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Development of the Commons in Western and Eastern Europe, 1000-1900**

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A Tale of Two Commons: Some Preliminary Hypotheses on the Long-Term Development of the Commons in Western and Eastern Europe, 1000-1900

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Abstract

In this article we offer a broad explanatory framework for the divergence in the development of institutions for collective action, in particular commons, in Eastern and Western Europe. The latter area was particularly early with the development of collective arrangements of natural resource management. We explain on the one hand the rapid and intensive development of such institutions west of the Elbe and on the other hand the rather slow and less intensive development on the eastern side.

Keywords: Institutions for Collective Action, Commons, Serfdom, Peasant Commune

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Introduction

In the 1870s Donald Mackenzie Wallace, a British journalist, amazed by his discoveries, described the existence of 'capital specimens of representative constitutional government of the extreme democratic type'.¹ When writing this, he could have well been thinking in the revolutionary events of the mid-seventeenth century which had inaugurated the rule of the parliamentary monarchy in England. But, admittedly, that was not the case. He continued his awe-struck description by asserting that 'the commune is, in fact, a living institution', characterized by its 'spontaneous vitality'. The Italian city-states of the late Middle Ages, with the *popolo grasso* and *minuto* effectively taking part in the government of the local affairs, or the urban communes of Flanders, which in 1302 had defeated the French army, could also have been good candidates to arouse such a feeling. But, again, that was not the case either. Surprisingly enough, such a model of popular democracy was not even the rich history of communal traditions in the Western European countryside but the Russian peasant commune, the so-called *mir*. Despite this hopeful description, Wallace would live long enough as to suspect how far the Russian countryside was from the constitutional form of government he had once ascribed to it. In 1919, the year of Wallace's death, the Russian empire, plunged into revolution and civil war, had already begun its transition to the centrally-ruled Soviet Union. In light of the turbulent twentieth century, Wallace's naïve depiction of the Russian countryside seems an inspiring point to start posing some questions on the divergent paths followed by the regions west and east of the Elbe regarding communal institutions. Was the *mir* an end-point of a long-standing tradition in collective resource management going back to the late Middle Ages, as was the case west of the Elbe (in particular Northwestern Europe), or was it an exception in that history? And if so, why would the East be different from the West, in terms of the evolution of governance regimes over time?

In the last two centuries, the management of natural resources in Europe has come to be increasingly organized along the lines of private property and market exchange. In Western Europe, the liberal revolutions of the nineteenth century had the dismantling of the common fields and pastures as one of their main goals. Enclosure, Enlightenment social reformers thought, would bring higher yields, the development of a dynamic land market and the subsequent accumulation of agricultural surplus.² By the end of the twentieth century, commons had long ceased to be one of the defining features of the rural landscape in Western Europe. East of the Elbe, however, the triumph of the market solution in the farming sector took place, as the outcome of a much more winding path, later in time. Starting with the first Five-Year Plan in 1928, a centrally-directed process of collectivization was carried out. By 1930, over 90 percent of the land had already been collectivized (Brooks and Gardner, 2004). Individual land owned by rural households was consolidated, together with their livestock and assets, in the *kolkhoz*, the collective farms. State farms, *sovkhoz*, were also established. After the demise of the Soviet Union in 1991, an inverse process of decollectivization began in Eastern Europe and Russia. State and collective farms gave way to the emergence of cooperatives, limited liability and joint stock companies, partnerships, and sole proprietorships. Eventually and despite the differences between and within countries, the transition to a fully-deployed system of individual farming is nowadays well under way (Brooks and Gardner, 2004; Mathijs and Swinnen, 1998).

¹ This and the next quote are taken from Blum, 1961, p. 523.

² For a description of this process of liberalisation and privatisation of commons in Western Europe, see Brakensiek, 2002. Gemeinheitsteilungen and Démélas and Vivier, 2003. *Les propriétés collectives face aux attaques libérales*.

This convergence in the farming systems of Europe by the beginning of the twenty-first century should not conceal, however, the vast differences that have existed in this realm between these two regions across history. Western Europe exhibits a rich history in institutions for the collective management of resources. Since the late Middle Ages, the countryside witnessed a growing process of bottom-up institution building (De Moor, 2008; Van Zanden, 2008). Between the twelfth and the fourteenth centuries, common fields and pastures, the collective exploitation of forests, irrigation, and polder communities blossomed in Western Europe, particularly around the North Sea region. In Central and Eastern Europe, some forms of communal land use had existed well before the sixteenth century and continued to exist afterwards. Despite Wallace’s optimistic assessment, their prevalence seems, however, to have never matched the Western record.

The differences between Western and Central and Eastern Europe regarding the institutional foundations of natural resource use and management across history raise two fundamental questions, dealing respectively with the origins and consequences of this contrasting situation. First: which factors explain the divergent paths followed by these regions since the late Middle Ages? Second: has this historically rooted divergence something to do with more contemporary institutional developments in their respective farming sectors? Presumably, a causal link could be established between certain features of the rural environment in the late Middle Ages, the prevalence of collective management of natural resources across history, and institutional developments in the farming sector in recent times. Figure 1 summarizes these ideas:

Figure 1: Long-term development in the institutions for the management and use of resources. Western and Eastern Europe compared

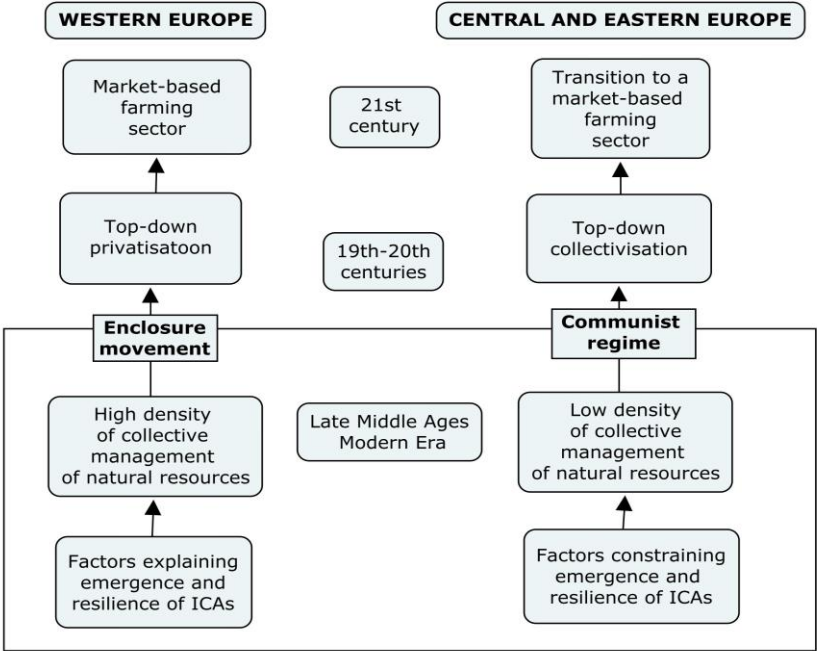


FIGURE 1. Long-term development in the the institutions for the management and use of resources. Western and eastern Europe compared

This article deals with the first of these questions – the circumstances explaining the contrasting long-term development of common-pool resource management in Western and Central and Eastern Europe. In particular, our aim is to put forward some preliminary hypotheses to explain why in the West, chiefly in the North Sea region, the common exploitation of fields, pastures, forests or water became, already by the late Middle Ages and until the nineteenth century, a widespread and resilient form of resource management among peasant communities, whereas, east of the Elbe, the development of these communal arrangements was much weaker and slower. Admittedly, some work has already been done on the emergence of the commons and other types of institutions for collective action (De Moor, 2008). Under the historical experience of Western Europe, risk-sharing and economies of scale have been suggested as the main motives to opt for the collective use of natural resources in a context of growing population pressures and market expansion. In this article, then, we aim at expanding and refining this theoretical framework while including Eastern and Central Europe (also European Russia) in our story. Contrasting hypotheses, built upon a particular geographical area (Western Europe and, specifically, the North Sea region) with historical developments in other regions (Eastern and Central Europe), should allow us to test our model, explore its limitations and provide additional insights.

The article is organized as follows. In the first section we provide a brief overview of our theoretical framework on the emergence of corporate collective action. The second and third sections present, respectively, a historical narrative on the emergence and long-term development of common-pool institutions in Western and Eastern and Central Europe between the eleventh and the nineteenth centuries. The fourth section discusses this historical evidence in the light of the theoretical model. The last section recapitulates and concludes.

A theoretical framework on the emergence of corporate collective action

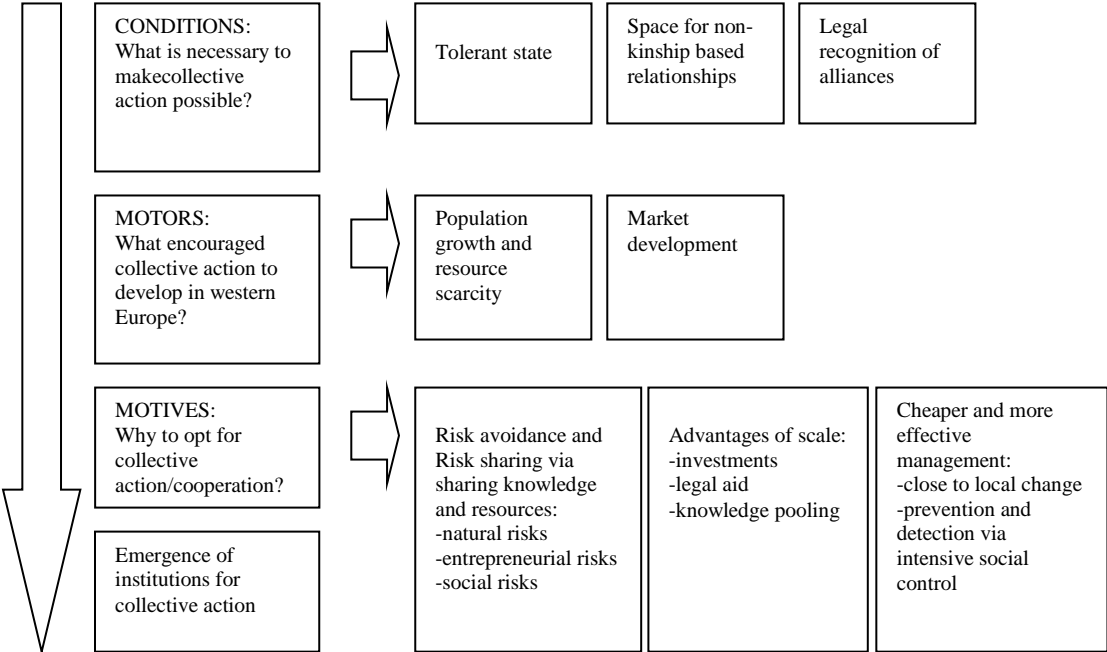
Our starting point is a theoretical framework on the long-term development of institutions for collective action. Since it has been presented by De Moor elsewhere, in the next lines we only provide a very brief overview of its main features (De Moor, 2008). This framework, built upon the historical evidence of western Europe (and, in particular, the North Sea region), differentiates between broad socio-political conditions ('conditions'), particular developments in the economic realm ('motors'), and specific reasons to opt for institutionalized forms of collective action as an efficient institutional response in the presence of the former ('motives') (see Figure 2).

According to De Moor, it is plausible to expect the formation and spread of collective use and management of natural resources in the presence of growing population pressure and market development. The economies of scale, lower transaction costs and possibilities for risk-sharing offered by these institutions are particularly attractive when it comes to deal with the risks associated with an underdeveloped market economy, which may not offer insurance to its potential failure, as well as with failures in any other domain (such as natural disasters or political trouble). In the case of the rural economy, an obvious risk arises from unexpected fluctuations in the supply of natural resources as a consequence of excessive rainfall, droughts, or differences in soil composition. Similarly, processes of population growth, urban expansion, and growing commercialization may threaten the future availability of the resources which constitute the very basis of the peasant economy. In front of these situations, institutionalized cooperation may result to be more attractive than purely public or private

solutions. First, certain investments such as fencing or drainage may present scale economies (the vaster the area to cover, the lower the average cost per surface unit), which may constitute a powerful incentive to cooperate, particularly in those cases of presence of acute financial constraints as in a pre-industrial peasant economy. Second, risk-diversification through access to collective resources may represent an attractive institutional option when most of the population is exposed to fluctuations in their levels of income and livelihood. Third, the mechanisms of social control characteristic of small communities may be not only cheaper than top-down monitoring and enforcement mechanisms but also considerably more effective in preventing free-riding behaviour.

At the macro level, the absence of a strong central authority, the possibility of forming social alliances beyond the reach of kinship bonds and the availability of legal tools to formalize these alliances would provide the necessary (but not sufficient) conditions for the establishment of institutions for collective action. The positive role that the progressive disappearance of family bonds may have in the development of more inclusive, open, non-kin based forms of social organization has been highlighted by other scholars elsewhere (Mitterauer, 2003). For its part, the existence of enough freedom to organize seems also to require as pre-condition the existence of a tolerant state or, at least, a state unable to impose the discriminatory sovereign's will over his dominions as a result of a certain degree of political contestation and fragmentation. One last point refers to the ability of groups to be recognized as single entities by the sovereign.

Figure 2: Motives, motors and conditions for the emergence of institutions for corporate collective action in Western Europe³



³ This figure is a more elaborate version of the figure that appeared in De Moor, 2008.

The development of the commons in Western Europe

Collective use and management of natural resources (pasture, wood, water, peat) seem to have existed in the Western European countryside, particularly in areas of Germanic tradition, long before the eleventh century.⁴ The period between the eleventh and the fifteenth centuries witnessed, however, an increasing formalization of these arrangements. Statutes were drafted and a formal structure (commoners' or village's assemblies, guards, dispute settlement councils) was set up. Besides this qualitative change, commons flourished and spread across Northwestern Europe, becoming a typical feature of the economic life of the peasantry until their abolishment in the nineteenth century.

As Figure 3 shows, several factors contributed to this development. Population growth and urbanization between the eleventh and the thirteenth centuries increased pressure on and competition for natural resources at the local level. A clear definition of their boundaries and use rights was probably deemed much more necessary than in previous centuries. Additionally, the expansion of the market and the growing participation of the peasants in the new commercial economy encouraged their reliance on the commons as a way to stabilize what otherwise could have been a highly fluctuating livelihood. The weakness of the supra-local powers after the collapse of the Carolingian empire, the availability of legal concepts from the re-discovered Roman law and the progressive erosion of kinship-based bonds were the background against which this development took place.

Figure 3: Factor analysis of the formalization and spread of the commons in Western Europe

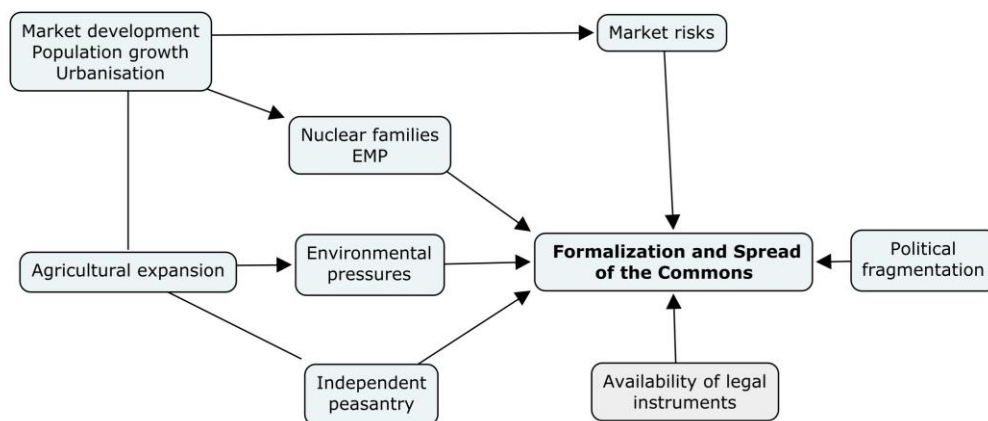


FIGURE 3. Factor Analysis of the Formalization and Spread of the Commons in western Europe.

⁴ Writing about the role of local communities in late medieval Europe, Susan Reynolds indicates that 'the difficulty about this [...] is that the apparent multiplication of more *Gesellschaft*-like collectivities after 1100 probably owes a good deal to the improvement of the records' (Reynolds, 1984, 333) [*Gesellschaft* is a theoretical category used by the German sociologist Ferdinand Tönnies to describe a certain type of human associations]. Similarly, writing on merchant guilds, Gelderblom and Grafe assert that 'merchant guilds are an old phenomenon. Formal associations of traders existed in the ancient world, and they may have been formed as early as the eighth century in medieval Europe. The remaining sources, however, reveal only the widespread existence of more or less formal associations of traders since the eleventh century' (Gelderblom and Grafe, 2010, 6).

The commercial revolution and the establishment of the commons, 1100 - 1350

By the turn of the first millennium, an economic renaissance began to gain momentum in the Latin West. Between the eleventh and fourteenth centuries, a virtuous circle of trade, urbanization, and population growth turned what had been a backward end of Eurasia into a prosperous region (López, 1976). Eventually, this social and economic dynamism, stretching from the Italian Peninsula and the Byzantine possessions in the Mediterranean to the North Sea region, would have decisive consequences for the configuration of both Western Europe's rural landscape and the peasantry's status.

From the eleventh century onwards, long-distance trade in Western Europe witnessed a great expansion. Italian cities such as Venice or Pisa, first, and the Flanders and Champagne fairs, by the end of the twelfth century, became important centres of international activity (Greif, 1994; Lopez 1976; Van Houtte, 1966; Verlinden, 1965). Local trade and rural markets also began to spread across Europe. In England, for example, rural population's need for produce and Crown's need for taxes happily converged to eventually provide institutional foundation and royal recognition to increasing levels of trade (Britnell, 1981). The urban renaissance would have been, precisely, the outcome of these increasing commercial exchanges (Pirenne 1969 [1927]; Pirenne, 1963).⁵ Putting aside the greater urban continuity observed in present-day Italy as well as the short-lived Iberian episode under Muslim rule, Western Europe experienced a general increase between the tenth and the fourteenth centuries in its urbanization ratio (Van Zanden, 2008). By 1200, an integrated urban system, characterized by its independence from large territorial states, the orientation towards long-distance sea trade and a widespread market exchange, had emerged (Bosker, Buringh and Van Zanden, 2008). Population growth was the third pillar of the so-called commercial revolution of the late Middle Ages. In line with the evidence on urbanization rates, population levels in the Low Countries and England increased dramatically by around 300 percent during the medieval boom, followed by certain regions of present-day France and Germany (200-250 percent). In Iberia and Italy, where the initial levels were probably a bit higher, the rise in population oscillated between 100 and 150 percent (Van Zanden, 2008).

Expansion in agricultural production went in parallel with these developments.⁶ It took place, however, in a manner that would reveal itself as decisive for the subsequent economic and socio-political path of the region: production started to be undertaken by peasants themselves rather than within the old institutional and economic arrangements of the self-sufficient manorial unit (Blum, 1957; López, 1976). The majority of the lords decided to transform their enserfed labour force into a class of free tenants and the *corvée* (peasants' obligation to work in the lord's fields) into a monetary rent. Several factors combined in order to produce this structural change. Cities started to reveal themselves as an outside option for the peasantry. Prospects of political freedom, economic prosperity and social upward mobility increased the bargaining power of peasants. This pushed landlords to grant their serfs a growing number of concessions in order to keep them working in their fields. Additionally, urban incomes could well become an alternative source of taxation for the monarchs. Since the rents of the landed

⁵ Although the inertia of the Roman municipal system undoubtedly played some role in the resilience of the urban life (particularly in the Midi and North Italy), it seems that the establishment of merchants in locations suitable for commercial exchange and the subsequent arrival of craftsmen and labourers were the main drivers of the process of fast urban development that northwestern Europe experienced in these centuries (Pirenne, 1963).

⁶ Admittedly, it is still disputed if agricultural expansion (the diffusion of labour-saving technical advances, the increase in food production as well as the subsequent accumulation of capital) was either a pre-requisite for or a consequence of the increasing levels of population and urbanization (López, 1976; Van Zanden, 2008).

nobility were then presumably less needed than they had been before, landlords witnessed the weakening of their abilities to impose their interests over the king. Finally, the increasing use of money in society (fueled, to a greater extent, by the monarch's fiscal pressure) convinced landlords that they would be better off by becoming a class of renters rather than by continuing as the managers of the manorial enterprise. In other words: rather than a mere factor of production subjected to the landlord's will, peasants started to become themselves intermediaries between the factor (land, capital, labour, technology) and the final markets. This greater exposure to the fluctuations of a still underdeveloped market economy would turn decisive for the consolidation of the commons, which, presumably, were started to be regarded as a way of diversifying the new market risks.

The first phase of the agricultural expansion had a predominantly extensive character, involving a classical process of frontier development (Lewis, 1958; Williams, 2000).⁷ In order to increase food production, more and more new lands were put under cultivation. This was the period of the so-called 'Great Reclamations'. The expansion of the arable land was achieved mainly through forest clearing and polder reclamation. Village fields began to expand rapidly at the expense of the surrounding swamps, marshlands and woodlands.⁸ By 1250, however, the closing of the frontier was already evident (Lewis, 1958). Since the availability of land had significantly decreased, the sustained growth in agricultural production had necessarily to rely more on labour and capital inputs as well as on technical improvements. The reduction of the fallow period, the increase in the labour force, as well as the introduction of new crops (oats and legumes in addition to wheat and rye) and the new plough, all of them already in practice during the phase of frontier expansion, were now more intensively used. But as long as the agricultural system relied heavily on a combination of arable and pasture land, there was a limit to the rise in productivity (Slicher van Bath, 1957, 20-5). In between 1250 and 1350 this led to a period of formalisation of rights on common land, in order to preserve that land as pasture land (Slicher van Bath, 1944, 55-69).

Apparently, by then environmental pressure was becoming a growing problem. Barret, Locker, and Roberts (2004) argue that it is precisely at this time when the origins of an intensive, commercial exploitation of Europe's marine resources can be dated. Similarly, Williams (2000) claims that the late Middle Ages witnessed a significant process of deforestation across Europe. Both studies come to agree that the main drivers of these developments were food production, population growth, and urbanization. The growing recording of a number of conflicts regarding the use of forests and pastures also seems to point in the direction of increasing scarcity and competition for natural resources (Birrell, 1987; Pascua Echegaray, 2011; Williams, 2000). Balancing traditional exploitation with a new 'conservationist' stance in order to preserve communities' livelihood seems to have been emerging as a deliberate strategy precisely by then.⁹

At the macro level, the socio-political configuration of the Latin West between the tenth and the fourteenth centuries undoubtedly favored the consolidation of common-pool resources as

⁷ Until 950, the 'internal frontier' in the European heartland of Northern Italy, France, Western Germany, the Low Countries, and south-east England was colonized. From the end of the tenth century onwards, the outward expansion of the 'external frontier' occurred; for example, through the massive German colonization of the lands east of the Elbe.

⁸ According to Williams (2000), around the sixth century village fields accounted for less than 5% of land use. By the end of the late Middle Ages, however, they would have represented between 30 and 40%.

⁹ Regarding forest exploitation, for example, Lewis indicated how, by this time, '*one finds emphasis upon forest laws, which were often conservatory measures, necessary to protect what remained of the forests of France and England*' (Lewis, 1958, {PAGE}).

a strategy for risk-management (De Moor, 2008). Although, as Barthélemy (1996) has argued, private violence was not infrequent during the Carolingian Empire, it does seem undisputable that the collapse of its political and bureaucratic power at the end of the tenth century represented a turning point in the institutional configuration of Western Europe (Bisson, 1994; Reuter and Wickham, 1997). Public justice collapsed, castles and knights multiplied and a new regime of arbitrary lordship over the peasantry emerged. This situation not only brought about the so-called feudal revolution. Opportunities for private order solutions seem to have emerged in each realm of everyday life. At this point, it is worthwhile to quote Reuter and Wickham at length:

'Previously informal patterns of practice, domination, solidarity or identity became much more formal, rule-bound and explicit [...] It seems to result from the fact that local lords (or communities) had to create the rules of their own social worlds, once that public power had faded. In the Carolingian world, local practices were crucial, but they could still be informal because the frame of formal and public action was delineated by the state. In 1100, this was no longer possible: the local world was dominant, and its definition could not be delayed.' (Reuter and Wickham, 1997, 206-7)

Several factors contributed to stabilize a political scenario, characterized by constant warfare. The role played by the Catholic Church, encompassing the Peace and Truce of God movements and the establishment of monasteries across the whole continent, has been highlighted elsewhere (Mann 1986; Van Zanden, 2008). In close relationship with this, the 'rediscovery' of the *Corpus Iuris Civilis* around the mid-eleventh century in present-day Italy provided the Latin West a 'toolbox' of legal devices well suited to the requirements of a rapidly changing socio-economic structure. A new revolution, a legal one, took place (Berman, 1983). Among these new legal devices, one would show itself to be decisive. The notion of *universitas*, which made possible the acknowledgment of groups of people as fictitious legal entities with a single will and autonomy from external powers, would be widely used by guilds, communes, universities, religious fraternities, or commons in subsequent centuries to formalize their activities.

Besides the legal conditions and the limited interference of state powers on the local level, there was also increasing room for types of relationships between individuals other than those within the family. Due to the emergence of the so-called European Marriage Pattern, family ties became increasingly less tight, and, in combination with migration to the growing urban centers, the family had to make way for other forms of liaisons such as those between business partners (as in the merchant guild) and craftsmen (as in the craft guild). Although such new bonds were mainly typical for commerce and production within urban centers, the changes in marriage patterns were a society-wide phenomenon and also took place at the countryside. These changes are chiefly characterized by an increasing marriage age among men and women, an increasing number of singles among both sexes, and neolocality (which is the setting up of a household at marriage apart from the parents(-in-law)) (De Moor and Van Zanden, 2010). This led to a much smaller percentage of extended households in the North-West of Europe in comparison to the South, a difference that is still today visible (Reher, 1998). Instead of organizing economic and social collaboration mainly on the basis of family ties, the villagers of the Northwestern part of Europe started cooperating with other non-kin individuals in their neighborhood. Such collaboration could not depend on the informal norms and values that existed between family-members and thus needed some formal agreement on how to make that cooperation work, with explicit agreement on specific norms and values related to the use and management of their collective resources.

Against this background of favorable circumstances in the political and social realms, the commercial revolution provided, via growing environmental pressures and market risks, the sufficient condition for the formalization and expansion of the communal use and management of natural resources. By the end of the thirteenth century, a class of independent tenants increasingly exposed to market incentives and risks had blossomed all over Western Europe. Additionally, the expansion of the agricultural production was starting to pose a number of challenges to rural communities. As indicated, they seem to have been increasingly aware of the fact that environmental degradation could check their prospects of long-term survival. Under these new circumstances, it does not seem difficult to argue, therefore, that the use of common-pool resources became increasingly necessary. Their importance as a stable source of additional incomes, food, shelter and energy was greatly enhanced. Eventually, increasing competition for natural resources and higher market risks forced the free peasantry to formalize the rules for the exploitation of these resources across Western Europe. In eastern Netherlands, for example, increasing pressure on forests and commons as a consequence of population growth encouraged large landowners, in the absence of a powerful sovereign, to establish *markegenootschappen* in order to prevent overexploitation (Van Zanden, 1999). In the Spanish Pyrenees and the Ebro river lowlands, the emergence of a pastoral economy around the thirteenth century, linked to the rise of local and international wool markets in Southern Europe, favored the consolidation of common pastures as a way to guarantee the social reproduction of the communities (Pascua Echegaray, 2011). Similarly, in the Trentino region, in the Italian Alps, from the thirteenth century onwards the granting of *cartas di regola* (legal charters that defined and enforced locally property rights on land) by the Prince-Bishop of Trento led to the formalization of the collective management of forests and pastures (Casari, 2007). In England, population increase, higher food demand and the intensification of land use made it necessary to create some kind of regulation that, in the end, would lead to the establishment of the common field system (Thirsk, 1964).

The end of serfdom and the consolidation of the commons, 1350 - 1750

If the commercial revolution had encouraged the establishment of the commons across Western Europe, the progressive erosion of the feudal system in subsequent centuries did much to preserve their role in the economic life of the peasantry.

Contrasting with the successful reimposition of serfdom east of the Elbe, the economic decline of the fourteenth and fifteenth centuries did much to reinforce the status of the free peasantry in Western Europe (Blum, 1957, 1961). Mortality rates during the Black Death, peaking between 1348 and 1350, were around 60 percent, in line with data from Central and Eastern Europe and the Near East (Peters, 2010). Population declined and land and grain prices experienced a dramatic decrease. Labour force became scarce and more expensive, the amount of tilled land was reduced, many landholdings were abandoned. Faced with a decrease in their rental incomes and with an increase in the operating costs, the landed nobility first attempted to put in motion a ‘manorial reaction’ reimposing dues and restrictions on the peasantry, lobbying their governments to set maximum prices and wages and even resorting to banditry. However, the tacit alliance between the urban middle class, an empowered peasantry and an emerging absolutist monarchy made this impossible. Peasants’ revolts (for example, the English Great Rising of 1381 or the German Peasants’ War during 1524-25), which had communal life as their focal point, represented both a demonstration of peasants’

agency and a contribution to the consolidation of their free status (Sabeau, 1976). Eventually, landlords were forced to make further concessions (free leaseholds, reduction of labour services, introduction of monetary payments) in order to keep peasants working in their fields. Others, however, abandoned the countryside to try their luck as free citizens in the towns. 'By the sixteenth century, serfdom had disappeared in most of Western Europe and where it was retained was generally much less onerous than it had once been' (Blum, 1957, 812).

The collective use of natural resources seems to be precisely linked to the increasingly free status of the peasantry in Western Europe. The higher exposure to markets that independent farmers had to face from the late Middle Ages onwards forced them to look for new strategies to manage their risks. This complementarity between the market and the commons gathered even more strength in times of economic decline. When demand declined and prices fell, turning to the additional source of livelihood offered by the commons was more necessary than before. That is why common pastures, forests, meadows, and arable remained as a defining feature of the western European countryside long after the commercial revolution.

The slow development of the commons east of the Elbe, 1000 – 1861

The development of the commons in Eastern and Central Europe was much slower and weaker than west of the Elbe. Admittedly, the communal use and management of natural resources was present in this region since early times. However, contrasting with the Western experience, its presence in the economic life of the peasantry across history seems to have been much more reduced as it is reflected in its lower degree of formalization and spread. It seems plausible to think, therefore, that, on the eve of the Russian revolution and the subsequent process of top-down agricultural collectivization, local peasant communities in Eastern and Central Europe would never have matched the strength, autonomy, and self-governance of their Western counterparts.

Figure 4 presents some preliminary hypotheses regarding the factors that could have contributed to this situation. Contrasting with the commercial revolution in Western Europe during the late Middle Ages, the degree of urbanization and market development east of the Elbe remained low for much of its history. Undoubtedly, this situation meant much less environmental pressure over natural resources and lower market risks, which could have made the commons much less needed. In those areas in which communal use of resources was attractive enough, earlier processes of state formation, associated with the presence of the Byzantine Empire in the Balkans, and a slower erosion of the tribal organization of society could have well prevented its emergence and spread. In subsequent centuries, the reimposition of the serfdom in Eastern and Central Europe possibly played a decisive role. On the one hand, since peasants were now a depressed labour force rather than tenants or independent producers, their exposure to market risks was not that high. On the other, the seigneurial regime developed its own institutions to cope with risks, chiefly the repartitional commune, which presumably reduced the need of alternative strategies such as the commons.

Figure 4: Factor analysis of the slow development of the commons in Eastern Europe.

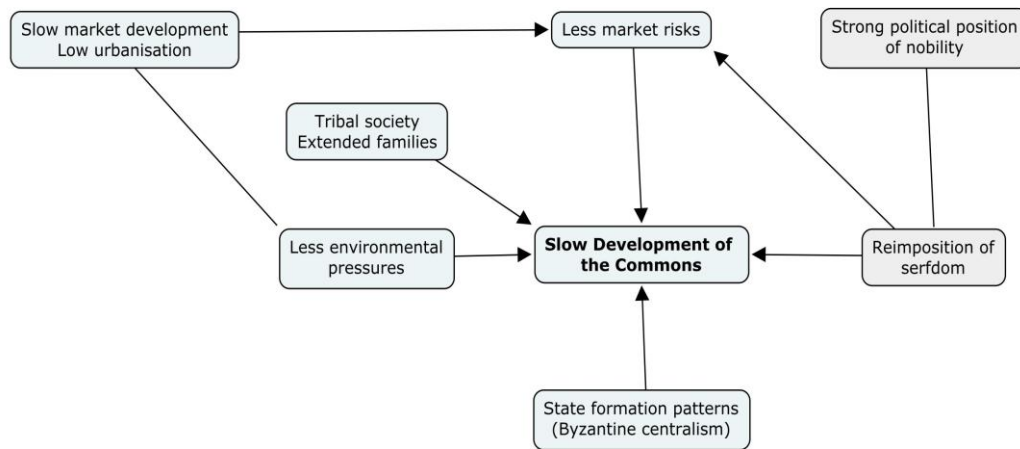


FIGURE 4. Factor Analysis of the Slow Development of the Commons in eastern Europe.

Communal institutions and the expansion of private property, 1000 - 1350

Common rights seem to have been recognized in Eastern and Central Europe as well as in Russia since the Middle Ages. Admittedly, it is quite probable that Slavic peoples, originally organized along the lines of extended families, shared the use of certain natural resources well before this period. Most scholars, however, tend to link the disintegration of the tribal society and the subsequent emergence of an independent small-holding peasantry with the common use of pastures, forests, and water streams (Blum, 1971). In Russia, the tribal form of organization gave originally way to patriarchal communes: large families in which several generations of the same family lived, worked and shared the product within the boundaries of a single household. This pre-Kievan family unit, economically self-sufficient, was probably similar to arrangements predominant in other areas of Central and Eastern Europe such as the Serbian *zadruga*. These arrangements were depicted by Marc Bloch as ‘*terra unius familiae* [...] A patriarchal family of several generations and several collateral households living around a common hearth’ (in Blum, 1971, 25). It is with the emergence of the territorial commune around the tenth-eleventh centuries when common rights seem to have started to play an increasing role in the economic life of the peasantry. In the *mir* or *verv*, as this type of commune was known in Kievan Russia, the households only encompassed the commoner (*smerd*), his wife, and their children. Each household enjoyed private rights over its own individual land, fruits, farm implements, and animals. All the commoners, additionally, supplemented their individual subsistence economies with the use of common pastures, forests, and streams (Blum, 1971). In Eastern and Central Europe, the slow transition between the tribal organization and a centralized state infrastructure together with the continuous Slavic, Avar, and Bulgar invasions, created a power vacuum around the fifth and seventh centuries. In this context, enough room for the bottom-up emergence of risk minimization strategies seems to have existed. A free peasantry using common rights as an additional source of energy, building material, and food is also documented here (Florin, 2005).

The eleventh and twelfth centuries witnessed apparently contradictory developments in the Russian and Eastern European countryside. Although by the mid-thirteenth century most of land in Kievan Russia was still owned by free *smeryd* living in *mir* communities, the progressive establishment of private ownership from the eleventh century onwards represented a decisive turning point in the history of the Russian peasantry. Princely retinues, the Eastern Church (official in Russia since Prince Vladimir's conversion in 988), and the nobility started to receive large tracts of land from the princes in exchange for political support and as reward for military services. The expansion of private ownership was the result of conquest, frontier settlement, and the internal colonization of empty land by the topmost levels of Kievan society, but also came at the expense of the *mir* and the *verv*' (Blum, 1971). Part of the communal land was expropriated. At approximately the same time Russian peasants were starting to experience deterioration in their free status, a broad class of renters blossomed East of the river Elbe. Confronted with large areas of fertile but sparsely populated land, private landlords in Poland, Moravia, the Baltic regions and other areas of Central and Eastern Europe decided to take advantage of Western Europe's population surplus. They offered favorable conditions for the settlement of colonists in their lands (hereditary rights of use, fixed monetary obligations, few labour services, recognition of the German law). As response, huge numbers of German peasants arrived to the region (Blum 1957, 1961; Sedlar, 1994). Although the living conditions of these immigrants were reasonably satisfactory at the first phases of this colonization wave, it should be kept in mind, especially in the light of subsequent developments, that they were, after all, renters in others' land depending to a greater extent on the landlord's will. Although, presumably, common use of certain natural resources continued to exist, these new trends in land tenure and agricultural labour patterns were probably going to impact, as we shall argue, on the risk-minimization strategies of rural households in a rather decisive manner.

The rise of neo-serfdom and alternative strategies for risk management, 1350 - 1861

Despite being a widespread phenomenon both in Russia and in Eastern and Central Europe, the socio-political dynamics leading to the establishment of the neo-serfdom diverged between the two regions (Blum, 1957, 1961). Admittedly, the incentives private landlords faced and their institutional reaction were almost the same: changes in the prices of agricultural produce and subsequent higher labour services, increases in kind, and cash payments and expansion of the demesne. Some distinctive features, however, differentiated Eastern and Central Europe from Russia. In the former region, weak monarchs in need of political support and the decline of the urban middle bourgeoisie combined in order to allow the landed nobility's political ascendancy to increase. In Russia, by contrast, an emergent absolutist state decisively contributed to the reimposition of serfdom through the fiscal pressure it imposed over seigneurs and the subsequent transfer of this burden to the peasantry. When market incentives aligned with the new political economy of these regions, neo-serfdom was made possible. At first, the decline in population, food demand and agricultural prices the Black Death brought about in the fourteenth and fifteenth centuries pushed landlords to take measures to guarantee the stream of labourers, prevent landholding abandonment and check the declining trend in their income share. In many ways this was an opposite evolution to the one the Western part of Europe had just gone through in the preceding centuries: the increasing pressure on the land due to the population rise had forced the landlords to secure their income from arable land by limiting the reclamation of pasture land, needed for the

fertilisation of the arable land. This pushed them towards the granting of common use rights on pasture land. In the east, revenues of landlords were threatened due to an insufficient cultivation of the arable land as a consequence of the decreasing population. In order to secure their incomes, landlords restricted the rights of villagers to move and bound them to the land as much as they could.

Given the landlords' growing political power, it must not have been difficult for them to toughen the conditions of the renters. Freedom of movement was progressively reduced, labour dues and payments increased. This 'manorial reaction' was sanctioned by royal authorities. Later in time, market expansion would reinforce these new trends. Higher demand for agricultural produce in the sixteenth century (linked to foreign Baltic trade in the case of Eastern and Central Europe, a domestic and urban one in the case of Russia) provided landlords with opportunities for higher incomes. With an institutional infrastructure already aimed at depressing labour costs, the expansion of seigniorial production was immediate. *Corvée* (*barshchina* in Russian, *robot* in Czech) was increased and demesne was enlarged. To a large extent, this expansion of seigniorial land took place at the expense of large tracts of communal property (Blum, 1957). Important areas of common pasture and forests must have been expropriated, forcing a decrease in the use of these resources. By the seventeenth century, the free peasantry, predominant in the rural landscape of European Russia and East and Central Europe until the fourteenth century, had ceased to exist.

Given its socio-economic significance, institutional embeddedness, geographical extension and temporal duration, we presume that the traditional use of common-pool resources by the peasantry was, somehow or other, affected by the reimposition of the serfdom. Serfdom's impact on common-pool resources' use and management could have well worked through a diversity of channels. From a more macro perspective, it may be argued that the successful 'manorial reaction' checked prospects for market development and urbanization east of the Elbe, discouraging then the emergence of institutional arrangements which, as the commons, were aimed at dealing with market risks, and – not unimportant – were initiated by the commoners themselves. In a system (neo-serfdom) that itself is directed towards restricting the agency of farmers, it should then be no surprise that such bottom-up initiatives were far more infrequent than elsewhere, where farmers could act upon their free will and needs. Additionally, at the micro level, the availability of alternative risk management strategies for the peasantry, especially the repartitional commune and access to market exchange, could have played an important role in diminishing the need to rely on common-pool resources as a decisive source of livelihood for the rural households.

Serfdom presumably depressed the expansion of the market economy and the growth of the cities in Eastern Europe and Russia. It is true that Eastern Europe had experienced a significant increase of commercial activity between the thirteenth and fifteenth centuries (Sedlar, 1994). This process, however, never came close to the unmatched 'commercial revolution' of Western Europe. Additionally, from the fifteenth century onwards, it seems likely that the growing political ascendance of the nobility checked the prospects for the expansion of an already weak market. As a consequence of the restrictions on peasants' free mobility and property rights, factor markets would have not developed enough. Given the new organization of the agricultural production, based predominantly on landlords' role as entrepreneurs, peasants were also less exposed to shocks in the labour, land and capital markets. They were not independent producers dealing with possible shortages in the factor markets anymore. The need to resort to the commons was, presumably, lower than in their previous status. Similarly, since the high Middle Ages, lower levels of urbanization and

population density had probably reduced free peasants' incentive to develop institutional mechanisms to cope with the commercialization and eventual overexploitation of natural resources. When, by the sixteenth century, the demand for agricultural produce increased (a development that particularly in Russia was linked to the growth of the cities), the institutional response to the threat of overexploitation could only come from above.

The long period of neo-serfdom, which stretched until its abolishment by Tsar Alexander II's Emancipation Manifesto in 1861, witnessed the emergence and consolidation of a very specific type of peasant organization: the repartitional commune. The commune was, basically, an association of peasants living, with their families, on a certain extension of land. The land was sub-divided into strips and redistributed among the peasants in order to provide them with allotment of similar quality (Pipes, 1990). The village assembly, the governing body of the commune, decided on the most salient aspects of rural life.¹⁰ Although this institutional arrangement built upon the rich Eastern European communal past, more recent developments such as population growth and serfdom did play an important role in its strengthening and acquisition of distinctive features (Blum, 1971). In particular, the interplay between the new village community and the serfdom regime has been stressed (Ogilvie, 2005; Toumanoff, 1981). On the one hand, the concentration of peasants in a number of settlements, instead of being scattered in small and isolated hamlets, made landlords' monitoring and enforcement of serfs' tasks easier. On the other hand, the periodic redistribution of landholdings among the peasants probably pushed reproduction costs downwards. Repartition was not purely a landlords' innovation. However, since they were frequently willing to adopt it, it seems plausible to think that this practice did not work against their interests in the preservation of the seigniorial regime. By providing each individual or *tiaglo* in the commune a piece of land of identical size and similar quality, the repartitional commune probably worked also in favor of peasants (Blum, 1961). Serfs' living standards were rather low: they had to work several days per week in the landlords' demesne and, with the incomes they obtained through the cultivation of their individual landholdings, paid a growing amount of rent (*obrok*) and taxes. However, at the same time, repartition of land provided them with a secure, albeit minimum, source of livelihood. When the average size of the arable per individual declined as a result of population growth in the nineteenth century, many peasants started to become engaged in non-agricultural activities such as the cottage industry and trade (Blum, 1961). This latter fact seems, therefore, to point to some sort of substitutability between one source of peasant income – communal land – and other – market participation.

The traditional depiction of Eastern European peasants, in particular Russian ones, as incarnation of a genuine collectivist spirit, relying extensively on the commune and extended family systems as a way to guarantee an hypothetical 'right to subsistence', has been subjected to rigorous criticisms (Dennison, 2011). Market exchange seems to have played also a non-negligible role in the risk-minimization strategies of the peasantry (Dennison, 2011). The core of this more benevolent assessment of the neo-serfdom era lies in two

¹⁰ Redistribution (*peredely*), the main feature of the commune, took place periodically, at regular intervals (ten, twelve, fifteen years or so), so changes in the size of peasants' household were taken into account when providing them with their new strip of land. As Pipes (1990) indicates, the village assembly had decision power over a large range of matters: the calendar of field work, the distribution of taxes (for which its members were held collectively responsible), the resolution of disputes among household, or the grating of authorization to leave the commune.

complementary assertions. First, serfdom does not seem to have had a single meaning across Eastern Europe and Russia. Given the important limitations of the imperial apparatus, 'it seems likely that the 'instructions' [...] were tailored to the specific socioeconomic structure of the different estates' (Dennison, 2011, 216). Second, these landlords' 'instructions' regarding the management and use of their resources represented, in many cases, an explicit, stable and clear set of rules which, among other regulations, frequently included peasants' access to centralized legal recourse against the landlords' decisions. Dennison derives a direct consequence of this institutional framework: 'The semi-formal system of property rights and contract enforcement, administered by a non-local judiciary, significantly reduced the amount of risk involved in property and credit market transaction' (Dennison, 2011, 219). Serfs would have been, then, both able and willing to participate in market transactions. Agricultural produce from their communal landholding, once paid *obrok* and taxes and kept part of it for the households' consumption, could be exchanged in the market place in order to obtain other products. The communal landholding could even be used as collateral in credit market transactions, which would have allowed serfs' to access to additional sources of income. As a result of all this, serfs' subsistence, even accumulation of wealth, would have been possible. The need to rely on collectivist risk-minimization strategies could have been, therefore, substantially lower.

Why was the density of commons higher in Western Europe than east of the Elbe?

The historical evidence presented in the previous sections depicts an uneven development of common-pool institutions in Western Europe, on the one hand, and Eastern and Central Europe as well as Russia, on the other. Admittedly, these differences are more in degree than in kind. Common pastures or forests, as we just saw, were also present east of the Elbe since the high Middle Ages. Eastern European peasants, whether free *smerdy* in Kievan Russia (late ninth – mid-thirteenth centuries) or the serfs in the seventeenth and eighteenth centuries, had access to common resources' use and management. These had always represented an additional source of food and energy, aimed at supplementing the incomes and produce obtained through the cultivation of the individual property or communal landholdings. In Western Europe, however, the density and degree of institutionalization of these collective arrangements was much higher, in particular since the late Middle Ages onwards. They had been probably present since much earlier, but it is around the twelfth and thirteenth centuries when the region witnessed their growing formalization and consolidation. Since then, and until their dismantlement in the eighteenth and nineteenth centuries, the collective use and management of certain natural resources represented one of the most salient features of Western European countryside, although this has so far hardly been recognized in European historiography.

Undoubtedly, socio-political fragmentation did play some role in the emergence of these institutions. As it has been argued elsewhere, the Latin West experienced, from the tenth century onwards, a shift of power from supra-regional polities, namely the Carolingian Empire, to the local level which largely contributed to the consolidation of old customary practices (Reuter and Wickham, 1997; Van Zanden, 2008). Tasks which had been formerly carried out by a dense network of imperial *comtes* had to be performed now by local *magnates*, monastery's abbots, and peasants' communities. The regulation of the access and use of natural resources was probably one of these. Similarly, east of the Elbe, the progressive disintegration of the tribal society, successive barbarian invasions, and the late formation of a

state infrastructure combined to produce a power vacuum during the high Middle Ages. In these circumstances, pastoral and peasant communities managed to provide themselves with a certain degree of security in their everyday life. Different family systems and patterns of household formation in the two regions, by contrast, could contribute to their divergent experiences regarding bottom-up institutional building. These socio-political features – degree of political centralization, on the one hand, and family systems, on the other – represent the background against which horizontal ties of cooperation developed in the European countryside since the Middle Ages. A more precise depiction of the European divergent paths regarding the commons has, however, to pay attention to the changing socio-economic dynamics that eventually led either to the emergence of a free peasantry (in Western Europe) or to the progressive enserfment of formerly independent producers (in Eastern and Central Europe and Russia).

Our main contention is that the common use and management of natural resources (pasture, woodland, water reservoirs) would have represented the most important risk-minimization strategy of an independent peasantry engaged in direct production for the market, which was at that point in time an unreliable “partner”. The main feature of this independent peasantry, in comparison with an enserfed labour force, was its greater exposure to market shocks, and its greater freedom to react to these independently. Whereas in the manorial economy it was the landlord who assumed the role of entrepreneur, in Western Europe this role started to be increasingly assumed by the independent landholders or the renters themselves from the late Middle Ages onwards. Although the landlord provided them with the land and with some capital, it seems obvious that the role of the peasants as intermediaries between the factor and the final markets was much higher west than east of the Elbe. In particular, the fluctuation of prices in the agricultural markets, as a result of natural catastrophes or political measures, represented a constant threat to their subsistence. Additionally, direct or indirect commercialization of the natural resources started to threaten rural communities’ future incomes and survival. Resorting to the communal exploitation of certain resources appeared as a strategy, not only for obtaining an additional source of livelihood, but also for guaranteeing its existence in the future.

If commons, as we suggest here, were closely linked to the prevalence of a class of independent peasants, one question appears, then, as crucial: why did a free peasantry emerge in Western Europe whereas east of the Elbe peasants remained subjected to the landlord’s will? Or, in other words, why, in face of identical market incentives, did the European landed nobility choose divergent institutional arrangements to supply the market (i.e., the leasing out of the land to the peasants and the subsequent establishment of a monetary rent vis-à-vis the direct production by the landlord using serfs as their labour force)? In our opinion, and following a solid historiographical tradition, the ultimate reasons for the emergence and consolidation of a free peasantry in medieval Europe would have laid in the reconfiguration of the political economy brought about by the processes of market development, urbanization, and monetization. Or, inversely, we consider that serfdom prevailed there where market and urban expansion were not strong enough as to weaken the political ascendancy of the landed nobility.

In Western Europe, the rise of the cities had beneficial effects for the status of the peasantry. On the one hand, they offered peasants with the possibility of becoming wage labourers and free citizens. The existence of this exit option presumably increased their bargaining power, especially in periods of population decline, lower prices, and high real wages. On the other hand, since cities started to represent an attractive source of income for the royal treasury,

monarchs needed less and less the political support of the landed nobility. Landlords were, therefore, much less able to see their interest in a stable stream of cheap labour force legally acknowledged. In addition to the urban renaissance, the growing use of money seems to have convinced landlords about the benefits of rent payment. In a context of fragmented sovereignty, the power distribution between landlords and peasants could have been altered significantly. The final outcome would have been the slow but definitive transition from serfdom to a class of renters and free peasants across Western Europe. In Eastern and Central Europe as well as in Russia, landlords never experienced such a decrease in their political ascendancy. In Eastern Europe, their emergence in the tenth and eleventh centuries was an outcome of the weakness of the princes, who rewarded their loyalty and military service with land grants. The lower degree of urbanization in the region allowed landlords to maintain their firm hold over peasantry, which, contrasting with their Western counterpart, never enjoyed a similar exit option. In turn, landlords were able to constrain, via royal urban policies, the development of the cities in the fifteenth and sixteenth centuries.

The bottom line is, then, clear. The emergence and, especially, the higher density and consolidation of the common use and management of certain natural resources in Western Europe are closely linked with the process of urban expansion, market development, and population growth this region experienced since the late Middle Ages. The growing agency of the peasants, their higher participation in the marketplace, and the increasing pressure over resources combined to turn the common exploitation of forests, pastures, and arable into an attractive strategy for the minimization of market risks and the preservation of the natural resources.

Conclusion

In this article, we have shed some light on the long-term development of the use and management of natural resources west and east of the river Elbe. Despite both the nineteenth century old romantic depictions of the Eastern European peasant commune as model of local democracy and the current convergence of both regions towards a model of private property, our question was motivated by the stark differences that, across history, are possible to be observed in the formation, density, and spread of communal forms of management between Western Europe and Eastern and Central Europe. Which factors can explain these contrasting paths?

The historical evidence on the development of the commons west and east of the Elbe allows us to refine, expand, and correct our theoretical hypotheses on the development of corporate collective action. In particular, we consider it necessary to highlight two points. The first one relates to the role played by the broad socio-political conditions. Despite a similar fragmentation of power during the high Middle Ages, the two regions experienced different paces with regard to the creation and spread of the commons. Whereas in Western Europe the disintegration of the Carolingian empire is regarded as the starting point of the power devolution to local communities, east of the Elbe the power vacuum created by continuous barbarian invasions between the fifth and seventh centuries does not seem to have played the same role. Two factors might have acted as counterbalances. On the one hand, it seems that the tribal organization of society was more pervasive east of the Elbe, which could have prevented the early development of the commons. This situation contrasts with the development of a specific pattern of family and household in Western Europe, the European Marriage Pattern, much more favorable to the establishment of social alliances. On the other

hand, in the Balkans and Southeastern Europe, the Byzantine empire could have crushed bottom-up initiatives not only because of its own centralism, but also because it encouraged an earlier formation of states in the region where it had exercised its power. In the politically fragmented West, the emergence of these institutions was not hindered politically by strong central powers, thus leaving room for initiative from the villagers themselves.

More importance should be attached, however, to our second point. Our main contention is that the communal use and management of natural resources by the peasantry represented a basic risk-management strategy wherever market risks and environmental pressures were important. On the one hand, the resources from the commons made it possible to stabilize the highly fluctuating incomes independent peasants were exposed to when dealing with factors and final markets. On the other, the coordination provided by the communal management prevented, through the design and enforcement of membership and use rules, the depletion of natural resources susceptible of being commercialized in the market economy. The different paths followed by Western and Eastern Europe regarding population growth, urbanization pattern, and market development were the most important factors behind their divergence in the creation, formalization, and spread of the commons.

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