

# State of Nationalism (SoN): Nationalism and Private Property

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This article reviews research on the relationship between property rights and nationalism. A property rights perspective to the study of nationalism is relevant to understanding the origins and development of nationalism and nation states. Yet, key theorists of nationalism have mostly ignored the relationship between property rights and nationalism, or looked at it only indirectly. There are a variety of ways in which ownership or possession more generally can be related to nationalism, for instance through colonialism, racism, and dispossession.<sup>1</sup> This review, however, in order to build a consistent perspective on the historical emergence of nation states and nationalism, will have its main focus on property rights, property regimes and state-building. The literature on state-building and democratization bears important insights about this relationship which can be applied to the study of nationalism. This review will therefore draw on such literature, in addition to works on nationalism where the topic of property has been mentioned, to show how an integrated property rights perspective to the study of nationalism may yield important insights to our understanding of nations and nationalism. The article is structured as follows. First, it offers a brief discussion of what property rights are and why they are key to understanding the long-term historical development of nations and nationalism. After this, it outlines the links between property regimes



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and the formation of nation states, followed by a discussion of the conceptual links between nationalism and private property. The final section offers some brief reflections on Marxism, property and nationalism.

## **What are property rights?**

Property rights are politically sanctioned rights that give individuals, groups or other entities rights of use over things and recourse to the exclusion of others. If person A has a property right over resource B, this then excludes person C from the free use of resource B. This, however, is not always so straightforward, and there are often exceptions to this. The modern state, for instance, sometimes has rights to encroach on the property of individuals, while in some property regimes, people may have rights to use land that somebody else owns.<sup>2</sup> Modern property rights are primarily defined by two main features: 1) that they are exclusionary rights, and 2) that they regulates relations between things and persons. Historically and geographically, there have existed many different kinds of property regimes. There are forms of collective property or state property found in the former Soviet Union, there is feudal property with overlapping rights and dues, and property regimes where rights of use are more important, or at least as important as rights of ownership.<sup>3</sup> There were also different kinds of ancient property regimes, such as those that existed in ancient Egypt and Israel, or in Babylon. These systems varied, but were generally marked by a combination of individual ownership rights and imperial or monarchical rights over land and property.<sup>4</sup>

Property rights structure the distribution of wealth, and since property rights regulate the use of resources and wealth; since they govern the access and use of the fundamental conditions of life, they also shape the

development of society in fundamental ways.<sup>5</sup> Robert Brenner has put it like this: 'different class structures, specifically property relations [...] once established, tend to impose rather strict limits and possibilities, indeed rather specific long term patterns on societies'.<sup>6</sup> Andrew Reeve further notes that there are three power relations connected to property rights: economic power, dominium over others and various forms of authority.<sup>7</sup> The power that property confers on individuals or institutions is connected to the exclusionary aspects of property rights. Morris Cohen, for instance, notes that it is the exclusive element of property that confers powers on those possessing this right:

The essence of private property is always the right to exclude others [...] if, then, somebody else wants to use the food, the house, the land or the plough that the law calls mine, he has to get my consent. To the extent that these things are necessary to the life of my neighbour, the law thus confers on me power, limited but real, to make him do what I want.<sup>8</sup>

Property may be understood as a medium of power, and it is a way of ordering and organizing the distribution of resources and wealth. For these reasons, property rights have a fundamental impact on the development of the economic, ideological and political power structures of any society. Nationalism and nation states are, among other things, about organizing and structuring such relations of power. Thus, an understanding of the nature of property rights is central to understanding some of the key underlying mechanisms of nationalism and nation-formation.

## Property regimes and the formation of states

In the literature dealing with the long-term development of nationalism and the historical preconditions for its emergence, little attention has been paid directly to the effects of property rights and property rights regimes. In Ernest Gellner's classic account of the emergence of nationalism for instance, the transition from agrarian to industrial society plays the key role.<sup>9</sup> Nothing, however, is said about how structures and ideas of property might have affected this transition. What role may the transition from agrarian to industrial forms of property have played here? It is clear that a transition from one type of society to another is central, and, at least if we follow classic materialist assumptions, as laid out for instance by Marx and Engels in *The German Ideology* (1845), this should also in some form involve changing property regimes.<sup>10</sup> Other classic and established works on the historical emergence of nationalism are equally quiet about property rights. Michael Mann writes about the emergence of the modern (nation) state and nationalism, but pays little attention to how property relations might have influenced and shaped this.<sup>11</sup> Eric Hobsbawm focuses on the bourgeoisie, yet he does not discuss how actual patterns of ownership influenced the developments of nation states or nationalism.<sup>12</sup> Recently, Rogers Brubaker has published works that re-emphasise the linguistic-religious aspects of nations and nationalism.<sup>13</sup> Andreas Wimmer has also further emphasised the ethnic aspects of nations and nationalism, intertwined with the role of war and the state.<sup>14</sup> In all these examples, issues of property and property regimes tend to be in the background.

If the classic studies of nationalism have not dealt much with the issue of property, this topic *has* been handled in the related literature on the historical developments of the modern state and democratization. The classic work on historical development of the modern state and property rights is Barrington Moore's *Social origins of dictatorship and*

*democracy*.<sup>15</sup> In this book, Moore looks at how different agrarian property regimes affected the transition to industrial societies. One of the key points of the book is that property regimes of large and powerful landowners at the time of industrialization tended to result in totalitarian political regimes, while societies with an established bourgeois property structure at the time of industrialization tended to see a democratic state formation. Moore does not discuss nationalism as such, but it is clear that the different political regimes resulting from the different property regimes can be related to different kinds of nationalisms (liberal, authoritarian etc.). More recently, Andro Linklater, in his study of the emergence of private property and the origins of the modern world, has added strength to this hypothesis, by showing how different property regimes historically have resulted in quite different forms of rule and government.<sup>16</sup> Linklater focuses especially on how private property leads to a new way of understanding sovereignty as coming from the people. Again, this seems relevant for how different nationalisms understand and organize popular, national sovereignty, either understood in democratic, bottom-up terms, or in more totalitarian, top-down ways.

Classic theories of nationalism have tended to arrange forms of nationalism in different groups, such as eastern and western nationalism, or ethnic and civic nationalism.<sup>17</sup> One key question in relation to property, as I see it, is to what extent these different traditions coincide with the development of different property regimes, agrarian or industrial, collectivist or liberal. After Francis Fukuyama's 'end of history', the liberal, private property based nation state became dominant.<sup>18</sup> The point is, however, that the way in which property is organized, is connected to what kind of political forms and what types of civil society that emerges. As Kathrine Verdery observed just after the Cold War had ended:

...classic liberalism saw a tight connection among certain understandings of citizenship, property, and identity [...] In the socialist world, however, the predominance of collective property and the attempt to weaken possessive relations to individual selves precluded such forms of citizenship and identity.<sup>19</sup>

Some national histories have been more focused than others on how property rights regimes have shaped political and social development in individual countries. In America, it has long been suggested that the relative widespread ownership of private land ownership at the time of the American Revolution contributed to the development of a liberal nationalism there.<sup>20</sup> On a general level, Hartz argued that the lack of old feudal and aristocratic structures in the US led to a political ideological development that favoured liberal rights, and in particular the individual right to property as the basis for individual freedom. On the other hand, it has been suggested, in the form of the so-called *Sonderweg* thesis, that the more unequal distribution of landed property in the German lands was a contributing factor to the eventual emergence of totalitarian National Socialism.<sup>21</sup> Also, for a country like Norway, it has been suggested that the property structure of a wide class of small freeholding farmers formed the basis for a Norwegian liberal *Sonderweg* – a special path – of nation formation where democratic institutions, and later social democracy, became strongly established.<sup>22</sup> This can also be seen in various property regimes from places such as Latin America, Asia and Africa, which, historically resulted in different kinds of social and political organization.<sup>23</sup> It can also be noted, as Macpherson and Fuglestad have suggested, that labour power can be understood as a form of property, and that industrial and consumerist societies thus alter understandings of sovereignty and self-determination through forms of ownership and democracy that are not necessarily connected to real property.<sup>24</sup> More indirectly, nationalism scholar Miroslav Hroch has also pointed out the importance of different property regimes – through class

composition – for how nations form in the transition from feudalism to capitalism.<sup>25</sup>

## **Scattered conceptual links**

In the discussion above I pointed out (1) how classic theories of the emergence of nations and nationalism has tended not to focus on the issue of property and property regimes, and (2) how property regimes might in fact be central to understanding nations and nationalism. In this section, I shall discuss how connections between nationalism and property have been acknowledged in some studies, albeit, often without being systematically integrated into the general understanding of nations and nationalism.

There is a field of research dealing with so-called ‘resource nationalism’, where states or agents from a certain state seek ownership or control over natural resources, which is one way in which property rights and nationalism are connected.<sup>26</sup> Furthermore, property, especially in the form of land, has conceptual connections to state-building, and in particular to nation state-building. Andrew Reeve notes that:

Land provides the territorial dimension of the political unit. Modern states, at least, are defined in part by legal jurisdiction which they claim over a particular territory ... land mediates, in this sense, between political power and individuals subject to it.<sup>27</sup>

It has also been pointed out by scholars that nations, as collectives, tend to claim property ownership over a certain territory. As Sam Fleischacker has noted:

Nations ought to own a state; the state ought to own a certain territory; and the relationship between the nation and the

territory will then be much like the one between an individual property-owner and his things: an opportunity for the nation to express its character or interests or beliefs in the shaping of the material world.<sup>28</sup>

Jacob Metzger and Stanley Engerman further suggest, based on connections between ownership of land and political power, that there is a relationship between ownership of property and sovereignty in nationalism. They write:

While the ownership of land as prerequisite for enfranchisement has long been abandoned in modern democratic states [...] this may reflect some kind of an accommodation between nationalism, whose basic attitude towards land as a place – a homeland belonging to the nationals – made the thinking often blur the distinction between sovereignty and ownership.<sup>29</sup>

They point out that the nation states that emerged during the first wave of nationalism in the late eighteenth and early nineteenth century very often had property qualifications for participating in the national democracies, while at the same time claiming sovereignty, and thus ownership, over a particular territory of land.

Through this connection to sovereignty, nationalism is also linked to the idea of self-determination and notions of freedom and power, both within society and between nations.<sup>30</sup> Individual ownership of private property has a long tradition of being the basis for both citizenship and sovereignty. Property, especially property in land, represents what the Romans called *dominium*; it was the power and freedom of the aristocrats vis-à-vis the emperor. Ellen Meiksins Wood notes:

The roman concept of *dominium*, when applied to private property, articulates with exceptional clarity, the idea of private,



exclusive and individual ownership, with all the powers it entails, while the imperium defines the right of command attached to certain civil magistrates, and eventually the emperor himself.<sup>31</sup>

This legal distinction meant that the Roman Empire was, as Wood describes it, ruled by amateurs: it was an oligarchy of landed aristocrats. Property in land was the basis both of the aristocrats' rights of citizenship in Rome, and of their legislative powers, which they had by virtue of owning private landed property. Most of the nation states that emerged in the time of the American and the French revolutions were, similar to the Roman praxis, communities of propertied landholders.<sup>32</sup> Related to this, and following Benedict Anderson's famous concept of the nation as an imagined community, Bannerji et al. has asked whether 'the modern nation-state itself constitute the imagined community as property possessing subjects?'<sup>33</sup>

Bannerji et al. formulated their question in relation to nationalism, class and gender, and this indicates how issues about property can be interwoven with power structures within nation states that also defines relations between genders and other social groups. This can be extended to include racial constructions and relations to indigenous peoples.<sup>34</sup> I myself have asked to what extent the nation may be defined, on a general level, as a community of proprietors, to what degree the nation is an imagined and real 'propertied community'.<sup>35</sup> This is based on the idea of property as sovereignty, and that nationalism seeks to create national sovereignty through communities of property holders. This becomes particularly clear if we look at the historical period when the first nation states emerged, in the wake of the American and the French revolutions. The American and the Norwegian nation states that emerged then, for instance, were communities where ownership of land was the main prerequisite for enfranchisement, that is, for participation in national sovereignty. Equally important, and different from previous historical periods, they were communities where individual property was written

as a universal right for all the members of the nation through national laws made and guarded by men of property.

## **The Marxian suspicion about nation and property**

When discussing property rights and nationalism, Karl Marx must be mentioned specifically. The old Marxian suspicion that the nation state is nothing more than a 'committee for managing the common affairs of the whole bourgeoisie' stands out (*Manifesto of the Communist Party*, ch.1). The bourgeoisie, as Marx wrote in the manifesto: 'put an end to all feudal, patriarchal, idyllic relations. It has pitilessly torn asunder the motley feudal ties that bound man to his "natural superiors"' (ibid.) This is all part of what Marx saw as the natural progression of historical development; where complex feudal ties and property relations became dissolved into more straightforward bourgeois property relations of buying and selling. According to Marx, this simplified the class struggle by the creation of two main classes with the same formal rights within the framework of the state.

Other scholars in the Marxian tradition note that the nation state, whether ruled by the bourgeoisie or not, has had an effect of establishing formal equality of (property) rights. Hannah Arendt, for instance, in line with Marx's argument, points out that the nation state was marked by dissolving privileges of the aristocrats giving all members of the nation, in theory, the same rights.<sup>36</sup> In the slightly alternative school or strand of Marxism, C.B Macpherson discusses how the right to property is the most important of these rights, at least in liberal nation states. As he sees it, in an expansion of the Marxian view, the very ideological and practical foundation for these states is what he called *possessive individualism*. This is a philosophy in which every individual is the free proprietor of his person and may freely alienate his or her labour, which makes

possible the constant flux and change of social and economic relations between individuals that capitalism requires and which nationalism makes possible.<sup>37</sup>

This fluidity of social relations has been pointed to by many scholars of nationalism, most famously by Gellner in his emphasis on the mobility within the national community.<sup>38</sup> The nation, in a sense, as Liah Greenfeld puts it, elevates every member of the nation to the position of elite.<sup>39</sup> This may also be what Marx (again) hinted at when he, in *The Eighteenth Brumaire of Louis Bonaparte* (1852), described the French peasants under Napoleon III as a sack of potatoes: they had been granted rights both of property and of voting – but rather like putting a bunch of potatoes in a sack, it meant grouping differently shaped entities and calling it a unit. This is just a crude way of saying that what the modern nation state does, is integrate different groups of people by giving them the same rights, beginning with the right to property. This is in line with classical works on political science where the integration of peasants and the working class into the state by gradually giving them more and more rights (where the right to property and the right to vote are key) has been a central topic. This has been outlined famously by Stein Rokkan in his collection of essays entitled *State, Nation, Class*.<sup>40</sup>

## Summing up

In this review I started by explaining how an understanding of property rights may be important in understanding the nature of nations and nationalism because property rights have a fundamental impact on the economic, ideological and political development of any society through its exclusionary nature. I then noted how a property rights perspective to the study of nationalism is a relatively new area of study, and that the subject has not been treated systematically in the literature on nations

and nationalism. The review then discussed relevant literature on state building, property regimes and democratization, pointing out how these studies can provide us with important insights on the relationship between nationalism and property rights – most importantly on how property regimes affect state formation and political regimes. This was followed by a review of central conceptual links between nationalism and property rights, pointing out how the notion of national sovereignty and ownership of property may be related, and indicating that issues of gender and race in nationalism may be informed by notions of property. In the last part of the review, I looked at some Marxist assumptions about property rights and nationalism and suggested that the establishing of private property rights and nationalism are strongly related.

There are central and important links between property rights and property regimes, on the one hand, and nations and nationalism, on the other. A future task would be to systematically integrate a property rights perspective into the study of nations and nationalism. This could advance our understanding of the origins and development of nationalism as historical phenomena, as well as giving insights into the internal logic of nationalism as an ideology.

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## Endnotes

<sup>1</sup> H. Bannerji, S. Mojab & J. Whitehead, *Of property and propriety: The role of gender and class in imperialism and nationalism*. (Toronto, 2001); B. Bhandar, 'Possession, occupation and registration: Recombinant ownership in the settler colony', in: *Settler Colonial Studies* 6/2 (2016), 119–132; B. Bhandar & A. Toscano, 'Race, real estate and real abstraction', in: *Radical Philosophy* 194 (2015), 8–17.

<sup>2</sup> A. Reeve, *Property* (London, 1986); C.B. Macpherson (ed.), *Property: Mainstream and critical positions* (Toronto, 1978); M. Hoffmann, 'Property in the context of community', in: *American Journal of Economics and Sociology* 77/1 (2018), 125–148.

<sup>3</sup> See A. Linklater, *Owning the Earth: The transforming history of landownership* (London, 2013); P. Anderson, *Lineages of the absolutist state* (London, 1974).

<sup>4</sup> R. Ellickson & C. Thorland, 'Ancient land law: Mesopotamia, Egypt, Israel', in: *Chicago-Kent Law Review* 71 (1995), 321–411; Q. Skinner & P. Garnsey, *Thinking about property: From antiquity to the age of revolution* (Cambridge, 2007).

<sup>5</sup> T. Piketty, *Capital in the twenty-first century* (Cambridge, 2014).

<sup>6</sup> T.H. Aston & C.H.E. Philipin (eds.), *The Brenner debate: Agrarian class structure and economic development in pre-industrial Europe* (Cambridge, 1985), 12.

<sup>7</sup> Reeve, *Property*.

<sup>8</sup> C.B. Macpherson (ed.), *Property: Mainstream and critical positions*, 159–160.

<sup>9</sup> E. Gellner, *Nations and nationalism* (Oxford, 1983).

<sup>10</sup> T.H. Aston & C.H.E. Philipin (eds.), *The Brenner debate*.

<sup>11</sup> M. Mann, *The sources of social power, Vol.2: The rise of classes and nation states, 1760-1914* (Cambridge, 1993).

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- <sup>17</sup> H. Kohn, *The Idea of Nationalism: A Study in its Origins and Background* (5<sup>th</sup> ed. New York, 1960); R. Brubaker, 'Civic and ethnic nations in France and Germany', in: J. Hutchinson & A.D. Smith (eds.), *Ethnicity* (Oxford, 1996), 168–173.
- <sup>18</sup> F. Fukuyama, *The end of history and the last man* (New York, 1992).
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- <sup>22</sup> H. Koth, *Norsk bondereising: Fyrebuing til bondepolitikken* (Oslo, 1926); F. Sejersted, *Demokratisk Kapitalisme* (Oslo, 2000).
- <sup>23</sup> See Linklater, *Owning the Earth: The transforming history of landownership*.
- <sup>24</sup> C.B. Macpherson, *The political theory of possessive individualism* (Oxford, 1962); E.M. Fuglestad, *Private property and the origins of nationalism in the US and Norway: The making of propertied communities* (Cham, 2018).
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<sup>27</sup> Reeve, *Property*, 82.

<sup>28</sup> S. Fleischacker, 'Owning land vs governing a land: Property, sovereignty and nationalism', in: *Social Philosophy and Policy* 30/1-2 (2013), 374.

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<sup>31</sup> E.M. Wood, *Liberty and Property: A social history of western political thought from the Renaissance to the Enlightenment* (London, 2012), 7.

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<sup>33</sup> H. Bannerji, S. Mojab & J. Whitehead, *Of property and propriety*, 4.

<sup>34</sup> Bhandar, 'Possession, occupation and registration: Recombinant ownership in the settler colony'.

<sup>35</sup> Fuglestad, *Private property and the origins of nationalism*.

<sup>36</sup> H. Arendt, *The origins of totalitarianism* (Cleveland, 1958).

<sup>37</sup> Macpherson, *The political theory of possessive individualism*.

<sup>38</sup> See Gellner, *Nations and nationalism*.

<sup>39</sup> L. Greenfeld, *Nationalism: Five Roads to Modernity* (Harvard, 1993).

<sup>40</sup> S. Rokkan & N. Stat (eds.), *Klasse: Essays i politisk sosiologi* (Oslo, 1987).