

“An orgy of licence?” democracy and property redistribution in Poland and the Baltics in their international context, 1918–1926

Richter, Klaus

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"An Orgy of Licence?" Democracy and Property Redistribution in Poland and the Baltics in Their International Context, 1918 - 1926

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Abstract

The article argues that property redistribution was a major tool of democratisation and nationalisation in Poland and the Baltics. It provided governments with a means to give peasants a stake in the new democratic states, thus empower the new titular nations and at the same time marginalise former elites, who became national minorities. The most significant acts of property redistribution were the land reforms passed between 1919 and 1925, which achieved the status of founding charters of the new states. Activists of the disenfranchised minorities conceptualised minority protection as the “magna carta” of the international order, which should contain the principle of national self-determination and thus safeguard private property, the protection of which was not clearly regulated by international law. By examining the contingencies of the aftermath of the war in East Central Europe as well as discussions about changing conceptions of property ownership in both East Central and Western Europe, the article shows that land reform was meant to counter Bolshevism, but at the same time created the impression abroad that the new states themselves displayed revolutionary tendencies and did not respect private property – an image that became a significant argument of interwar territorial revisionists.

Keywords: Estonia, Latvia, Lithuania, Poland, democracy, agrarian reform, property

I. Introduction

The construction of nation states from the former imperial peripheries in East Central Europe was accompanied by sweeping processes of property redistribution in the form of liquidation of state-owned property and of expropriation of land. All according bills were passed by democratically elected parliaments – in some cases, like Estonia, as early as 1919, while the state was still in the process of consolidation, and in the case of Poland only one year before the switch to authoritarianism in 1926. This article examines the land reforms of the independent states emerging from the western periphery of the collapsed Russian Empire – Poland, Estonia, Latvia and Lithuania – in their national and international contexts of democratisation.

There is an extensive historiography on property redistribution – particularly on land reforms – in East Central Europe, which, however, tends to be nationally fragmented (e.g. Lipping; Maldutis; Markowski; Mertelsmann/Mertelsmann; for comparative studies cf. e.g. Roszkowski; Vaskela; Deacon). The region under discussion is particularly fruitful in this regard, as it encompasses the most radical of the East Central European land reforms (Baltics) and one of the most moderate (Poland). The aims of land redistribution were closely related to state and nation building and can be divided into short and long-term objectives. In 1919/20, the new states promised peasants land to counter Bolshevik influence (Minnik 37-39). In the medium-term, land reforms should help integrate the components of the new national territories, which often had different systems of land tenure, for instance the Polish partition areas, the Petseri region in Estonia, Latvian Latgale or Romanian Bessarabia (Maandi). The long-term aim was the empowerment of the peasantry as core of the titular nation at the expense of national minorities and particularly of a landowning nobility increasingly perceived as “foreign”, such as Baltic Germans and Poles but also, for instance,

Muslims in Bosnia, Hungarians in the Banat, and Sudeten Germans in Czechoslovakia (Blomqvist; Cornwall; Giordano; Giordano/Kempinski; Stanulewicz; Kłusek).

While national historiographies and economic history have focused on economic aims of agrarian reforms (Norkus; Kaur; Gilly) and their failure (Aldcroft; Eellend), this article suggests that economic rationalisation was less a driving factor than nationalisation. However, nationalisation cannot be examined in isolation from a broader transformation of the relationship of democracy and property. While this nexus has been largely ignored by recent historiography, Italian agronomist Olindo Gorni (223-23) highlighted it as early in 1931, arguing that the East Central European land reforms represented the last phase of a process of peasant empowerment starting with the French Revolution, after which all major historical events resulted in a political strengthening of the European peasantry, such as the the 1848 Revolutions, the Crimean War and the Russo-Japanese war. Nonetheless, the liaison between democratic statehood and private property was highly ambiguous before the First World War. The notion of democracies as guardians of private property is a result of the rather recent amalgamation of democracy and capitalism into post-World War II “liberal democracy”. The revolutionary character of democratisation, its push for fundamental social change and extension of franchise were for the longest part of history rather seen as a threat to existing patterns of private property (Halbac 57; Horn 109). However, the creation of private property and its connection to the individual was considered crucial for the sustainment of democracy. French revolutionaries saw smallholdings as a crucial guarantor of liberty (Barbu 34-35). In his seminal work *Democracy in America* (1835), Tocqueville claimed agriculture and especially smallholdings were vital for a tenable democracy, as they tied land to labour and thus heightened the moral and political benefits of individual integrity and autonomy – the prerequisites for personal liberty (Drolet 108-9).

These two notions – to restructure land tenure to accommodate an extension of political participation and to tie land to individual labour and thus populace to democratic statehood (making it less susceptible to alternative forms of statehood) – grew in strength with the democratisation of methods of government caused by the First World War (Reynolds 41-84). In interwar East Central Europe, agrarianist ideas and property-structure reforms, often seen as a “third way” between capitalism and socialism, were specifically linked to imperial collapse, but they also shared features with broader processes. If we look, for instance, at the concept of a “property-owning democracy” as formulated by British conservative Noel Skelton in 1923, which aimed at a redistribution of property into smallholdings under conservative guidance, we find striking similarities to agrarianist discourse in East Central Europe: Land had to be parcelled and distributed to the newly enfranchised but impoverished masses to protect them from revolutionary ideology.ⁱ The creation of an agrarian structure based on smallholding should give the peasantry a stake in a democratic political system, making them less susceptible to a growing political left. While Skelton meant the Labour Party, which had emerged as the main political opposition from the war, promises for redistribution of land in East Central Europe countered Bolshevik propaganda spread in the context of continuing warfare in 1918 – 1921. Notably, US pressure on “friendly states” during the early Cold War to push for land reform was also grounded in strategies to counter communist influence (Federico 172). At the same time, the specifics of “propertisation” in East Central and South Eastern Europe, i.e. restrictions of property rights, which led towards an “ethno-national concept of property”, as observed by Siegrist and Müller (8), may be contextualised in broader European trends towards autarky and a restriction of division and sale of farmland to avoid fragmentation, as introduced in the Netherlands in 1924 and culminating in Nazi Germany’s “Land Heritage Law” (*Reichserbhofgesetz*) of 1933.

The paper thus aims to answer the following questions: What role did property redistribution play in the building of democratic nation states in Poland and the Baltics? How did representatives of the emerging nation states tie their programs of property redistribution to the new systems of parliamentary rule? How far did those affected by expropriation and confiscation refer to democratic arguments to make their cases? Finally: What can East Central Europe tell us about broader changes in the understanding of the relationship of democracy and property in early 20th century Europe? Answering these questions allows us to draw conclusions concerning the post-1918 key categories of statehood and international order, such as self-determination, minority protection, revolution and reform, and their relationship to the nation state.

In East Central Europe, democracy was imposed from above and, because of the agricultural character of these new states, gave peasants an immediate political weight that no party could ignore. At the same time, disenfranchised minorities, who had little chance to resist processes of expropriation within the new nation states, were provided with international institutions and a framework of international law (most importantly minority protection) to make their cases (Raitz von Frentz; Niendorf). Those groups most effected by the expropriation and confiscation– members of the Polish nobility, who were expropriated in Lithuania, Latvia and Romania, and different groups of German-speaking landowners in Poland and the Baltics – relied on foreign legations and the League of Nations to argue against the legitimacy of the reforms.

II. National Policies and International Pressures

Understanding the role of property redistribution in the building of democratic nation states in East Central Europe requires an examination of domestic policies within the contingent constellations of the post-1918 period. The 1919 debates in the Estonian Provincial Assembly (*Maapäev*) and Constituent Assembly (*Asutav Kogu*) provide us with particular insight, as the Estonian land reform was of a particularly sweeping scale and passed with astonishing speed. Here, land distribution was particularly disparate, with more than two thirds of the Estonian-speaking peasants owning no land and 58 % of all land being in the hands of the Baltic German nobility (Jørgensen). The relationship between landowners and peasants had worsened considerably with the Revolution of 1905 and the German occupation in early 1918 (Raun; Minnik). The first draft of the Estonian land bill was read to the assembly as early as 22 November 1918. It was thus very closely tied to initial stages of state building on the one hand and to the military struggle against groups hostile to Estonian independence on the other. With socialist revolutions gaining momentum in Europe and the Western Entente preparing peace negotiations for a democratically determined world order, the future of the western peripheries of the collapsed Russian Empire was as of yet unresolved, making it difficult to predict for state builders whether their new states would have to come to terms with capitalist or socialist neighbours in the future. Estonia was currently wedged between two great socialist powers – Russia and Germany – and should thus consider itself a turn to socialism, Estonian Social Democrats and Labour-Party (*Tööerakond*) activists argued.ⁱⁱ Social democrat Johan Jans, one of the most vocal advocates for the nationalisation of land, argued that the feudal order had to be abolished “before the reaction takes over in Europe.”ⁱⁱⁱ Opponents, particularly the Rural League (*Maaliit*) argued that this would significantly tarnish Estonia’s image abroad – the institutions of the young republic had to show they were based on democratic principles and respect for private property.^{iv}

In the months to follow, the Western Entente continued to promote a united Russia including the Baltics. White Guards, Freikorps and Baltic German troops occupied large parts of the region, and Bolshevik activists gained influence among the peasantry, putting the new republic under considerable pressure. The most contentious points remained the question of the relationship between state and property on the one hand and the method of expropriation on the other. Social democrats argued the state should assume a strong role in the development of agriculture, abolish private property, nationalize the large estates and maintain their integrity to ensure their international competitiveness in the hands of rural cooperatives. On the other hand, conservative nationalists around Jaan Tõnisson's People's Party (*Rahvaerakond*) and the Labour Party advocated a gradual parcellation of Baltic German large estates into economically feasible, privately owned smallholdings.^v This would give the peasantry a stake in the Republic and prove to the Entente that Estonia distanced itself from Bolshevism.^{vi}

The latter proposal prevailed as a basis for the land bill, making its broad strokes strikingly similar to international discussions on agrarian reform. What made the Estonian reform radical in the eyes of many was what followed the escalation of the conflict between Baltic Germans and Estonians, culminating in Estonian military victory over the *Baltische Landeswehr* at Cēsis in June 1919. In a passionate speech to the Constituent Assembly, Jans argued that the Baltic German nobility had threatened Estonian statehood and thus become "strangers to the people"^{vii} – accordingly, their land should be confiscated without compensation. Confiscation, Jans claimed, corrected a historical wrong, appealed to a public sense of justice and thus ensured social stability.^{viii} With the improvement of Estonia's military situation and an easing of the Entente's position towards the breakaway Republics, Estonian politicians emphasised their ties to the western democracies. While warning that the confiscations must not become an international issue, they sensed that Great Britain and France were rather interested in economic stability in the region and would hardly object if Estonia confiscated the property of ethnic Germans.^{ix} On October 10, the Constituent Assembly passed the land reform bill, thus expropriating the large estates, but postponing the decision on the compensation issue.

On the international level, reactions ranged from cautious to entirely negative – not only in the case of Estonia, but also concerning the Latvian land reform act, passed in September 1920, and the laws passed in Lithuania in 1922 and in Poland in 1920 and 1925. In terms of scope, the land reform in Estonia was the most extensive, redistributing 96.6 % of the large-estate land. In Latvia, where Baltic Germans played a similar role in land ownership as in Estonia, 84 % of all land was redistributed, 77 % in Lithuania and only 20 % in Poland (Łukasiewicz 313; Tyla 41; von Rauch 87; Ciepielewski 15). Views on the land bills of the two northernmost republics were thus harshest, also because the Estonian parliament took until 1926 to allow payment of small compensations, and the Latvian parliament ruled in 1924 that no compensations be paid at all. In 1921, in the notable case of the takeover of the struggling Kreenholm cotton factory, Minister of Agriculture Roostfeld warned this would cause the impression that Estonia was nationalising its industry, which would impede international loans.^x Latvian members of the opposition warned the reform could threaten *de jure* recognition of the republic.^{xi} The Christian nationalist newspaper *Liepājas Avīze* warned the reform made foreign loans impossible: "The expropriation and dissolution of large estates, which once fed Latvia's towns and landless and are now suddenly turned into desolation, signals to foreigners that private property in Latvia is not safe."^{xii} Representatives of foreign governments protested against a law that allowed the Latvian state to requisition 25

% of all imported goods and pay compensation at a later stage, when they had become largely devalued due to hyperinflation.^{xiii} In 1924, an Estonian delegation, ordered to London to negotiate loans and headed by independence-war hero General Laidoner, was greeted coolly, with British politicians claiming they had no confidence in the security of property in Estonia.^{xiv} French and British diplomats warned they would not insist on a Soviet guarantee of the borders of the Baltic States, unless these resolved their quarrels with the Baltic Germans.^{xv} The German government, understandably, reacted most critically, but, being left out of the settlement of the European post-war order, could also do the least about it. German diplomats recommended that affected Baltic Germans appeal to the kings of Great Britain or Romania, hoping that states governed by monarchs protest against this “divestment of this ancient ruling caste”^{xvi}.

III. Radical Empowerment: Agrarian Reform or Agrarian Revolution?

The Polish land reform was similarly tied to contingencies of early state building, as peasant populist Wincenty Witos rallied peasants to help in the defence of Poland during the critical phase of the Polish-Soviet War in 1920 by land (interestingly, the Lithuanian government used the same point of time of perceived Polish weakness to discuss its own land bill). According to Witos’s predecessor as Prime Minister, Władysław Grabski, the necessity for a speedy enacting of the land bill in facilitated democratisation, as it forced the government to rely on historical forms of local self-rule with the village commune (*gromada*) – abolished after the 1863 Uprising – as main agent for agrarian reform, supported by newly created state authorities that resembled Bolshevik Commissars for Agricultural Issues (Grabski 18-19). However, the rather far-reaching reform act of 15 July 1920 was followed up with a decidedly more moderate land bill that took another five years to be passed. While aiming at an expansion of Polish smallholding in the former Prussian partition (at the expense of German settlers) while maintaining Polish large estates in the multi-ethnic Eastern regions (Blanke 1993; Benecke 1999), the laws placed higher restrictions on forced sales and confiscations, allowed for larger farms and provided more robust property titles for new farms than in the Baltics. This was in line with the appeal of historian Franciszek Bujak, short-term minister of agriculture, who had urged the Polish peasantry to protect the principle of private property against Bolshevism and argued that maintaining democracy and private property entailed cautious and gradual reform:

“If peasants begin to think about the issue of distribution of land and the management of it today, they must come to the conclusion that effective and therefore truly useful changes cannot be achieved by an *ad hoc* revolution from one day to the other, but only by well-devised reform (...). But all this must happen within the circle of initially established basic premises; otherwise our whole civilization will decline, cripple and collapse to the ground. Reforms are different from revolutions in so far as they consist of are partial and gradual changes and they apply strict measures aimed at the purpose; for this reason they are stable, while revolutions, on the other hand, are more violent, less durable, and what remains of them are only unpleasant memories.” (Bujak 64-65)

Compared to the Baltics, national empowerment was less at the core of the Polish reform – also because most large landowners in Poland were ethnic Poles. As a consequence, discussions of the bill revolved largely around the advantages of estates versus smallholding, which made the law a more typical representative of previous European democratising

reforms of land tenure. Despite the symbolic power Polish nationalism attributed to the large estates, Grabski argued that Poland required a more balanced tenure of both large and small farms. Not least, the state should facilitate conversion into smallholdings to create democratically-minded citizens in the countryside by reducing social envy. For Grabski, the link between ownership and citizenship represented the most powerful bond between man and state, making parcelling a vital tool of democratisation, as it “increases the number of landowners and therefore of citizens of the country, even if they do not feel part of this title today – they are still potential citizens for the time being and constitute valuable material for the future.” (Grabski 26)

This balance between large farms that bolstered the economy and small farms that supported democratization was viewed favourably abroad, giving the Polish land reform a reputation of a moderate and well-balanced policy (Giordano 210). However, German experts were highly critical, claiming that the restructuring of land tenure would have evolved anyway in the form of a “natural evolution” through voluntary sale. The land law, however, was designed to cut this development short through forced sales of mainly German-owned land, representing an “agrarian revolution decreed by the state itself”, which would cause the international financial markets to doubt the Polish economy.^{xvii} Disenfranchised ethnic Germans and their supporters in Weimar Germany reversed Bujak’s appeal into the negative, characterising property policy in East Central Europe as revolutionary, thus contextualising it firmly in Bolshevik agrarian policies of confiscation, nationalisation and collectivisation. Agronomists argued that, whereas the progression of civilization went hand in hand with an intensification of the sense of property ownership and its legal protection, “agrarian revolutions” violated this principle, thus creating semi-states that could not be regarded as equals to the historical states of Central and Western Europe (Fromme 2; Krause). Agrarian revolutions thus represented an “unnatural” rupture from the evolutionary, organic agrarian development fostered by the German landowners (Bürig 33; Schönemann 212-13). German agronomist Max Sering noted that the French revolutionaries had only expropriated the enemies of the revolution, most often landed gentry living off the rent, whereas the Estonians and Latvians had disenfranchised an entire national group that had played a vital role in the modernisation of agriculture.^{xviii} He claimed that the construction of democratic states in the former imperial peripheries of the Romanov and Habsburg Empires had put political control in the hands of an uneducated peasantry, leading to the introduction of confiscation as the primary instrument of land acquisition. According to Sering, Latvia and Estonia had in fact abolished private property, as the parcelled land handed out to peasants could in turn be confiscated anytime, meaning that the agrarian laws differed “from the laws of the Russian Revolution only by the virtue of their gutless hypocrisy.” (Sering 15)

To divert fear that the new states of East Central Europe were Bolsheviks behind national facades, political activists launched press campaigns, which conceptualised liquidation, expropriation and land reforms as crucial components of processes of democratisation. Franciszek Bauer Czarnomski, Polish press attaché in London, framed the reform as a continuation of historical politics of agricultural modernisation initiated by the Russian and German imperial governments. The Bolshevik threat of 1919/20 had demanded hasty redistributive policy; however, the final act of 1925 had put Polish agrarian policy back on an evolutionary path (Czarnomski 149). Commissioned by the Lithuanian legation in 1919, US public-relations expert Edward Bernays framed historical Lithuania as Europe’s oldest republic, now reborn as a young democracy and remedying historical injustice by returning to a land tenure based on private smallholding. A diaspora writer claimed for the peasantry to return to its “pure democratic ideals and customs”^{xix}, the state had to wipe out the dominance

of Polish landowners. Latvia, an article placed in the *Economist* claimed, was protecting itself against Bolshevik influence by “establishing a peasant propriety on the estates” and adopting “an ultra-democratic Parliamentary constitution.”^{xx} *The Times* claimed Latvian land would be “in time the property of those who work on it.”^{xxi}

Some activists embraced the *Agrarrevolution* argument, framing it as a legitimate reaction to unjust Baltic German misconduct. Notably, Baltic German political activist Axel de Vries recounted later that the Estonian countryside had been remarkably calm during the Russian Revolution when in inner Russia estate owners were being murdered. Only under German occupation, he claimed, had Estonian-Baltic German relations deteriorated to such an extent that an agrarian revolution became possible (Vries 14). Estonian press attaché in Finland, Georg Eduard Luiga, who repeatedly warned the Constituent Assembly that Estonia’s western allies were increasingly anxious about the land reform^{xxii}, denied the German consensus of pre-war agrarian evolution versus post-war revolution: “Baltic agrarian history is not a proper, steady development on the principles of justice, but an incessant state of war between conquerors and subordinated, where the former impose their laws onto the latter with force.” (Luiga 5) The land reform had been inevitable, because the peasantry had never recognised Baltic German land titles as binding (Luiga/Warep 41).

In a speech to the Lithuanian Parliament (*Seimas*) in 1921, foreign minister Juozas Purickis placed the “agrarian revolution” in a broader context of Europe-wide changes in property norms. Purickis claimed that the law of succession had lost much of its legitimacy in Great Britain, Germany and France, having been replaced by labour as the main source of property. Accordingly, the principle of the inviolability of property was no longer absolute, but subject to processes of democratisation, which had previously rendered serfdom illegitimate as type of ownership. The state assumed a crucial role in this transformation – limiting the inviolability of property to secure social peace (i.e. foregoing compensation) was thus in line with a general historical trajectory of progress. In the form of progressive tax, other European states were confiscating from large landowners, too, making East Central Europe a non-exceptional case. Lithuanian as a democratic nation state had the duty to remove the social injustices caused by the Polish-speaking nobility, which owned most of the land and was passing it down by succession.^{xxiii} However, capitalist ideology made the western states blind to the fact that the new political order in the East was largely congruent with that in the West – an ignorance state-builders had to take into account:

“The new concepts (...) slowly penetrate Western conscience, but they do so sluggishly and kicking and screaming (...). They will do their best to depict us as radical, as not recognising the high standards of Western European law. Our resolution will thus cause us no small political economic problems (...). I think we do not want follow the capitalist order, but as long as this capitalist order exists, as long as capital means power, we have to reckon with this power, and whoever ignores this power, will fall (...).”^{xxiv}

Abroad this transformation of norms was perceived as absence of law. German diplomats interpreted Purickis’s speech as an attempt to establish supreme ownership of the state over its territorial property, which differed from Bolshevik agrarian policies only by the virtue of its nationalist motivation.^{xxv} Combined with the alleged intellectual inability of East Central European peasants to cope with property ownership and their fear the newly-gained land may be confiscated again in the future, these policies placed the Baltic States outside of Europe and made them “an advance post of Asia”^{xxvi}, a Romanian-German writer claimed. “Only the

power of the strongest has relevance here,”^{xxvii} an expropriated Baltic German landowner in Latvia noted. In the new states themselves, peasants complained of arbitrariness concerning the implementation of the land reforms, as the new political elites helped themselves to large parcels of land, assisted by an erratic bureaucracy (Pruskus 37). In Lithuania, a plaintiff argued, members of the Peasant Populist Party (*Liaudininkai*) were particularly shameless in their methods, with one member of parliament receiving additional land in the name of his five-year-old child.^{xxviii} In Latvia, president Jānis Čakste came under criticism for allegedly having accumulated 330 hectares by shady procedures.^{xxix} Latvian farmers who had received parcelled land complained the government was exhausting itself in its rhetoric against compensation but did little to improve the life of small peasants and in fact had rather replaced the rule of Baltic Germans with a new form of “red landlord” slavery.^{xxx}

Gradually, after the Red Scare subsided, voices abroad began to emphasise the role agricultural redistribution policies had played in countering Bolshevik influence. Particularly in contrast to South Eastern Europe, where agrarianist parties were closer to communism, the agrarian parties of Poland and the Baltics were lauded as “bulwarks of constitutional government” (Graham 354). In the late 1920s, a number of German writers increasingly described the specifics of East Central Europe less as by-products of Bolshevism, but rather as “national democracies” and thus as manifestations of a form of statehood that was bound to dominate Europe in the future (Richarz 267). In his 1928 book *The Spectre of Europe*, Baltic German philosopher Hermann von Keyserling, who in 1919 had still demanded that the British government force Estonia and Latvia to adopt a constitution that explicitly rejected Bolshevik policies^{xxxi}, called the Baltic States “post-Bolshevik”, because the radical reforms had helped overcome Bolshevism, and “thus future has consolidated itself there.” (Keyserling)

IV. Victims of Democratisation? Nobility and Minority Policies

Expansion of democracy and redistribution of land came at the expense of minorities. Property redistribution and land reforms thus contributed to processes of nationalisation in a two-fold way. Large landowners, who were increasingly seen as foreign in the Baltics, as well as German settlers, whom the Polish state conceptualised as agents of Germanisation, were expropriated, and their land almost exclusively handed to peasants of the titular nations. The new minorities, such as Jews, Belarusians and Ukrainians, went away empty-handed. Polish nationalism constructed the mostly Polish-speaking nobility as less at the core of the titular nation than the peasantry, but still as part of it (Porter 26). In Latvia and Estonia, however, they were seen as national enemies. Latvian activists claimed that in 1917/18 the Baltic German nobility had played a crucial role in German plans to annex Courland (Bergs 80-81). In a personal, extraordinary declaration in June 1919, Estonian prime minister Strandman urged the Constituent Assembly to hasten with the land reform, as the Baltic German manor owners plotted against the new state.^{xxxii}

In Lithuania, the position of the nobility was more fluid. Most large landowners belonged to a Polish-speaking gentry that felt part of a larger, culturally defined Poland, which included Lithuania. However, nationalists claimed they were actually polonised Lithuanians, who could become useful contributors to nation-state building, once they became aware of their ethnic origins. The priest Juozas Tumas-Vaižgantas claimed they were (like all Lithuanians) “born democrats” and differed significantly from the Baltic Germans, who had robbed the land from the indigenous peasantry. However, Tumas still considered the Lithuanian gentry a

threat as a consequence of their loyalty to Poland and their nature as capitalists, meaning they had to abstain from political decision-making: "If the nobility dares to determine the fate of the whole Lithuanian country with all its inhabitants, it will become more and more alien to us, and our relationship with it will worsen, like that of the Latvians and their barons."^{xxxiii} It did indeed worsen with the intensification of the Vilnius crisis, resulting in expropriations and expulsions and prompting newspapers to claim that estate owners in all countries were anti-democratic.^{xxxiv} With a complete breakdown of diplomatic relations, the Polish state had little possibility of providing assistance to Polish-speaking expropriated landowners. With a certain sense of satisfaction, the German legation in Kaunas noted that Lithuania was using its land reform to "annihilate Polishness."^{xxxv} This seemed a cause useful enough for Germany not to get in the way – a major reason why the legation also chose not to support the much smaller group of expropriated German-speaking landowners.

As a result of the congruence of social and ethnic belonging, none of the land reforms had to discriminate against ethnic groups explicitly. Foreign observers claimed the new states were chasing landowners off their property and legally sanctioned these expropriations in retrospect^{xxxvi} – a practice that was indeed common in the contested regions of Poland and the Baltics and in fact most of East Central Europe until at least 1921. Minorities rarely received confiscated land. Only 6 % of the land redistributed in East Galicia was handed to Ukrainian farmers (Giordano 230). Moreover, all four new states made use of wartime displacement by declaring Baltic German and Polish large estates, but also smaller farms owned by Belarusians and Ukrainians, as abandoned if their owners had been displaced during the war (Richter). In Poland, the agrarian law prohibited (specifically for the eastern regions) a lease if farmers had abandoned their farms during the war, unless their Polish nationality had been the reason for their deportation.^{xxxvii} However, the majority of farmers deported during the Russian retreat had been Ukrainians, Belarusians and Germans. In Lithuania, the government made a former agricultural occupation a prerequisite for land applications, thus excluding Jews, whom the Russian government had banned from living in the countryside. Jews were also specifically targeted by the provision that no-one could apply who had been convicted for the sale of alcohol in the past.^{xxxviii} When the Ministry for Jewish Affairs was abolished in 1924, Lithuanian Jews protested vehemently:

"But what is the state to you? For you it is only dear for the matters of your caste. What have you given to the state? Have you done anything to teach a single peasant? After all he ploughs the earth the same way our ancestors did centuries past. You will say: the land reform! But it, too, in your hand became an instrument not of creation, but only of destruction (...). You only want the land reform to smash the Poles, as you want your economic, national and tax politics to smash the Jews. Your slogan is Lithuania for the Lithuanians."^{xxxix}

Within the new states, minorities had little prospect of re-claiming property. Many thus placed their hopes in the League of Nations. In fact, matters of agrarian reform and confiscation represented the majority of petitions of German and Polish-speaking minorities to the League (Hilpold 114). What made these petitions problematic was the unclear status of property protection in international law. Whereas the Treaty of Versailles protected Germans in the formerly Prussian part of Poland from expropriation^{xl}, the situation further eastwards was largely subject to the international control of minority protection, which did not specifically mention the safeguarding of private property at all^{xli} – a circumstance contemporary experts of international law considered odd (Loewenfeld 44-5).

As the nationalising force of the land reforms was grounded not in the law itself but in its implementation, petitioners often failed to identify the discriminatory practice, as Mark Cornwall (274) has pointed out regarding Czechoslovakia's Sudeten Germans. The case of Alphonse Heyking, a Baltic German who had served as Russian Consul General in London during the War and later became spokesperson of the Association of Latvian Minorities in Berlin, shows how protection of property had to be contextualised in a broader framework of the powerful ordering principles of self-determination, democracy and minority protection. Heyking began petitioning to the League on behalf of expropriated Baltic German landowners after the Latvian government dissolved the Corporation of Nobles as an anti-democratic body on 20 June 1920 and seized its property. Heyking argued that the corporation, having been stripped of its political privileges, was now nothing more than a private society and no longer contradicted democratic statehood. To no avail, he argued that it should be allowed to retain its status as a juridical body (as it had in the Republic of Finland).^{xlii} In the British press, Heyking claimed that Latvia violated the rights of its minorities by resorting to such an "anti-democratic mode of action."^{xliii}

According to Heyking, such immoral and unfair policies had been rendered possible by the acceptance of the idea of the self-determination of nations, which in East Central Europe had been stripped of its Wilsonian democratic essence, as an ordering principle. This principle benefitted only those ethnic groups the Western Entente considered allies, thus re-ordering Europe according to ethnic hierarchies: "Who shall be on top? Who shall be the hammer, who the anvil?"^{xliv} Uneducated and immature peasants, courted by state builders, had descended into an "orgy of licence" and "a delirium of envy and ambition"^{xlv}, which made the governments prone to experimentation with "risky methods of proletarian rule".^{xlvi} If national self-determination infringed democracy, the League of Nations had to provide the corrective. This, in Heyking's view, made minority protection the strongest democratic ordering principle of post-war Europe: a "Magna Carta of humanity", an international legal framework to contain self-determination, the latter of which was based on lawlessness.

To overcome the alleged anti-German bias of the peacemakers and frame the petition as a proper minority case, Heyking conceptualised the Baltic Germans as distinct from ethnic Germans in former Prussian territories. The so-called Balto-Saxons, Heyking argued, were a distinct "racial minority" close to the Anglo-Saxons, constructing a link between "the people of these happy islands and those of the severely tried Baltic shores"^{xlvii}. In a lively speech given to the British Grotius Society, Heyking took this comparison further:

"Imagine if the Gaelic-Highlanders, the Celts from Wales, Cornwall, and Devon were to come down on you and expropriate your landed property, requisition three-quarters of London for the benefit of their tribe, and brand you as intruders and foreigners, ordering you back to Germany, Denmark, and France (whence you came), since they, the Celts, are the original native population of the British Isles! (...) Would you submit?" (Heyking 129)

The League of Nations, representing "law, order and peaceful enterprise", had to contain Latvia, which, having succumbed to Bolshevism, represented "methods of plunder and force"^{xlviii} and violated the political rights and private ownership of the Balto-Saxons.^{xlix} Latvia had to choose between its current system of state administration ("tribalism and ruin") or the superior British one ("racial tolerance and prosperity"). East Central Europe, Heyking warned, was not only multi-ethnic, but also in constant demographic flux, with ethnic groups resembling "ice-flakes lying in close proximity to each other, or over-lapping each other layer

upon layer, brought about by the constant fluctuation and change of peoples through the march of time.”^l In other words, it made no sense to try to determine who had been there first and taken the land from whom – the Latvians or the Balto-Saxons.

With regards to democratic rule in multi-ethnic regions, minority protection was quintessential because the minorities, unable to attain parliamentary majorities, could never have the same degree of political power as the titular nations. Minorities had to recognise the independence and nature of nation states, whereas titular nations had to accept a degree of limitation of territorial sovereignty.^{li} Heyking’s pessimistic assessment of the stake minorities held in democracies was much in line with that of Ludwig von Mises, who in *Nation, State and Economy* (73-79) had argued that minorities would be willing to resort to desperate measures to keep their pre-war privileges, because they would never be able to become a majority (and were thus politically unfree) and secondly would be, even if represented proportionally, excluded from acts of legislation, administration and jurisprudence. In multi-ethnic regions, however, Heyking warned ominously, governments in parliamentary systems had to be prepared for a change in power, especially in the case of territorial changes. In this case, Latvians and Estonians would certainly receive more international support for their own rights to citizenship, cultural autonomy and private property if they had themselves safeguarded the minority rights in their states.^{lii}

The governments of Estonia, Latvia and Lithuania, in turn, regarded pressure to sign minority-protection treaties, which had originally been introduced for Poland, as an infringement of a sovereignty they had eked out for themselves without much support from the Western Entente.^{liii} As Poland’s treaty of minority protection included a guarantee of the protection of German property, Heyking claimed, a treaty with Estonia and Latvia should include the same regulations. Only this could secure the new states a place in the ranks of Western European states, which had made the protection of private property a chief objective of democracy.^{liv}

Baltic German activists such as Paul Schiemann, who tried to work within the political structures of the new Baltic States and were more interested in securing cultural autonomy than in fighting the land reforms, considered Heyking’s international petitioning confrontative (Hiden 80). However, Heyking appealed to the central categories the League of Nations was based on. Other petitioners to the League were less adaptive. A Baltic German privy councillor claimed in 1921 that the practice of the new states to legitimise confiscation ex-post and the general disregard of property rights posed the threat that “whole impoverished nations could gang together and, as proletarians among the nations, menace their happier neighbours.”^{lv} A privy councillor of Russian origin claimed that Latvians and Estonians had failed to pass the test of maturity: “Children need direction, and the Latvians and Estonians are children – and not even sweet-natured ones. If the only fosterage they are currently under fails, the same kinds of brawls will happen here as they did on the Balkans, where minors were also emancipated much too early.”^{lvi}

V. “Social Charters” for Nation States

Whereas Heyking saw minority protection as the „Magna Carta“ of the new international order, the new states claimed their land reforms fulfilled this role for nation statehood. The land reform, expropriation of the “foreign” nobility and empowerment of the peasantry were the major instruments for the building of nation states and for extending sovereignty over

national territory. At the founding assembly of the Lithuanian Farmers' Union (*Lietuvių ūkininkų sąjunga*) in 1920, future president Aleksandras Stulginskis claimed only the peasantry was capable of understanding the essence of the Lithuanian state.^{lvii} In 1924, at the annual congress of Estonia lawyers, Johan Jans declared that the land reform was "organically tied to the emergence of the Republic of Estonia"^{lviii}, and the congress' resolution urged Estonian bar associations to commit themselves to solving any juridical issues in relation with the land reform in the favour of Estonia. In 1930, the Latvian Central Land Committee and the Parliamentary Agrarian Commission put wreaths at the Military Cemetery (*Brāļu Kapi*) in Riga to pay gratitude "to the fallen freedom fighters for attaining the agrarian reform"^{lix}. In an act of defiance to Antanas Smetona's dictatorship in Lithuania, the Popular Peasants Union (*Lietuvos valstiečių liaudininkų sąjunga*) tied the perished democratic Lithuania to the agrarian reform: "Our nation, having attained the right to express its will, said very rightfully and seriously: Lithuania is an independent democratic republic and owns all of its wealth. The result was the land reform."^{lx} At a conference of the French Committee for Economic and Customs Union (*Comité Français d'Union Économique et Douanière Européenne*) in 1937, Lithuanian envoy Petras Klimas presented the land reform as the founding act of the independent republic, discarding any notions of revolutionary action:

"The great agrarian reform, drafted by the Constituent Assembly of 1920–1922, is the new social charter that has preserved Lithuania from any influence contrary to its lifestyle and its mentality, which is fully committed to the western principles of labour and individualistic industry. As in many other countries, the Lithuanian agrarian reform was a deeply conservative measure put at the service of the established order and private property."^{lxi}

With regards to the radical character of the reforms, international assessments became more moderate over the course of the late 1920s. Sering himself conceded that they had played a crucial role in democratisation – although one needs to bear in mind that democracy was not an entirely positive term for him (Schmidt 101-2). According to Sering, the agrarian character of the borderlands determined the property structure they aspired to: While the push the First World War had given to democratic ideals led the populations of industrial regions to claim universal property, agrarian regions rather demanded an even distribution of property. In East Central Europe, agrarian reform and democratisation had gone hand in hand, leading to the establishment of "genuine peasant democracies" (Sering 3), which, however, were marred by a high degree of political corruption and failure to find a just agreement with their minorities. This in turn determined the way the reforms were implemented.

In 1928, Lithuanian newspapers stated in the case of a petition of Russian repatriates for restitution to the League of Nations that Lithuania had relatively little to fear, as Estonia, Latvia and Poland were treating minority repatriates much worse.^{lxii} A Baltic German newspaper in Latvia also lauded the Lithuanian reform, thus implicitly criticising the Latvian one. Democracy and agrarian reform, the author claimed, had convinced the initially indifferent peasantry to support Lithuanian independence, which, they hoped, would bring them self-determination vis-à-vis their former Polish masters: "Nonetheless, the agrarian reform has been implemented here in a much fairer and less rigorous form than in the Baltic neighbouring states. Lithuania's constitution rested on strong democratic foundations."^{lxiii} After compensations payments began in the early 1930s, German newspapers stopped their campaigns against Estonia, claiming that its agrarian reform had passed without chicanery, distinguishing it from the Latvian "agrarian revolution", a fact attributed to a lower degree of

Jewish and social democratic influence than in Latvia.^{lxiv} However, Latvia remained staunch in its resistance against compensation payments. When Baltic German representatives claimed in 1930 they would maintain their fight for restitution, Social Democrat Felikss Cielens responded that as long as the Romanov's were dead, the Kaiser in exile and the Baltic German enemies buried at Cēsis, no complaints or appeals could shake the foundations of the land reform.^{lxv} The radical version of the agrarian reform had become the *conditio sine qua non* for the existence of the democratic Republic of Latvia.

VI. Conclusion

The relationship of democracy and property redistribution (and resistance to it) in the Baltics and Poland cannot be understood without its context in a broader framework of concepts that the war had transformed entirely, such as self-determination, minorities and their protection, revolution and reform. In the four states under analysis, there is a pronounced contradiction: The northernmost state (Estonia) allegedly had the most stable democratic institutions, but these enacted the most radical of all European interwar land reforms outside the Soviet Union. On the other hand, Poland, which suffered from political instability until Piłsudski's coup in 1926, passed one of the most moderate land bills of the interwar period. Although this can be explained by the degree of "foreignness" attributed to the nobility, it still calls the nexus of democracy and protection of private property into doubt. Estonian politicians were aware of this issue and the repercussions this would have on international relations and the Estonian economy. Despite the large amount of land redistributed, as this article showed, up until summer 1919 the Estonian concepts for land reform were entirely in line with "western" ideas of parcellation into smallholdings to tie peasants to the democratic order – only the refusal to pay compensation as a reaction to the involvement of Baltic Germans in military forces opposing the young state made the reform appear "radical" or even "revolutionary" in the eyes of the disenfranchised and the public abroad. Least in Poland, but to an increasing degree towards the north of the Baltics, the nobility was seen as two-fold enemies of the state – as social enemies, contradicting a democratic order, and as national enemies of the titular nationality. Land reforms, which empowered the historically oppressed peasantry, provided, on the one hand, an amendment of an historical injustice, and, on the other hand, an even distribution of land ownership and thus the basis of democracy and national empowerment. This, national activists argued, made the land reforms the founding charters of their democratic nation states. The land hunger of Estonian, Latvian, Lithuanian and Polish peasants was at the same time framed as the most pressing obstacle of the project of national empowerment as well as the most obvious case of social injustice that a democratic state had to address.

While national activists argued their reforms were in line with "western" changing standards of property protection, their opponents – Baltic Germans in Estonia and Latvia, Poles in Lithuania and foreign politicians and economists supporting their cases – claimed policies of property redistribution in this region hardly differed from Bolshevism, thus juxtaposing them as "agrarian revolutions" to historical "evolutionary" policies. The expropriated had hardly any chance of reverting expropriations or confiscations via political institutions on the national level and thus had to resort to petitioning to the League of Nations. As the case of Alphonse von Heyking shows, minority activists accepted that minorities enjoyed only a limited degree of political participation within the post-war order, but insisted on respect for the principle of the inviolability of property – an argument contextualised in a framing of minority protection as the major and sole democratic principle that could contain the

disintegrating power of the idea of national self-determination. In this respect, these fundamentally contradictory assessments of the role of property for democracy – the creation of an even structure of property ownership versus the safeguarding of the existing, historically evolved property structure – largely resemble contradictions in broader debates on property and democracy usually attributed to the “West”.

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- i Noel Skelton, “Private Property. A Unionist Ideal“, in *The Spectator*, 3 May 1924: 702-703; Noel Skelton, „Constructive Conservatism“, in *The Spectator*, 28 April 1923: 698-699; 5 May: 745-746; 12 May: 789-790; 19 May: 837-838.
 - ii Session of the Maapäev. Minutes Nr. 62. 22 November 1918, Eesti Riigiarhiiv (=ERA) 78/1/113: 4-5.
 - iii Copies of the Land Commission protocols. 1 May 1919, ERA/15/2/370: 5-8.
 - iv Session of the Maapäev. Minutes Nr. 62. 22 November 1918, ERA 78/1/113: 5.
 - v Minutes of the Const. Ass. Land Committee meeting Nr. 2, 1 May 1919, ERA 15/2/370: 5-8; Draft for the regulation of the assessment of land and inventory proposed by the Estonian People’s Party. In *Asutava Kogu protokollide lisad 1919*: 13-15.
 - vi Copies of the Land Commission protocols. 1 May 1919, ERA/15/2/370: 5-8.
 - vii Memorandum of Johan Jans memo to the Land Law Committee, 22 July 1919, ERA 15/2/422: 27-28.
 - viii Copies of the Land Commission protocols, 30 May 1919, ERA/15/2/370: 30.
 - ix Copies of the Land Commission protocols, 11 July 1919, ERA/15/2/370: 58-60.
 - x The parcellation of foreign manors, 7 October 1921, ERA/31/1/934: 34-35.
 - xi Deutsche Diplomatische Vertretung für Lettland, 1 December 1920, Politisches Archiv des Auswärtigen Amtes (=PA), R 265781: 145.
 - xii „Muhsu orientazijas.“ In *Liepājas Avīze*, 19 July 1921; „Jauno saimneezibu protesteschanas un semes sadalischanas leetā.“ In *Liepājas Avīze*, 16 July 1921. See also the reactions of the German legation to the articles: Deutsche Diplomatische Vertretung für Lettland, 20 July 1921, PA, R 265781: 271.
 - xiii “Memorandum”, 22 January 1921, PA, R 265797: 76-79.
 - xiv Deutsche Gesandtschaft für Estland, 27 August 1924, PA, R 266372: 63-64.
 - xv „Abschrift. G. A.“, 27 November 1924, PA, R 266372: 70.
 - xvi Deutsche Diplomatische Vertretung in Riga. 2 October 1920, PA, R 265781: 39-40.
 - xvii „Sanierung und Agrarreform in Polen.“ 15 January 1926. The National Archives (=TNA), GFM 33/2341: E369239-E369244.
 - xviii Max Sering to the Foreign Office, 5 March 1921, PA, R 265781: 228.
 - xix “Rent Question is as ancient as man. Lithuania, oldest Republic in Europe, has solved land problem”, in *New York Sun*, May 11, 1919, cited from: Misiūnas 249.
 - xx “Reforms in East Central Europe.” *The Economist*, 6 August 1921.
 - xxi “The New Baltic States.” *The Times*, 20 July 1920.
 - xxii Estates of Danish subjects. 1920, ERA/31/1/917: 12-13.
 - xxiii Rede des Seimabgeordneten Dr. Purickis, 29 April 1921, PA, R 84981, unnumbered.
 - xxiv Ibid.
 - xxv Deutsche Diplomatische Vertretung für Litauen, 10 May 1921, PA, R 84981, unnumbered.
 - xxvi Fritz Heinz Reimesch. „Die Enteignung des deutschen Grundbesitzes in Estland.“ *Neue Preußische Kreuz-Zeitung*, 5 August 1924.
 - xxvii E. v. Hertzberg. Leyden. 31 March 1921, PA, R 265781: 256.
 - xxviii J. Rimdeika. „Kaip yra sunku su teisybe.“ *Lietuvis*, 19 April 1927.
 - xxix A. Heyking. Forwards advance copy of his pamphlet, 5 January 1921, LNA, R1656/10503, doc. no. 18446, p. 78.
 - xxx „Vai bez atlīdzības?“ *Liepājas Avīze*, 13 November 1923.
 - xxxi Hermann Keyserling. „The Baltic Problem“, 25 May 1919, TNA, FO 608/185/1: 304-306, here 305.
 - xxxii Copies of the Land Commission protocols, 26 June 1919. ERA/15/2/370: 47-48.
 - xxxiii Juozas Tumas-Vaižgantas. “Nejaugi mūsų bajorai – baronija?” *Nepriklausomoji Lietuva*, 12 July 1919.
 - xxxiv “Vokiečiai apie mūsų žemės reformą.” *Lietuvos žinios*, 10 November 1923.
 - xxxv Deutsche Diplomatische Vertretung für Litauen, 10 May 1921, PA, R 84981, unnumbered.
 - xxxvi Deutsche Diplomatische Vertretung in Litauen, 16 September 1920, PA-RA, R 84981, unnumbered; Deutsche Diplomatische Vertretung in Litauen, 15 July 1920, PA, R 84981, unnumbered.
 - xxxvii „Aus einem Rechtsstaat.“ 29 April 1924, PA, R 265387, unnumbered.
 - xxxviii „Žemės reformos įstatymas.“ *Vyriausybės žinios*. 3 February 1922.
 - xxxix O. Finkelšteinas. „Keršto aktas?“ *Mūsų garsas*, 7 April 1924.
 - xl *Treaty of Peace between the Allied and Associated Powers and Germany (28 June 1919)*. Art. 92.

- xli *Minorities Treaty between the Principal Allied and Associated Powers and Poland, signed at Versailles (28 June 1919), Art. 3.*
- xlvi A. Heyking. "Adresse à la Société des Nations." 1920, LNA, R585/8382, doc. no. 8382, unnumbered.
- xlvi A. Heyking. "Adresse à la Société des Nations." 1920, LNA, R585/8382, doc. no. 8382, unnumbered.
- xlvi A. Heyking. "The Minorities' Rights and the Baltic States." 21 May 1921, LNA, R1656/10503, doc. no. 12988: 1.
- xlvi A. Heyking. "Forwards advance copy": 27, 29-30.
- xlvi Heyking. "Adresse à la Société des Nations."
- xlvi Heyking. "Forwards advance copy": 11, 27.
- xlvi A. Heyking. "Expose les raisons pour lesquelles il estime que la memorandum sur le sujet doit être pris en considération par la S. te des Nations." 1920, LNA, R585/8382, doc. no. 9375, unnumbered.
- xlvi Heyking. "Adresse à la Société des Nations."
- xlvi Heyking. "Forwards advance copy": 45, 50-1.
- li Baron A. Heyking. "The Minorities' Rights." 21 May 1921, LNA, R1656/10503, doc. no. 12988: 2.
- lii Heyking. "Forwards advance copy": 46.
- lii Cf. e.g. Valters' and Pusta's speeches at the 3rd assembly in 1922: Records of the Third Assembly, C VI. Second Meeting, 11 Sept 1922, pp. 11-12; Third Meeting, 12 Sept 1922, pp. 13-16. As opposed to Poland, where minority protection assurances became a condition *sine qua non* for its constitution in 1919, the Baltic States issued unilateral declarations obliging them to minority protection – Lithuania in 1922, Estonia and Latvia in 1923 (Hilpold 93).
- liv A. Heyking. "Gives an account of the conditions with regards to the expropriation of land in Latvia and Esthonia." 1922, LNA, R1656/10503, doc. no. 22820: 4-6.
- lv Dr. W. Kiparis. "Copie, Riga." 10 February 1921; Staatsrath W. Kiparis. "Caveat." 30 January 1921, LNA, R1656/10503, doc. no. 11225, unnumbered.
- lvi A. Petrow-Iwanow. "Agrarian reform in Latvia." 1925, LNA, R1667/15782, doc. no. 44487, unnumbered.
- lvii „Pirmutiniojo Ūkininkų Sąjungos visos Lietuvos suvažiavimo įvykusio Kaune 1919 m. gruodžio 28 ir 29 d.“ *Ūkininkas*, 1 (1920).
- lviii „Estländischer Juristentag.“ *Revaler Bote*, 30 April 1924.
- lix W. v. Fircks. "10 Jahre seit dem Inkrafttreten des Agrarreformgesetzes." *Rigasche Rundschau*, 2 October 1930.
- lx "Kas yra tautininkas?" *Lietuvos žinios*, 29 July 1927.
- lxi Petras Klimas. "Quelques traits caractéristiques de l'économie Lithuanienne." 7 Dec 1937, LCVA, f. 383, ap. 4, b. 94: 7.
- lxii "Mūsų Rytojus." 8 June 1928, quoted in: "Dopolnitel'noe prošenie. Žitelej dereven' Pošervinty i Norvidy, Vil'komirskago uezda, graždan Litovskoj respubliki." 12 June 1928, LCVA, f. 383, ap. 7, b. 837, l. 35.
- lxiii R. Polessky. „An der Schwelle des II. Jahrzehnts.“ *Rigasche Rundschau*, 16 Feb 1928.
- lxiv „Unsere Nachbarn. 11. Estland.“ *Der Tag*, 9 August 1933.
- lxv Feliks Cielens. "Agrārās reformas pretinieku draudi. Atbilde bijušajam baronam Firksam." *Socialdemokrats*, 25 December 1930.

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