History Review* (forthcoming).

²² J. Torras, "The old and the new. Marketing networks and textile growth in eighteenth-century Spain" in M. Berg (ed.), *Markets and manufacture in early industrial Europe* (London, 1991), pp. 93-113, here 97.

²³ Thomson, *Distinctive industrialization*, pp. 302-3.

²⁴ I say low estimate because the 1717 census is known to underestimate population levels. For a discussion of the available censuses for Catalonia, see Marfany, 'Proto-industrialisation', pp. 18-23.

known occupations.²⁵ At the same time, land was increasingly being given over to the cultivation of vines, so that, from representing some 34% of cultivated land around 1720, viticulture had come to account for 71% by 1860 in the area immediately surrounding Igualada (the Conca d'Òdena). For the administrative district (*comarca*) as a whole, the increase was more marked, from 25% to 67%.²⁶

The source that historians have usually used to analyse landownership in the eighteenth century is the *cadastre*.²⁷ These were household listings compiled for the purposes of assessing the amount of taxation to be paid to the Crown as part of the new *cadastre* tax imposed on Catalonia by the Bourbon administration after the War of the Spanish Succession.²⁸ The tax included payments on all forms of fixed property, of which land was the most important. In the case of Igualada, however, the *cadastres* are of little use as a guide to landholding, as they only record payments on property owned within the municipality.²⁹ Since the municipality did not extend much beyond the town, most Igualadans held land outside the town, in the neighbouring municipalities of Òdena, Santa Margarida de Montbui and Vilanova del Camí. *Cadastres* for these places do not appear to have survived.

Instead of the *cadastre*, I have therefore used an alternative source to reconstruct the structure of landowning in Igualada during the eighteenth century. This source is the *capbreu*, the source by which the *domini directe* over areas of land was reasserted. The *capbreu* took the form of a declaration by each holder of *domini útil* to a plot of land that he (occasionally she) recognised the *senyor directe* of the

²⁵ Ibid, p. 69.

²⁶ F. Valls Junyent, *La dinàmica del canvi agrari a la Catalunya interior. L'Anoia, 1720-1860* (Barcelona, 1996).

²⁷ For examples, see L. Ferrer Alòs, *Pagesos, rabassaires i industrials a la Catalunya central (segles XVIII-XIX)* (Barcelona, 1987); J. Andreu, *Economia i societat a Reus durant la crisi de l'Antic Règim* (Reus, 1986); Montserrat Costa, *Sant Sadurní d'Anoia. Un perfil socio-econòmic (1771-1816)* (Sant Sadurní d'Anoia, 1989). It is worth noting, as Ferrer points out (pp. 202-6) that the *cadastres* are not ideal as a source: not only are they subject to evasion, under-reporting and less reliable over time, but they also only record the *domini útil* and not any form of tenure, sub-leasing or types of transfer such as the *rabassa morta*.

²⁸ For the historical background to the *cadastre*, J. Nadal Ferreras, "Una font important per a la història econòmica de Catalunya: el reial cadastre (1715-1845)" in *Homenatge al Dr Joan Reglà Campistol 2 vols* (Valencia, 1975), II, 209-222; A. Segura, "El cadastre: la seva història (1715-1845) i la seva importància com a font documental", *Estudis d'Història Agrària*, 4 (1983), 129-43.

²⁹ For a description of the Igualada *cadastres*, see Marfany, "Proto-industrialisation", pp. 65-8.

land in question and stated the title by which he had come to hold the land since the original concession of use rights, whether through inheritance, purchase or mortgage. These changes in title were traced back over generations, often over two centuries, usually ending with reference to previous *capbreus* in the seventeenth and sixteenth centuries in the case of Igualada. As with the *cadastres*, the *capbreus* rarely record cases where land had been ceded through *establiments*, *rabassa morta* contracts or similar arrangements, even though these theoretically involved the transfer of use rights and thus supposedly of ownership.³⁰

Numerous *capbreus* survive for the Igualada region. I have collated two sets, one for the 1720s, and one for the 1760s, covering the surrounding municipalities of Òdena, Vilanova del Camí and Montbuí. While some Igualada residents did own land further afield, as evidenced by inventories, such cases were rare. The 1720s and 1760s were chosen as being decades for which *cadastres* survive for Igualada, thus allowing the landholding population recorded in the *capbreus* to be compared with the population as a whole. There is a difference in that the *cadastres* refer to single years, namely, 1724 and 1765, whereas the *capbreus* were compiled gradually over a series of months and years in some cases. I have tried to restrict the years covered and to control for changes in ownership within these.³¹ In addition to the two cross-sectional views of landholding provided by the *capbreus*, I have also collated all the *rabassa*

³⁰ The sources are ambiguous on this point. Inventories record both land that was owned (*posseida*) on a *rabassa morta* or similar contract and land that had been ceded (*cedida*) in this way. In other words, those who retained the right to a share of the crop clearly still considered that they had property rights, as did those who cultivated the land. It is not clear, however, that such land is being recorded at all in the *capbreus*.

³¹ All the *capbreus* used are to be found in the Arxiu de la Corona d'Aragó (Barcelona), secció Notarials, serie Igualada. For the 1720s, the references are: 797, "Capbreu dels terratinents de Igualada en lo terme de Vilanova del Camí y la Pobla rebut en poder de Bartomeu Costa, notari de Igualada en lo any 1724"; 815 (7), untitled *capbreu* compiled for the Duke of Cardona, land held in Òdena; 818, "Capbreu dels terratinents en lo terme de Monbuy...del any 1727"; 800 (1), "Capbreu iurium et redditum prioratus ecclesiae collegiata Sancti Jacobi Villae Calaffis..."; 800 (11), "Capbreu de la comanda de Sant Joan de Jerusalem de la casa de Cervera 1727". For the 1760s, the references are: 836, "Capbreu dels drets y reddits del lloch y terme de Vilanova del Camí, [...] per lo Exm. Senyor Marques de Priego Duch de Medinaceli..."; 839, "Capbreu dels drets y reddits del castell y terme de Òdena [...] per lo Exm. Senyor Marques de Priego Duch de Medinaceli..."; 864, untitled *capbreu* of the dues owed to the Capellania of St Pere d'Òdena and to the cathedral chapter of Vic; 843, "Capbreu dels drets y reddits dels terratinents de la vila de Igualada en lo terme de Monbuy...". Valls Junyent has used some of the 1720s *capbreus* in his study (Valls Junyent, *Dinàmica*, pp. 45-54). I am grateful to him for allowing me to use some of his data.

morta contracts recorded in the Igualada notarial archives over the period 1700-1829 and all the inventories for the period 1690-1829 in an attempt to assess forms of landholding not captured by *cadastres* and *capbreus*. Finally, I have compiled a sample of land sales and other transfers over the period 1700-1829. Since the volume of sales recorded in the notarial archives was too great for me to be able to extract them all in the time available, I extracted just the sales for one year every ten years, thus 1700, 1710 and so on. These sources will be discussed below.

Landholding in Igualada

Table 1: Land ownership in Igualada according to *capbreus*, 1720s and 1760s

	1720s		1760s	
<i>Jornals</i> ¹	Households	% households	Households	% households
<2	23	16.3	38	26.4
2-4.99	68	48.2	73	50.7
5-9.99	33	23.4	24	16.7
10+	17	12.1	9	6.3
Total	141		144	

1. A *jornal de mula* in Igualada was 0.4896 hectares.

Table 1 shows the patterns of land ownership revealed by the two sets of *capbreus*. The declaration of ownership was almost always made by the head of household, usually male, although widows headed households and thus also declare title. In the case of married women, who continued to own property under Catalan law, the title is recognised as theirs, their husbands declaring only the usufruct. Where both a husband and a wife owned property in their own right, I have counted these properties together as those of one household.

There are several comments to be made regarding these figures. The first is the proliferation of smallholders and absence of substantial landowners. Very few households had even as much as ten *jornals* (just under five hectares), and a substantial proportion of the population had under two *jornals* (just under a hectare).

More will be said on this later, but for the moment, it should be noted that this pattern is not unique to Igualada. Similar degrees of polarisation between a handful of landowners with large holdings and the majority of the population with only tiny plots have been found by Llorenç Ferrer for various localities in the Bages region.³² Of these, the town of Manresa, like Igualada a textile town, had an even higher proportion of smallholders, with around 90% of the population owning plots of under five hectares according to the eighteenth-century *cadastres*.

Second, there is a clear shift over time towards a greater polarisation of landholding in Igualada, according to these *capbreus*. The proportion of the population with two *jornals* or fewer increased, while the percentage of households with more than five and particularly with more than ten *jornals* decreased. Moreover, the number of households with land remained stable, at a time when the population was growing rapidly. In the 1724 *cadastre*, there were 311 households recorded in Igualada. In 1765, there were 630. Land ownership thus declined from around 45% of all households owning land in the 1720s, to 22.9% in the 1760s. To say that 77.1% of households were landless in the 1760s, however, would be incorrect. Beneath the landowning population captured by the *capbreus* was a substratum of households who had some rights over land in the form of *rabassa morta* contracts or *establiments*. Unfortunately, quantifying these households is difficult. The only available sources are land contracts and inventories, which go some way towards filling the gap, but by no means all the way.

A total of 495 inventories *post mortem* have been found for individuals resident in Igualada over the period in question. Clearly, the inventoried population represents thus just a fraction of the total population, the obvious assumption being that it is those at the bottom of the social scale who did not leave inventories. Nonetheless, a reasonable proportion of the inventories that do exist are of landless individuals or households: 141 or 28%. Of the inventories that recorded land, there were 66 instances of land either ceded or held on a *rabassa morta* contract, split

³² Ferrer, *Pagesos*, pp. 226-9 and 265-7 (figures in tables 3.3 and 3.19).

almost exactly evenly between 32 cases where land had been ceded and 34 cases where the land was owned on this basis. Among the inventories of landowners, 9.6% were thus *rabassaires*, to use the term for those who cultivated land under *rabassa morta* contracts. *Establiments*, however, are rarely recorded in inventories. Only in eight are such transfers of land mentioned: four where land had been ceded, four where it had been taken on.

In terms of land contracts, however, both *establiments* and *rabasses mortes* are to be found in the notarial records. There were many hundreds of *establiments*, but most referred to the cession of tiny plots within Igualada for the construction of houses. These were by far and away the more usual use of the *establiment* in Igualada. Nonetheless, there were 125 instances of land being transferred from or to an Igualada resident during this period for the purposes of cultivation. *Rabassa morta* contracts were more numerous: there were 321 involving the transfer of land either to or from an Igualada resident, or between two residents. In all cases, the plots of land involved were small, with a mean size of 2.6 *jornals*. As elsewhere in Catalonia, this was a mechanism whereby families acceded to small plots of land, but not one that allowed for the consolidation of landholdings. The mean size of land ceded by *establiment* was slightly more: 3.5 *jornals*, but here the mean is distorted by two or three instances where the plots were substantially above the norm.

Even with these contracts, however, it remains impossible to quantify the households who belonged to this substratum of not-quite landowners. It is clear that many land transactions were carried out without a formal contract. There are references in inventories to private contracts, suggesting a written document was drawn up, but not registered with a notary. There are also cases where clearly only a verbal agreement existed. Many of the contracts that do exist are later formalisations of pre-existing verbal arrangements. It is impossible to say how many *rabassaires* had no contract and thus are invisible in the sources, since they are also the group least likely to leave inventories. All that can be concluded from the study of inventories and contracts is that this substratum clearly existed and was by no means negligible.

What can be said fairly conclusively is that the majority of Igualada's population, if they owned land, owned only small amounts. Most belonged to the category labelled "small" or "very small" property holders by Catalan historians, who had insufficient land to meet their needs. The consensus seems to be that five or six hectares was the minimum requirement for self-sufficiency.³³ Josep Colomé, though, has estimated the monetary outputs that would be yielded by a plot of land of fewer than five hectares, and has concluded that families with holdings of such a size would not be able to cover more than 20% of their reproduction costs, leaving aside savings and such extra payments as dowries. At the same time, Colomé estimates that, except perhaps during the vine harvest, such holdings would not occupy even one man full-time, let alone an entire family. The latter finding is significant in the light of the argument outlined above that viticulture was incompatible with by-employments. In the Catalan case, the small size of the plots of land concerned mitigated any effect of increased labour intensity in viticulture compared with agriculture.

For most families, therefore, participation in other activities alongside the cultivation of vines would be not only possible, but essential for survival. Proto-industry and sharecropping appear to have been two sides of the same coin in Catalonia in that small plots could only be viable where additional means of earning a living were also available, while access to land, however tenuous, afforded some measure of security against the vagaries of waged labour.

Numerous examples can be provided to illustrate the combination of proto-industry and viticulture in Igualada. Francisco Casals, woollen weaver, owned a vineyard on a *rabassa morta* contract.³⁴ Francesc Serra, another woollen weaver, owned 0.2 hectares of vines.³⁵ The shift to cotton did not alter this symbiosis between proto-industry and viticulture. Ramon Camps, a self-styled cotton manufacturer (he owned a workshop with ten looms, nine spinning jennies and a carding machine),

³³ Congost, *Els propietaris*, p. 79; Ferrer, *Pagesos*, p. 210.

³⁴ Arxiu Notarial d'Igualada (henceforth ANI) 438, Vicens Aulet, *Manual*, f.287v-288v.

³⁵ ANI 402, Mariano Cuiner, *Manual*, f.3v-4v.

owned two plots of land, each only 0.5 hectares.³⁶ Even further up the social scale, the combination of the two activities is still evident. Josep Anton Lladó, one of Igualada's three most successful clothiers in the eighteenth century, had holdings totalling 14.5 hectares listed in his inventory, and a distillery for producing spirits.³⁷ At all levels, therefore, families combined proto-industry and viticulture. Further up the hierarchy, for individuals such as Lladó, land was more likely to have provided capital for industrial investment, a secure investment for the profits of industry or a means of tying weavers and spinners more closely to clothiers and manufacturers by ceding them plots on a sharecropping basis. These uses of land in support of proto-industry have yet to be tested systematically for Igualada, but examples exist for elsewhere in Catalonia.³⁸ Towards the bottom of the social scale, families were clearly practising a strategy of risk minimisation by combining small landholdings with textile production. This strategy worked in a similar fashion both for actual producers such as weavers, and for the self-styled manufacturers such as Ramon Camps, whose profits were unlikely to have provided much security against fluctuations in demand. Moreover, with land of his own to cultivate, Camps would have been better placed to appreciate and adapt to the irregular working patterns of those of his weavers and spinners employed from outside his own family. Sharecropping and small-scale manufacturing also shared the characteristic of being labour, rather than capital, intensive. As such, they were forms of production suited to the capacity for self-exploitation of the family production unit, but with the additional incentive of "pseudo-property" provided by ownership of a small workshop or the rights over land conceded by the *rabassa morta* contract, as discussed above.³⁹

³⁶ ANI 681, Anton Fortuny Bergadá, *Manual*, f. 103r-105v.

³⁷ ANI 394, Agustí Viladès, *Manual*, f.205r-218v.

³⁸ See L. Ferrer, "Les primeres fàbriques i els primers fabricants a la Catalunya central" in A. Carreras *et al.* (eds.), *Dr Jordi Nadal. La industrialització i el desenvolupament econòmic d'Espanya* (Barcelona, 1999), II, pp. 1038-56.

³⁹ On the *rabassa morta* contract as a form of 'pseudo-property', see Congost, *Els propietaris*, particularly the contemporary comments on pp. 271-6, including that of Arthur Young. The comparison in this regard between the *rabassa morta* contract and the proto-industrial manufacture is to be found in Garcia Balaña, *Fabricació de la fàbrica*, p. 212. He sees it as a way in which proto-industrial manufactures overcame discipline problems. I would also stress the impact of 'self-exploitation' on family formation, as discussed elsewhere (Marfany, "Is it still helpful?").

Land titles

The symbiosis between proto-industry and viticulture in Igualada is thus evident and important. How far proto-industry may have changed the nature of landholding, other than by facilitating the spread of the *rabassa morta* contract, or attitudes towards land remains to be seen. The *capbreus* allow us to investigate to some extent Vardi's assertion, mentioned earlier, that proto-industrialisation may have promoted a greater willingness to view land as a commodity and thus to exchange it on the market. Vardi points to a greater frequency of land sales in Montigny and a weakening of the role of inheritance and family in determining land transfers.⁴⁰ Since the *capbreus* record the title by which land was held i.e. purchase, inheritance or mortgage, it is possible to see whether the proportion of land transmitted via the market increased relative to that transmitted via the family.

Table 2: Percentage of land held according to different titles

Title	% 1720s	% 1760s
Purchase (<i>compra perpètua</i>)	23.4	31.9
Unspecified purchase	11	3.9
Purchase <i>a carta de gràcia</i>	5.6	3.8
Inheritance/usufruct	54.8	50.9
Dowry/marriage portion	3.2	4.6
Other	1.7	2.2
Not stated	0.2	1.8

Table 2 shows the percentage of land held according to different titles for the two decades in question. Dowries and marriage portions paid to younger sons (*llegítimes*) are distinguished from inheritance as the latter refers to impartible transmission to the eldest son or daughter. Widows and widowers usually held the usufruct of their deceased spouse's property during the remainder of their life. The

⁴⁰ Vardi, *The land and the loom*, pp.55-62.

most controversial title to determine and to translate here is the *compra a carta de gràcia*. This is somewhere between a sale and a mortgage. The seller of this land retained the right to repurchase (*dret de lluir i quitar*), though sometimes only within a fixed time limit. Though the exchange is described as a sale, historians have tended to view it as a form of credit or mortgage, whereby the land was surety for the purchaser's "loan", mainly because it is not clear how often the land actually changed hands.⁴¹ Some inventories certainly imply actual possession and cultivation of land purchased in this way, but not all. More importantly, the *venda a carta de gràcia* represented a halfway stage in the sale of land. Whether or not the seller continued to occupy the land or not, he retained some hold and had the first option to purchase in any subsequent sale. In many cases, it is possible to see a gradual increase in indebtedness, leading to first the mortgage and eventually the sale of land (*venda perpètua*). In terms of methodology, the problem is determining what is meant by the word *compra* alone, when not followed by either phrase *a carta de gràcia* or *perpètua*. For the moment, these have been designated as unspecified purchases.

Contrary to Vardi's argument, the *capbreus* do not reveal any tendency for Igualadans to sell land with greater frequency over the eighteenth century, rather than transmitting it to their heirs. Inheritance continued to be the means by which about half of land owned by Igualadans was transferred. Notably, though, land was rarely given as a dowry to daughters or as the inheritance portion (*llegítima*) of younger sons. Impartible inheritance thus does appear to have excluded younger children from landownership. It is beyond the scope of this paper to analyse whether or not those purchasing land or taking on *rabassa morta* contracts were more likely to be younger sons, but the question is worth pursuing.

At first sight, it does appear as if sales were increasing when one looks at the *compres perpètuas*, but we can only conclude that there is an increase if we assume that all the unspecified *compres* are really *compres a carta de gràcia*, in which case,

⁴¹ L. Ferre Alòs, "Censals, vendes a carta de gràcia i endeutament pagès al Bages (s. XVIII), *Estudis d'Història Agrària*, 4 (1983).

land sales increased at the expense of mortgages. If, however, *compres* are included with *compres perpètuas*, then land sales remain stable in terms of the percentage of land.

What the sample of land sales collected at ten-year intervals does show, however, is that there were very few sales *a carta de gràcia*. Of 229 land sales, only 42 (18%) were *a carta de gràcia*. (This is, of course, assuming that all types of sale were equally likely to be registered with notaries.) Another 21 were re-purchases, that is, cases where land originally sold *a carta de gràcia* was purchased back. The rarity with which this seems to have happened suggests either that land was hard to buy back once even partly relinquished or that, if the *carta a gràcia* were simply a credit mechanism, that families lived with the debt for generations. On the basis of this sample evidence, however, it seems as if Igualadans were prepared to sell land outright rather than go through the halfway stage of mortgaging it. There is no evidence, however, that this is the result of proto-industrialisation, given that land sales were as frequent in the 1720s as in the 1760s. Either Igualadans did not need proto-industry to convince them to view land as a commodity, or, more likely, the idea of land as a commodity is inappropriate in this context. Even Vardi is forced to admit that many sales were the result of economic hardship, not calculated business decisions. In this regard, the reasons given for the sales of land in Igualada are illuminating. In 70 cases, no reason was given. In the other 159 cases, the phrase *per negocis* (for business) did appear in just over a third (57 cases or 35.8%) but debts, including dowry payments and the like, accounted for 80, just over half (50.3%) and phrases indicating need, such as *necessitats* or *urgencies* appeared in 18 or 11.3%. In two of these cases, the seller was explicit that the choice was between selling or going hungry or between selling and having to beg. In another case, illness and medical bills were stated as the reason. In the other four cases, three were sales in accordance with the provision of wills and one was because the land in question was too far away to be worth the trouble of cultivating.

In this light, the sales of land in Igualada, admittedly only a sample of the whole, suggest that forced commercialisation might perhaps be a better way of viewing land market activity rather than a transformation of peasant attitudes, as Vardi suggests. Where landholdings were small and fragmented, producers were inevitably more vulnerable to losing land in times of hardship, particularly if such land were never enough to guarantee self-sufficiency. That is not to say that calculations of risk and profit did not enter into decision-making. The willingness to purchase or sell land or take on a *rabassa morta* contract undoubtedly owed much to perceptions of gain and opportunity costs. These perceptions could in turn be subject to fluctuations in prices, the life-cycle and other factors. Nonetheless, it is significant how many of those selling land in this sample appear to have been doing so out of necessity rather than choice. In this context, the land market seems to be not so much evidence of economic growth and a willingness to embrace capitalism as of vulnerability among the smaller peasantry, for whom emphyteusis does not appear to have been a guarantee of stability and prosperity.

Conclusion

This paper has presented some preliminary findings regarding property rights, land ownership, land markets and proto-industrialisation in a Catalan community. Much work remains to be done, and the conclusions must needs be tentative. None of the sources on which the paper rests are without flaws. Nevertheless, some statements can be made. It is clear that landholding in Igualada in the eighteenth century was, like elsewhere in Catalonia, small-scale and fragmented. The structure of landownership was polarised between a mass of smallholders and a handful of those with more substantial holdings. In addition, there was a substratum of households that did not own land according to the definition of ownership recognised by the *capbreus*, but who nonetheless had access to small plots of land through *rabassa morta* and other contracts. Quantifying these, and those households that were entirely landless is

difficult, but there are sufficient indications in inventories and land contracts to show that neither group was insignificant.

Igualada therefore had a population for whom the opportunity costs of working in industry were low. It was thus an ideal context for the emergence of proto-industry. More importantly, most holdings were insufficient either to fulfil reproduction costs or to occupy the labour of all household members full-time. Given this, viticulture and proto-industry in Catalonia, far from being incompatible, as has been suggested for elsewhere, were mutually interdependent, as evidenced by the extent to which both activities were in fact combined.

Proto-industrialisation may thus have facilitated and in turn been facilitated by the expansion of viticulture, but there is no real evidence to support Vardi's claim that it may also have facilitated the development of a more active land market. Land sales do not appear to have increased in Igualada in terms of the proportion of land thus transferred, nor do the reasons for selling land suggest a more entrepreneurial attitude towards it. On the contrary, necessity, often acute necessity, seems to have driven most land sales.