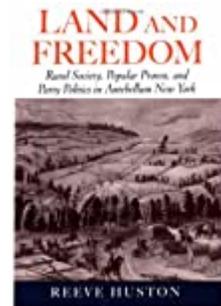


# H-Net Reviews

in the Humanities & Social Sciences

**Reeve Huston.** *Land and Freedom: Rural Society, Popular Protest, and Party Politics in Antebellum New York.* New York: Oxford University Press, 2000. ix + 291 pp. \$35.00 (cloth), ISBN 978-0-19-513600-5.



**Reviewed by** Lex Renda (Department of History, University of Wisconsin-Milwaukee)

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Reeve Huston's account of the famous yet understudied "Anti-Rent Movement" in antebellum New York is an important contribution to the historiography of both the Market Revolution that occurred in Jacksonian America and the free labor ideology of the late antebellum period. More important, it joins John Ashworth's *Slavery, Capitalism, and Politics* in trying to bridge the analytic divide that has often separated the two eras.[1]

In the mid-eighteenth century, the Livingstons, Van Rensselaers and a handful of other landlords owned roughly two million acres of some of the best farmland in New York. By 1840, more than a quarter million people, roughly one of every twelve New Yorkers, lived on leasehold estates in the Hudson River Valley and Catskill Mountains. In the 1840s, 25,000 people signed anti-rent petitions seeking to challenge the legitimacy of their landlords' titles; perhaps twice that number supported the anti-rent movement, and because of the competitiveness of the Empire State's politics, the movement affected the outcome of gubernatorial and legislative elections. It also influenced the careers of nationally prominent New York politicians. Perhaps because the movement fizzled in the end, it has not received the attention it merits, both as a case study of the impact of capitalism on ideas relating to land distribution, personal independence, and the role of political parties, and as a development that fore-

shadowed national debates over free labor, free soil, and vested property rights in slaves.

The New York estates dated back to the seventeenth century, when the Dutch and then English colonial governments granted favored gentrymen titles to huge tracts of land with ill-defined boundaries. Virtual fiefdoms were established as landlords signed land-starved farmers to long-term leaseholds. The 1750s saw a rebellion of squatters against the landlords that was brutally suppressed by colonial authorities. The American Revolution produced a backlash against the leasehold system, leading to the end of primogeniture and the confiscation of loyalists' estates. But Yankee migration into undeveloped lands and Federalist control of the state government reinvigorated the estates.

In the early nineteenth century, landlords further solidified their power by offering attractive land-lease terms. Low initial investment costs, several years of free rent, and manageably small holdings lured many new settlers onto the estates. The typical, 100-acre farm rented for about \$20 per year in 1800 (the equivalent of about \$195 in 2000 dollars), which in good economic times was not burdensome. Most tenant farmers held their lands by terms of either perpetual or multi-generational leases, making their status similar to that of freehold farmers. There were always disputes be-

tween tenants and landlords over the collection of back rents, use of unimproved common lands, and ownership of improvements to the lands, but a tenuous understanding characterized the relationship between landlords and tenants: landlords would leniently enforce rental terms and provide tenants with well-timed gestures of noblesse oblige; tenants would not challenge the dubious legality of the landlords' titles and would shower them with obsequious deference and respect.

Beginning in the 1820s, conflict between landlords and tenants reemerged. Rising debts ended the benevolence of the former, while population growth and the switch from grain production to livestock grazing increased the latter's need for cash and more accessible land. Inequalities among farmers in the hill towns widened as well, as the spread of dairy farming and the diminution of options for the poor in the common lands resulted in a greater incidence of hired laborers. Livingston and Van Renssalaer initiated suits against delinquent tenants and substituted annual for perpetual leases when contracting new rental terms. Under annual leases, tenants had no proprietary right to land improvements. For their parts, tenants now more frequently refused to pay rent, defied landlord decrees against timbering in the common lands, and initiated their own law suits.

At the same time, the emergence of the second party system altered political alliances in the state, making both landlords and tenants potential clients for parties dominated by lawyers with electoral, rather than specifically class, goals in mind. Huston's analysis of party loyalties is perhaps the weakest part of this book, for despite having electoral and demographic data on the local level, he eschews a systematic, longitudinal, and multivariate analysis of party identity. On the other hand, the author does an excellent job demonstrating the ambiguity and contradictions of the Democratic and Whig party philosophies as they related to tenant aspirations. Whereas Jacksonian principles of producer rights and social equality comported with the tenants' world view, the Democrats' unswerving support for black slavery in the South made that party resistant to movements that challenged vested rights – including those of the landlords. Whigs, as the party of property rights and social conservatism, found the anti-renters' populism unnerving; but they were also committed to social progress, and facilitating the worthy yeoman's goal to achieve landowning status was consistent with that broad goal.

As the second party system entered its hey day and the nation entered one of the worst depressions in its

history, the anti-rent movement began. In 1839, a small committee of tenants petitioned Van Renssalaer for more favorable rent terms. When the patroon refused to accede to their most important demands, the tenants took steps to prevent, with pledge drives and selective actions of violence, the collection of rents and court judgments. Faced with the threat of retaliation from the state militia, tenants pinned their hopes on the legislature, demanding that the state revoke the landlords' faulty titles.

Liberal Whigs, while not endorsing the abolition of land titles, unsuccessfully favored a policy in which the state would use the power of eminent domain to purchase the estates and convey titles onto the tenants. (As an aside, Huston briefly mentions a supreme court annulment of a non-binding resolution to that end on the grounds that eminent domain authority could not be used to convey property from one person to another; it would be interesting to explore the implications of the apparent contradiction between that ruling and the accepted use of eminent domain authority to transfer private land to railroad corporations.) In 1844, Democrats and conservative Whigs in the legislature adopted a scathing report that upheld the landlords' position on the bases of limited government and the sanctity of both private property and contractual obligations.

Rebuffed by the legislature, anti-renters pursued different paths to achieve their ends. One faction, known as "Indians," served as the military wing of the movement. Comprised mostly of either landless or land-poor tenants, this band of militants, eerily (in style and dress) portentous of the Ku Klux Klan, forcibly prevented the collection of rents until their escalating violence produced a backlash in and out of the movement that led to their downfall. A more conventional and much more broadly supported group held annual rallies, attended by thousands of people, and they adopted the campaign styles and political strategies of the major political parties. Although this coalition was demographically varied, it was dominated by prosperous tenants.

Huston's analysis of party responses to the anti-renters (and vice-versa) represents his most important (and probably most controversial) contribution to the literature on Jacksonian America. Too often, the author maintains, historians have emphasized party politicians as having either represented, cynically exploited, or co-opted grass roots movements. In doing so, they have missed the "dialectical" (p. 7) relationship between populist reformers and established politicians. The anti-renters influenced Liberal Whig thinking, but they them-

selves were affected by political party realities. If the anti-renters shared the Jacksonians' opposition to privileged monopolies, concentrated power, and the unfair political power of landlords, their leaders also knew that prudence dictated a shift of emphasis away from the particular problems of the landless and tenant claims to the common lands. In the long run, the effort to obtain broader political support forced anti-renters to abandon rhetoric that smacked of the labor theory of value and land ownership and to embrace legal and political challenges to the landlords' titles that did not threaten the capitalist system.

Of course, it was the competitive character of New York politics and the factional disputes within the major parties that allowed the anti-rent movement to find patrons among Liberal Whigs and (after 1844) Hunker Democrats (the Van Burenite Barnburner faction had long-standing connections to the landlords). In addition, anti-renters cultivated alliances with abolitionists and (more uneasily) with National Reform Association leader Thomas A. Devyr, whose organization called for limitations on the amounts of land individuals and corporations could own. In 1845, anti-renters succeeded in influencing local party nominations and elections for seats in the state legislature and won control of three county governments.

In 1846, anti-renters gained legislation taxing the landlords' rental income from long-term leases; but the more fundamental demands allowing tenants to challenge to the landlords' titles when prosecuted for non-payment of rent and Democratic governor Silas Wright's proposal allowing tenants to buy their land on favorable terms upon the death of the landlord failed. Moreover an ostensibly anti-landlord measure abolishing the right of distress (selling tenants' personal property to pay off rents) contained numerous loopholes that actually benefited landlords at the tenants' expense. Nor did anti-renters accomplish much at the state constitutional convention held that year. The delegates prohibited future long-term leases, while doing virtually nothing to change existing tenant-landlord relations. The impact of the movement on the ensuing gubernatorial election was mixed: anti-renters probably helped elect liberal Whig candidate John Young, but as a third party movement, land reformers (of various stripes) were unsuccessful, and in 1847 every piece of anti-rent legislation went down to defeat.

Huston's analysis of the significance of the anti-renters is at times ambiguous. His engaging narration

of the 1840s implies that reformers were steadily gaining influence. And yet at the very moment when he says that they had reached "the limits of their political power" (p. 178), they were mainly "an appendage of the Whigs" (p. 172). He credits them for forcing established politicians to deal with them in a dialectical relationship, but more often than not we find politicians, like Young, engaged in "a cynical attempt to quiet" (p. 180) the anti-renters with proposals that amounted to empty, symbolic gestures. To me, the constitutional convention's abrogation of "feudal tenures" – relationships that legally did not define that of landlords and tenants – and Young's suggestion that the legislature authorize the state attorney general to commence suits against landlords on a basis that could not possibly succeed, are strikingly similar to the early and utterly toothless ten-hour statutes passed by legislatures in this period. If all Huston is claiming is that anti-renters influenced the kinds of policies legislators considered he has proven his point. But the end results of the anti-rent movement provide far more grist for interpretations emphasizing the co-optive and cynical nature of the major parties' actions vis-a-vis the anti-renters. In the end, the anti-rent movement died when the courts ruled against their legal challenges and when economic prosperity allowed most tenants to purchase their lands from landlords burdened with heavy debts (a partial result of the tenants' suits). In an economic sense the tenants were successful, but their political ideology was watered down; even their diluted demands went politically unrealized.

Huston, however, does not see the anti-rent movement as one that died without leaving a lasting legacy. For him, anti-renters helped changed Whig leaders from paternalistic conservatives to utilitarian capitalists paving the way for their transition to Republicans. Moreover, together with the National Reform Association, anti-renters helped create the free soil and free labor philosophies that would be the hallmarks of the Republican party. The proto-Republican Free Soil party, endorsed in New York by abolitionists and anti-renters, reflected even as it blunted the radicalism of both movements. Just as "free soil" kept the issue of immediate abolitionism out of political bounds, the party's support for homestead legislation posed no threat to white men's existing property rights. The producerist, agrarian, and anti-aristocratic elements of free soilism harmonized well with the anti-landlord sentiments of all tenants, while the free labor ideology bound up in it appealed to well-off yeomen tenants in particular. Anti-rent voters, Huston concedes, seem not to have cast bal-

lots for the Free Soil ticket in disproportionate numbers, but because anti-rentism and anti-slavery were inseparable in “many” (p. 189) people’s minds, and because (he assumes) slavery was the most important factor in the demise of the New York Whig party, the anti-renters played a crucial role in the realignment of the 1850s. Most of them, he argues, became Republicans.

Given that Hutson’s argument is merely plausible, it is commendable that he backs off at times from making too much of the connections between anti-renters and Republicans, and he recognizes that other historians have seen the Republican party’s appeal rooted in issues other than free labor ideology. But one wonders if Huston could not have bolstered his argument here with a quantitative analysis of voting returns. Anti-renters nominated their own candidates in 1845, and one wishes that Huston had performed ecological regression analysis to determine what proportion of anti-renters from that year’s local elections supported Free Soilers in the 1848 gubernatorial and presidential elections. Tellingly, John F. Kirn, Jr.’s dissertation-in-progress on New York politics in the Civil War era demonstrates more partisan switching in the electorate in between the 1844 and 1846 gubernatorial elections in the seven anti-rent counties than elsewhere, and within those counties almost a third of Young’s voters cast ballots for Free Soiler John Dix in the 1848 gubernatorial campaign, compared to less than a fourth elsewhere.[2] But isolating the anti-renters from 1845 and tracing their subsequent actions is crucial to any

evaluation of their subsequent political identities. Otherwise, we are left with the limitations inherent in Huston’s casual comparisons of percentages of the aggregate votes cast garnered by the different parties in anti-rent towns.

These reservations aside, Huston’s book is a fine addition to American political historiography. It is also exceptionally well-written, and it is a good example of how works of history can blend analyses of political philosophy with attentiveness to the strategies of political wire-pullers. Students of this era can not afford to ignore it.

Notes:

[1]. John Ashworth, *Slavery, Capitalism, and Politics in the Antebellum Republic*, Vol. 1: *Commerce and Compromise, 1820-1850* (New York and Cambridge, England: Cambridge University Press, 1995).

[2]. John F. Kirn, Jr., “Voters, Parties, and Public Policy: The Transformation of New York State Politics, 1840-76,” unpublished Ph.D. dissertation-in-progress, University of Virginia, Tables 5.3, 5.4, 5.12, and 5.16.

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