

THE ORIGIN AND DEVELOPMENT OF FEUDALISM
IN IRAN: 300-1600 A.D.
(Part One)

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For various reasons, there is a dispute over whether Iranian society during its history exhibited characteristics of "feudalism" or of the "Asiatic mode of production." This article addresses itself to the controversy by raising three questions: (1) What is feudalism? (2) Was Iran feudal? (3) Was Iran characterized by the "Asiatic mode of production"?

In order to study the first question, it seems appropriate to begin with a discussion of European feudalism because it gave rise to the term. After a very brief survey of Western European feudalism as it is understood by most western scholars, the term "feudalism" will be defined for the purposes of this inquiry as the rest of the paper will be concerned with the origin, development and peculiarities of the agrarian relations in Iran up to the sixteenth century A.D.

Sources and their limitations. There are relatively few sources for the investigation of land ownership, rural organization and the relations between the social classes during different periods of Iranian history. Those on which this inquiry is based can be classified into two broad categories. The first category includes the primary sources. These are books of the contemporary and not-so-contemporary historians and geographers who compiled local or universal histories and geographies, and the writings of statesmen of

different periods. The former include books such as *Tarikh-i Tabaristan* by Isfandiār, *Tarikh-i Oummi* by Oummi, and Is-takhri's *Masalek al-Mamālek*, etc. An example of the latter would be *Siyasat-Nameh* by Nezām al-Mulk.

The second category includes specialized and general studies of published and unpublished manuscripts, land tenure, taxes or legal Islamic theories put forward by Islamic jurists. Such books include Frede Lokkegaard, *Islamic Taxation in the Classic Period*, (Copenhagen: Branner and Korch, 1950), Ann K. S. Lambton, *Landlord and Peasant in Persia*, (London: Oxford University Press, 1969), different articles of *The Encyclopaedia of Islam*, I. P. Petrushevsky, *Keshavarzi va Munasebat-e Arzi dar Iran-e Ahd-i Muqbul*, 2 vols., (Tehran: Tehran University Press, 1966), etc.

In spite of these and other sources, a study of agrarian relations until the sixteenth century is subject to various limitations. First, many places have not yet undergone archaeological investigation, and many objects have not been interpreted. For this reason, many periods of the socio-economic history of Iran, especially the period before the Arab occupation, are not yet very clear. Because this paper focuses on social relations since the Arab occupation, it is not so adversely affected by this constraint. Secondly, the available sources do not provide much information on the life of the peasantry and their relations with the landlords. Moreover, even if contemporary sources mention these relations, their references are to conditions in particular regions at particular times. As a consequence, problems of generalization arise which may have to be solved in a tenuous manner. Of course, such problems are not peculiar to Iranian socio-economic history.

I. GENERAL CHARACTERISTICS OF FEUDAL ECONOMY

Feudalism in the strict sense of the word, to which some scholars would restrict the term, is the relationship between lords and vassals which existed in Europe during the Middle Ages, especially from the ninth and tenth to the twelfth and thirteenth centuries. In this system of land

tenure and personal relations, land was held in fief by vassals from lords to whom they owed specific services, and with whom they were in a bond of personal loyalty by doing homage to them before they were granted fief.¹ In a broader sense feudalism refers to a "feudal society," a form of society with certain general characteristics in addition to the presence of lords, vassals and fiefs. In this sense of the term, the life of the subjected peasantry as well as all the economic, social, political and intellectual phenomena of the Middle Ages are included.

To get a general picture of the actual situation of European feudalism as seen by most western scholars, it is necessary to give a brief sketch of the principal feudal institutions (vassalage, fief, homage, law), of the obligations of the peasantry, and of regional variations in both. Then different approaches to feudalism will be pointed out, and finally the definition used in this dissertation will be discussed.

Feudal institutions in Europe

Typical for feudalism in its limited sense was the feudal-vassal relation. The lord accepted someone as his vassal and granted him land in fief as a *lieu*: that is, in hereditary or non-hereditary conditional possession as a grant for service. This system of vassalage and vassal dependence created the hierarchial ladder of feudal rulers (suzerains, vassals, and sub-vassals) who were related to each other by personal contracts calling for mutual obligations. However, not always was one the vassal of only one lord. Thus, toward the end of the ninth century in France, some individuals became the vassals of more than one lord holding several fiefs, which undermined the loyalty of the vassal. Hence a distinction came to be made between the ordinary lords of a vassal who had many fiefs and his principal lord, to whom he owed allegiance above all others. This was the *liege* lord, after the eleventh century most often the king. Most vassals received a fief, while a minority were not thus provided, and were hired at their lord's court as his household knights.

The fief (*beneficium*, later *feodum*) was the central institution in the limited sense of the term feudalism. The fief was the source of income for the vassals. The possession of land without any obligation to any superior was called allodial tenure. This was the opposite of the fief which entailed obligations. The fief consisted usually of land to which unfree peasants were attached. It was supposed to support the vassal. Its size varied greatly, ranging from large estates and whole provinces to a plot of a few acres, enough to support a family. Besides land, dignities and offices were granted in fief. This kind of tenure service was a general institution of the economy of the period. Fiefs were granted to artisans attached to the lord such as painters and carpenters, to servants such as cooks and door-keepers, to officials charged with the administration of the manors such as mayors and provosts. It also happened that the vassal himself disposed of his fiefs for his own men. This subinfeudation, in principle, presumed the consent of the grantor of the original fief, but social necessities made it more and more customary to dispense with it. Fiefs were also granted to king's representatives throughout the country, especially to the counts. The reason for such grants of lands or of a share of the royal revenues in the provinces was that the kings were not able to put them on salary due to undeveloped exchange relations.² Thus the system of fief contributed to the formation of a feudal class, consisting in the main of small and middle nobility, as well as to the development of vassal relations and the feudal hierarchy.

Homage (*commendatio*; later *homagium*) was another institution of feudalism in its limited sense of the word. This was a solemn ritual act by which the vassal's bond was established.³ By this act a peasant or a small landowner commended himself to the protection of a powerful landowner in accordance with established practice (military service, transfer of a plot of land in return for a conventional holding). For peasants, who often were compelled to do homage, this meant the loss of personal freedom. In this manner, however, the inhabitants eventually fell into bondage to the same landowner and became his dependent people. For small landowners, it meant becoming vassals of the more powerful feudal lords. This practice, widespread in Europe from the eighth to ninth centuries onward, helped to

consolidate the transformation of free peasants into serfs, and to strengthen feudal relations.⁴

Under the personal contract between the vassal and his lord the duties of the lord were to provide the fief for his vassal, to protect him and to do him justice in his court. In return the lord had the right to demand the services attached to the fief (military, judicial, administrative, etc.) and a right to various dues, known as feudal incidents. Such were relief, on the transfer of the hereditary fief to an heir or on alienation of his fief by a vassal; the lord's right to take back into his demesne the fief of a minor whom the lord had to look after, called wardship; the right of the lord to marry the tenant's daughters; and scutage, i.e., a tax replacing military service and various aids.

In addition, the vassal owed fealty to his lord as long as both contracting parties were alive. However, when heredity came into play later in feudalism, it undermined the whole system of vassalage. Besides fealty, the vassal owed the lord obedience in the face of the whole world - aid and council in all circumstances in which the lord might need it. These rights, however, changed over time, and vassals "acquired the right to alienate their fief, with the proviso, first, of the lord's consent and, later of a certain ...tax." ⁵

When one of the partners to the contract was guilty of not taking his duties seriously, the injured party could dissolve the link by a solemn gesture of "defiance." Fiefs would go back to the lord if a vassal died or committed a felony (breach of duty).⁶

Contrary to Roman and modern notions of landed property, medieval law, which was mainly established by custom, conceived the soil as being subject to a great number of real rights. These real rights were superimposed, each of them having the value of a possession protected by custom (*saisine, seisin, gewehr*), and none was clothed with that absolute character which the word property carries with it? In this system public relations came to be merged with private relations, so that office and jurisdiction were forms of property attached to the land. In short, in feudalism

land naked of services was unthinkable.⁸

Obligations of the peasantry

Feudal economy was based mainly on land, and without peasants to work the land, land was of no use to its lords. When landlords became the vassals of counts or kings, they renounced property rights to their estates and received them back as fief. Most of the free peasants in turn were forced to give up their land and to commend themselves to the protection of a powerful landlord. Such peasants lost their freedom and received their land under feudal tenure, i.e., dependent land tenure. Dependent land tenure meant the holding of land from someone else and under someone else, rather than by a clear, full, and independent title. In many cases peasants became the lord's serf tenants or bondsmen. These people, who tilled the land held by lords, lacked freedom. However, they were not slaves, because they did not belong in "body and goods" to a master. Their relations with their lords became fixed by custom. They could own their possessions such as their agricultural implements or huts, etc. They sometimes had their own fields granted to them by the lord for which they paid dues and/or labour services. They were, in short, lord's tenants. However, as time went by peasants became attached to the lord or to the land by a tie that was personal and hereditary. The serfs had to cultivate part of the estates for their master, labour in or about his house, cut wood for his fire, repair the roads and bridges on his property, and cart his grain, hay and wine. However, their lord usually did not feed or clothe or house them. The serfs did not live together but lived in separate huts of their own. Most of the time the lord did not allow the serf to keep for himself all that he raised on the land allotted to him. He had to hand in some of his wheat, oats and barley, and even some of his sheep, pigs, hens, and eggs. The lord could not sell his serf or the serf's family, but he could require the serf's daughter to marry some fellow serf so that the children of the marriage might also be serfs of the same estate. The lord compelled his peasants to grind their flour at his mill and pay the miller a fee. The peasants had to settle their question

of property or of personal injury at the lord's court which the lord maintained.⁹ Thus in the economic field, the chief characteristic of feudalization was associated with the establishment of the manorial or seignioral system with its limitation of the rights of the peasantry. This system varied from place to place. The seignior had its laws, as a rule customary, which determined the relations of the dependent peasantry with the lord.¹⁰

Regional differences in European feudalism

In addition to the above common features, feudalism in Europe exhibited many regional differences and peculiarities. Yet such variations did not prevent students of feudalism from identifying these regions as feudal. Thus, in France the fragmentation of the powers of the state, notably the administration of justice, was carried farthest. In Germany, feudal conceptions did not penetrate judicial norms as much, and two codes of customary laws developed side by side, the general laws of different states (*Landrecht*) and the law of fief (*Lehnrecht*). Such a division of law into two separate bodies was absent in England. Here the customary laws of seigniories were definitely fixed. The English lords were considered the exclusive judges of their tenants in their relations with them in their manor. Nevertheless, the power of royal justice in England was greater than in France.¹¹

The allodial grants persisted in parts of Germany, Italy and the south of France in great numbers in comparison with other parts of Europe and especially with England where it was completely eliminated after the Norman conquest (1066 A.D.). Thus, in England all lands were held directly or indirectly from the king. On the other hand, the German emperors maintained a long and effective struggle against the inheritance of the great fiefs.¹²

Unlike their continental cousins, English kings demanded the oath of fealty from all the landlords of England, not only from their tenants in chief. In Russia, vassals were more strictly subjected to the czar since "the synallagmatic character of the contract of service had always

been less marked than in the West."¹³

Feudal government is sometimes associated with decentralization and fragmentation of public authority among local potentates. This was attributable to the granting of hereditary fiefs and to the parceling out of all the power of the state, such as dispensing justice, collecting tolls, coining money, etc. However, differences existed between regions with regard to political fragmentation. Thus, the German kingdom at most times was split into quasi-autonomous states and cities which maintained only formal ties to the sovereign. France started to become a centralized state from the twelfth century onward due to the fact that the kings first subjugated the lords in the royal domain in the central parts of the realm and subsequently diminished the semi-independence of some of the French principalities (e. g., Flanders, Normandy, Toulouse, etc.). However, other principalities, e. g., Burgandy, became independent. England was not fragmented into independent principalities, and English kings were more than feudal suzerains. They kept a firm hold on their tenants. In Italy, on the other hand, feudal fragmentation was greatly accelerated by the early rise of the cities and the urban habits of a great number of the lords themselves as well as to a lesser extent by the rise of semi-independent principalities.¹⁴

Different approaches to feudalism

The preceding sketch specifies how most western scholars see European feudalism. However, this does not mean that most students of feudalism approach the phenomenon in a uniform way. There are basically three approaches to the study of feudalism which deserve to be noted. First, there is the disciplinary approach to the meaning of feudalism, e. g., by the political, legal, social and economic historian, each of whom emphasizes or de-emphasizes different aspects of what has been described above. The concern of the political historian is the process of government, and he thus sees feudalism as an organization of political life. To him the feudal state is one in which landholding is the source of political power, and the functions of government

are bound up with the tenure of land. The lawyer recognizes feudalism if the conditional tenure of land is established. For him status is determined by tenure. The economic historian see feudalism as a special "organization of the cultivation of land by the exercise of rights over persons."¹⁵ Thus, in studying feudalism, each one of these disciplines will apply its own criteria for the identification of feudalism in a society at a given time. It thereby may or may not view feudalism as a phenomenon of world history. On the other hand, some scholars, e.g., J.R. Strayer, R. Coulborn and Max Weber, have taken a broader view which allows for the possibility of feudalism in all societies. To Max Weber feudalism is a structure of authority based on fief and benefices which supports an administrative staff.¹⁶ Strayer and Coulborn describe feudalism "as a method of government, not an economic or a social system, though it obviously modifies and is modified by the social and economic environment. It is a method of government in which the essential relation is not that between ruler and subject, nor state and citizen, but between lord and vassal."¹⁷

Secondly, there is the regional or territorial approaches to the definition of feudalism in general and its application to different societies in particular. For Ganshof, e.g., feudalism in its narrow sense, as a system of feudal and vassal institutions, refers to Western Europe. However, he recognizes that this narrow definition of the term feudalism can be associated with certain other institutions that "bear a remarkable resemblance to those of the feudalism of the Western middle ages. The *daimyo* and *bushi* or samurai of Japan can be compared to vassals, and land which was granted to them is comparable to fief. The same is true of the Arab and Turkish "*iqta*".¹⁸ M. Bloch attaches to the word "feudalism" a broader meaning, but he also limits it territorially. Bloch regards feudalism as a form of society, a form of civilization and a type of society with certain general features in addition to the presence of lords, vassals and fiefs. In this broader sense of the word, feudalism possesses well-marked features summarized as follows:

- [A] subject peasantry; widespread use of the service tenement (i.e., the fief) instead of a slavery, which was out of the question; the

supremacy of a class of specialized warriors; ties of obedience and protection which bind man to man and, within the warrior class, assume the distinctive form called vassalage; and in the midst of all this, the survival of other forms of association, family and state, of which the latter, during the second feudal age, was to acquire renewed strength - such then seem to be the fundamental features of European feudalism.²⁰

As defined above, one can find a feudal society in Western Europe from "the middle of the ninth century to the first decades of the thirteenth."²¹ In essence this concept of feudalism is also Eurocentric even though one could look for its characteristics in other societies.

Finally, there is the view of feudalism as a stage in the progressive development of mankind based on a definite mode of production; and this will be the essence of the definition used in this article which will be elaborated in the next section.

Feudalism as a mode of production

Feudalism as a mode of production has two complementary aspects: the relations of production and the productive forces. The production relations of feudalism are based on the lord's ownership of the means of production, primarily of the land. Alongside this ownership there exists individual ownership by peasants and craftsmen of their personal holdings and implements of production: the serf, though under the control of the lord, can have his own plot of land, other personal holdings, the products which remain at his disposal after his obligations to the lord have been met. The peasants are personally dependent on the lord, but unlike slaves, they are not to be sold and bought. Relations of dominance and subjection in any class society concern the appropriation of the surplus product of labour. Feudal landed property receives the surplus of the product of labour in the form of feudal rent-dues of whatever from which

are taken from the dependent peasants by the lord.

By virtue of the fact that in pre-capitalist societies the producer, i.e., the serf, though under the control of the lord, is the "possessor" of the means of production, he conducts his agricultural activity and the rural industry connected with it independently. Take away lords from serfdom and you will have small commodity production. Thus what is required are conditions of personal dependence, "a lack of personal freedom, no matter to what extent, and being tied to the soil as its accessory, bondage in the true sense of the word."²² In fact, in a feudal society everyone is dependent, serfs and lords, vassals and suzerains, laymen and clergy. "Personal dependence here characterizes the social relations of production just as much as it does the other spheres of life organized on the basis of that production. But for the very reason that personal dependence forms the ground-work of society, there is no necessity for labour and its products to assume a fantastic form different from their reality."²³ Thus, surplus labour will take the shape of services in labour and payments in kind. It is for this reason that the surplus labour can be extracted from peasants by coercion, "whatever the form assumed may be."²⁴ If the producers are not confronted by a private landowner, "but rather, as in Asia, under direct subordination to a state which stands over them as their landlord and simultaneously as sovereign, then rent and taxes coincide, or rather, there exists no tax which differs from this form of ground rent."²⁵

Surplus product was exacted by the lord. This surplus product was spent for non-productive purposes. As a result, the capital stock did not increase much. Thus, feudal economy was marked by a static rather than a dynamic pattern of reproduction. For this reason, the productive forces developed and changed slowly, technical knowledge was at a low level, and the instruments of production were simple. The act of production was largely individual in character, and the division of labour was rudimentary. For the same reason feudalism has been identified with a *natural economy*, i.e., an economy in which the product is produced not for sale, but for own use. More precisely, this means that an insignificant portion of the agricultural product enters

into the process of circulation.

In a feudal society, lords are the ruling class, and for this reason they are in antagonism and in irreconcilable opposition with the producing class, the peasantry. However, peasants would have some kind of initiative in production, and an interest in work since they can accumulate a profit for themselves. This is because in economically primitive and underdeveloped systems like feudalism there is a tendency for the surplus received by the lord to remain unchanged at a conventional magnitude. Besides, the use of the peasants' labour power is by no means confined to agriculture, but includes rural home industry. The possibility is here presented for definite economic development taking place, depending, of course, upon favourable circumstances, inborn racial characteristics, etc."²⁶ Negatively, the peasants' incentive to work for the lord is fear of punishment, of physical violence, and also of the danger of losing his personal property, which could be confiscated by the lord.

In summary it can be said that feudal production as a whole will have the following basic features: first, the economy makes use of extremely primitive techniques of production, for production is concentrated on the lands of small peasants. Secondly, *natural economy* predominates but diminishes in the latter part of the existence of feudalism. Thirdly, such an economy requires that producers be allotted land in particular, and other means of production in general; frequently with peasants attached to the land. Fourthly, a condition for the existence of feudal economy is the peasant's personal dependence on the landlord. The form and degree of this dependence varies a lot, ranging from the peasant's serf status (in its strictest sense of enforced labour service and attachment to the soil) to dues to be paid in money or in kind, and the peasants' limited rights in the social estates.

The presence of a feudal mode of production is not to be understood as "absolute". In fact one cannot draw a definite line between different periods of social history. Even in a certain period in which a definite mode of production, e.g., feudalism, is dominant, there is the possibility that one can find remnants of the old free peasant

communities, or of slavery. One also can identify elements of new relationships, signs of the development of elements of capitalism in the form of a producer who is separated from his means of production and sells his labour power.

II. CATEGORIES OF LANDOWNERSHIP AND THEIR DEVELOPMENT

This part investigates the changes of landownership in Iran from the time of the Sassanids in the third century A.D. up to the time of the Safawids, in the sixteenth century A.D. The purpose of such a study is to determine whether there were forms of ownership of land similar to the European conditional ownership of land called fief and whether at any time conditional ownership of land in return for services was the dominant form of landownership. The study of each form of landownership will also serve to establish its historical function, i.e., its potential contribution to the formation of a feudal class.

Peasant communal lands

The lack of documentary evidence on the existence of free peasant communes before and after Parthian rule (250 B. C.-227 A.D.) in Iran makes it very difficult to assess the significance of this form of social organization. However, it is known that self-governing communes, i.e., civil organizations of free men and slave-owners, were still widespread in the central and eastern parts of the empire even at the height of the slave-owning system of production in the western part. The communes gradually became village communes, which under the conditions of the latest military administrative unions of the Achaemenids (550-330 B.C.) and the Seleucid monarchies (312-250 B.C.) "turned out to be fiscal unions of the population residing on the royal land, "won by the spear."²⁷ Some of these communes grew into privileged, self-administrating, slave-owning commercial and craft towns or temple unions like Hellenistic *polis*.²⁸

From the parchments found in Avroman (Persian Kurdistan) one can deduce that peasants who belonged to communes

had their personal allotments of land and could sell them.²⁹ Such peasants were required to pay an annual land tax for their holdings, which suggests that both the areas of the plots and the amounts of taxes were recorded somewhere. Documents also show that peasants belonging to a commune could not move around freely. They were under obligation both to the commune and to the state to cultivate their plot and pay their land tax regularly. For failure to pay their taxes for whatever reason, peasants were assessed a monetary penalty. If they could not meet such obligations, they could sell themselves and work alongside other slaves on the estates of landed magnates or become their dependent tenants.³⁰ This process of enserfment of the communes or its members became more pronounced by the end of the Parthian period. Thus, communes were either disappearing due to their break up by landlords, or they were turned into organizations of peasants who did not enjoy full rights as citizens and were personally dependent and exploited.³¹

During the time of the Sassanids (from the twenties of the third century to the fifties of the seventh century) members of the rural communities - the peasants - became the principal exploited class. The communes gradually lost their self-governing status and were reduced to mere fiscal units under the authority of the king. The royal ownership right was being extended from crown land proper to community land. In fact these communes were either added to the crown lands or were granted to great lords who were exempt from taxes. At the same time, other lands and communes had to pay exorbitant taxes. Thus many landlords and members of free communes abandoned their own land and commended themselves under the protection of these powerful lords to avoid the army and the tax collectors. This practice contributed to the rise of big lords and also reduced the taxes received by the central government.³² The development in Iran was similar to the changes in Gaul toward the end of the Roman empire. Free small peasants, in order to protect themselves against the brutal extortions of the officials, judges and usurers, "frequently placed themselves under the protection, the patronage, of men possessed of power; and they did this not only singly, but in whole communities, so much so that the emperors of the fourth century often issued decrees prohibiting this practice."³³

By the end of the fifth century A.D., the enserfment of the communes by the state and the big landlords was intensified. This situation was resented strongly by the commune members who rose in one of the most important social movements of Iran, the Mazdakite movement in the beginning of the sixth century.³⁴ The Mazdakite movement was supported by the members of communes which had been broken up or enserfed by the big lords.³⁵

One cannot find many references to communal lands after the Arab invasion in the early decades of the seventh century. It is known, e.g., that in the northern part of Iran, south of the Caspian Sea, pastures and forests belonged to the peasants collectively.³⁶ It is also known that a commune in the fourteenth century A.D. resisted its enserfment by a landlord. Thus, it seems that this form of landownership was greatly reduced after the Arab occupation,³⁷ but continued to exist to some extent.

State lands

1. Introduction

State land has been a common form of landownership in Iran and the other Middle-Eastern countries. State lands were controlled and administered by the state officials. Rent collected from the peasants on these lands were distributed among the military people and other officials as wages, pensions, subsidies, presents, etc.³⁸

2. The development of state lands

There is no reference to the existence of state land as a category of landownership during the Sassanids (227-651 A.D.). It is merely known that the royal treasury received taxes from the village communes and small estates which were spent on the upkeep of the royal household and court, the state officials and the army.³⁹ These taxes should have been complemented by the rents received by the king from the royal domains. Actually, since the kings had control over the *kharag*⁴⁰ *divan* (office of taxes) there was no distinction between the rents received from the royal domain and the taxes received by the state.

State land as a distinct category of land became important after the Arab conquest.⁴¹ The socio-economic relationships and the forms of ownership which the Arabs found in the conquered territories were as yet unknown in Arabia. The Arabs simply considered all the cultivated land which had fallen under their domination as the property of the Moslem community. Herein lies the origin of state lands in Islamic countries. Omar (the second Caliph) followed a strict policy of preventing the Arab Moslems from receiving individual grants of land from the state. Thus, he did away with the pre-Islamic Arabian custom of treating the conquered lands as spoils of war. In this tradition, the army after the conquest of Iraq asked for the division of land among them.⁴² They appealed to the precedent of Khaybar whose lands were granted to the Moslem warriors by the prophet, Mohammed. However, Omar apparently thought that the distribution of land among the soldiers would affect their prowess as a fighting force and would attach them to the soil. He therefore rejected the demand of the army.⁴³ He limited the conquerors to their war booty (including prisoners and hostages who were enslaved) and to tributes. And he "left the people of as-Sawad in possession of their lands, assessing a tax on their person and a fixed tax on their lands which he did not divide."⁴⁴

In the early times of Islam, then, the Arabs did not interfere much with the production relations among the subject population. Many lands remained in the possession of local lords (*dihqans*), the clergy, and other landowners. They all retained their rights and privileges over the peasants who tilled their land. Landowners had to pay only the land tax (*kharaj*) to the treasury of the Moslem community. However, the holdings of the royal family, of fire temples, and of lords who had fallen in battle or fled their estates became the property of the Moslem community. These lands were administered directly by the treasury, to which the peasants working on the land had to pay tribute. The lands were turned over to the caliph who assumed full ownership of them in the name of the Moslem state.⁴⁵ The caliph was free to deal with them as he pleased.⁴⁶

The incomes from state lands, which included many lands in Egypt, Iraq, Khurasan and Khuzistan under the

caliphs, were spent mostly on the royal household "with all its numerous branches, together with the cost of the building required to house them and their harems and huge retinues."⁴⁷ The rest was spent on the army and officials as pension, wages, etc.⁴⁸

There are few references to state lands after the first century of the Abbassids who came into power in the year 747 A.D. It is known, however, that during the early Abbassids some of the confiscated estates became part of the state lands.⁴⁹ From the tenth to the twelfth centuries A.D. state lands gradually lost their importance. Most of these were given away as conditional or unconditional grants of land or its revenue to military and court officials.

After the Mongol invasion in the early thirteenth century, state lands increased greatly at first, again as a result of confiscations. Under the Il-Khans (1256-1336 A.D.), a large part of these confiscated lands was turned over to private owners, unconditionally or conditionally. Some of these lands were sold by the Il-Khans, and some of them were granted to local magnates as *iqta'* for military and civil services. Moreover, at this time even those state lands which were not given away, were granted to various bidders as *muqata'eh*. This was the farming of the revenue of a district in exchange for a fixed sum for several years.⁵⁰ These lands in practice came under private direction although they were nominally state lands. In as much as the private tax collectors were usually the local lords or magnates who were in direct contact with the peasants, they acted like owners of these lands.⁵¹

State lands which were not tax-farmed, were controlled by the state officials. Despite the fact that the amount of *kharaj* of these lands was fixed, *kharaj* officers changed the rates frequently in their own interest. Thus the independence of peasants on the officials increased, and their private life was interfered with more often, especially under the Mongols.⁵² The officials who were sometimes appointed by the military commanders, frequently were able to extract more tax than they should have. They often also imposed new dues. In most years they collected the taxes in advance or several times a year. They paid the treasury what

was due or less, and appropriated the rest for themselves.⁵² Of course, the same practices were common among those who had been given the tax assessment of a district.⁵³

3. Summary

State land has been a characteristic form of landownership in the Middle-East. State lands became very important after the Arab conquest. However, with the development of all kinds of conditional and unconditional grants of lands during the Seljuq and the Mongol periods, they ceased to be predominant.

Crown lands

1. Introduction

Crown lands were the private estates of kings, caliphs, or khans. The distinction between state lands and crown lands after the Arab invasion was that the income from the former accrued to the public treasury whereas that from the latter went to the private treasury of the ruler. Thus, in theory, there was a difference between the private purse of the ruler and the state treasury. However, the ruler had control of both, and he made little distinction between them.⁵⁴ Transfer between the two treasuries took place frequently.⁵⁵

The administration of the vast and diverse crown lands was exercised through special *divans*, each of which probably took care of smaller areas.⁵⁶ The income of crown lands was supposed to be spent on the upkeep of the kings, caliphs, or khans, and the ruling family. However, as noted before, the income of state lands was also supporting the royal family and its expenses.

2. The development of crown lands

Crown lands have always been important in Iran. It is

known that as new territories were conquered by the Achaemenids (550-330 B.C.), some of the best lands were confiscated and distributed in large estates as inalienable and hereditary property among members of the royal family, friends, high ranking officials, etc.⁵⁷ In Babylonia, the Achaemenid kings owned many estates which were tilled by the king's slaves or, more often, were leased out. The payment for these lands was made in kind. The total area of royal lands during the Achaemenids increased greatly compared to the previous periods.⁵⁸

During the time of the Seleucids and Parthians, the royal domain was extensive, especially in the more developed regions of the empire, i.e., in Mesopotamia.⁵⁹

Crown lands were very important during the Sassanian period (227-651 A.D.). These lands were increased by the inclusion of the newly conquered territories, especially in Western Iran.⁶⁰ There also were crown lands in Sawad at the time of the Arab invasion. However, not much is known about the administration of these lands, the conditions of peasants on them, and the forms of land tenure.

After the invasion, the Arabs did not have a special category of land called crown lands. All the lands were either left at the disposal of their former landlords or came to be state lands. However, crown land as the private property of the caliphs developed during the time of the first Islamic dynasty, the Umayyads (661-750 A.D.). Thus it is under the Umayyads that the distinction between state land and crown land appears. Consequently, it is at this time that a distinction is made between the private treasury of the caliphs and the public treasury (*bait al-mal*). Under the Umayyads, crown lands were called *ziya' al-sultan*. They were made up of confiscated estates, but also of estates that had been bought. Moreover, private estates of high ranking officials were sometimes confiscated and added to the crown lands.⁶¹

With the rise of the Abbassids in the eighth century A.D. the change from the simplicity of Bedouin rule, which had started under the Umayyads, was intensified. At the same time, the conquest of new territories and thus fresh

supplies of booty became rare. The caliphs therefore started to the land as the source of revenue. They confiscated the estates of the Umayyads as well as those of influential state officials who fell into disgrace.⁶² The practice of land confiscation also became prevalent among the rulers of minor dynasties which arose in different parts of Persia during the eclipse of the Abbassids in the tenth and eleventh centuries.⁶³

Another common method which increased the crown lands of the Abbassids was the practice of commendation called *ilja*. *Ilja* was a method of protection by a superior of his inferior. The practice of *ilja* became in fact common during the Arab occupation in Iran as well as other places. Many small landlords or peasant farmers commended themselves to the protection of a powerful lord. They did this by ceding their lands to the superior lord with the objective of gaining protection against confiscation and exorbitant taxes, etc.⁶⁴ For poor small farmers who often were compelled to do this, it meant the loss of their land and their personal freedom as they became dependent tenants liable to rent. The practice of commendation was not a novelty which was introduced under the Arabs. A similar practice was found already during the Sassanid period (227-651 A.D.).⁶⁵

On entering the *ilja*, the one who cedes his estate loses his rights to the land. Cases, however, are found where one who enters *ilja* possesses something more than the *detentio*, and thus can sell or let it be inherited.⁶⁶

Ilja, like its corresponding institution of commendation in Western Europe, was in most cases due to one of two motives. The motive was either to secure oneself from the attacks of bandits or foreign troops, or to avoid a harsh tax-levy through the normal government channels. Frequently people of military standing possessing the surrounding estates or the royal family were the ones who undertook the protection.⁶⁷

Crown lands were spread all over the Seljuq empire.⁶⁸ They were known to be in Bastam, Ray, Marv and Kufeh.⁶⁹ At this time a special *divan* was in charge of the administration of the lands of sultans.⁷⁰ Confiscation of lands was also practiced at the time of the Seljuqs, increasing the

extent of royal domain.⁷¹

During the mongol rule royal domain was known as *inju*. *Inju* included all the lands of the royal family, including those of the Il-Khan himself. However, lands belonging to the latter were called *inju-yi Khass*. Thus, *inju* lands belonged to the Khans, their legal wives and sons. *Injus* were under the control of a special office, as in preceding periods. These lands increased in many cases when landowners commended themselves to be protected by the Il-Khans, their wives and sons.⁷² What is interesting to note is that *inju* not only referred to the land, but also to the people living on the land.⁷³ *Inju* lands also included lands which were confiscated from the Iranian nobility after the Mongol conquest, or the lands granted to the members of the royal family by the previous owners through commendation.⁷⁴ *Inju* lands are inherited by the male heirs of the royal family.⁷⁵

These lands were extremely large. According to Vassaf, the lands of Ghazan Khan amounted to 20,000 plough strips, that is about 120,000-140,000 hectares of irrigated land. The *inju* lands of Fars were leased for four years in 1292-3 A.D. for the yearly sum of 2,500,000 dinars. At about the same time the state taxes from Fars from state and private lands were 2,871,200 dinars. The relation indicates the importance of the royal domain at this time.⁷⁶

A certain kind of land referred to in the sources of this period was called *khalisat* ("clean land," i.e., free from treasury taxes). They included lands which were ruined and deserted. They were leased to landlords under a decree of Ghazan. The condition was that they should be restored and occupied again and that part of the tax be paid in the form of a share of the crop. These lands composed a separate part of the ruler's lands under the administration of a special *divan* which made contracts with landlords.⁷⁷

Inju lands were similar to allodial property. The latter were lands with no obligation.⁷⁸ Thus they were a kind of unconditional ownership of land. The ownership of the former also was unconditional. *Inju* lands were free from taxes and could be sold, bought, or transformed into *waqf*. Moreover, they were hereditary. It is also known that the Il-Khans gave away *inju* lands to their favorites as

presents. Such lands, too, were considered hereditary and also could be sold.⁷⁹

3. Summary

Crown lands were the private estates of kings, caliphs and khans which were usually controlled and administered by a special *divan*. These lands were most often made up of confiscated estates of the preceding dynasties, high officials, military men or other landlords, and lands obtained through commendation.

Crown lands always have been an important category of landownership in Iran. They consisted of vast areas all over the country. The incomes from these lands accrued to the private treasury of the kings, caliphs and khans. But the distinction between royal purse and state treasury was not very sharp at most times.

Private landed estates

1. Introduction

Private landed estates called *ziya'* (singular *zay'a*, meaning landed estate) in the early time of the Arab occupation, and later, *mulk*, *milk* or *arbabi* belonged to landlords. These lands, which were fully owned by the landlords, could be disposed of, transmitted by inheritance, or transformed into *waqf* (lands immobilized for some purpose, usually religious endowments). The owners of these estates were under no obligation of service to the state. Thus, this unconditional ownership of land and water (irrigation system) was very similar to the Western European institution of allodium.

Ziya' or *mulk* lands consisted of small estates of peasant farmers, landlords, and large estates of big lords. These estates were seldom cultivated by the owners

personally (except when peasants owned the land). They were rented out to peasants. The rents paid by the tenants were comparable to the *kharaj* paid by the peasants working on state or crown lands. However, private lands were often subject to a small tax, mostly a tithe to be paid to the treasury. In the case of private estates, most of the surplus, i.e., the difference between the rent paid to the landlords by the peasant and the tithe the lords gave to the state, went to the owners of the estates.⁸⁰

2. The development of private landed estates

During the time of the Sassanids (227-651 A.D.) an important role in society was played by the small lords, the *dihqans*.⁸¹ Their ownership of land was hereditary and comprised most of the land of the empire. Some of the domains of these lords were granted by the crown.⁸²

After the Arab conquests *dihqans* retained their lands and now paid the tribute to the Moslem treasury. However, the lands of lords who had fallen in battle or fled their estates and the lands of the royal family were turned into state lands. The peasants living on these lands paid a land tax, *kharaj*. From the state lands and also from waste lands, grants known as *qata'i* were made to Moslem notables. Such grants were subject to *ushr* (tithe) and thus were unlike these properties of the indigenous population which were subject to the more onerous land tax called *kharaj*.⁸³ Eventually these tithe-lands came to be regarded by the grantees as their private property.⁸⁴

It is known that several powerful Arab landlords possessed numerous estates in Iran. The owners of the largest private estates under the Abbassids were the amirs (heads of the military), the administrators, merchants, and other Moslem notables.⁸⁵

The class of small landlords was left in existence for a long time after the Arab conquest. However, most of them existed precariously between the peasants and the big lords. When the treasury was in need of money for the army, the lands of small private lords were the first to be confisca-

ted. They also tended to become victims of the ruinous system of commendation. Many private estates were in fact expanded by the inclusion of the surrounding lands through the process of commendation, *ilja*, at this time.⁸⁶

During the time of the Abbassids, the private estates of *dihqans* and Persian landlords, which were called *mulk*, continued to be spread all over Iran. In fact, in the ninth and tenth centuries the landlords of these *mulk* lands were the backbone of Fars, Sistan, Khurasan and Transoxiana.⁸⁷ Later on the change from unconditional to conditional land tenure greatly reduced the power of these landlords.⁸⁸ However, some of these *mulk* lords subsequently became holders of *iqta'*.⁸⁹

Mulk lands were subject to confiscation during the eleventh and twelfth centuries.⁹⁰ In a period when the conditional ownership of land or of its revenue was increasing, such an act was common. Moreover, the power of the *muqta'* or assignee in this period allowed him to appropriate many *mulk* property around the territories granted to him as *iqta'*.⁹¹ However, *mulk* lands still existed in different regions in this period.⁹²

Mulk lands also existed during the Mongol period. Just as in the previous centuries, these lands were hereditary, and could be bought and sold.⁹³ However, they were subject to confiscation by the state, influential officials or rivals.⁹⁴ They also had to pay a tithe in kind or money to the treasury, with the exception that some "free" *mulks* (*hurr*) had irrevokable fiscal immunity granted by the Khans.⁹⁵

3. Summary

Ziya' and *mulks* were private lands which paid a tithe to the government. The owners of these hereditary private properties received rent from their peasants and were under no obligation to provide any service for the government (except the *dihqans* of Sassanid times who had to perform military, administrative, and sometimes judicial services for the government). In this sense *ziya'* and *mulk* were similar to the Western European institution of allodium. *Mulk* lands

were very important and were spread all over Iran before the development and the increase in conditional grants of lands. Conditional ownership of land greatly reduced the extent and number of *mulk* lands which became subject to confiscation or commendation by powerful *muqta*'s. However, *mulk* lands survived and some of them even gained fiscal immunity under the Mongols.

Waqf lands

1. The concept of waqf

Waqf lands endowed the maintenance of specific persons or institutions, in particular mosques and other Moslem religious institutions.⁹⁶

The concept of *waqf* land was not new. The idea might have been taken from the Byzantine institution of *piae causae*, charitable institutions, and the Iranian *ruwanakan*, legacies for the benefit of the souls of the deceased. The Jewish system of *qarban* also may have influenced the formation of *waqf* system. However, not much is known about the institution before Islam.⁹⁷

The principle underlying *waqf* was the distinction made between the object owned and the rights of usufruct (*man-faah*). When a *waqf* was established, the usufruct was handed to one who exerted a *detentio* over the legal object, while he did not hold *possessio* over it. He was said to own the usufruct.⁹⁸ In terms of the appropriation of the surplus product, of course, this did not make a difference.

The incomes from *waqf* lands were given to the beneficiaries. However, only a part of this income was used in this way. An important part of the income was used by the curators. As a rule, the curators received a tithe from the income of *waqf*.⁹⁹ In as much as the posts of judges, high ranking theologians and curators were traditionally hereditary before as well as after the Mongol invasion, *waqf* lands

were in practice in their possession.¹⁰⁰

Waqf could be permanent or provisional. They were not salable or transferrable. They were immobilized in perpetuity.¹⁰¹ In this respect *waqf* was similar to the Church's estates in the Middle Ages which were not transferable. However, *waqf* was different from the latter in the sense that the legator could lay down conditions for the use of income received. Most of the time he also appointed the curators himself. In as much as the expenditure of *waqf* income and the intransferability condition were prescribed by legators, *waqf* land may be regarded as a conditional form of feudal landownership.

Waqf lands did not pay taxes to the state, and the curators received the privilege to collect the taxes for themselves.¹⁰²

In Islamic countries the development of a centralized institution for the control of religious institutions did not compare with that of the Christian Church. However, in different periods *divans* were created to control the everyday life of *waqf* institutions.¹⁰³ The historical role of the *waqf* institution was the fact that it constituted the main source of income for the theologians and the clergy who maintained themselves and their servants with the surplus of the producers. They received their share of the surplus product from the curators as pensions, in kind or money.

2. The development of *waqf*

At the end of the first century of Islamic domination *waqf* lands appeared as a new form of ownership of land. *Waqf* land did not undergo any change in character thereafter. But they were not always immune from confiscation by caliphs, sultans, or local military leaders.

During the early time of the Abbassids, in the late eighth and early ninth centuries, people turned their lands into *waqf* in order to prevent their confiscation by the powerful landlords.¹⁰⁴ In addition, two other reasons

encouraged the spreading of *waqf*. One was the fact that turning an estate into *waqf* was "an indirect way of avoiding too strict a division of property under terms of the law of succession, and of retaining for the male members of the family, and in undivided farm estates which otherwise would have been split up or alienated.¹⁶⁵ The other reason for the rapid development of *waqf* was that *waqf* lands did not pay taxes to the state. For this reason down through the ages the institution was used for dodging the tax assessors. However, despite these immunities, the caliphs or local leaders still confiscated *waqf* lands or interfered with their management.¹⁰⁶

At the time of the Seljuqs, from the eleventh to the thirteenth centuries, the state exercised more control over these lands than before. This was in line with the aim of the Seljuqs to bring the religious organization within the general framework of the state. In diplomas issued for governors from Sanjar's *divan*, the curators of these institutions were placed under the governors' jurisdiction. The governors, who were mostly *iqta'* holders, were charged with the supervision of the expenditure of the income from *waqf* institutions. They also were put in charge of the administration of these endowments. This action made local lords more influential in the affairs of these institutions. The diploma, however, did not include all the *waqf* institutions. Thus, it is stated that in a deed issued by Sanjar's *divan* for an office of a judge in the district of Tus, that the *divan* of *ouqaf* should not interfere in the district's endowments, or make any tax demand upon them. Other exemptions were also made for several religious schools.¹⁰⁷

In the twelfth and early thirteenth centuries many of the Atabaks gave away lands for *waqf* purposes for mosques and hospitals.⁸³ However, one should not forget that *ouqaf*'s revenues were also usurped in this period. The tendency to divert the revenues of this institution in face increased under the Seljuqs and their successors.¹⁰⁸

During the time of Mongol rule, especially under the Moslem Il-Khans, religious and private *waqf* lands increased.¹⁰⁹ Ghazan confirmed the possession of *waqf* lands when he ascended to the throne. However, even under Ghazan and his

successors there appear cases where the income of *waqf* lands was spent by the Mongol military leaders rather than the *waqf* beneficiaries.¹¹⁰ Besides, as in previous periods, *waqf* lands were subject to confiscation.¹¹¹

3. Summary

Waqf lands have been an important category of land-ownership in Iran before and after the Mongol invasion. The incomes from these lands supported much of the clergy and their servants. Private *waqfs* also existed, but were not as important as religious endowments.

Like private estates, *waqf* lands were subject to confiscation and usurption by the state or powerful landlords. With the rise of conditional ownership of land, some of these lands were confiscated and redistributed as *iqta'*. However, *waqf* lands were not affected as much as the private estates. The reason was that even though the clerical stratum of the ruling class was materially dependent upon the sultans or khans and their military men, the converse was also partly true because the clergy possessed great spiritual influence over the masses.

Iqta'

1. The origins of *iqta'*

The institution of *iqta'* as a form of conditional ownership of land in return for military or administrative services began to emerge in the tenth century A.D. However, in still earlier times hereditary grants subject to tithe were called *iqta'*. These grants, which were known as *qati'a* at first, conferred upon military leaders or other individuals the right to collect for themselves the *kharaj* and other taxes in a specified territory, large or small. At the same time there also was a non-hereditary grant of land

known as *tuma*. Both types of land grants were made from lands of the Sassanid kings or from lands which had been abandoned by their owners after the Arab conquest.¹¹²

During the early Abbassid period (second half of the eighth to the tenth centuries) land grants were made to individuals which were called *ighar*. Under such a grant land paid a fixed sum to the treasury and was immune from the interference of the tax-collector.¹¹³ Thus, *ighar*, protected the landlord.

Grants of *ighar* were made to both military and non-military men.¹¹⁴ Its institution increased the power of many of the notables who had gained such a fiscal autonomy for a district, as well as that of many tribal groups (e.g. Kurds, Bedouins, and later Turkomans).¹¹⁵

However, with the increase in the power of those who held *qati'a*, *tuma* or *ighar* grants and the expansion of their estates through the practice of commendation or confiscation of the surrounding lands, the central government was confronted with a problem. The "irrevocable nature, in practice, of such transfers of property made their multiplication impossible in the long run."¹¹⁶ On the other hand, the caliphs had to pay the army and the officials from the surplus produced on land. Under the Abbassids in particular, the military expenditures were increased in order to save the vast empire from disintegration. However, this increasing expenditure brought with it heavier taxation, discontent, and revolts. The latter decreased the chance of a decrease in taxes since military efforts had to be intensified. The more or less *natural economy* of the period could not take care of a big centralized army such as that of the Abbassids. For this reason, the caliphs had to cede the government of provinces to their generals on the condition that they and not the state would pay their own army.¹¹⁷ Out of such problems the practice of a new form of concession developed. Henceforth the policy was not to cede possession of land (subject to tithe) but to grant to local chiefs or military leaders the right to levy taxes on the land which was formerly paying *kharaj* to the state.¹¹⁸ This practice naturally led to the formation of autonomous principalities all over the empire.

2. Development of the institution of iqta'

a. *The development of iqta' before the Seljuq period.*
 The system of *iqta'* at first allowed the military leaders of the caliphs to tax the lands which belonged to the state and were paying *kharaj*.¹¹⁹ In the early stages, the income thus received by the grantee (*muqta'*) was subject to tithe. Thus his benefice consisted of the difference between the *kharaj* he collected and the tithe he paid. However, the grantees were mostly high-ranking military leaders, from whom it was difficult to obtain the tithe. Later on the Buyids officially distributed *iqta's* free of any financial obligation.¹²⁰

On his *iqta'* the grantee had to provide for some retainers and maintain an increasingly large amount of military as well as his entire supply in kind. *Muqta'* was also to cover the expenses which had formerly been met by the State.¹²¹

The jurists distinguished between two types of *iqta'*, called *iqta' al-tamlik* and *iqta' al-istighlal*. The former was a grant of land, the latter a grant of its revenues.¹²² In theory *iqta' al-tamlik* was viewed as hereditary property, and in practice it became hardly distinguishable from private property. *Iqta' al-istighlal* was not hereditary nor even tenure for life. There were periodic changes in its distribution.

The grant of *iqta'* required in return the performance of military service. The *muqta'* was to provide for the retainers. A provincial governor, who received *iqta'* from the caliph, assigned lands to his followers in areas under his jurisdiction.¹²³ For all practical purposes the *iqta'* of a provincial governor was comparable to a private domain. In this sense, there is evidence of sub-infeudation and of a hierarchy of feudal relations.¹²⁴

Theoretically, *muqta's* did not have any juridical rights over the peasants. However, in practice the possession of an *iqta'* clearly contributed to the increase of patronage. It also encouraged the act of usurpation by the military, especially in the Buyid's period. Thus, with the

spread of usurpation, peasant-proprietorships tended to disappear.¹²⁵

Over time the functions of provincial military commander, tax-collector and *muqta'* became combined in one person. This process led to the emergence of large, seemingly feudal properties which were largely independent of the central government. This tendency was intensified by the fact that governors frequently received in their provinces some areas by way of *iqta'*. This was the case with the Samanids in Transoxiana and Khurasan and with the Buyids in western Iran. They were both governors and *muqta's*. Therefore all the town and fortresses in their provinces were under their jurisdiction. They paid no taxes to the central government, and all the cost of the provincial government was defrayed locally. However, in time of war they had to provide military services for the caliphs. They also had to mention the name of the caliphs in the Friday prayers and on the coinage.¹²⁶ These *muqta's* were quite similar to the European feudatories.¹²⁷ But the grant of the administrative duties and obligations of a provincial governor was not as widespread in Buyid times as it was during the Seljuq period.

b. *The development of iqta' during the Seljuq period.* Under the Seljuqs (eleventh to thirteenth century A.D.) *iqta'* emerged as the most important category of landownership at the expense of state and *mulk* lands. Different kinds of *iqta's* were known. There were: (1) grants of the revenue of land or grants of land for military service or in lieu of salary; (2) the grants of a district, and jurisdiction over it, to Seljuq *maliks*, *amirs*, and others which were in effect grants of territorial government; and (3) *iqta's* granted as personal estates.¹²⁸

Military *iqta'* was a continuation of Buyid practices.¹²⁹ However, military *iqta'* was gradually merged with administrative *iqta'*, thus making it very difficult to distinguish between the two. In theory the grantee of a military *iqta'* did not live on the land since he was granted the revenue of the land. However, in practice he often lived on the land when in the course of time the office of the military commander was combined with the office of the financial administrator. During the time of Malik-Shah (1072-92 A.D.), a number of areas throughout the empire were also turned in

to *iqta'* for the standing army. Such *iqta's* were to supply the army when it passed through the areas on campaign.

As the power of local *amirs* holding *iqta's* grew, the desire to turn these grants into hereditary ones began to appear. There were cases of *amirs* who were able to ensure the succession of their sons or dependents after them.¹³⁰

The officials of the court of the Seljuqs also received *iqta'*. The viceroys of the kings were given *iqta'* in the form of a grant of one-tenth of the produce of the soil. These grants were either grants on the revenue of grants of land. The Seljuq viceroys did not have any obligation of military service. However, the distinction between the military *iqta's* of the viceroys "was obscured by the fact that the maintenance of 'private' armies was the rule for all prominent persons with the exception of the religious classes."¹³¹ Many individuals in the clerical hierarchy also held *iqta'*.¹³²

The administrative *iqta'* was in effect a grant of provincial government. The holders of such grants were obliged to provide the king with troops. Such grants were introduced in almost all the provinces of the Seljuq empire. The grantees were given complete control, and could make sub-assignments.¹³³

In the course of time the holders of administrative *iqta's* tended to convert their grants into hereditary possessions. Such an action greatly weakened the power of the central government. To counteract this, the Khwarizmshahids tried to reduce the powers of big *iqta'* holders. However, they encountered the angry reaction of the *amirs*.¹³⁴ Many *amirs* and *atabaks* (the teachers of Seljuq princes who received *iqta'*) succeeded to establish new dynasties. Some *muqta's* succeeded only to turn their grants into hereditary possessions. There were cases of the disposal of an *iqta'* by testament. Disregarding the inheritance laws of Islam, some *muqta's* transmitted their *iqta's* undivided to one of their heirs.¹³⁵ Thus some *iqta's* became hereditary in practice at this time.¹³⁶

Beside diminishing the authority of the king, and the

central state, hereditary *iqta'* had another result. The life of the peasants was affected by this practice. Those who inherited these lands had to pay more attention to the material life and the work of the peasantry for their own interest. In contrast, those *iqta'* holders who could extract the surplus for only a specific period, tended to ruin the peasantry. They asked for the maximum they could get in a short period. On the other hand, the dependence of the peasants on the lords increased by the practice of hereditary *iqta'* since they were confronted only with one lordly family, and were kept on the land by the lords.

Muqta's who were at the same time governor of the province in which their *iqta's* were situated, came to exercise all public and private power at the same time. Under such conditions the inhabitants were in fact reduced to a state of extreme dependency.¹³⁷ At the same time the permanence of the *iqta'* and the power of the *muqta'* "allowed the latter, by means of 'protection,' more or less forced purchases, or simple usurpation to acquire veritable *mulk* properties on or around the territory granted him..."¹³⁸

During the time of the Seljuqs all the princes of royal blood had to be provided with some *iqta'*. That this was regarded as a right can be shown from the unsuccessful revolts of Arslan Arghun and Mankubars.¹³⁹ Such *iqta'* assignments were not in theory to be for permanent use, but there arose a tendency for some of the Seljuq families to regard certain districts as their own *iqta'*. However, at the beginning these assignments were held at the will of the sultan.

The extent to which the *iqta'* holder of the royal family had jurisdiction over his *iqta'* is not known. It appears that they had certain rights in a given area, including their right over the land. In a diploma issued by Alp Arslan for one of his sons for the possession of Gilan and Khwarizm, these districts were given to him as his own property. He was instructed to look after "the interest of the people" of those areas and to observe former rules in the collection of taxes. The people were also commanded to regard the prince as the owner of those districts. The officials of his *divan* also were to consider him as in charge of those districts, and were ordered to pay their taxes in

full without delay.

Another prince was also granted an *iqta'* in northern part of Iran, Gurgan. In the deed for his governorship issued by Sanjar's *divan*, the people of the district were ordered to pay taxes and dues to the *muqta's* of the prince.¹⁴⁰ Thus, it seems that the *iqta's* granted to Seljuq princes were barely distinguishable from administrative *iqta's* or provincial governorships.

Iqta's were sometimes assigned as a personal estate. These *iqta's* were granted as a gift by the Seljuqs.¹⁴¹

c. *The development of Iqta' during the Mongol period.* Under the Seljuqs *iqta'* became the specific form of domination by the Turkish military aristocracy. This military aristocracy was uprooted by the Mongol conquerors. However, once the Mongol regime was established, the Il-Khans were forced to develop slowly analogous institutions, since they were faced with an economic situation broadly comparable with that of their predecessors. The only difference in this situation was the economic decay of Iran due to the destructive effect of the Mongol invasion.

Originally the Mongolian army had supported itself, in addition to war booties, by public estates, and private lands which they confiscated for themselves, and forced levies. This could not continue, however, when the frontiers became fixed.¹⁴² Therefore, under the first six Il-Khans, military *iqta's* were granted to high ranking men.¹⁴³

Under Ghazan Khan the problem of non-institutionalized payments from the treasury and pasture lands became serious. The Ghazan and his *wazir* Rahid ud-Din started to give *iqta'* to all Mongols who were soldiers. Thus in every district whole regions became *iqta'* to soldiers who had to manage them and fulfill their military obligations.¹⁴⁴ The decree of the year 1303 A.D. by Ghazan dealing with the appropriating of *iqta'* land amongst the Mongols "was formally an act of beneficence."¹⁴⁵ However, this act was made necessary by the persistent desire of the army as is indicated by Rashid ud-Din. Thus the centralization policy of Ghazan was loosened, and the path to fuedal fragmentation was opened.¹⁴⁶

According to Ghazan's decree, a specified district with its irrigation system was granted in *iqta'* to the *amir* of a thousand (i.e., a branch of the Mongol tribe who provided the army with a thousand horsemen). The *amir* of a thousand divided this *iqta'* among the *amirs* of hundreds by sortition. *Amirs* of hundreds in turn divided land among *amirs* of tens, and these *amirs* did the same among the soldiers. Thus the assignees of the lower ranks became the vassals of the high ranking *amirs*. The soldiers themselves had to manage the farms, and received a village or part of a village. The *amirs* received more, of course.

The ownership of such *iqta'*s were conditioned upon the performance of military service. An *iqta'* could be taken back if the service was not satisfactory. However, *iqta'* lands also became inheritable, not necessarily by the son, but by that member of the family who could best perform the military service. All taxes which previously had been paid to the treasury were to be collected as a right by the landowner himself. The only obligation of each one of the holders of *iqta'*s was to pay 147.5 Kg. to the *divan*. The possessors of *iqta'* lands had fiscal immunity, but not yet administrative and judicial immunity. The inspector of the *divan* of the army was required to inspect the land and to take back the lands of those who did not do their military service, or did not cultivate their lands.¹⁴⁷

Villages were assigned with the peasants who lived in them. Peasants who had left the area thus assigned during the previous thirty years were to be sent back. However, the assignees were forbidden to accept peasants from other districts. They could not even transfer peasants from one village to another just because both villages were their own.¹⁴⁸ Ghazan's decree established the caste-hierarchical system of military fiefs with bound peasantry to the land.

In addition to the *iqta'* granted to the military nobility, members of the bureaucracy and religious bodies also received such grants. These grants were either for life or hereditary. There were also grants of *iqta'* as gifts which became *mulk*. Often such grants were replaced by the grant of a village which belonged to the state. This kind of grant was called *muqassa*. *Muqassa* was either for life or for eter-

nity. From the charters of Sultan Uwais one gets the idea that the owner of *muqassa* lands had both fiscal and administrative immunities.¹⁴⁹

ā. *The development of Soyurghal.* In the second half of the fourteenth century (during the Jalayirid dynasty) the development of *iqta'* led to *soyurghal* (Mongol, literally "grant"). *Soyurghal* was a hereditary fief enjoying military, administrative and judicial immunity. In fact after the middle of the fourteenth century the term *soyurghal* was used instead of *iqta'*. However, the vassal principalities, the indigenous populations, and sometimes administrative texts had retained the term. It is possible that originally the Mongolian word was used in the case of large grants to Mongol notables, while *iqta'* was used for the smaller grants.¹⁵⁰

From the documents which have survived from the period one can distinguish *soyurghal* from *iqta'* in terms of the grants of immunities. Additional immunities, e.g., judicial, made the peasants more dependent on the lords.¹⁵¹ These immunities plus the fact that peasants were attached to the soil, went hand in hand with the development of feudal ownership of land.

Pasture lands of the nomads

Pasture lands were used by the nomads - Mongols, Turks, Lurs, Kurds, and Arabs for their summer quarters in high mountainous regions and for their winter camps in the plains. They were called *yurt*. The grant of pasture increased during the Mongol period. These lands were considered as *iqta'* or *inju*.¹⁵² However, such grants were also known in Iran during the time of the Seljuqs.¹⁵³

The nomads were also exploited by their tribal lords. However, due to clan relationships, their exploitation was softened. The nomads had to give the surplus of their dairy product and wool to the lords, and to shepherd the leaders' herds of sheep, camels, cattle, etc. However, the tribal

lords also exploited the settled peasantry who lived on their *iqta's* and *injus*.¹⁵⁴ On the whole, *yurt* lands were not an important category of landownership even during the Mongol period.

Conclusion

What is clear from the above discussion is that the state ownership of land has not been predominant most of the time. Of course, one of the characteristics of the Islamic countries of the Middle East was the importance of state lands. However, by the development of all kinds of conditional and unconditional ownership of land the amount of state lands steadily decreased. In fact, even during the time of the caliphs, before the eleventh century when state lands were the dominant form of landownership, private and crown lands also were important in Iran.

During the eleventh century conditional ownership of land connected with military and civil services gradually replaced the unconditional grants of land of the previous period. Such conditional grants called *iqta'* increased at the expense of state and *mulk* lands. Thus, in the twelfth to fifteenth centuries an important share of the lands of Iran were owned by different groups of feudal lords who gradually turned these grants into their hereditary ownership.

Initially *iqta'* grants had only fiscal immunities. However, with the increase in the power of the *muqta's*, the grantees exercised all public and private power at the same time. Such immunities were finally recognized officially by the Mongols who granted the lords fiscal, administrative and sometimes judicial immunities.

In the Islamic countries *iqta'* changed from a kind of free benefice to a military fief that was an assignment of land with the people on it. This latter form of grant was already hereditary in the eleventh century A.D.

Non-hereditary *iqta'* was an institution like benefice, and hereditary *iqta'* was an institution like fief. Like the Western European benefice and fief, the institution of *iqta'* contributed to the formation of a feudal class. Both institutions served to maintain the military vassals and the officials of the state. They were conditional ownership of land in return for service, usually of the military variety. The systems of benefices, fiefs and *iqta'*s all contributed to the development of vassal relations and feudal hierarchies. Both hereditary *iqta'* and fief gave rise to similar political rights over tenants, and later on judicial rights were added to them. However, some western scholars have tried to show that *iqta'* was not really similar to fief. A. Lambton, for example, thinks that the evolution of *iqta'* lacked the practice of commendation and therefore the main principle of vassalage. According to her the need for protection was absent in medieval Islam. She thought that in the East "it was the financial and administrative institutions of the state that this need seized upon and transformed; from this stems a fundamental fundamental between the feudal institutions of Western Europe and the *iqta'* system, namely that whereas a contractual relationship was an essential characteristic of the former, the element of contract never became a feature of the *iqta'* system."¹⁵⁵

That the two systems had their own peculiarities is not in doubt. It would be superficial to speak of the complete identity of the development of Islamic *iqta'* and European fief. However, what Lambton is pointing out is not a difference in substance between these two forms of land-ownership, but a difference in forms. What matters is that the ruling class needed an army and an administration to preserve its power, and continue to live on the surplus of others. The army and the officials were to be fed and clothed. As the state became larger, the existing *natural economy* (production for consumption and not for exchange) forced the upper ruling class to grant a piece of land or its revenue for remuneration of the services of the officials and the army. This need led to the emergence of land grants of the type of fief, benefices and *iqta'*s. Now, their forms are not as important as the historical function of these institutions: their contribution to the formation of a feudal class.

The lack of contractual relationship is not a "fundamental difference" between *iqta'* and fief. It is a difference in form. After all, the practice of commendation became widespread in Europe only from the eighth and ninth centuries onward. Benefices during the Merovingian period were not in fact granted by lords to those who commended themselves to them. Besides, in the case of Islamic countries there was no special need for any contractual relationship as the grantees were in any case pledged to obedience and loyalty to the caliph as the secular and spiritual guardian. The same, of course, was true of the ecclesiastical benefice and fief in Western Europe.¹⁵⁶ However, the grantees in both cases were granted *iqta'* or fief on the condition that they would perform military service for the lord. In both cases land had several claimants who were dependent on each other in a long sequence.

Notes

1. F.L. Ganshof, *Feudalism*, (New York: Harper and Row Publishers, 1964), pp. XVI-XVII. Hereafter cited as Ganshof.
2. Marc Bloch, "European Feudalism," *Encyclopaedia of the Social Sciences*, VI, (1931), pp. 205-7. Hereafter cited as Bloch, *Encyclopaedia*.
3. The church in Europe, too, was to a large extent feudalized. This meant that secular lords in return for homage invested bishops and abbots with their ecclesiastical offices and the temporalities that went with them. For these temporalities bishops and abbots were required to render the king various services, even military service. Besides, there was tenure by divine service, under which churchmen were granted fief in return for fealty and for the performance of spiritual services. Many churches, too, were owners of large feudal estates. "Feudalism," *Encyclopaedia Britannica*, IX, (1968), p.220. Hereafter cited as *Britannica*.
4. Marc Bloch, *The Cambridge Economic History of Europe*, I, (Cambridge: Cambridge University Press, 1966), pp. 264-72. Hereafter cited as Bloch, *Cambridge*.

5. *Britannica*, p.220.
6. *Ibid.*
7. Bloch, *Encyclopaedia*, p.206.
8. *Britannica*, p.220.
9. Melvin M. Knight, "Serfdom," *Encyclopaedia of the Social Sciences*, XIII, (1931), pp.667-8.
10. Bloch, *Cambridge*, pp.235-6.
11. Bloch, *Encyclopaedia*, pp.208-9.
12. *Ibid.*
13. *Ibid.*, p.208.
14. *Ibid.*, pp.208-9.
15. Helen M. Cam, "The Decline and Fall of English Feudalism," *History*, XXV, (1961), p.216.
16. Max Weber, *The Theory of Social and Economic Organization*, (London: Collier-Macmillan Limited, 1947), pp. 351-86.
17. Joseph R. Strayer and Rushton Coulborn, *Feudalism in History*, (Hamden, Connecticut: Archon Books, 1965), pp. 4-5.
18. Ganshof, p. xvii.
19. Marc Bloch, *Feudal Society*, (London: Routledge and Kegan Paul Ltd., 1961).
20. *Ibid.*, p. 446.
21. *Ibid.*, p. xix.
22. Karl Marx, *Capital*, III, (New York: International publishers, 1967), p.791. Hereafter cited as *Capital*, I, II, or III.
23. *Ibid.*, I, p.77.
24. *Ibid.*, III, p.791.
25. *Ibid.*, Emphasizing the relationships between the producers and the non-producers, Marx says:

"The specific economic form in which unpaid surplus labour is pumped out of direct producers, determines the relationship of rulers and ruled, as it grows directly out of production itself and, in turn, reacts upon it as a determining element. Upon this, however, is founded the entire formation of the economic community which grows up out of the production relations themselves, thereby simultaneously its specific political form. It is always the direct relationship of the owners of the [means] of production to the direct producers - a relation

always naturally corresponding to a definite stage in the development of the methods of labour and thereby its social productivity - which reveals the innermost secret, the hidden basis of the entire social structure, and with it the political form of the relation of sovereignty and dependence, in short, the corresponding specific form of the state. This does not prevent the same economic basis the same from the standpoint of its main conditions - due to innumerable different empirical circumstances, natural environment, a racial relations, external historical influence, etc., from showing infinite variations and gradations in appearance, which can be ascertained only by analysis of the empirically given circumstances." *Ibid.*, pp.791-2.

26. *Ibid.*, p. 794.

27. I. M. Diakanov, "The Commune in the Ancient East as Treated in the Works of Soviet Researches," *Soviet Anthropology and Archeology*, II, No.1 (Summer, 1963), p. 42. Hereafter cited as Diakanov, *The Commune*.

In the Seleucid period the lands of the country were divided into two groups: royal lands and city lands. Royal land or 'imperial domain' was very extensive. However, the amount of these lands was reduced as the Seleucid kings converted more and more of the 'imperial domain' into the property of the cities.

The extent of the royal land and its management was very complex, and it was different in various parts of the country. Records show that a large part of the 'imperial domain' was cultivated by peasant communes who had to pay the king land rent (*exforion*) in kind or money, and do labour service in the king's household. In the tablets of Asia Minor these peasants were known to be members of the communes called *laoi basilixoi* which meant 'king's people.' M. M. Diakanov, *Ashkanian*, (Tehran, 1965), pp. 18-9. Hereafter cited as *Askanian*.

28. *Ibid.*

29. The parchments belonged to the time of the Parthians who ruled Iran from 200 B.C. to 227 A.D.

30. Valdimir G. Lukonin, *Persia II*, (Cleveland: The World Publishing Company, 1967), pp. 24-7. Hereafter cited as

Lukonin.

According to a promissory note (a parchment found near Dura-Europos dated 122 A.D.) a peasant belonging to a commune in the village of Paliga had borrowed some money on the security of his plot of land and all his property. The document stated that the peasant, having received the loan, undertakes 'until he shall have returned the sum advanced, to perform service of a slave to the [the lender],. . . doing all that shall be required of him, . . . being absent . . . neither by day nor by night.' *Ibid.*, pp.23-4.

31. *Ashkanian*, pp.71-2.
32. The historian Masoudi observes that such a development started at the time of Bahram II (276-93 A.D.). According to Masoudi this was the cause of future trouble in Iran. He reports that the situation became so bad due to the decrease in the amount of taxes received that Bahram II had to force those who gave their lands to the big lords, to go back to their own lands. In order to encourage this action, Bahram also cancelled the outstanding debt of these peasants or landlords, reduced land dues and poll taxes. Masoudi, *Morudj al-Shahāb*, (Tehran: B.T.N.K., 1965), pp. 244-8. Hereafter cited as Masoudi.
33. Karl Marx and Frederick Engels, *Selected Works*, (New York: International Publishers, 1968), pp.570-1. Hereafter cited as *Selected Works*.
34. The Mazdakite doctrine reflected the interest of peasants reduced to bondage and dependence in the period of the enserfment of the communes. After great suffering under the new social system, the masses of producers sought redemption in a reestablishment of the old communal status. In northern Iran, e.g., the Mazdakites formed their own communes on land expropriated from the legal owners.

The spread of the Mazdakite movement prompted King Kavad I to join the Mazdakites. He did this because he was unable to fight them. Besides, he wanted to make use of them to destroy the increasing power of the aristocracy and the priesthood.

When these upper strata of society had been sufficiently weakened economically and politically, the

Sassanid Kings no longer found it necessary to support the Mazdakites. The Kavad's son, Khusro I, liquidated and suppressed the Mazdakites, and their communes were destroyed.

The Mazdakites suffered extermination at the hands of a new social class, the small (*dihqans*) and moderately big landlords, to whom Khusro granted their lands in return for their support. The upper rank of this class formed the new aristocracy. A few clans of the old nobility survived, but they had lost their former influence. N. V. Pigulevskaya, *History of Iran*, I, (Tehran: Tehran University Press, 1970), pp. 109-15. Hereafter cited as *History of Iran*, I or II, and E. A. Belyaev, *Arabs, Islam and the Arab Caliphate*, (New York: Frederick A. Praeger, Inc., Publishers, 1969), pp.17-8. Hereafter cited as Belyaev.

35. *History of Iran*, I, pp. 111-2.
36. It is known that during the Tahirids in 864 A.D., peasants rebelled against the government when these pastures and forests were turned into state lands. I. P. Petrushevsky, *Keshavarzi va Munasibat-i Arzi dar Iran-i Ahd-i Mughul*, II, (Tehran: Tehran University Press, 1966), p. 79. Hereafter cited as *Keshavarzi*, I or II.
37. *Ibid.*, pp. 118-23.
38. Frede Lokkegaard, *Islamic Taxation in the Classic Period*, (Copenhagen: Branner and Korsh, 1950), pp.49-51. Hereafter cited as Lokkegaard.
39. *History of Iran*, I, pp.137-40.
40. A Semitic term meaning "going out." Later it became the Islamic "land tax" *kharaj* in Arabic. Richard N. Frye, *The Heritage of Persia*, (Cleveland: The World Publishing Company, 1963), p. 113. Hereafter cited as Frye.
41. The Arab conquests in the seventh and eighth centuries resulted in the establishment of Arab domination over vast territories of Asia, Africa and Europe. *History of Iran*, I, pp. 173-7.
42. It is known, according to the historian Baladhuri, that upon the conquest of Sawad the army asked Omar to divide the land among them. Omar ordered that the local peasants be counted. "Each Moslem had three peasants for his share." Al-Baladhuri, *Futuh al-Buldan*, I, (New York: Columbia University Press, 1916), p. 423. Hereafter cited as Baladhuri, I or II. However, Omar "took

the advice of the Prophet's Companion, and Ali said, "Leave them that they may become a source of revenue and aid for the Moslems." Accordingly, Omar did not divide the Sawad land. *Ibid.* Baladhuri also reports that Omar had said on this occasion: "What will then be left for those Moslems who come after you? Moreover, I am afraid that if I divide it, ye may come to be at variance with one another on account of its water." *Ibid.*, p. 426.

43. This does not mean that Omar never granted land. Baladhuri cites a case when a man named Nafi asked Omar to grant him a certain parcel of land in Basra which was neither subject to tax nor supplied with water. Omar granted him the land. *Ibid.*, pp. 67-8. Even Mohammed granted lands. According to *Bahr al-Fava'ed* Mohammed gave lands to several people. In two cases the lands granted were not in the territory of the Islamic empire yet. However, title deeds were written for the grantees. Upon the conquest of the lands, the grantees were given the lands promised to them. *Bahr al-Fava'ed*, (Tehran: B.T.N.K., 1966), pp. 160-1. Later it was claimed that these lands should be kept under tillage, otherwise the rights were lost. In fact, during the time of Omar some of the lands granted by the prophet himself were taken back because they were left uncultivated. During the Umayyad dynasty there was a limitation of time for a land grant to be left untilled. Lokkegaard, pp. 16-9. Among the first four Caliphs, Othman was the only one who granted larger areas of land to his friends and relatives. *Ibid.*, p. 18.

The practice of land grants during the early Islam was similar to the practice of granting benefices in the Merovingian period (sixth to eighth century). See Ganshof, pp. 11-2.

44. Baladhuri, 1, p. 426.
 45. *Ibid.*, pp. 420-33.
 46. It was from these lands and the waste lands that the third Caliph, Othman, granted lands to his friends and relatives. Many of the lands were granted to the Umayyad family who later became the rulers of the empire. M. Siddiqi, *Development of Islamic State and Society*, (Lahore: Institute of Islamic Culture, 1956), pp. 69-73.

47. Reuben Levy, *The Social Structure of Islam*, (Cambridge University Press, 1957), p. 323. Hereafter cited as Levy.
48. To get an idea on the amount of taxes received and spent for public undertakings (i.e., expenditure on the Holy Cities of Mecca and Medina, the pilgrim routes, etc.) as compared to expenditures on the royal household, minor police and administrative officials, it should be mentioned that in the year 918 A.D., the former got less than one million dinars, while the latter received about fifteen million dinars. *Ibid.*, p. 324.
49. It is known that the estates of a high ranking official called Ibn al-Furat were confiscated, and were added to the state lands. C. Cahen, "Day'a," *The Encyclopaedia of Islam*, II, (1965), p. 188. Hereafter cited as Cahen, *Day'a*.
50. Taxation of state lands was sometimes granted as a *muqata'eh* under the caliphs, especially before the eleventh century, to important men who paid a lump sum for it or agreed to perform military service at their own expense. C. Cahen, *The Cambridge History of Islam*, II, (Cambridge: Cambridge University Press, 1970), p. 533. Hereafter cited as Cahen, *Cambridge*.
51. *Keshavarzi*, II, pp. 7-9.
52. Ann K. S. Lambton, *Landlord and Peasant in Persia*, (London: Oxford University Press, 1969), p. 81. Hereafter cited as Lambton.
53. See Levy, pp. 308-10 and 312-4, and Lambton, p.81, for the Abbassid and Mongol eras, respectively.
54. I. P. Petrushevsky, *The Cambridge History of Iran*, V, (Cambridge: Cambridge University Press, 1968), pp.485-6. Hereafter cited as Petrushevsky, *Cambridge*.
55. It is otherwise difficult to explain how the caliphs left such vast and enormous sums at their death. It is known that the Abbassid caliph Al-Rashid owned a fortune of 900,000,000 dirhams, while his grandfather Mansur had accumulated 960,000,000 dirhams, which his son dissipated. Levy, pp. 305-6.
56. It is known that during times of trouble, when the revenues were scanty, the caliphs provided money for the public account. Thus the Abbassid caliph Muqtadir was compelled to pay a large sum out of his own private treasury to mercenary troops who had mutined for their

- hire. *Ibid.*, pp. 306-7.
57. Lokkegaard, pp. 51-2. See also Ann K. S. Lambton, "*Diwan*," *The Encyclopaedia of Islam*, II, (1965), pp.333-5. Hereafter cited as Lambton, *Diwan*.
 58. M. Dandamayev, *Ancient Mesopotamia*, (Moscow: "Nuka" Publishing House, 1969), pp. 300-1. Hereafter cited as Dandamayev, *Ancient Mesopotamia*.
 59. *Ibid.*, pp. 306-7. It is very doubtful that during the Achaemenids and later, the kings were the supreme owners of all the lands in the empire. No evidence has been presented in support of the existence of ultimate ownership of the land by Middle Eastern Kings. "Everything that has been presented in proof of the alleged existence of the ultimate property right of the king in all the land pertains either merely to his prerogatives in the field of public law (such as, for example, confiscation of land for failure to pay taxes or to perform duties, . . .) or to royal lands as such, and not to lands in general." Diakanov, *The Commune*, p.41, and Dandamayev, *Ancient Mesopotamia*, p.307.
 60. *Ashkanian*, pp. 18-9 and 72-3.
 61. Documents show that parts of the new territories in Mesopotamia were incorporated into the Sassanian Kings' personal domains. Sources also show that part of the land attached to the city of Dura-Europos, which was transformed into an imperial city under Shapur I, was granted to Persian settlers. Lukonin, p. 21-2.
 62. During the first four Caliphs of Islam, these estates were made up in the first place from one-fifth of the booty which was put aside for the prophet and his successors. Belyaev, pp. 124-48. In the course of time, however, it was assumed that the leader of the country whether he was a local ruler or the caliph, might confiscate for himself large estates. Thus, it is known that a local ruler of Fars gave assignments of lands to his army in 901 A.D. The caliph in Baghdad sent him a letter of disapproval and stated that he wished to keep Fars as his hunting ground and as crown land. *Tarikh-i Sistan*, (Tehran: 1935), p. 274. Hereafter cited as *Tarikh-i Sistan*.
 63. Lokkegaard, pp. 51-2.
A good example is the treatment of the Persian ruler of Tabaristan by Al-Rashid and his son Ma'mun. Both caliphs forced the local ruler to surrender several

hundred villages to them. Lambton, p. 25.

64. The Samanids, who established a local dynasty in Khurasan and Transoxiana in the late ninth century A.D., are known to have had vast amount of lands. Narshakhy tells us that the vast properties of the Bukharkhodats together with some other villages in different areas were transferred to the Crown. At this time a special office was also set up for the administration of the royal domain. W. Barthold, *Turkestan Down to the Mongol Invasion*, (London: Luzac and Company Ltd., 1968), pp. 231 and 235. Hereafter cited as Barthold.

According to *History of Bayhaq*, in the final period of Samanid rule, it was decreed that on the death of an official of the *divan*, part of his property should be transferred to the crown. Later on, a law was introduced that on the death of each inhabitant who was not survived by a son, part of the property should pass to the crown. Finally, the law was extended even to the property of those who left theirs. *Ibid* p. 259.

The Ghaznavids, another local dynasty of Eastern Iran who came into power in the beginning of the eleventh century, followed the policy of the Samanids in confiscating the lands of the preceding dynasties and of their officials. Thus, they confiscated the crown lands of the Samanids which were appropriated by the Simjurids toward the end of the former's rule. Escheats to the crown and confiscations of lands also added to the royal domain. Like the latter period of the Samanids, the sultan was *ultimus haeres* to those who did not have heirs, and to his slaves and his eunuchs. The sultans also confiscated the property of their officials upon their death. C. E. Bosworth, *The Ghaznavids*, (Edinburgh: Edinburgh University Press, 1963), pp. 69-70. Hereafter cited as Bosworth.

65. Cahen, *Day'a*, 187-8.

66. Masoudi, pp. 244-8.

67. Lokkegaard, p. 68.

68. In a case cited by the Arab historian Baladhuri a military chief, *qa'id*, himself standing in a *homagium* relation to a provincial governor, *wali*, took over the "protection" of several villages in a place near Hamadan. The people of these villages became his tenants in order to enjoy his "protection". The chief

appropriated the villages to himself, and used to pay the treasury what was due on them until he died. Later, these villages came under the protection of the Abbasid caliphs, and were added to the crown domains. Baladhuri, I, p. 484. In another case the people of Zanjan entrusted their estates to the Arab governor of northern Iran when the city was conquered by the Arabs. They "protected" themselves through him, and thus became his tenants. These villages also became part of the crown domain at a later period. The people of Kazikan likewise commended themselves to the "protection" of the same governor. For this "protection," however, they paid the overlord an *ushr* beside the *ushr* that went to the government. *Ibid.*, II, pp. 12-3. The Arabs who conquered Azerbaijan seized lands wherever they could, though some bought lands from the Persians. "To these Arabs the villages turned for protection, and the [native] inhabitants became cultivators of the soil for them." *Ibid.*, p. 25. The people of Maraghah also sought the "protection" of the Arab *wali* of Armenia and Azerbaijan. Later, however, these lands were confiscated and became the land of one of the daughter's of Al-Rashid, the Abbasid caliph. *Ibid.*, p. 26. These examples clearly show the importance of the practice of commendation in this period of Iranian history.

It is further known that the people living in Basrah obtained protection from Ali, a son of Al-Rashid. They accepted to work on the land for him on the condition that Ali would lighten their burdens. "Ali bound himself by oath to the people" for the agreement. *Ibid.*, p. 99. Thus the land was added to the crown lands.

According to *Tarikh-i Qumm*, written at the end of the tenth century A.D., during the reign of Mutazid (892-902 A.D.) the owners of the estates in Jibal were forced to surrender their estates to the caliph. The land was given back to its former owners on a life rent with the right to whatever was not due the caliph. The former owners were also freed from the payment in lieu of labor service and other kinds of taxes. Hassan B. Muhammed B. Hasan Al-Qummi, *Tarikh-i Qumm*, (Tehran, 1934), p. 187. Hereafter cited as Qummi.

69. From eleventh to thirteenth century central Iran and Middle East was ruled by a Turkish princely family

called Seljuqs. The Seljuqs disintegrated into several dynasties: The Great Seljuqs, ruling Iran and Transoxiana; the Seljuqs of Iraq; the Seljuqs of Kirman; the Seljuqs of Syria; and the Seljuqs of Asia Minor. "Seldjuqs," *The Encyclopaedia of Islam*, IV, (1934), p. 208.

70. Lambton, p. 65.
71. Lambton, *Diwan*, p. 333.
72. Some of the estates of Alp Arslan came from confiscation. The Seljuqs also appear to have confiscated the estates of the district of Igharayn. Lambton, p. 65.
73. Thus, according to Rashid ud-Din, the viceroy of the Il-Khan, Ghazan Khan (1295-1304 A.D.), it became customary to commend oneself under the protection of the royal family. *Keshavarzi*, II, p. 15.
74. *Ibid.*, pp. 13-15.
75. *Ibid.*, pp. 16-18.
76. Ghazan, however, made all his *inju* lands into a *waqf* for his male children of his chief wife. If she had no male children, then these lands were to go to the sons of his other wives. Lambton, p. 87.
77. *Keshavarzi*, II, pp. 15-9.
78. *Ibid.*, pp. 23-6.
79. Ganshof, pp. 36 and 119.
80. *Keshavarzi*, II, pp. 16-7 and 20.
81. Cahen, *Day'a*, pp. 187-8, Lokkegaard, pp. 51-2 and 68-70.
82. These small landlords lived mainly in fortified castles, each with his own troops of retainers. *History of Iran*, I, pp. 109-23. The strength of the army was based on the heavy nail-clad cavalry. This cavalry was composed of *dihqans*. C. Huart, *Ancient Persia and Iranian Civilization*, (New York: Alfred A. Knopf, 1927), p. 166. Hereafter cited as Huart. *Dihqans* received rent and collected the state taxes from the producing class of their estates and villages, also fulfilling certain administrative and judicial functions. Thus, even though they held the land in complete ownership, they provided a service for the Sassanid government, which was discontinued after the Arab conquests. *Ibid.*, pp. 143 and 158.
83. It is known that when Bahram V (420-38 A.D.) was lost during a hunting trip, he arrived at the house of a *dihqan* and stayed there for the night. He was pleased with the hospitality of the *dihqan*. When he reached the

- capital the day after, he granted the *dihqan* several villages. *Marzuban-Nama*, (Tehran, 1932), p. 22. See also Frye, p. 219 and pp. 224-5 on *dihqans*.
84. It was later understood that the conversion of the landlords to Islam would not change the fiscal status of their land. Cahen, *Day'a*, p. 187.
 85. Since no good record was kept for *qata'i'* grants, the grantees claimed them as their own. They were hereditary, and could be bought and sold. *Ibid.*, pp. 187-8.
 86. *Ibid.*, and Qummi, pp. 47-51, 156 and 255.
 87. *Ibid.*, p. 188 and Lokkegaard, pp. 67-8.
 88. It is known that during the time of the Caliph Al-Muqtader (908-932 A.D.) *mulk* lands were dominant in Fars. However, these lands were confiscated by the Buyids (935-1055) and were distributed as *iqta'* to the army. Ibnu'l Balkhi, *Fars-Nama*, (London: Cambridge University Press, 1921), pp. 171-2. Hereafter cited as *Fars-Nama*.

Istakhri writing in the tenth century A.D. states that one of the famous Arab families had confiscated many lands in Fars and turned them into their own *mulks*. Another landlord kept a small army on his lands to protect his interests. These lands also became *iqta'* lands during the Seljuqs. Abu Ishaq Ibrahim Istakhri, *Masalik va Mamalik*, (Tehran: B.T.N.K., 1969), pp. 122-4. Hereafter cited as Istakhri.

Apparently the Saffarids (a local dynasty ruling eastern Iran from 861-900 A.D.) confiscated some *mulk* lands, as a result of which the landlords left their estates and went under the protection of the Tahirids who ruled in Khurasan (821-873 A.D.) Khondamir, *A History of the Minor Dynasties of Persia*, (London: Oxford University Press, 1910), pp. 11-3. Hereafter cited as Khondamir.

Mulk lands of Khurasan and Transoxiana were mostly owned by *dihqans*. They paid taxes on their land to the Samanid treasury. It is interesting to note that the Samanids (819-999 A.D.), who ruled in Transoxiana and later in Khurasan, were descended from an old aristocratic family (*dihqan*). Coming from this class of landlords, the Samanids sought their support at first. They did this because *dihqans* living in their fortified castles could easily call their peasants for wars. Thus,

the Samanids employed in their army members of the local aristocracy as well as common people. Richard N. Frye, *Bukhara*, (Norman, Oklahoma: University of Oklahoma Press, 1965), pp. 35, 43, and 73-4. Hereafter cited as *Bukhara*.

89. The decline of the *dihqan* class all over Iran started in the second half of the tenth century. There is evidence that in response to the increase of *iqta'* and worsening conditions due to high taxes, *dihqans* started to come to the cities. Among the ruling class, they suffered most from the disorders stimulated by the system of petty principalities and the system of territorial fiefs. *Dihqans* were protected by the Samanids at the beginning, but were neglected at the end. To resist this, *dihqans* gave active help to the Qarakhanids who captured Bukhara in 992 A.D. However, the *iqta'* system eventually destroyed them. By the time the Mongols invaded Iran, one no longer finds any information pointing to the importance of this class. However, in Khurasan they are referred to on occasion as still living in their castles on their estates. Barthold, pp. 307-8.
90. It is known that the Qarakhanids granted *iqta'* to many *dihqans* of Transoxiana. *Bukhara*, pp. 156-7.
91. It is known that the viceroy of Barkyaruq took away estates from their owners and granted them as *iqta'*. Lambton, p. 65.
92. C. Cahen, "Ikta'," *The Encyclopaedia of Islam*, III, (1970), p. 1089. Hereafter cited as Cahen, *Ikta'*.
93. *Fars-Nama*, written in the twelfth century A.D., tells us that the meadow land and villages of little and big Run in Fars was part *iqta'* and part *mulk*. *Fars-Nama*, pp. 124 and 153.
94. It is known that much of the Rashid Ud-Din's estates in Khuzistan and Kirman were bought. *Keshavarzi*, II, pp. 37-9.
95. Rashid Ud-Din confiscated the estates of Sharaf Ud-Din Muzaffar (the father of the founder of the Muzaffarid dynasty) in Yazd. Lambton, p. 78.
96. *Ibid.*, pp. 42-3.
97. *Waqf*, however, was not limited to land. It could include canals, bathhouses, bazaars, shops, mills, etc.
98. Lokkegaard, p. 53.

99. *Ibid.*
100. "Oraqaf," *Iran-Shahr*, II, (1964), p. 1266.
101. *Keshavarzi*, II, p. 27.
102. However, in practice such lands were also confiscated, as were other types of land.
103. *Ibid.*, p. 29, and Lambton, pp. 104, 170 and 234.
104. *Keshavarzi*, II, pp. 28-9.
105. Cahen, *Cambridge*, p. 537.
106. *Ibid.*, p. 519.
107. According to Qummi some local landlords transformed their lands into *waqf*. However, these lands were confiscated by the Abbassid caliphs. The local landlords transformed their remaining lands into *waqf* after the confiscation. These lands, too, were confiscated by the Buyids in the tenth century A.D. and were distributed as *iqta'*. Qummi, p. 279. As far as interference is concerned, it is known that the Buyids meddled with the affairs of the *ouqaf* (pl. of *waqf*) of the Sawad. They appointed over the *ouqaf* inspectors and comptrollers and paid their beneficiaries a fixed pension. Lambton, pp. 27-8. It also is known that the private *ouqaf* of a certain family in Nishapur were confiscated by the viceroy of the Ghaznavids in the early eleventh century. *Ibid.*, p. 51.
108. *Ibid.*, pp. 67-8.
109. Mirkhond, *Rozat ul-Safa*, IV, (London), pp.24 and 34-5.
110. Lambton, pp. 68-9.
111. Rashid ud-Din turned some of his vast estates into a private *waqf* for his male and female heirs. *Ibid.*, p. 97.
112. *Keshavarzi*, II, pp. 33-4
113. It is known that a certain descendent of the Prophet Mohommed was brought to Shiraz from Mecca by the Buyids. The Buyids transformed several estates in Fars into *waqf* for the male descendents of this family. In due course the estates of the descendent of the Prophet became numerous. When the Mongols conquered Fars, they confiscated these estates and turned them into *inju* lands. The family complained and gradually received the estates back from the Moslem Il-Khans. In 1281 A.D. the family's estates once more were turned into *inju*. At the end the family retained only half of the lands. Lambton, pp. 78-9.
114. Ann K. S. Lambton, "The Evolution of the *Iqta'* in

Medieval Islam," *Iran*, V, (1967), p. 42. Hereafter cited as Lambton, *Iqta'*.

115. The districts of Marj and Karaj in western Iran were regularly referred to as *al-Igharayn*, even after they had lost the official status which earned them this name. C. Cahen, "Ighar," *The Encyclopaedia of Islam*, III, (1970), p. 105. According to *Tarikh-i Qumm*, Ali Ibn Isa took over the ownership of certain estates in the district of Igharayn. He ordered that allowances from the produce of the estates were to be given to anyone who surrendered his estates voluntarily. All taxes assessed were to be paid to the treasury, but they were not to be troubled in any other way. Qummi, p. 187.

116. Lokkegaard, pp. 61-2.

117. Cahen, *Ikta'*, p. 1088.

118. *Ibid.*

119. C. Cahen, "Djaysh," *The Encyclopaedia of Islam*, II, (1965), p. 508. Hereafter cited as Cahen, *Djaysh*.

In Western European feudalism vassals did not always have benefices. Under Charlemagne and his successors there were many unbeneficed vassals living in the lord's household. These vassals received their clothing, food and arms from the lord. However, from the second half of the eighth and the ninth century on the custom of granting land in benefice to vassals became common. Ganshof, p. 36.

120. Cahen, *Ikta'*, p. 1088.

121. The institutions which were seized upon and were transformed by the development of *Iqta'* were the *daman* and *qabala*. The *daman* was a tax-farm, i.e., the right to collect the taxes of a given area. The taxes of many districts or even provinces were farmed out to influential men. The *qabala* was the undertaking by a local notable to pay the state a fixed sum according to the lunar year, collecting for himself the *xaraj* of the tax payers. Lokkegaard, pp. 94-108. With the development of *iqta'* taxes were assigned not to tax-farmers, but to the military men themselves who did not have to make any payment to the state.

122. Cahen, *Ikta'*, p. 1088.

123. Cahen, *Djaysh*, p. 508.

124. Lokkegaard, pp. 58-9.

125. It is known that Hassan-i Zaid who governed Tabaristan used to grant *iqta'* to his followers. Ibn Isfandiār, *Tarikh-i Tabaristan*, I, (Tehran, 1941), p. 284. Hereafter cited as Isfandiār.
126. It is known that the Samanids (819-999 A.D.) at first were granted transoxiana as an hereditary *iqta'* directly by the Abbassids. Later the governorship of Khurasan, too, was given to the Samanids. "Samanids," *The Encyclopaedia of Islam*, IV, (1934), pp. 122-3. The Samanids in turn granted *iqta'* and appointed their sub-governors themselves. However, Samanids always kept their allegiance to the Abbassids. Barthold, pp. 238-9, and *Bukhara*, pp. 125-7.

The Saffarids (861-900 A.D.), who ruled the eastern part of Iran, accepted the suzerainty of the Abbassids. Amir H. Siddiqi, *Caliphate and Sultanate*, (Karachi: Jamiyat-ul-Falah, 1942), pp. 66-75. Later, the Saffarids came under the overlordship of the Samanids. Khondamir, pp. 11-3. They, too, granted many *iqta'*s to their army around the beginning of the tenth century A.D. *Tarikh-i Sistan*, p. 274.

The founder of the Ghaznavid dynasty (962-1040 A. D.) started out as a vassal of the Samanids and for a long time recognized the latter's over-lordship. However, later Sultan Mahmud broke his ties with the Samanids in favor of an allegiance to the Abbasids. B. Spuler, "Ghaznavids," *The Encyclopaedia of Islam*, II, (1965), p. 1050. Despite the fact that the Ghaznavids fought the tendency to give land in *iqta'* in order to bolster their authority, the assignment of the revenues of land was common. Bosworth, pp. 41-2.

Under the Buyid rule in western Iran and Iraq (935-1055), military *iqta'* came to be the dominant form of landownership. Many districts were distributed as *iqta' al-istighlal* which did not pay anything to the central government. According to *Fars-Nama*, all military people received *iqta'* in Fars. These lands were taken away from local landlords who held them as *mulk*. *Fars-Nama*, pp. 167 and 171-2. Qummi reports that *iqta'* was established in Qumm by the Buyids who took the land away from *mulk* landlords. Qummi, p. 53. It is also known that when the Buyids ruled in Mazandaran many people sold and left their lands before they were confiscated. Isfandiār, pp. 123-4. It is interesting to

note that when the Buyids later accepted the overlordship of the Seljuqs, they were granted *iqta'*, too. Qazvini, *Tarikh-i Gozide*, (Paris, 1903), p. 188.

127. C. Cahen, "*L'Evolution de l'iqta' du ix^e au xiii^e siecle*," *Annales Economies Societes Civilisations*, (1953), p. 32.
128. Lambton, *iqta'*, pp. 45-6.
129. In Europe during the time of the early Carolingians, from Charles Martel to Charlemagne, the tendency to decentralization due to the grant of fief was checked as far as possible. However, from the ninth century onwards the decline of royal power, sub-divisions of the kingdom, and civil wars obliged the kings to grant their supporters not only royal lands but also royal privileges in order to obtain their services. Public rights fell more and more into the hands of the landed aristocracy. This process led to the complete collapse of the central authority at the end of the Carolingian period. A. Dopsch, *The Economic and Social Foundations of European Civilization*, (New York: Howard Fertig, 1969), p. 289. Hereafter cited as Dopsch. The same process of decentralization occurred during the latter period of the Abbassids due to the grant of *iqta'*.
130. Lambton, *Iqta'*, pp. 46-8.
131. According to Rawandi the *iqta'*s of the army of Malik-Shah were spread all over the country. Rawandi, *Rahatu's-Sudur*, (London: Messrs. Luzac and Company, 1921), p. 131. Hereafter cited as Rawandi.
132. Lambton, pp. 63-4.
According to an Arab historian a military *iqta'* holder in Syria during the Seljuqs had stated that '*iqta'* is our private estate, and our sons will inherit it, from father to son, and we are ready to fight for it.' *History of Iran*, I, p. 301-2.
133. Lambton, *Iqta'*, p. 48.
134. *Ibid.*
135. *Ibid.*, p. 47.

Bahram-Shah of Ghaznavid received Ghazna as an *iqta'* from Sanjar. The latter also granted Khwarizm as *iqta'* to one of the local rulers, and Zabulistan to one of his knights. Sultan Malik-Shah gave Syria, Iraq and the surrounding districts as *iqta'* to his retainers. Mahmud also granted *iqta'* to different individuals, and personally supervised such grants. It is stated that

Sultan Tughrul Ibn Arslan took back many *iqta'* grants from his *amirs* who revolted against him. He regranted these *iqta'*s to the atabaks (teachers) of his family. However, they, too, revolted against him after they had received the grants. Rawandi, pp. 129, 169, 205 and 335.

136. *History of Iran*, I, p. 307.

137. Lambton, pp. 63-4.

In Europe vassals also were constantly on the lookout for opportunities of converting estates which they held in benefice into their hereditary possession. 'We have heard,' said Charlemagne, 'that counts and other persons who hold benefices from us treat these as if they were their own allodial possessions.' Ganshof, p. 37. In fact some of these usurpations were successful in many parts of Western Europe in the ninth century. Just as military vassals tried to ensure that their benefices should pass to one of their sons after their death, so the holders of benefices for public offices were anxious to make their benefices hereditary. *Ibid.*, pp. 53-4. It is interesting to note that Nizām al-Mulk also complained about the same tendency as did Charlemagne. Nizām al-Mulk, *Siyasat-Nama*, (New Haven: Yale University Press, 1960), p. 33. Hereafter cited as *Siyasat*. The policy followed by the Carolingians in assigning benefices to their vassals also ended in the creation of several independent principalities. Even before the end of the reign of Charlemagne the bonds which tied a vassal to his lord, were stronger than those which bounded the subject to the king. The obligations of vassalage were mostly ignored at that time. This situation led to the creation of independent principalities scattered all over Europe. Ganshof, pp. 56-8.

138. Cahen, *Ikta'*, p. 1089.

139. *Ibid.*

140. The former solicited Khurasan from Barkiyaruq as his *iqta'*. The latter thought his income insufficient for his needs and so revolted and claimed the sultanate in the hope of getting some *iqta'*. The son of Takesh also quarrelled on this point, and asked for more *iqta'*. M. F. Sanallah, *The Decline of the Seljuqid Empire*, (Calcutta: University of Calcutta Press, 1938), pp. 3-4.

141. Lambton, pp. 60-1.

142. It is known that the Seljuq sultans assigned *iqta's* to their wives and other Seljuq women. Lambton, *Iqta'* p. 46.
143. Cahen, *Ikta'*, p. 1089.
144. Juvani, *Tarikh-i Jahan-Gusha*, I, (Leyden: E. J. Brill, 1911), p. 23. Hereafter cited as Juvani, or II.
145. Cahen, *Ikta'*, p. 1089.
146. Petrushevsky, *Cambridge*, p. 519.
147. Due to this policy four local dynasties sprung up after the death of Ghazan Khan. *History of Iran*, II, pp.430-78.
148. *Keshavarzi*, II, pp. 55-61.
149. *Ibid.*
150. *Ibid.*, pp. 66-72.
151. Cahen, *Ikta'*, p. 1089.
152. *Keshavarzi*, II, pp. 72-5.
153. *Ibid.*, pp. 75-6, and Lambton, pp. 77-100.
154. The Seljuqs were nomadic people. Among them the class mode of life had survived side by side with the developed class system of tribal military aristocracy. The Seljuq leaders were a kind of clan leaders. They conceived of their rule as extending wherever their people went. They were not being tied to any given area. In the steppe each tribe had its own *yurt*(grazing ground). Over these lands the leaders of the tribe exercised dominion and probably allotted specific pastures to different sub-groups. This conception of the Seljuqs as the guardian of the tribe or group of tribes was, of course, modified by the non-tribal class mentality of the conquered territories in Iran. *History of Iran*, I, pp. 291-3.
155. *Keshavarzi*, II, pp. 77-8.
156. Lambton, *Iqta'*, p. 44.
157. Dopsch, p. 297.