THE ORIGIN OF THE FAMILY, PRIVATE PROPERTY AND THE STATE

In the Light of the Researches of Lewis H. Morgan

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With an Introduction and Notes by
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INTERNATIONAL PUBLISHERS
New York

Third Printing, 1975

PUBLISHER'S NOTE

The text of *The Origin of the Family* is essentially the English translation by Alec West as published in 1942, but it has been revised against the German text as it appears in Karl Marx, Friedrich Engels *Werke*, Vol. 21 (Dietz Verlag, Berlin, 1962) and the spelling of names and other terms has been modernized. The text of "The Part Played by Labor in the Transition from Ape to Man" is based on the English translation as it appears in Marx and Engels, *Selected Works*, International Publishers, New York, 1968.

Library of Congress Catalog Card Number: 79-184309

ISBN: (cloth) 0-7178-0338-4; (paperback) 0-7178-0359-7

Printed in the United States of America

CHAPTER I

STAGES OF PREHISTORIC CULTURE

MORGAN WAS the first person with expert knowledge to attempt to introduce a definite order into the history of primitive man; so long as no important additional material makes changes necessary, his classification will undoubtedly remain in force.

Of the three main epochs—savagery, barbarism, and civilization—he is concerned, of course, only with the first two and the transition to the third. He divides both savagery and barbarism into lower, middle, and upper stages according to the progress made in the production of food; for, he says:

> Upon their skill in this direction, the whole question of human supremacy on the earth depended. Mankind are the only beings who may be said to have gained an absolute control [Engels inserts "almost"] over the production of food. . . . It is accordingly probable that the great epochs of human progress have been identified, more or less directly, with the enlargement of the sources of subsistence [1963: 19].

The development of the family takes a parallel course, but here the periods have not such striking marks of differentiation.

1. SAVAGERY

(a) *Lower stage.* Childhood of the human race. Man still lived in his original habitat, in tropical or subtropical forests, and was partially at least a tree-dweller, for otherwise his survival among huge beasts of prey cannot be explained. Fruit, nuts and roots served him for food. The development of articulate speech is the main result of this period. Of all the peoples known to history none was still at this primitive level. Though this period may have lasted thousands of years[4] we have no direct evidence to prove its exist-

4. The period of transition from early hominids, as represented by Australopithecus of Africa, to Homo sapiens is now estimated at 2,000,000 years or more. The evidence suggests that Australopithecus evolved in savannah country and relied on group cooperation and intelligence for survival. *See* 247.

ence; but once the evolution of man from the animal kingdom is admitted, such a transitional stage must necessarily be assumed.

(b) *Middle stage.* Begins with the utilization of fish for food (including crabs, mussels, and other aquatic animals) and with the use of fire. The two are complementary, since fish becomes fully available only by the use of fire. With this new source of nourishment, men now became independent of climate and locality; even as savages, they could, by following the rivers and coasts, spread over most of the earth. Proof of these migrations is the distribution over every continent of the crudely worked, unpolished flint tools of the earlier Stone Age, known as "paleoliths," all or most of which date from this period. New environments, ceaseless exercise of his inventive faculty, and the ability to produce fire by friction led man to discover new kinds of food: farinaceous roots and tubers, for instance, were baked in hot ashes or in ground ovens. With the invention of the first weapons, club and spear, game could sometimes be added to the fare. But the tribes which figure in books as living entirely, that is, exclusively, by hunting never existed in reality; the yield of the hunt was far too precarious. At this stage, owing to the continual uncertainty of food supplies, cannibalism seems to have arisen and was practiced from now onwards for a long time. The Australian aborigines and many of the Polynesians are still in this middle stage of savagery today.[5]

(c) *Upper stage.* Begins with the invention of the bow and arrow, whereby game became a regular source of food, and hunting a normal form of work. Bow, string, and arrow already constitute a very complex instrument, whose invention implies long, ac-

5. The totally erroneous allocation of the Polynesians to such a stage of technological development was commonly cited in my student days as evidence of the uselessness of Morgan's entire formulation. To go further, not only would the complex horticultural societies of Polynesia not fit "middle savagery", but neither would the Australians or any other living hunter-gatherers. With the appearance of Homo sapiens some 40,000 years ago, a technological level equivalent to Morgan's formulation of the "upper stage of savagery" was achieved. The *regular* use of human meat as a source of food has been documented for no known group, although ritual eating both of dead relatives and enemies is very widespread and sometimes leads to individual cannibalistic acts. A few archaeological sites are suggestive of cannibalism although the evidence is far from clear; that human groups ever depended to any extent on human meat remains doubtful.

cumulated experience and sharpened intelligence and therefore knowledge of many other inventions as well. We find, in fact, that the peoples acquainted with the bow and arrow but not yet with pottery (from which Morgan dates the transition to barbarism) are already making some beginnings towards settlement in villages and have gained some control over the production of means of subsistence; we find wooden vessels and utensils; finger-weaving (without looms) with filaments of bark; plaited baskets of bast or osier; sharpened (neolithic) stone tools. With the discovery of fire and the stone ax, dugout canoes now become common; beams and planks are also sometimes used for building houses. We find all these advances, for instance, among the Indians of northwest America, who are acquainted with the bow and arrow but not with pottery.[6] The bow and arrow was for savagery what the iron sword was for barbarism and firearms for civilization—the decisive weapon.

2. BARBARISM

(a) *Lower stage.* Dates from the introduction of pottery.[7] In many cases it has been proved, and in all it is probable, that the first pots originated from the habit of covering baskets or wooden vessels with clay to make them fireproof; in this way it was soon discovered that the clay mold answered the purpose without any inner vessel.

Thus far we have been able to follow a general line of development applicable to all peoples at a given period without distinction of place. With the beginning of barbarism, however, we have reached a stage when the difference in the natural endowments of the two hemispheres of the earth comes into play. The characteristic feature of the period of barbarism is the domestication and breeding of animals and the cultivation of plants. Now, the Eastern

6. To this stage would belong most hunter-gatherers, but not the Northwest Coast Indians. Their regular and seasonal supply of salmon, which they smoke-dried and stored, afforded them an economy equivalent to that of horticulturalists. For further discussion of these stages, *see* Leacock's introduction to Morgan's *Ancient Society*, I, xi-xv.

7. In most cases pottery is associated with the cultivation of plants, but not always. In Polynesia wooden bowls and coconut shells were used instead.

Hemisphere, the so-called Old World, possessed nearly all the animals adaptable to domestication, and all the varieties of cultivable cereals except one; the Western Hemisphere, America, had no mammals that could be domesticated except the llama, which, moreover, was only found in one part of South America, and of all the cultivable cereals only one, though that was the best, namely, maize. Owing to these differences in natural conditions, the population of each hemisphere now goes on its own way, and different landmarks divide the particular stages in each of the two cases.

(b) *Middle stage.* Begins in the Eastern Hemisphere with domestication of animals; in the Western, with the cultivation, by means of irrigation, of plants for food, and with the use of adobe (sun-dried) bricks and stone for building.

We will begin with the Western Hemisphere, as here this stage never superseded before the European conquest.

At the time when they were discovered, the Indians at the lower stage of barbarism (comprising all the tribes living east of the Mississippi) were already practicing some horticulture of maize and possibly also of pumpkins, melons, and other garden plants, from which they obtained a very considerable part of their food. They lived in wooden houses in villages protected by stockades. The tribes in the northwest, particularly those in the region of the Columbia River, were still at the upper stage of savagery and acquainted neither with pottery nor with any form of horticulture. The so-called Pueblo Indians of New Mexico, however, and the Mexicans, Central Americans, and Peruvians at the time of the Conquest were at the middle stage of barbarism. They lived in houses like fortresses, made of adobe brick or of stone, and cultivated maize and other plants, varying according to locality and climate, in artificially irrigated plots of ground, which supplied their main source of food; some animals even had also been domesticated—the turkey and other birds by the Mexicans, the llama by the Peruvians. They could also work metals, but not iron; hence they were still unable to dispense with stone weapons and tools. The Spanish Conquest then cut short any further independent development.

In the Eastern Hemisphere the middle stage of barbarism began with the domestication of animals providing milk and meat, but

horticulture seems to have remained unknown far into this period.[8] It was, apparently, the domestication and breeding of animals and the formation of herds of considerable size that led to the differentiation of the Aryans and Semites from the mass of barbarians. The European and Asiatic Aryans still have the same names for cattle, but those for most of the cultivated plants are already different.

In suitable localities, the keeping of herds led to a pastoral life; the Semites lived upon the grassy plains of the Euphrates and Tigris, and the Aryans upon those of India, of the Oxus and Jaxartes,[9] and of the Don and the Dnieper. It must have been on the borders of such pasture lands that animals were first domesticated. To later generations, consequently, the pastoral tribes appear to have come from regions which, so far from being the cradle of mankind, were almost uninhabitable for their savage ancestors and even for man at the lower stages of barbarism. But having once accustomed themselves to pastoral life in the grassy plains of the rivers, these barbarians of the middle period would never have dreamed of returning willingly to the native forests of their ancestors. Even when they were forced further to the north and west, the Semites and Aryans could not move into the forest regions of western Asia and of Europe until by cultivation of grain they had made it possible to pasture and especially to winter their herds on this less favorable land. It is more than probable that among these tribes the cultivation of grain originated from the need for cattle fodder and only later became important as a human food supply.

The plentiful supply of milk and meat and especially the beneficial effect of these foods on the growth of the children account perhaps for the superior development of the Aryan and Semitic races. It is a fact that the Pueblo Indians of New Mexico, who are reduced to an almost entirely vegetarian diet, have a smaller brain than the Indians at the lower stage of barbarism, who eat more meat and fish.[10] In any case, cannibalism now gradually dies out, sur-

8. The priority of animal domestication over horticulture in the Old World is doubtful. Present evidence suggests the close association of both developments.

9. Ancient names of the Central Asian rivers: the Amu Darya and Syr Darya.

10. Gross brain size, once within the range of the human species, has, of course, no relation to ability. Brain size correlates with body size; larger people are not more intelligent than smaller people.

viving only as a religious act or as a means of working magic, which is here almost the same thing.

(c) *Upper stage.* Begins with the smelting of iron ore and passes into civilization with the invention of alphabetic writing and its use for literary records. This stage (as we have seen, only the Eastern Hemisphere passed through it independently) is richer in advances in production than all the preceding stages together. To it belong the Greeks of the heroic age, the tribes of Italy shortly before the foundation of Rome, the Germans of Tacitus and the Norsemen of the Viking age.

Above all, we now first meet the iron plowshare drawn by cattle, which made large-scale agriculture, the cultivation of fields, possible and thus created a practically unrestricted food supply in comparison with previous conditions. This led to the clearance of forest land for tillage and pasture, which in turn was impossible on a large [illegible] without the iron ax and the iron spade. Population rapidly increased in number, and in small areas became dense. Prior to field agriculture, conditions must have been very exceptional if they allowed half a million people to be united under a central organization; probably such a thing never occurred.[11]

We find the upper stage of barbarism at its highest in the Homeric poems, particularly in the *Iliad*. Fully developed iron tools, the bellows, the hand mill, the potter's wheel, the making of oil and wine, metal work developing almost into a fine art, the wagon and the war chariot, shipbuilding with beams and planks, the beginnings of architecture as art, walled cities with towers and battlements, the Homeric epic and a complete mythology—these are the chief legacy brought by the Greeks from barbarism into civilization. When we compare the descriptions which Caesar and even Tacitus give of the Germans, who stood at the beginning of the cultural stage from which the Homeric Greeks were just preparing to make the next advance, we realize how rich was the development of production within the uppe stage of barbarism.

11. Here again, although in many cases a specific technological innovation will signal a major advance in productivity, the same advance may be [illegible] in other ways. For example, the Andean Indians lacked iron or cattle but nonetheless built a productive enough agriculture, using fertilization, terracing and irrigation, to support a large empire. The Inca empire comprised some six million subjects.

The sketch which I have given here, following Morgan, of the development of mankind through savagery and barbarism to the beginnings of civilization, is already rich enough in new features; what is more, they cannot be disputed since they are drawn directly from the process of production. Yet my sketch will seem flat and feeble compared with the picture to be unrolled at the end of our travels; only then will the transition from barbarism to civilization stand out in full light and in all its striking contrasts. For the time being, Morgan's division may be summarized thus: Savagery—the period in which man's appropriation of products in their natural state predominates; the products of human art are chiefly instruments which assist this appropriation. Barbarism—the period during which man learns to breed domestic animals and to practice agriculture, and acquires methods of increasing the supply of natural products by human activity. Civilization—the period in which man learns a more advanced application of work to the products of nature, the period of industry proper and of art.

CHAPTER IX

BARBARISM AND CIVILIZATION

WE HAVE now traced the dissolution of the gentile constitution in the three great instances of the Greeks, the Romans, and the Germans. In conclusion, let us examine the general economic conditions which already undermined the gentile organization of society at the upper stage of barbarism and with the coming of civilization overthrew it completely. Here we shall need Marx's *Capital* as much as Morgan's book.

Arising in the middle stage of savagery, further developed during its upper stage, the [illegible] reaches its most flourishing period, so far as our sources enable us to judge, during the lower stage of barbarism. We begin therefore with this stage.

Here—the American Indians must serve as our example—we find the gentile constitution fully formed. The tribe is now grouped in several gentes, generally two. With the increase in population, each of these original gentes splits up into several daughter gentes, their mother gens now appearing as the phratry. The tribe itself breaks up into several tribes, in each of which we find again, for the most part, the old gentes. The related tribes, at least in some cases, are united in a confederacy. This simple organization suffices completely for the social conditions out of which it sprang. It is nothing more than the grouping natural to those conditions, and it is capable of settling all conflicts that can arise within a society so organized. War settles external conflicts; it may end with the annihilation of the tribe but never with its subjugation. It is the greatness but also the limitation of the gentile constitution that it has no place for ruler and ruled. Within the tribe there is as yet no difference between rights and duties; the question whether participation in public affairs, in blood revenge or atonement, is a right or a duty does not exist for the Indian; it would seem to him just as absurd as the question whether it was a right or a duty to sleep, eat, or hunt. A division of the tribe or of the gens into different classes

was equally impossible. And that brings us to the examination of the economic basis of these conditions.

The population is extremely sparse; it is dense only at the tribe's place of settlement, around which lie in a wide circle first the hunting grounds and then the protective belt of neutral forest which separates the tribe from others. The division of labor is purely primitive, between the sexes only. The man fights in the wars, goes hunting and fishing, procures the raw materials of food and the tools necessary for doing so. The woman looks after the house and the preparation of food and clothing, cooks, weaves, sews. They are each master in their own sphere: the man in the forest, the woman in the house. Each is owner of the instruments which he or she makes and uses: the man of the weapons, the hunting and fishing implements; the woman of the household gear. The housekeeping is communal among several and often many families.* What is made and used in common is common property—the house, the garden, the long boat. Here therefore, and here alone, there still exists in actual fact that "property created by the owner's labor" which in civilized society is an ideal fiction of the jurists and economists, the last lying legal pretense by which modern capitalist property still bolsters itself up.

But humanity did not everywhere remain at this stage. In Asia they found animals which could be tamed and, when once tamed, bred. The wild buffalo cow had to be hunted; the tame buffalo cow gave a calf yearly and milk as well. A number of the most advanced tribes—the Aryans, Semites, perhaps already also the Turanians—now made their chief work first the taming of cattle, later their breeding and tending only. Pastoral tribes separated themselves from the mass of the rest of the barbarians—*the first great social division of labor*. The pastoral tribes produced not only more necessities of life than the other barbarians, but different ones. They possessed the advantage over them of having not only milk, milk products and greater supplies of meat, but also skins, wool, goat hair, and spun and woven fabrics, which became more common as

* Especially on the northwest coast of America—*see* Bancroft. Among the Haidahs on Queen Charlotte Islands there are households with as many as 700 persons under one roof. Among the Nootkas whole tribes used to live under one roof.

the amount of raw material increased. Thus for the first time regular exchange became possible. At the earlier stages only occasional exchanges can take place; particular skill in the making of weapons and tools may lead to a temporary division of labor. Thus in many places undoubted remains of workshops for the making of stone tools have been found dating from the later Stone Age. The artists who here perfected their skill probably worked for the whole community, as each special handicraftsman still does in the gentile communities in India. In no case could exchange arise at this stage except within the tribe itself, and then only as an exceptional event. But now, with the differentiation of pastoral tribes, we find all the conditions ripe for exchange between branches of different tribes and its development into a regular established institution. Originally tribe exchanged with tribe through the respective chiefs of the gentes; but as the herds began to pass into private ownership, exchange between individuals became more common and, finally, the only form. Now the chief article which the pastoral tribes exchanged with their neighbors was cattle; cattle became the commodity by which all other commodities were valued and which was everywhere willingly taken in exchange for them—in short, cattle acquired a money function and already at this stage did the work of money. With such necessity and speed, even at the very beginning of commodity exchange, did the need for a money commodity develop.[28]

Horticulture, probably unknown to Asiatic barbarians of the lower stage, was being practiced by them in the middle stage at the latest, as the forerunner of agriculture. In the climate of the Turanian plateau, pastoral life is impossible without supplies of fodder for the long and severe winter. Here, therefore, it was essential that land should be put under grass and corn cultivated. The same is

28. Trade was more common among hunter-gatherers than this suggests. Although often for luxury items (amber found its way from the North Sea to the Mediterranean in Paleolithic times), it was also for foodstuffs (such as forest products for seacoast products) and important materials (such as flint). This is not to contradict the point that it was a long time before it became significant enough to involve an established division of labor. The possible role of trade between wild-grass gatherers and potential herdsmen in the highlands of Iraq and Iran in the encouragement of plant cultivation is discussed by Kent V. Flannery in "The Ecology of Early Food Production in Mesopotamia," *Science*, Vol. 147, March 12, 1965.

true of the steppes north of the Black Sea. But when once corn had been grown for the cattle, it also soon became food for men. The cultivated land still remained tribal property; at first it was allotted to the gens, later by the gens to the household communities and finally to individuals for use. The users may have had certain rights of possession, but nothing more.

Of the industrial achievements of this stage, two are particularly important. The first is the loom, the second the smelting of metal ores and the working of metals. Copper and tin, and their alloy, bronze, were by far the most important. Bronze provided serviceable tools and weapons though it could not displace stone tools; only iron could do that, and the method of obtaining iron was not yet understood. Gold and silver were beginning to be used for ornament and decoration and must already have acquired a high value as compared with copper and bronze.

The increase of production in all branches—cattle raising, agriculture, domestic handicrafts—gave human labor power the capacity to produce a larger product than was necessary for its maintenance. At the same time it increased the daily amount of work to be done by each member of the gens, household community or single family. It was now desirable to bring in new labor forces. War provided them; prisoners of war were turned into slaves. With its increase of the productivity of labor and therefore of wealth, and its extension of the field of production, the first great social division of labor was bound, in the general historical conditions prevailing, to bring slavery in its train. From the first great social division of labor arose the first great cleavage of society into two classes: masters and slaves, exploiters and exploited.

As to how and when the herds passed out of the common possession of the tribe or the gens into the ownership of individual heads of families, we know nothing at present. But in the main it must have occurred during this stage. With the herds and the other new riches, a revolution came over the family. To procure the necessities of life had always been the business of the man; he produced and owned the means of doing so.[29] The herds were the new means of producing these necessities; the taming of the animals in the first

29. The word "always" is puzzling, since women were responsible for most of the plant cultivation, and men for hunting, in the early stages of agricultural society.

instance and their later tending were the man's work. To him, therefore, belonged the cattle and to him the commodities and the slaves received in exchange for cattle. All the surplus which the acquisition of the necessities of life now yielded fell to the man; the woman shared in its enjoyment, but had no part in its ownership. The "savage" warrior and hunter had been content to take second place in the house, after the woman; the "gentler" shepherd, in the arrogance of his wealth, pushed himself forward into the first place and the woman down into the second. And she could not complain. The division of labor within the family had regulated the division of property between the man and the woman. That division of labor had remained the same; and yet it now turned the previous domestic relation upside down simply because the division of labor outside the family had changed. The same cause which had ensured to the woman her previous supremacy in the house—that her activity was confined to domestic labor—this same cause now ensured the man's supremacy in the house. The domestic labor of the woman no longer counted beside the acquisition of the necessities of life by the man; the latter was everything, the former an unimportant extra. We can already see from this that to emancipate woman and make her the equal of the man is and remains an impossibility so long as the woman is shut out from social productive labor and restricted to private domestic labor. The emancipation of woman will only be possible when woman can take part in production on a large, social scale, and domestic work no longer claims anything but an insignificant amount of her time. And only now has that become possible through modern large-scale industry, which does not merely permit the employment of female labor over a wide range, but positively demands it, while it also tends toward ending private domestic labor by changing it more and more into a public industry.

The man now being actually supreme in the house, the last barrier to his absolute supremacy had fallen. This autocracy was confirmed and perpetuated by the overthrow of mother right, the introduction of father right, and the gradual transition of the pairing marriage into monogamy. But this tore a breach in the old gentile order; the single family became a power, and its rise was a menace to the gens.

The next step leads us to the upper stage of barbarism, the period

when all civilized peoples have their heroic age: the age of the iron sword, but also of the iron plowshare and ax. Iron was now at the service of man, the last and most important of all the raw materials which played a historically revolutionary role—until the potato. Iron brought about the tillage of large areas, the clearing of wide tracts of virgin forest; iron gave to the handicraftsman tools so hard and sharp that no stone, no other known metal, could resist them. All this came gradually; the first iron was often even softer than bronze. Hence stone weapons only disappeared slowly; not merely in the *Hildebrandslied,* but even as late as the battle of Hastings in 1066, stone axes were still used for fighting. But progress could not now be stopped; it went forward with fewer checks and greater speed. The town, with its houses of stone or brick encircled by stone walls, towers and ramparts, became the central seat of the tribe or the confederacy of tribes—an enormous architectural advance, but also a sign of growing danger and need for protection. Wealth increased rapidly, but as the wealth of individuals. The products of weaving, metalwork and the other handicrafts, which were becoming more and more differentiated, displayed growing variety and skill. In addition to corn, leguminous plants and fruits, agriculture now provided wine and oil, the preparation of which had been learned. Such manifold activities were no longer within the scope of one and the same individual; the *second great division of labor* took place—handicraft separated from agriculture. The continuous increase of production and simultaneously of the productivity of labor heightened the value of human labor power. Slavery, which during the preceding period was still in its beginnings and sporadic, now becomes an essential constituent part of the social system; slaves no longer merely help with production—they are driven by dozens to work in the fields and the workshops. With the splitting up of production into the two great main branches, agriculture and handicrafts, arises production directly for exchange, commodity production; with it came commerce, not only in the interior and on the tribal boundaries, but also already overseas. All this, however, was still very undeveloped; the precious metals were beginning to be the predominant and general money commodity, but still uncoined, exchanging simply by their naked weight.

The distinction of rich and poor appears beside that of freemen and slaves—with the new division of labor, a new cleavage of society into classes. The inequalities of property among the individual heads of families break up the old communal household communities wherever they had still managed to survive, and with them the common cultivation of the soil by and for these communities. The cultivated land is allotted for use to single families, at first temporarily, later permanently. The transition to full private property is gradually accomplished, parallel with the transition of the pairing marriage into monogamy. The single family is becoming the economic unit of society.

The denser population necessitates closer consolidation both for internal and external action. The confederacy of related tribes becomes everywhere a necessity, and soon also their fusion involving the fusion of the separate tribal territories into one territory of the nation. The military leader of the people—*rex, basileus, thiudans*—becomes an indispensable, permanent official. The assembly of the people takes form wherever it did not already exist. Military leader, council, assembly of the people are the organs of gentile society developed into military democracy—military, since war and organization for war have now become regular functions of national life. Their neighbors' wealth excites the greed of peoples who already see in the acquisition of wealth one of the main aims of life. They are barbarians; they think it easier and in fact more honorable to get riches by pillage than by work. War, formerly waged only in revenge for injuries or to extend territory that had grown too small, is now waged simply for plunder and becomes a regular industry. Not without reason the bristling battlements stand menacingly about the new fortified towns; in the moat at their foot yawns the grave of the gentile constitution, and already they rear their towers into civilization. Similarly in the interior, the wars of plunder increase the power of the supreme military leader and the subordinate commanders; the customary election of their successors from the same families is gradually transformed, especially after the introduction of father right, into a right of hereditary succession, first tolerated, then claimed, finally usurped; the foundation of the hereditary monarchy and the hereditary nobility is laid. Thus the organs of the gentile constitu-

tion gradually tear themselves loose from their roots in the people, in gens, phratry, tribe, and the whole gentile constitution changes into its opposite: from an organization of tribes for the free ordering of their own affairs it becomes an organization for the plundering and oppression of their neighbors; and correspondingly its organs change from instruments of the will of the people into independent organs for the domination and oppression of the people. That, however, would never have been possible if the greed for riches had not split the members of the gens into rich and poor, if "the property differences within one and the same gens had not transformed its unity of interest into antagonism between its members" (Marx), if the extension of slavery had not already begun to make working for a living seem fit only for slaves and more dishonorable than pillage.

We have now reached the threshold of civilization. Civilization opens with a new advance in the division of labor. At the lowest stage of barbarism men produced only directly for their own needs; any acts of exchange were isolated occurrences, the object of exchange merely some fortuitous surplus. In the middle stage of barbarism we already find among the pastoral peoples a possession in the form of cattle which, once the herd has attained a certain size, regularly produces a surplus over and above the tribe's own requirements, leading to a division of labor between pastoral peoples and backward tribes without herds, and hence to the existence of two different levels of production side by side with one another and to the conditions necessary for regular exchange. The upper stage of barbarism brings us the further division of labor between agriculture and handicrafts, hence the production of a continually increasing portion of the products of labor directly for exchange, so that exchange between individual producers assumes the importance of a vital social function. Civilization consolidates and intensifies all these existing divisions of labor, particularly by sharpening the opposition between town and country (the town may economically dominate the country, as in antiquity, or the country the town, as in the middle ages), and it adds a third division of labor peculiar to itself and of decisive importance. It creates a class which no longer concerns itself with production, but only

with the exchange of the products—the *merchants*. Hitherto whenever classes had begun to form, it had always been exclusively in the field of production; the persons engaged in production were separated into those who directed and those who executed or else into large-scale and small-scale producers. Now for the first time a class appears which, without in any way participating in production, captures the direction of production as a whole and economically subjugates the producers; which makes itself into an indispensable middleman between any two producers and exploits them both. Under the pretext that they save the producers the trouble and risk of exchange, extend the sale of their products to distant markets and are therefore the most useful class of the population, a class of parasites comes into being, genuine social sycophants, who, as a reward for their actually very insignificant services, skim all the cream off production at home and abroad, rapidly amass enormous wealth and a corresponding social influence, and for that reason receive under civilization ever higher honors and ever greater control of production until at last they also bring forth a product of their own—the periodical trade crises.

At our stage of development, however, the young merchants had not even begun to dream of the great destiny awaiting them. But they were growing and making themselves indispensable, which was quite sufficient. And with the formation of the merchant class came also the development of *metallic money*, the minted coin, a new instrument for the domination of the non-producer over the producer and his production. The commodity of commodities had been discovered, that which holds all other commodities hidden in itself, the magic power which can change at will into everything desirable and desired. The man who had it ruled the world of production, and who had more of it than anybody else?—the merchant. The worship of money was safe in his hands. He took good care to make it clear that, in face of money, all commodities and hence all producers of commodities must prostrate themselves in adoration in the dust. He proved practically that all other forms of wealth fade into mere semblance beside this incarnation of wealth as such. Never again has the power of money shown itself in such primitive brutality and violence as during these days of its youth. After commodities had begun to sell for money, loans

and advances in money came also, and with them interest and usury. No legislation of later times so utterly and ruthlessly delivers over the debtor to the usurious creditor as the legislation of ancient Athens and ancient Rome—and in both cities it rose spontaneously as customary law without any compulsion other than the economic.

Alongside wealth in commodities and slaves, alongside wealth in money, there now appeared wealth in land also. The individuals' rights of possession in the pieces of land originally allotted to them by gens or tribe had now become so established that the land was their hereditary property. Recently they had striven above all to secure their freedom against the rights of the gentile community over these lands since these rights had become for them a fetter. They got rid of the fetter—but soon afterward of their new landed property also. Full, free ownership of the land meant not only power, uncurtailed and unlimited, to possess the land; it meant also the power to alienate it. As long as the land belonged to the gens, no such power could exist. But when the new landed proprietor shook off once and for all the fetters laid upon him by the prior right of gens and tribe, he also cut the ties which had hitherto inseparably attached him to the land. Money, invented at the same time as private property in land, showed him what that meant. Land could now become a commodity; it could be sold and pledged. Scarcely had private property in land been introduced than the mortgage was already invented (*see* Athens). As hetaerism and prostitution dog the heels of monogamy, so from now onward mortgage dogs the heels of private land ownership. You asked for full, free alienable ownership of the land and now you have got it—*"tu l'as voulu,* Georges Dandin."

With trade expansion, money and usury, private property in land and mortgages, the concentration and centralization of wealth in the hands of a small class rapidly advanced, accompanied by an increasing improverishment of the masses and an increasing mass of impoverishment. The new aristocracy of wealth, in so far as it had not been identical from the outset with the old hereditary aristocracy, pushed it permanently into the background (in Athens, in Rome, among the Germans). And simultaneous with this division of the citizens into classes according to wealth, there was an

enormous increase, particularly in Greece, in the number of slaves* whose forced labor was the foundation on which the superstructure of the entire society was reared.

Let us now see what had become of the gentile constitution in this social upheaval. Confronted by the new forces in whose growth it had had no share, the gentile constitution was helpless. The necessary condition for its existence was that the members of a gens or at least of a tribe were settled together in the same territory and were its sole inhabitants. That had long ceased to be the case. Every territory now had a heterogeneous population belonging to the most varied gentes and tribes; everywhere slaves, protected persons and aliens lived side by side with citizens. The settled conditions of life which had only been achieved toward the end of the middle stage of barbarism were broken up by the repeated shifting and changing of residence under the pressure of trade, alteration of occupation and changes in the ownership of the land. The members of the gentile bodies could no longer meet to look after their common concerns; only unimportant matters, like the religious festivals, were still perfunctorily attended to. In addition to the needs and interests with which the gentile bodies were intended and fitted to deal, the upheaval in productive relations and the resulting change in the social structure had given rise to new needs and interests which were not only alien to the old gentile order, but ran directly counter to it at every point. The interests of the groups of handicraftsmen which had arisen with the division of labor, the special needs of the town as opposed to the country, called for new organs. But each of these groups was composed of people of the most diverse gentes, phratries, and tribes, and even included aliens. Such organs had therefore to be formed outside the gentile constitution, alongside of it, and hence in opposition to it. And this conflict of interests was at work within every gentile body, appearing in its most extreme form in the association of rich and poor, usurers and debtors, in the same gens and the same tribe. Further, there was the new mass of population outside the gentile bodies, which, as in Rome, was able to become a power in the land

* For the number of slaves in Athens, *see* above, 181. In Corinth at the height of its power, the number of slaves was 460,000, in Aegina, 470,000 — in both cases, ten times the population of free citizens.

and at the same time was too numerous to be gradually absorbed into the kinship groups and tribes. In relation to this mass, the gentile bodies stood opposed as closed, privileged corporations; the primitive natural democracy had changed into a malign aristocracy. Lastly, the gentile constitution had grown out of a society which knew no internal contradictions, and it was only adapted to such a society. It possessed no means of coercion except public opinion. But here was a society which by all its economic conditions of life had been forced to split itself into freemen and slaves, into the exploiting rich and the exploited poor; a society which not only could never again reconcile these contradictions, but was compelled always to intensify them. Such a society could only exist either in the continuous open fight of these classes against one another or else under the rule of a third power, which, apparently standing above the warring classes, suppressed their open conflict and allowed the class struggle to be fought out at most in the economic field, in so-called legal form. The gentile constitution was finished. It had been shattered by the division of labor and its result, the cleavage of society into classes. It was replaced by the *state*.

The three main forms in which the state arises on the ruins of the gentile constitution have been examined in detail above. Athens provides the purest, classic form; here the state springs directly and mainly out of the class oppositions which develop within gentile society itself. In Rome, gentile society becomes a closed aristocracy in the midst of the numerous *plebs* who stand outside it and have duties but no rights; the victory of *plebs* breaks up the old constitution based on kinship and erects on its ruins the state, into which both the gentile aristocracy and the *plebs* are soon completely absorbed. Lastly, in the case of the German conquerors of the Roman Empire, the state springs directly out of the conquest of large foreign territories which the gentile constitution provides no means of governing. But because this conquest involves neither a serious struggle with the original population nor a more advanced division of labor; because conquerors and conquered are almost on the same level of economic development, and the economic basis of society remains therefore as before—for these reasons the gentile constitution is able to survive for many centuries in the

altered, territorial form of the mark constitution and even for a time to rejuvenate itself in a feebler shape in the later noble and patrician families, and indeed in peasant families, as in Ditmarschen.*

The state is therefore by no means a power imposed on society from without; just as little is it "the reality of the moral idea," "the image and the reality of reason," as Hegel maintains. Rather, it is a product of society at a particular stage of development; it is the admission that this society has involved itself in insoluble self-contradiction and is cleft into irreconcilable antagonisms which it is powerless to exorcise. But in order that these antagonisms, classes with conflicting economic interests, shall not consume themselves and society in fruitless struggle, a power, apparently standing above society, has become necessary to moderate the conflict and keep it within the bounds of "order"; and this power, arisen out of society but placing itself above it and increasingly alienating itself from it, is the state.

In contrast to the old gentile organization, the state is distinguished firstly by the grouping of its members *on a territorial basis*. The old gentile bodies, formed and held together by ties of blood had, as we have seen, become inadequate largely because they presupposed that the gentile members were bound to one particular locality, whereas this had long ago ceased to be the case. The territory was still there, but the people had become mobile. The territorial division was therefore taken as the starting point and the system introduced by which citizens exercised their public rights and duties where they took up residence, without regard to gens or tribe. This organization of the citizens of the state according to domicile is common to all states. To us, therefore, this organization seems natural; but, as we have seen, hard and protracted struggles were necessary before it was able in Athens and Rome to displace the old organization founded on kinship.

The second distinguishing characteristic is the institution of a *public force* which is no longer immediately identical with the

* The first historian who had at any rate an approximate conception of the nature of the gens was Niebuhr, and for this he had to thank his acquaintance with the Ditmarschen families, though he was overhasty in transferring their characteristics to the gens.

people's own organization of themselves as an armed power. This special public force is needed because a self-acting armed organization of the people has become impossible since their cleavage into classes. The slaves also belong to the population; as against the 365,000 slaves, the 90,000 Athenian citizens constitute only a privileged class. The people's army of the Athenian democracy confronted the slaves as an aristocratic public force and kept them in check; but to keep the citizens in check as well, a police force was needed as described above. This public force exists in every state; it consists not merely of armed men but also of material appendages, prisons and coercive institutions of all kinds, of which gentile society knew nothing. It may be very insignificant, practically negligible, in societies with still undeveloped class antagonisms and living in remote areas, as at times and in places in the United States of America. But it becomes stronger in proportion as the class antagonisms within the state become sharper and as adjoining states grow larger and more populous. It is enough to look at Europe today, where class struggle and rivalry in conquest have brought the public power to a pitch that it threatens to devour the whole of society and even the state itself.

In order to maintain this public power, contributions from the citizens are necessary—*taxes*. These were completely unknown to gentile society. We know more than enough about them today. With advancing civilization, even taxes are not sufficient; the state draws drafts on the future, contracts loans—*state debts*. Our old Europe can tell a tale about these, too.

In possession of the public power and the right of taxation, the officials now present themselves as organs of society standing *above* society. The free, willing respect accorded to the organs of the gentile constitution is not enough for them, even if they could have it. Representatives of a power which estranges them from society, they have to be given prestige by means of special decrees which invest them with a peculiar sanctity and inviolability. The lowest police officer of the civilized state has more "authority" than all the organs of gentile society put together; but the mightiest prince and the greatest statesman or general of civilization might envy the humblest of the gentile chiefs, the unforced and unquestioned respect accorded to him. For the one stands in the midst of society; the other is forced to pose as something outside and above it.

As the state arose from the need to keep class antagonisms in check, but also arose in the thick of the fight between the classes, it is normally the state of the most powerful, economically dominant class, which by its means becomes also the politically dominant class and so acquires new means of holding down and exploiting the oppressed class. The ancient state was, above all, the state of the slave owners for holding down the slaves, just as the feudal state was the organ of the nobility for holding down the peasant serfs and bondsmen, and the modern representative state is an instrument for exploiting wage labor by capital. Exceptional periods, however, occur when the warring classes are so nearly equal in forces that the state power, as apparent mediator, acquires for the moment a certain independence in relation to both. This applies to the absolute monarchy of the 11th and 18th centuries, which balanced the nobility and the bourgeoisie against one another, and to the Bonapartism of the First and particularly of the Second French Empire, which played off the proletariat against the bourgeoisie and the bourgeoisie against the proletariat. The latest achievement in this line, in which ruler and ruled look equally comic, is the new German Empire of the Bismarckian nation; here the capitalists and the workers are balanced against one another and both of them fleeced for the benefit of the decayed Prussian cabbage Junkers.

Further, in most historical states the rights conceded to citizens are graded on a property basis whereby it is directly admitted that the state is an organization for the protection of the possessing class against the non-possessing class. This is already the case in the Athenian and Roman property classes; similarly in the medieval feudal state in which the extent of political power was determined by the extent of land-ownership; similarly, also, in the electoral qualifications in modern parliamentary states. This political recognition of property differences is, however, by no means essential. On the contrary, it marks a low stage in the development of the state. The highest form of the state, the democratic republic, which in our modern social conditions becomes more and more an unavoidable necessity and is the form of state in which alone the last decisive battle between proletariat and bourgeoisie can be fought out—the democratic republic no longer officially recognizes differences of property. Wealth here employs its power indirectly, but all the more surely. It does this in two ways: by plain corruption

of officials, of which America is the classic example; and by an alliance between the government and the stock exchange, which is effected all the more easily the higher the state debt mounts and the more the joint-stock companies concentrate in their hands not only transport but also production itself, and themselves have their own center in the stock exchange. In addition to America, the latest French republic illustrates this strikingly, and honest little Switzerland has also given a creditable performance in this field. But that a democratic republic is not essential to this brotherly bond between government and stock exchange is proved not only by England but also by the new German Empire, where it is difficult to say who scored most by the introduction of universal suffrage, Bismarck or the Bleichröder bank. And lastly the possessing class rules directly by means of universal suffrage. As long as the oppressed class—in our case, therefore, the proletariat—is not yet ripe for its self-liberation, so long will it in its majority recognize the existing order of society as the only possible one and remain politically the tail of the capitalist class, its extreme left wing. But in the measure in which it matures toward its self-emancipation, in the same measure it constitutes itself as its own party and votes for its own representatives, not those of the capitalists. Universal suffrage is thus the gauge of the maturity of the working class. It cannot *and never will be anything more in the modern state; but that* is enough. On the day when the thermometer of universal suffrage shows boiling point among the workers, they as well as the capitalists will know where they stand.

The state, therefore, has not existed from all eternity. There have been societies which have managed without it, which had no notion of the state or state power. At a definite stage of economic development, which necessarily involved the cleavage of society into classes, the state became a necessity because of this cleavage. We are now rapidly approaching a stage in the development of production at which the existence of these classes has not only ceased to be a necessity but becomes a positive hindrance to production. They will fall as inevitably as they once arose. The state inevitably falls with them. The society which organizes production anew on the basis of free and equal association of the producers will put the whole state machinery where it will then belong—into the museum of antiquities, next to the spinning wheel and the bronze ax.

Civilization is, therefore, according to the above analysis, the stage of development in society at which the division of labor, the exchange between individuals arising from it, and the commodity production which combines them both come to their full growth and revolutionizes the whole of previous society.

At all earlier stages of society, production was essentially collective, just as consumption proceeded by direct distribution of the products within larger or smaller communistic communities. This collective production was very limited; but inherent in it was the producers' control over their process of production and their product. They knew what became of their product: they consumed it; it did not leave their hands. And so long as production remains on this basis, it cannot grow above the heads of the producers nor raise up incorporeal alien powers against them, as in civilization is always and inevitably the case.

But the division of labor slowly insinuates itself into this process of production. It undermines the collectivity of production and appropriation, elevates appropriation by individuals into the general rule, and thus creates exchange between individuals—how it does so, we have examined above. Gradually commodity production becomes the dominating form.

With commodity production, production no longer for use by the producers but for exchange, the products necessarily change hands. In exchanging his product, the producer surrenders it; he no longer knows what becomes of it. When money, and with money the merchant, steps in as intermediary between the producers, the process of exchange becomes still more complicated, the final fate of the products still more uncertain. The merchants are numerous, and none of them knows what the other is doing. The commodities already pass not only from hand to hand; they also pass from market to market; the producers have lost control over the total production within their own spheres, and the merchants have not gained it. Products and production become subjects of chance.

But chance is only the one pole of a relation whose other pole is named "necessity." In the world of nature where chance also seems to rule, we have long since demonstrated in each separate field the inner necessity and law asserting itself in this chance. But what is true of the natural world is true also of society. The more a social activity, a series of social processes, becomes too powerful

for men's consicious control and grows above their heads, and the more it appears a matter of pure chance, then all the more surely within this chance the laws peculiar to it and inherent in it assert themselves as if by natural necessity. Such laws also govern the chances of commodity production and exchange. To the individuals producing or exchanging, they appear as alien, at first often unrecognized, powers, whose nature must first be laboriously investigated and established. These economic laws of commodity production are modified with the various stages of this form of production; but in general the whole period of civilization is dominated by them. And still to this day the product rules the producer; still to this day the total production of society is regulated, not by a jointly devised plan, but by blind laws which manifest themselves with elemental violence in the final instance in the storms of the periodical trade crises.

We saw above how at a fairly early stage in the development of production, human labor power obtains the capacity of producing a considerably greater product than is required for the maintenance of the producers, and how this stage of development was in the main the same as that in which division of labor and exchange between individuals arises. It was not long then before the great "truth" was discovered that man also can be a commodity, that human energy can be exchanged and put to use by making a man into a slave. Hardly had men begun to exchange than already they themselves were being exchanged. The active became the passive, whether the men liked it or not.

With slavery, which attained its fullest development under civilization, came the first great cleavage of society into an exploiting and an exploited class. This cleavage persisted during the whole civilized period. Slavery is the first form of exploitation, the form peculiar to the ancient world; it is succeeded by serfdom in the middle ages and wage labor in the more recent period. These are the three great forms of servitude characteristic of the three great epochs of civilization; open, and in recent times disguised, slavery always accompanies them.

The stage of commodity production with which civilization begins is distinguished economically by the introduction of (1) metal money and with it money capital, interest and usury, (2) merchants

as the class of intermediaries between the producers, (3) private ownership of land and the mortgage system, (4) slave labor as the dominant form of production. The form of family corresponding to civilization and coming to definite supremacy with it is monogamy, the domination of the man over the woman and the single family as the economic unit of society. The central link in civilized society is the state, which in all typical periods is without exception the state of the ruling class and in all cases continues to be essentially a machine for holding down the oppressed, exploited class. Also characteristic of civilization is the establishment of a permanent opposition between town and country as the basis of the whole social division of labor; and further, the introduction of wills whereby the owner of property is still able to dispose over it even when he is dead. This institution, which is a direct affront to the old gentile constitution, was unknown in Athens until the time of Solon; in Rome it was introduced early, though we do not know the date;* among the Germans it was the clerics who introduced it in order that there might be nothing to stop the pious German from leaving his legacy to the Church.

With this as its basic constitution, civilization achieved things of which gentile society was not even remotely capable. But it achieved them by setting in motion the lowest instincts and passions in man and developing them at the expense of all his other abilities. From its first day to this, sheer greed was the driving spirit of civilization; wealth and again wealth and once more wealth, wealth, not of society but of the single scurvy individual—here was its one and final aim. If at the same time the progressive development of science

* The second part of Lassalle's *Das System der erworbenen Rechte (System of Acquired Rights)* turns chiefly on the proposition that the Roman testament is as old as Rome itself, that there was never in Roman history "a time when there were no testaments," and that, on the contrary, the testament originated in pre-Roman times out of the cult of the dead. Lassalle, as a faithful Hegelian of the old school, derives the provisions of Roman law not from the social relations of the Romans but from the "speculative concept" of the human will, and so arrives at this totally unhistorical conclusion. This is not to be wondered at in a book which comes to the conclusion, on the ground of the same speculative concept, that the transfer of property was a purely secondary matter in Roman inheritance. Lassalle not only believes in the illusions of the Roman jurists, particularly of the earlier periods; he outdoes them.

and a repeated flowering of supreme art dropped into its lap, it was only because without them modern wealth could not have completely realized its achievements.

Since civilization is founded on the exploitation of one class by another class, its whole development proceeds in a constant contradiction. Every step forward in production is at the same time a step backward in the position of the oppressed class, that is, of the great majority. Whatever benefits some necessarily injures the others; every fresh emancipation of one class is necessarily a new oppression for another class. The most striking proof of this is provided by the introduction of machinery, the effects of which are now known to the whole world. And if among the barbarians, as we saw, the distinction between rights and duties could hardly be drawn, civilization makes the difference and antagonism between them clear even to the dullest intelligence by giving one class practically all the rights and the other class practically all the duties.

But that should not be; what is good for the ruling class must also be good for the whole of society with which the ruling class identifies itself. Therefore the more civilization advances, the more it is compelled to cover the evils it necessarily creates with the cloak of love and charity, to palliate them or to deny them—in short, to introduce a conventional hypocrisy which was unknown to earlier forms of society and even to the first stages of civilization, and which culminates in the pronouncement: the exploitation of the oppressed class is carried on by the exploiting class simply and solely in the interests of the exploited class itself; and if the exploited class cannot see it and even grows rebellious, that is the basest ingratitude to its benefactors, the exploiters.*

And now, in conclusion, Morgan's judgment of civilization:

Since the advent of civilization, the outgrowth of property has been so immense, its forms so diversified, its uses so expanding and its

* I originally intended to place the brilliant criticism of civilization which is found scattered through the work of Charles Fourier beside that of Morgan and my own. Unfortunately, I have not the time. I will only observe that Fourier already regards monogamy and private property in land as the chief characteristics of civilization, and that he calls civilization a war of the rich against the poor. We also find already in his work the profound recognition that in all societies which are imperfect and split into antagonisms single families *(les familles incohérentes)* are the economic units.

management so intelligent in the interests of its owners, that it has become, on the part of the people, *an unmanageable power. The human mind stands bewildered in the presence of its own creation.* The time will come, nevertheless, when human intelligence will rise to the mastery over property, and define the relations of the state to the property it protects, as well as the obligations and the limits of the rights of its owners. The interests of society are paramount to individual interests, and the two must be brought into just and harmonious relations. A mere property career is not the final destiny of mankind, if progress is to be the law of the future as it has been of the past. The time which has passed away since civilization began is but a fragment of the past duration of man's existence; and but a fragment of the ages yet to come. The dissolution of society bids fair to become the termination of a career of which property is the end and aim; because such a career contains the elements of self-destruction. Democracy in government, brotherhood in society, equality in rights and privileges, and universal education, foreshadow the next higher plane of society to which experience, intelligence and knowledge are steadily tending. *It will be a revival, in a higher form, of the liberty, equality and fraternity of the ancient gentes* [1963: 561-562; Engels' italics].

CHAPTER III

THE IROQUOIS GENS

WE NOW come to another discovery made by Morgan, which is at least as important as the reconstruction of the family in its primitive form from the systems of consanguinity. The proof that the kinship organizations designated by animal names in a tribe of American Indians are essentially identical with the *genea* of the Greeks and the *gentes* of the Romans; that the American is the original form and the Greek and Roman forms are later and derivative; that the whole social organization of the primitive Greeks and Romans into gens, phratry, and tribe finds its faithful parallel in that of the American Indians; that the gens is an institution common to all barbarians until their entry into civilization and even afterward (so far as our sources go up to the present)—this proof has cleared up at one stroke the most difficult questions in the most ancient periods of Greek and Roman history, providing us at the same time with an unsuspected wealth of information about the fundamental features of social constitution in primitive times, before the introduction of the *state*. Simple as the matter seems once it is understood, Morgan only made his discovery quite recently. In his previous work, published in 1871,[24] he had not yet penetrated this secret, at whose subsequent revelation the English anthropologists, usually so self-confident, became for a time as quiet as mice.

The Latin word *gens*, which Morgan uses as a general term for such kinship organizations, comes, like its Greek equivalent, *genos*, from the common Aryan root *gan* (in German, where following the law[25] Aryan *g* is regularly replaced by *k*, *kan*), which means to beget. *Gens*, *Genos*, Sanscrit *jánas*, Gothic *kuni* (following the same law as above), Old Norse and Anglo-Saxon *kyn*, English *kin*, Middle High German *künne*, all signify lineage, descent. *Gens* in

24. *Systems of Consanguinity and Affinity of the Human Family*, Smithsonian Publications, 1871.

25. Engels refers here to Grimm's law of the shifting of consonants in the Indo-European languages.

Latin and *genos* in Greek are, however, used specifically to denote the form of kinship organization which prides itself on its common descent (in this case from a common ancestral father) and is bound together by social and religious institutions into a distinct community, though to all our historians its origin and character have hitherto remained obscure.

We have already seen in connection with the punaluan family what is the composition of a gens in its original form. It consists of all the persons who in punaluan marriage, according to the conceptions necessarily prevailing under it, form the recognized descendants of one particular ancestral mother, the founder of the gens. In this form of family, as paternity is uncertain, only the female line counts. Since brothers may not marry their sisters but only women of different descent, the children begotten by them with these alien women cannot according to mother right belong to the father's gens. Therefore only the offspring of the *daughters* in each generation remain within the kinship organization; the offspring of the sons go into the gentes of their mothers. What becomes of this consanguine group when it has constituted itself a separate group distinct from similar groups within the tribe?

As the classic form of this original gens, Morgan takes the gens among the Iroquois and especially in the Seneca tribe. In this tribe there are eight gentes, named after animals: (1) Wolf, (2) Bear, (3) Turtle, (4) Beaver, (5) Deer, (6) Snipe, (7) Heron, (8) Hawk. In every gens the following customs are observed:

1. The gens elects its sachem (head of the gens in peace) and its chief (leader in war). The sachem had to be chosen from among the members of the gens, and his office was hereditary within the gens in the sense that it had to be filled immediately as often as a vacancy occurred. The military leader could be chosen from outside the gens, and for a time the office might even be vacant. A son was never chosen to succeed his father as sachem since mother right prevailed among the Iroquois, and the son consequently belonged to a different gens; but the office might and often did pass to a brother of the previous sachem or to his sister's son. All voted in the elections, both men and women. The election, however, still required the confirmation of the seven remaining gentes, and only then was the new sachem ceremonially invested with his office by

the common council of the whole Iroquois confederacy. The significance of this will appear later. The authority of the sachem within the gens was paternal and purely moral in character; he had no means of coercion. By virtue of his office he was also a member of the tribal council of the Senecas and also of the federal council of all the Iroquois. The war chief could only give orders on military expeditions.

2. The gens deposes the sachem and war chief at will. This also is done by men and women jointly. After a sachem or chief had been deposed, they became simple braves, private persons, like the other members. The tribal council also had the power to depose them, even against the will of the gens.

3. No member is permitted to marry within the gens. This is the fundamental law of the gens, the bond which holds it together. It is the negative expression of the very positive blood relationship by virtue of which the individuals it comprises become a gens. By his discovery of this simple fact Morgan has revealed for the first time the nature of the gens. How little the gens was understood before is obvious from the earlier reports about savages and barbarians in which the various bodies out of which the gentile organization is composed are ignorantly and indiscriminately referred to as tribe, clan, *thum*, and so forth, and then sometimes designated as bodies within which marriage is prohibited. Thus was created the hopeless confusion which gave Mr. McLennan his chance to appear as Napoleon, establishing order by his decree: All tribes are divided into those within which marriage is prohibited (exogamous) and those within which it is permitted (endogamous). Having now made the muddle complete, he could give himself up to the profoundest inquiries as to which of his two absurd classes was the older—exogamy or endogamy. All this nonsense promptly stopped of itself with the discovery of the gens and of its basis in consanguinity, involving the exclusion of its members from intermarriage with one another. Obviously, at the stage at which we find the Iroquois the prohibition of marriage within the gens was stringently observed.

4. The property of deceased persons passed to the other members of the gens; it had to remain in the gens. As an Iroquois had only things of little value to leave, the inheritance was shared by

his nearest gentile relations; in the case of a man, by his own brothers and sisters and maternal uncle; in the case of a woman, by her children and own sisters, but not by her brothers. For this reason man and wife could not inherit from one another, nor children from their father.

5. The members of the gens owed each other help, protection, and especially assistance in avenging injury by strangers. The individual looked for his security to the protection of the gens and could rely upon receiving it; to wrong him was to wrong his whole gens. From the bonds of blood uniting the gens sprang the obligation of blood revenge, which the Iroquois unconditionally recognized. If any person from outside the gens killed a gentile member, the obligation of blood revenge rested on the entire gens of the slain man. First, mediation was tried; the gens of the slayer sat in council and made proposals of settlement to the council of the gens of the slain, usually offering expressions of regret and presents of considerable value. If these were accepted, the matter was disposed of. In the contrary case, the wronged gens appointed one or more avengers whose duty it was to pursue and kill the slayer. If this was accomplished, the gens of the slayer had no ground of complaint; accounts were even and closed.

6. The gens has special names or classes of names which may not be used by any other gens in the whole tribe, so that the name of the individual indicates the gens to which he belongs. A gentile name confers of itself gentile rights.

7. The gens can adopt strangers and thereby admit them into the whole tribe. Thus among the Senecas the prisoners of war who were not killed became through adoption into a gens members of the tribe, receiving full gentile and tribal rights. The adoption took place on the proposal of individual members of the gens; if a man adopted, he accepted the stranger as brother or sister; if a woman, as son or daughter. The adoption had to be confirmed by ceremonial acceptance into the tribe. Frequently, a gens which was exceptionally reduced in numbers was replenished by mass adoption from another gens, with its consent. Among the Iroquois the ceremony of adoption into the gens was performed at a public council of the tribe and therefore was actually a religious rite.

8. Special religious ceremonies can hardly be found among the

Indian gentes; the religious rites of the Indians are, however, more or less connected with the gens. At the six yearly religious festivals of the Iroquois, the sachems and war chiefs of the different gentes were included *ex officio* among the "Keepers of the Faith" and had priestly functions.

9. The gens has a common burial place. Among the Iroquois of New York State, who are hedged in on all sides by white people, this has disappeared, but it existed formerly. It exists still among other Indians—for example, among the Tuscaroras, who are closely related to the Iroquois; although they are Christians, each gens has a separate row in the cemetery; the mother is therefore buried in the same row as her children, but not the father. And among the Iroquois also the whole gens of the deceased attends the burial, prepares the grave, delivers funeral addresses, and so forth.

10. The gens has a council, the democratic assembly of all male and female adult gentiles, all with equal votes. This council elected sachems, war chiefs and also the other "Keepers of the Faith" and deposed them. It took decisions regarding blood revenge or payment of atonement for murdered gentiles; it adopted strangers into the gens. In short, it was the sovereign power in the gens.

Such were the rights and privileges of a typical Indian gens.

> All the members of an Iroquois gens were personally free, and they were bound to defend each other's freedom; they were equal in privileges and in personal rights, the sachem and chiefs claiming no superiority; and they were a brotherhood bound together by the ties of kin. Liberty, equality, and fraternity, though never formulated, were cardinal principles of the gens. These facts are material, because the gens was the unit of a social and governmental system, the foundation upon which Indian society was organized. . . . It serves to explain that sense of independence and personal dignity universally an attribute of Indian character [1963: 85-86].

The Indians of the whole of North America at the time of its discovery were organized in gentes under mother right. The gentes had disappeared only in some tribes, as among the Dakotas; in others, as among the Ojibwas and the Omahas, they were organized according to father right.

Among very many Indian tribes with more than five or six gentes, we find every three, four, or more gentes united in a special group which Morgan, rendering the Indian name faithfully by its Greek

equivalent, calls a "phratry" (brotherhood). Thus the Senecas have two phratries: the first comprises gentes (1) to (4), the second gentes (5) to (8). Closer investigation shows that these phratries generally represent the original gentes into which the tribe first split up; for since marriage was prohibited within the gens, there had to be at least two gentes in any tribe to enable it to exist independently. In the measure in which the tribe increased, each gens divided again into two or more gentes, each of which now appears as a separate gens, while the original gens, which includes all the daughter gentes, continues as the phratry.

Among the Senecas and most other Indians, the gentes within one phratry are brother gentes to one another while those in the other phratry are their cousin gentes—terms which in the American system of consanguinity have, as we have seen, a very real and expressive meaning. Originally no Seneca was allowed to marry within his phratry, but this restriction has long since become obsolete and is now confined to the gens. According to Senecan tradition, the Bear and the Deer were the two original gentes from which the others branched off. After this new institution had once taken firm root, it was modified as required; if the gentes in one phratry died out, entire gentes were sometimes transferred into it from other phratries to make the numbers even. Hence we find gentes of the same name grouped in different phratries in different tribes.

Among the Iroquois the functions of the phratry are partly social, partly religious. (1) In the ball game one phratry plays against an other. Each phratry puts forward its best players, while the other members, grouped according to phratries, look on and bet against one another on the victory of their players. (2) In the tribal council the sachems and the war chiefs of each phratry sit together, the two groups facing one another; each speaker addresses the representatives of each phratry as a separate body. (3) If a murder had been committed in the tribe and the slayer and the slain belonged to different phratries, the injured gens often appealed to its brother gentes; these held a council of the phratry and appealed in a body to the other phratry that it also should assemble its council to effect a settlement. Here the phratry reappears as the original gens and with greater prospect of success than the weaker

single gens, its offspring. (4) At the death of prominent persons the opposite phratry saw to the interment and the burial ceremonies, while the phratry of the dead person attended as mourners. If a sachem died, the opposite phratry reported to the federal council of the Iroquois that the office was vacant. (5) The council of the phratry also played a part in the election of a sachem. That the election would be confirmed by the brother gentes was more or less taken for granted, but the gentes of the opposite phratry might raise an objection. In this case the council of the opposite phratry was assembled; if it maintained the objection, the election was void. (6) The Iroquois formerly had special religious mysteries, called medicine lodges by the white men. Among the Senecas, these mysteries were celebrated by two religious brotherhoods into which new members were admitted by formal initiation; there was one such brotherhood in each of the two phratries. (7) If, as is almost certain, the four lineages occupying the four quarters of Tlascalá at the time of the Conquest [of Mexico] were four phratries, we here have proof that the phratries were also military units, like the phratries among the Greeks and similar kinship organizations among the Germans; these four lineages went into battle as separate groups each with its own uniform and flag and under its own leader.

As several gentes make up a phratry, so in the classic form several phratries make up a tribe; in some cases, when tribes have been much weakened, the intermediate form, the phratry, is absent. What distinguishes an Indian tribe in America?

1. *Its own territory and name.* In addition to its actual place of settlement, every tribe further possessed considerable territory for hunting and fishing. Beyond that lay a broad strip of neutral land reaching to the territory of the neighboring tribe; it was smaller between tribes related in language, larger between tribes not so related. It is the same as the boundary forest of the Germans, the waste made by Caesar's Suevi around their territory, the *îsarnholt* (in Danish, *jarnved, limes Danicus*) between Danes and Germans, the Saxon forest, and the *branibor* (Slav, "protecting wood") between Germans and Slavs, from which Brandenburg takes its name. The territory delimited by these uncertain boundaries was the common land of the tribe, recognized as such by neighboring tribes and

defended by the tribe itself against attacks. In most cases the uncertainty of the boundaries only became a practical disadvantage when there had been a great increase in population. The names of the tribes seem generally to have arisen by chance rather than to have been deliberately chosen; in the course of time it often happened that a tribe was called by another name among the neighboring tribes than that which it used itself, just as the Germans were first called Germans by the Celts.

2. *A distinct dialect, peculiar to this tribe alone.* Tribe and dialect are substantially coextensive; the formation through segmentation of new tribes and dialects was still proceeding in America until quite recently, and most probably has not entirely stopped even today. When two weakened tribes have merged into one, the exceptional case occurs of two closely related dialects being spoken in the same tribe. The average strength of American tribes is under 2,000 members; the Cherokees, however, number about 26,000, the greatest number of Indians in the United States speaking the same dialect.

3. *The right to install into office the sachems and war chiefs elected by the gentes and the right to depose them,* even against the will of their gens. As these sachems and war chiefs are members of the council of the tribe, these rights of the tribe in regard to them explain themselves. Where a confederacy of tribes had been formed with all the tribes represented in a federal council, these rights were transferred to the latter.

4. *The possession of common religious conceptions (mythology) and ceremonies.* "After the fashion of barbarians the American Indians were a religious people" [Morgan; 1963: 117]. Their mythology has not yet been studied at all critically. They already embodied their religious ideas—spirits of every kind—in human form; but the lower stage of barbarism which they had reached still knows no plastic representations, so-called idols. Their religion is a cult of nature and of elemental forces in process of development to polytheism. The various tribes had their regular festivals with definite rites, especially dances and games. Dancing particularly was an essential part of all religious ceremonies; each tribe held its own celebration separately.

5. *A tribal council for the common affairs of the tribe.* It was

composed of all the sachems and war chiefs of the different gentes, who were genuinely representative because they could be deposed at any time. It held its deliberations in public surrounded by the other members of the tribe, who had the right to join freely in the discussion and to make their views heard. The decision rested with the council. As a rule, everyone was given a hearing who asked for it; the women could also have their views expressed by a speaker of their own choice. Among the Iroquois the final decision had to be unanimous, as was also the case in regard to many decisions of the German mark communities. The tribal council was responsible especially for the handling of relations with other tribes; it received and sent embassies, declared war and made peace. If war broke out, it was generally carried on by volunteers. In principle, every tribe was considered to be in a state of war with every other tribe with which it had not expressly concluded a treaty of peace. Military expeditions against such enemies were generally organized by prominent individual warriors; they held a war dance, and whoever joined in the dance announced thereby his participation in the expedition. The column was at once formed and started off. The defense of the tribal territory when attacked was also generally carried out by volunteers. The departure and return of such columns were always an occasion of public festivities. The consent of the tribal council was not required for such expeditions, and was neither asked nor given. They find their exact counterpart in the private war expeditions of the German retinues described by Tacitus, only with the difference that among the Germans the retinues have already acquired a more permanent character forming a firm core already organized in peacetime to which the other volunteers are attached in event of war. These war parties are seldom large; the most important expeditions of the Indians, even to great distances, were undertaken with insignificant forces. If several such parties united for operations on a large scale, each was under the orders only of its own leader. Unity in the plan of campaign was secured well or ill by a council of these leaders. It is the same manner of warfare as we find described by Ammianus Marcellinus among the Alemanni on the Upper Rhine in the fourth century.

6. *Among some tribes we find a head chief whose powers, how-*

ever, are very slight. He is one of the sachems, and in situations demanding swift action he has to take provisional measures until the council can assemble and make a definite decision. His function represents the first feeble attempt at the creation of an official with executive power, though generally nothing more came of it; as we shall see, the executive official developed in most cases, if not in all, out of the chief military commander.

The great majority of the American Indians did not advance to any higher form of association than the tribe. Living in small tribes, separated from one another by wide tracts between their frontiers, weakened by incessant wars, they occupied an immense territory with few people. Here and there alliances between related tribes came into being in the emergency of the moment and broke up when the emergency had passed. But in certain districts tribes which were originally related and had then been dispersed joined together again in permanent federations, thus taking the first step toward the formation of nations. In the United States we find the most developed form of such a federation among the Iroquois. Emigrating from their homes west of the Mississippi where they probably formed a branch of the great Dakota family, they settled after long wanderings in what is now the State of New York. They were divided into five tribes: Senecas, Cayugas, Onondagas, Oneidas and Mohawks. They subsisted on fish, game and the products of a crude horticulture, and lived in villages which were generally protected by a stockade. Never more than 20,000 strong, they had a number of gentes common to all the five tribes, spoke closely related dialects of the same language, and occupied a continuous stretch of territory which was divided up among the five tribes. As they had newly conquered this territory, these tribes were naturally accustomed to stand together against the inhabitants they had driven out. From this developed at the beginning of the fifteenth century at latest a regular "everlasting league," a sworn confederacy, which in the consciousness of its new strength immediately assumed an aggressive character and at the height of its power, about 1675 conquered wide stretches of the surrounding country, either expelling the inhabitants or making them pay tribute. The Iroquois confederacy represents the most advanced social organization achieved by any Indians still at the lower stage of barbarism

(excluding, therefore, the Mexicans, New Mexicans and Peruvians).

The main provisions of the confederacy were as follows:

1. Perpetual federation of the five consanguineous tribes on the basis of complete equality and independence in all internal matters of the tribe. This bond of kin represented the real basis of the confederacy. Of the five tribes, three were known as father tribes and were brother tribes to one another; the other two were known as son tribes and were likewise brother tribes to one another. Three gentes, the oldest, still had their living representatives in all five tribes, and another three in three tribes; the members of each of these gentes were all brothers of one another throughout all the five tribes. Their common language, in which there were only variations of dialect, was the expression and the proof of their common descent.

2. The organ of the confederacy was a federal council of fifty sachems, all equal in rank and authority; the decisions of this council were final in all matters relating to the confederacy.

3. The fifty sachems were distributed among the tribes and gentes at the foundation of the confederacy to hold the new offices specially created for federal purposes. They were elected by the respective gentes whenever a vacancy occurred and could be deposed by the gentes at any time; but the right of investing them with their office belonged to the federal council.

4. These federal sachems were also sachems in their respective tribes, and had a seat and a vote in the tribal council.

5. All decisions of the federal council had to be unanimous.

6. Voting was by tribes, so that for a decision to be valid every tribe and all members of the council in every tribe had to signify their agreement.

7. Each of the five tribal councils could convene the federal council, but it could not convene itself.

8. The meetings of the council were held in the presence of the assembled people; every Iroquois could speak; the council alone decided.

9. The confederacy had no official head or chief executive officer.

10. On the other hand, the council had two principal war chiefs, with equal powers and equal authority (the two "kings" of the Spartans, the two consuls in Rome).

That was the whole public constitution under which the Iroquois lived for over 400 years and are still living today. I have described it fully, following Morgan, because here we have the opportunity of studying the organization of society which still has no *state*. The state presupposes a special public power separated from the body of the people, and Maurer, who with a true instinct recognizes that the constitution of the German mark is a purely social institution differing essentially from the state though later providing a great part of its basis, consequently investigates in all his writings the gradual growth of the public power out of and side by side with the primitive constitutions of marks, villages, homesteads, and towns. Among the North American Indians we see how an originally homogeneous tribe gradually spreads over a huge continent; how through division tribes become nations, entire groups of tribes; how the languages change until they not only become unintelligible to other tribes but also lose almost every trace of their original identity; how at the same time within the tribes each gens splits up into several gentes, how the old mother gentes are preserved as phratries, while the names of these oldest gentes nevertheless remain the same in widely distant tribes that have long been separated—the Wolf and the Bear are still gentile names among a majority of all Indian tribes. And the constitution described above applies in the main to them all, except that many of them never advanced as far as the confederacy of related tribes.

But once the gens is given as the social unit we also see how the whole constitution of gentes, phratries, and tribes is almost necessarily bound to develop from this unit, because the development is natural. Gens, phratry, and tribe are all groups of different degrees of consanguinity, each self-contained and ordering its own affairs, but each supplementing the other. And the affairs which fall within their sphere comprise all the public affairs of barbarians of the lower stage. When we find a people with the gens as their social unit, we may therefore also look for an organization of the tribe similar to that here described; and when there are adequate sources

as in the case of the Greeks and the Romans, we shall not find it, but we shall also be able to convince ourselves that where the sources fail us comparison with the American social constitution helps us over the most difficult doubts and riddles.

And a wonderful constitution it is, this gentile constitution, in all its childlike simplicity! No soldiers, no gendarmes or police, no nobles, kings, regents, prefects, or judges, no prisons, or lawsuits—and everything takes its orderly course. All quarrels and disputes are settled by the whole of the community affected, by the gens or the tribe, or by the gentes among themselves; only as an extreme and exceptional measure is blood revenge threatened—and our capital punishment is nothing but blood revenge in a civilized form, with all the advantages and drawbacks of civilization. Although there were many more matters to be settled in common than today —the household is maintained by a number of families in common and is communistic; the land belongs to the tribe, only the small gardens are allotted provisionally to the households—yet there is no need for even a trace of our complicated administrative apparatus with all its ramifications. The decisions are taken by those concerned, and in most cases everything has been already settled by the custom of centuries. There cannot be any poor or needy—the communal household and the gens know their responsibilities toward the old, the sick, and those disabled in war. All are equal and free—the women included. There is no place yet for slaves, nor, as a rule, for the subjugation of other tribes. When about the year 1651 the Iroquois had conquered the Eries and the "Neutral Nation," they offered to accept them into the confederacy on equal terms; it was only after the defeated tribes had refused that they were driven from their territory. And what men and women such a society breeds is proved by the admiration inspired in all white people who have come into contact with unspoiled Indians, by the personal dignity, uprightness, strength of character, and courage of these barbarians.

We have seen examples of this courage quite recently in Africa. The Zulus a few years ago and the Nubians a few months ago[26]—

26. The reference is to the war between the British and the Zulus in 1879 and between the British and the Nubians in 1883.

both of them tribes in which gentile institutions have not yet died out—did what no European army can do. Armed only with lances and spears, without firearms, under a hail of bullets from the breech-loaders of the English infantry—acknowledged the best in the world at fighting in close order—they advanced right up to the bayonets and more than once threw the lines into disorder and even broke them, in spite of the enormous inequality of weapons and in spite of the fact that they have no military service and know nothing of drill. Their powers of endurance and performance are shown by the complaint of the English that a Kaffir travels farther and faster in 24 hours than a horse. His smallest muscle stands out hard and firm like whipcord, says an English painter.

That is what men and society were before the division into classes. And when we compare their position with that of the overwhelming majority of civilized men today, an enormous gulf separates the present-day proletarian and small peasant from the free member of the old gentile society.

That is the one side. But we must not forget that this organization was doomed. It did not go beyond the tribe. The confederacy of tribes already marks the beginning of its collapse, as we shall see later, and was already apparent in the attempts at subjugation by the Iroquois. Outside the tribe was outside the law. Wherever there was not an explicit treaty of peace, tribe was at war with tribe, and wars were waged with the cruelty which distinguishes man from other animals and which was only mitigated later by self-interest. The gentile constitution in its best days, as we saw it in America, presupposed an extremely undeveloped state of production and therefore an extremely sparse population over a wide area. Man's attitude to nature was therefore one of almost complete subjection to a strange incomprehensible power, as is reflected in his childish religious conceptions. Man was bounded by his tribe, both in relation to strangers from outside the tribe and to himself; the tribe, the gens, and their institutions were sacred and inviolable, a higher power established by nature to which the individual subjected himself unconditionally in feeling, thought, and action. However impressive the people of this epoch appear to us, they are completely undifferentiated from one another; as Marx says, they are still

attached to the navel string of the primitive community.[27] The power of this primitive community had to be broken, and it was broken. But it was broken by influences which from the very start appear as a degradation, a fall from the simple moral greatness of the old gentile society. The lowest interests—base greed, brutal appetites, sordid avarice, selfish robbery of the common wealth—inaugurate the new, civilized, class society. It is by the vilest means —theft, violence, fraud, treason—that the old classless gentile society is undermined and overthrown. And the new society itself during all the 2,500 years of its existence has never been anything else but the development of the small minority at the expense of the great exploited and oppressed majority; today it is so more than ever before.

27. "Those ancient social organisms of production are, as compared with bourgeois society, extremely simple and transparent. But they are founded either on the immature development of man individually, who has not yet severed the umbilical cord that unites him with his fellow men in a primitive tribal community, or upon direct relations of domination and subjection" (Marx, 1967: 79).

CHAPTER V

THE RISE OF THE ATHENIAN STATE

How THE state developed, how the organs of the gentile constitution were partly transformed in this development, partly pushed aside by the introduction of new organs, and at last superseded entirely by real state authorities while the true "people in arms," organized for its self-defense in its gentes, phratries and tribes, was replaced by an armed "public force" in the service of these state authorities and therefore at their command for use also against the people—this process, at least in its first stages, can be followed nowhere better than in ancient Athens. The changes in form have been outlined by Morgan, but their economic content and cause must largely be added by myself.

In the heroic age the four tribes of the Athenians were still settled in Attica in separate territories; even the twelve phratries composing them seem still to have had distinct seats in the twelve towns of Cecrops. The constitution was that of the heroic age: assembly of the people, council of the people, a *basileus*. As far back as written history goes, we find the land already divided up and privately owned, which is in accordance with the relatively advanced commodity production and the corresponding trade in commodities developed toward the end of the upper stage of barbarism. In addition to grain, wine and oil were produced; to a continually increasing extent, the sea trade in the Aegean was captured from the Phoenicians, and most of it passed into Athenian hands. Through the sale and purchase of land and the progressive division of labor between agriculture and handicraft, trade, and shipping, it was inevitable that the members of the different gentes, phratries, and tribes very soon became intermixed. Into the districts of the phratry and tribe moved inhabitants, who, although fellow countrymen, did not belong to these bodies and were therefore strangers in their own place of domicile. For when times were quiet, each tribe and each phratry administered its own affairs without sending to Athens to consult

the council of the people or the *basileus*. But anyone not a member of the phratry or tribe was, of course, excluded from taking any part in this administration, even though living in the district.

The smooth functioning of the organs of the gentile constitution was thus thrown so much out of gear that even in the heroic age remedies had to be found. The constitution ascribed to Theseus was introduced. The principal change which it made was to set up a central authority in Athens—that is, part of the affairs hitherto administered by the tribes independently were declared common affairs and entrusted to the common council sitting in Athens. In taking this step, the Athenians went further than any native people of America had ever done: instead of neighboring tribes forming a simple confederacy, they fused together into one single nation. Hence arose a common Athenian civil law which stood above the legal customs of the tribes and gentes. The Athenian citizen as such acquired definite rights and new protection in law even on territory which was not that of his tribe. The first step had been taken toward undermining the gentile constitution; for this was the first step to the later admission of citizens who did not belong to any tribe in all Attica, but were and remained completely outside the Athenian gentile constitution. By a second measure ascribed to Theseus, the entire people, regardless of gens, phratry or tribe, was divided into three classes: *eupatrides* or nobles, *geomoroi* or farmers, and *demiourgoi* or artisans, and the right to hold office was vested exclusively in the nobility. Apart from the tenure of offices by the nobility, this division remained inoperative, as it did not create any other legal distinctions between the classes. It is, however, important because it reveals the new social elements which had been developing unobserved. It shows that the customary appointment of members of certain families to the offices of the gens had already grown into an almost uncontested right of these families to office; it shows that these families, already powerful through their wealth, were beginning to form groupings outside their gentes as a separate, privileged class, and that the state now taking form sanctioned this presumption. It shows further that the division of labor between peasants and artisans was now firmly enough established in its social importance to challenge the old grouping of gentes and tribes. And, finally, it proclaims the irreconcilable oppo-

sition between gentile society and the state; the first attempt at forming a state consists in breaking up the gentes by dividing their members into those with privileges and those with none, and by further separating the latter into two productive classes and thus setting them one against the other.

The further political history of Athens up to the time of Solon is only imperfectly known. The office of *basileus* fell into disuse; the positions at the head of the state were occupied by archons elected from the nobility. The power of the nobility continuously increased until about the year 600 B.C. it became insupportable. And the principal means for suppressing the common liberty were—money and usury. The nobility had their chief seat in and around Athens, whose maritime trade, with occasional piracy still thrown in, enriched them and concentrated in their hands the wealth existing in the form of money. From here the growing money economy penetrated like corrosive acid into the old traditional life of the rural communities founded on natural economy. The gentile constitution is absolutely irreconcilable with money economy; the ruin of the Attic small farmers coincided with the loosening of the old gentile bonds which embraced and protected them. The debtor's bond and the lien on property (for already the Athenians had invented the mortgage also) respected neither gens nor phratry, while the old gentile constitution for its part knew neither money nor advances of money nor debts in money. Hence the money rule of the aristocracy now in full flood of expansion also created a new customary law to secure the creditor against the debtor and to sanction the exploitation of the small peasant by the possessor of money. All the fields of Attica were thick with mortgage columns bearing inscriptions stating that the land on which they stood was mortgaged to such and such for so and so much. The fields not so marked had for the most part already been sold on account of unpaid mortgages or interest and had passed into the ownership of the noble usurer. The peasant could count himself lucky if he was allowed to remain on the land as a tenant and live on *one-sixth* of the produce of his labor while he paid *five-sixths* to his new master as rent. And that was not all. If the sale of the land did not cover the debt or if the debt had been contracted without any security, the debtor, in order to meet his creditor's claims, had to

sell his children into slavery abroad. Children sold by their father—such was the first fruit of father right and monogamy! And if the bloodsucker was still not satisfied, he could sell the debtor himself as a slave. Thus the pleasant dawn of civilization began for the Athenian people.

Formerly, when the conditions of the people still corresponded to the gentile constitution, such an upheaval was impossible; now it had happened—nobody knew how. Let us go back for a moment to the Iroquois, amongst whom the situation now confronting the Athenians, without their own doing so to speak and certainly against their will, was inconceivable. Their mode of producing the necessities of life, unvarying from year to year, could never generate such conflicts as were apparently forced on the Athenians from without; it could never create an opposition of rich and poor, of exploiters and exploited. The Iroquois were still very far from controlling nature, but within the limits imposed on them by natural forces they did control their own production. Apart from bad harvests in their small gardens, the exhaustion of the stocks of fish in their lakes and rivers or of the game in their woods, they knew what results they could expect making their living as they did. The certain result was a livelihood, plentiful or scanty; but one result there could never be—social upheavals that no one had ever intended, sundering of the gentile bonds, division of gens and tribe into two opposing and warring classes. Production was limited in the extreme, but—the producers controlled their product. That was the immense advantage of barbarian production which was lost with the coming of civilization; to reconquer it, but on the basis of the gigantic control of nature now achieved by man and of the free association now made possible, will be the task of the next generations.

Not so among the Greeks. The rise of private property in herds and articles of luxury led to exchange between individuals, to the transformation of products into *commodities*. And here lie the seeds of the whole subsequent upheaval. When the producers no longer directly consumed their product themselves, but let it pass out of their hands in the act of exchange, they lost control of it. They no longer knew what became of it; the possibility was there that one day it would be used against the producer to exploit and oppress

him. For this reason no society can permanently retain the mastery of its own production and the control over the social effects of its process of production unless it abolishes exchange between individuals.

But the Athenians were soon to learn how rapidly the product asserts its mastery over the producer when once exchange between individuals has begun and products have been transformed into commodities. With the coming of commodity production, individuals began to cultivate the soil on their own account, which soon led to individual ownership of land. Money followed, the general commodity with which all others were exchangeable. But when men invented money, they did not think that they were again creating a new social power, the one general power before which the whole of society must bow. And it was this new power, suddenly sprung to life without knowledge or will of its creators, which now in all the brutality of its youth gave the Athenians the first taste of its might.

What was to be done? The old gentile constitution had not only shown itself powerless before the triumphal march of money; it was absolutely incapable of finding any place within its framework for such things as money, creditors, debtors, and forcible collection of debts. But the new social power was there; pious wishes, and yearning for the return of the good old days would not drive money and usury out of the world. Further, a number of minor breaches had also been made in the gentile constitution. All over Attica, and especially in Athens itself, the members of the different gentes and phratries became still more indiscriminately mixed with every generation although even now an Athenian was only allowed to sell land outside his gens, not the house in which he lived. The division of labor between the different branches of production—agriculture, handicrafts (in which there were again innumerable subdivisions), shipping, and so forth—had been carried further with every advance of industry and commerce. The population was now divided according to occupation into fairly permanent groups, each with its new common interests; and since the gens and the phratry made no provision for dealing with them, new offices had to be created. The number of slaves had increased considerably and even at that time must have far exceeded the number of free Athenians. The gentile constitution originally knew nothing of

slavery and therefore had no means of keeping these masses of bondsmen in order. Finally, trade had brought to Athens a number of foreigners who settled there on account of the greater facilities of making money; they also could claim no rights or protection under the old constitution; and, though they were received with traditional tolerance, they remained a disturbing and alien body among the people.

In short, the end of the gentile constitution was approaching. Society was outgrowing it more every day; even the worst evils that had grown up under its eyes were beyond its power to check or remove. But in the meantime the state had quietly been developing. The new groups formed by the division of labor, first between town and country, then between the different branches of town labor, had created new organs to look after their interests; official posts of all kinds had been set up. And above everything else the young state needed a power of its own, which in the case of the seafaring Athenians could at first only be a naval power, for the purpose of carrying on occasional small wars and protecting its merchant ships At some unknown date before Solon, the *naukrariai* were set up, small territorial districts, twelve to each tribe; each *naukraria* had to provide, equip and man a warship and also contribute two horsemen. This institution was a twofold attack on the gentile constitution. In the first place, it created a public force which was now no longer simply identical with the whole body of the armed people; secondly, for the first time it divided the people for public purposes, not by groups of kinship, but *by common place of residence.* We shall see the significance of this.

The gentile constitution being incapable of bringing help to the exploited people, there remained only the growing state. And the state brought them its help in the form of the constitution of Solon, thereby strengthening itself again at the expense of the old constitution. Solon—the manner in which his reform, which belongs to the year 594 B.C., was carried through does not concern us here —opened the series of so-called political revolutions; and he did so with an attack on property. All revolutions hitherto have been revolutions to protect one kind of property against another kind of property. They cannot protect the one without violating the other. In the great French Revolution feudal property was sacrificed to

save bourgeois property; in that of Solon, the property of the creditors had to suffer for the benefit of the property of the debtors. The debts were simply declared void. We do not know the exact details, but in his poems Solon boasts of having removed the mortgage columns from the fields and brought back all the people who had fled or been sold abroad on account of debt. This was only possible by open violation of property. And, in fact, from the first to the last, all so-called political revolutions have been made to protect property—of *one* kind; and they have been carried out by confiscating, also called stealing, property—of *another* kind. The plain truth is that for 2,500 years it has been possible to preserve private property only by violating property rights.

But now the need was to protect the free Athenians against the return of such slavery. The first step was the introduction of general measures—for example, the prohibition of debt contracts pledging the person of the debtor. Further, in order to place at least some check on the nobles' ravening hunger for the land of the peasants, a maximum limit was fixed for the amount of land that could be owned by one individual. Then changes were made in the constitution, of which the most important for us are the following:

The council was raised to 400 members, 100 for each tribe; here, therefore, the tribe was still taken as basis. But that was the one and only feature of the new state incorporating anything from the old constitution. For all other purposes Solon divided the citizens into four classes according to their property in land and the amount of its yield: 500, 300 and 150 *medimni* of grain (one *medimnus* equals about 1.16 bushels) were the minimum yields for the first three classes; those who owned less land or none at all were placed in the fourth class. All offices could be filled only from the three upper classes and the highest offices only from the first. The fourth class only had the right to speak and vote in the assembly of the people; but it was in this assembly that all officers were elected. Here they had to render their account; here all laws were made; and here the fourth class formed the majority. The privileges of the aristocracy were partially renewed in the form of privileges of wealth, but the people retained the decisive power. Further, the four classes formed the basis of a new military organization. The first two classes provided the cavalry; the third

had to serve as heavy infantry; the fourth served either as light infantry without armor or in the fleet, for which they probably received wages.

A completely new element is thus introduced into the constitution: private ownership. According to the size of their property in land, the rights and duties of the citizens of the state are now assessed, and in the same degree to which the classes based on property gain influence, the old groups of blood relationship lose it; the gentile constitution had suffered a new defeat.

However, the assessment of political rights on a property basis was not an institution indispensable to the existence of the state. In spite of the great part it has played in the constitutional history of states, very many states, and precisely those most highly developed, have not required it. In Athens also its role was only temporary; from the time of Aristides all offices were open to every citizen.

During the next 80 years Athenian society gradually shaped the course along which it developed in the following centuries. Usury on the security of mortgaged land, which had been rampant in the period before Solon, had been curbed, as had also the inordinate concentration of property in land. Commerce and handicrafts, including artistic handicrafts which were being increasingly developed on a large scale by the use of slave labor, became the main occupations. Athenians were growing more enlightened. Instead of exploiting their fellow citizens in the old brutal way, they exploited chiefly the slaves and the non-Athenian customers. Movable property, wealth in the form of money, of slaves and ships continually increased, but it was no longer a mere means to the acquisition of landed property as in the old slow days: it had become an end in itself. On the one hand the old power of the aristocracy now had to contend with successful competition from the new class of rich industrialists and merchants; but, on the other hand, the ground was also cut away from beneath the last remains of the old gentile constitution. The gentes, phratries, and tribes whose members were now scattered over all Attica and thoroughly intermixed had thus become useless as political bodies; numbers of Athenian citizens did not belong to any gens at all; they were immigrants who had indeed acquired rights of citizenship, but had not been adopted into

any of the old kinship organizations; in addition, there was the steadily increasing number of foreign immigrants who only had rights of protection.

Meanwhile, the fights went on between parties. The nobility tried to win back their former privileges and for a moment regained the upper hand until the revolution of Cleisthenes (509 B.C.) overthrew them finally, but with them also the last remnants of the gentile constitution.

In his new constitution, Cleisthenes ignored the four old tribes founded on gentes and phratries. In their place appeared a completely new organization on the basis of division of the citizens merely according to their place of residence, such as had been already attempted in the *naukrariai*. Only domicile was now decisive, not membership of a kinship group. Not the people, but the territory was now divided: the inhabitants became a mere political appendage of the territory.

The whole of Attica was divided into 100 communal districts, called "demes," each of which was self-governing. The citizens resident in each deme (*demotes*) elected their president (*demarch*) and treasurer, as well as 30 judges with jurisdiction in minor disputes. They were also given their own temple and patron divinity or hero, whose priests they elected. Supreme power in the deme was vested in the assembly of the *demotes*. As Morgan rightly observes, here is the prototype of the self-governing American township. The modern state in its highest development ends in the same unit with which the rising state in Athens began.

Ten of these units (demes) formed a tribe, which, however, is now known as a local tribe to distinguish it from the old tribe of kinship. The local tribe was not only a self-governing political body, but also a military body; it elected its phylarch, or tribal chief, who commanded the cavalry, the taxiarch commanding the infantry, and the *strategos*, who was in command over all the forces raised in the tribal area. It further provided five warships with their crews and commanders and received as patron deity an Attic hero after whom it was named. Lastly, it elected 50 councillors to the Athenian council.

At the summit was the Athenian state governed by the council composed of the 500 councillors elected by the ten tribes, and in

the last instance by the assembly of the people at which every Athenian citizen had the right to attend and to vote; archons and other officials managed the various departments of administration and justice. In Athens there was no supreme official with executive power.

Through this new constitution and the admission to civil rights of a very large number of protected persons, partly immigrants, partly freed slaves, the organs of the gentile constitution were forced out of public affairs; they sank to the level of private associations and religious bodies. But the moral influence of the old gentile period and its traditional ways of thought were still handed down for a long time to come and only died out gradually. We find evidence of this in another state institution.

We saw that an essential characteristic of the state is the existence of a public force differentiated from the mass of the people. At this time, Athens still had only a people's army and a fleet provided directly by the people. Army and fleet gave protection against external enemies and kept in check the slaves, who already formed the great majority of the population. In relation to the citizens, the public power at first existed only in the form of the police force, which is as old as the state itself; for which reason the naive French of the 18th century did not speak of civilized peoples but of policed peoples (*nations policées*). The Athenians then instituted a police force simultaneously with their state, a veritable gendarmerie of bowmen, foot and mounted *Landjäger* [the country's hunters] as they call them in South Germany and Switzerland. But this gendarmerie consisted of *slaves*. The free Athenian considered police duty so degrading that he would rather be arrested by an armed slave than himself have any hand in such despicable work. That was still the old gentile spirit. The state could not exist without police, but the state was still young and could not yet inspire enough moral respect to make honorable an occupation which to the older members of the gens necessarily appeared infamous.

Now complete in its main features, the state was perfectly adapted to the new social conditions of the Athenians as is shown by the rapid growth of wealth, commerce, and industry. The class opposition on which the social and political institutions rested was no longer that of nobility and common people, but of slaves and

free men, of protected persons and citizens. At the time of their greatest prosperity, the entire free-citizen population of Athens, women and children included, numbered about 90,000; besides them there were 365,000 slaves of both sexes and 45,000 protected persons—aliens and freedmen. There were therefore at least 18 slaves and more than two protected persons to every adult male citizen. The reason for the large number of slaves was that many of them worked together in manufactories in large rooms under overseers. But with the development of commerce and industry, wealth was accumulated and concentrated in a few hands, and the mass of the free citizens were impoverished. Their only alternatives were to complete against slave labor with their own labor as handicraftsmen, which was considered base and vulgar and also offered very little prospect of success, or to become social scrap. Necessarily, in these circumstances they did the latter, and as they formed the majority, they thereby brought about the downfall of the whole Athenian state. The downfall of Athens was not caused by democracy as the European lickspittle historians assert to flatter their princes, but by slavery, which banned the labor of free citizens.

The rise of the state among the Athenians is a particularly typical example of the formation of a state; first, the process takes place in a pure form without any interference through use of violent force either from without or from within (the usurpation by Pisistratus left no trace of its short duration); second, it shows a very highly developed form of state, the democratic republic, arising directly out of gentile society; and lastly we are sufficiently acquainted with all the essential details.