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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, 11th-19th centuries

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Abstract: In this article, we present our hypotheses regarding the divergence in the development of common-property regimes between Eastern and Western Europe. The latter area developed formalized arrangements for the collective exploitation of natural resources particularly early, and it was chosen not only by farmers, but also in the cities – by craftsmen – to deal with the economic and social problems during the late medieval and early modern times. In the East the development of such institutions for collective action started – we believe – much later, due to a number of factors. Whereas in the West population growth and urbanization occurred together with a speedy commercialization of the economy, putting pressure on natural resources and hence leading to an increasing demand by peasants to formalize the collective use of their land, the peasants east of the Elbe River lacked the agency to demand such change in the governance regime of their land. They were limited in their behaviour by the strictures of the second serfdom, which was accompanied by lesser urbanization and commercialization. In this article, we offer some explanatory frameworks to understand and study this long-term development – or lack thereof – of institutions for collective action across the European continent.

Keywords: Commons; institutions for collective action; peasant commune; serfdom

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institutions for collective action in pre-industrial Europe.” See also <http://www.collective-action.info>.

I. Introduction

In the 1870s, Donald Mackenzie Wallace, a British journalist amazed by his discoveries during his visits throughout Russia, described the existence of “capital specimens of representative constitutional government of the extreme democratic type” (Blum 1961, 523). When writing this, he could have well been thinking of the revolutionary events that, in the mid-seventeenth century, had inaugurated the rule of parliamentarism 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” (Blum 1961, 523). The Italian city-states or the Flemish communes of the late Middle Ages 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 the Russian peasant commune, the so-called *mir*. Despite this hopeful description, Wallace would live long enough to discover 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 Russian peasant society seems an appropriate starting point to pose some questions regarding the divergent paths followed by the regions west and east of the Elbe River with respect to the emergence and consolidation of common-property regimes. Was the *mir* an end-point of a long-standing tradition in the collective management of natural resources going back to the late Middle Ages – as was the case west of the Elbe (especially, in 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 these self-governing regimes over time?¹

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 reformist movement of the nineteenth century had the dismantling of the common fields and pastures as one of its main goals. Enclosure, Enlightenment social reformers thought, would bring higher yields, the development of a dynamic land market, and the subsequent

¹ As the title indicates, the purpose of this article is to put forward some preliminary explanations regarding the long-term evolution of common-property regimes in Europe. Our temporal and geographical scope is, then, deliberately wide and ambitious. By ‘East’ or ‘east of the Elbe River’, we mean the territories of Central and Eastern Europe (present-day Poland, Belarus, the Baltic Republics, Ukraine, Moldavia, Romania, Bulgaria, the Czech Republic, Slovakia, Hungary, as well as the European part of Russia). Similarly, by ‘West’ and ‘west of the Elbe River’, we mean Western Europe (i.e. present-day Germany, the Netherlands, Belgium, England, France, Switzerland, as well as certain northern parts of Italy and Spain).

accumulation of agricultural surplus.² Consequently, by the beginning 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 River, however, the triumph of the market solution in the farming sector took place much later. Although the developments in the early twentieth century were, as in the West, orchestrated from the top, the result would be entirely different. Starting with the first Five-Year Plan in 1928, a centrally-directed process of collectivization was carried out. By the 1930s, 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*, or collective farms. State farms, the *solkhoz*, were also established. After the demise of the Soviet Union in 1991, an inverse process of decollectivization began. 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 began and is currently well under way (Mathijs and Swinnen 1998; Brooks and Gardner 2004).

This eventual convergence of the farming systems across Europe by the beginning of the twenty-first century should not conceal, however, the vast differences that have existed between East and West across history. Western Europe exhibits a rich history in institutions for the collective exploitation and management of natural resources (common-property institutions).³ Since the late Middle Ages, the countryside witnessed an intense process of bottom-up institution building (De Moor 2008; van Zanden 2008). Between the twelfth and the fourteenth centuries, common fields and pastures, common woodland, irrigation and polder communities blossomed in Western Europe, particularly around the North Sea region. In Central and Eastern Europe, forms of common-property institutions had existed well before the sixteenth century and continued to exist afterwards. Despite Wallace's optimistic assessment and the traces these institutions have left in the minds of many Europeans, their presence and endurance seem to have never matched the Western record in the period before 1800.

This difference between Western Europe on the one hand and Central and Eastern Europe on the other raises two fundamental questions, dealing with the origins and the consequences of this contrasting situation. First: which factors explain the divergent paths followed by these regions since the late Middle Ages? Second: is there a link between this historically rooted divergence and the more contemporary developments in their respective farming sectors? Presumably, a causal link could be established between certain features of the rural institutional environment from

² For a description of this process of liberalization and privatization of commons in Western Europe, see Brakensiek 2002 and Demélas and Vivier 2003.

³ Although the natural resources susceptible of being exploited in a collective fashion can range from arable land (the so-called open fields) to water (irrigation communities), our attention in this article, as we indicate below, focuses on common pastures and woodland.

the late Middle Ages onwards, the prevalence of collective management and use of natural resources across history, and institutional developments in the farming sector in more recent times. Figure 1, which summarizes these ideas, will be used as the general framework for this article, which tries to cover many centuries of European history and a substantial surface of its continent.

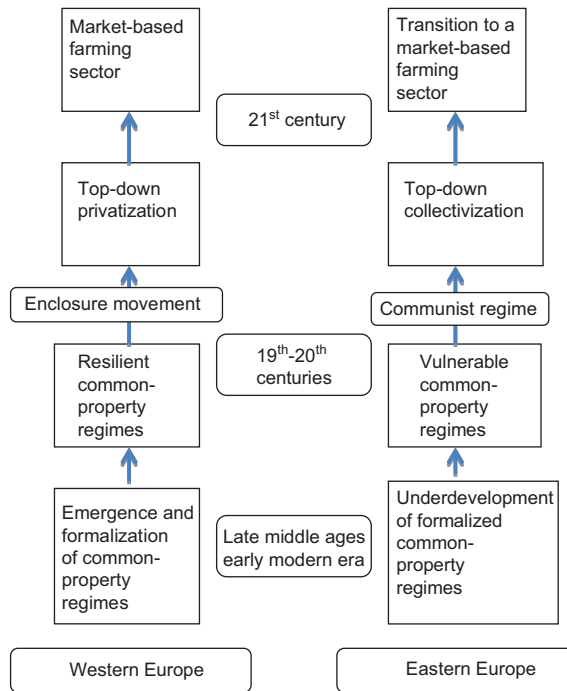


Figure 1: Long-term development of institutions for the management and use of natural resources. Western and Eastern Europe compared.⁴

This article deals with the first of these questions – the circumstances explaining the contrasting long-term development of common-property institutions in Western, Central, and Eastern Europe. In particular, our aim is to put forward some hypotheses to explain why in the West, chiefly in the North Sea region, the collective exploitation of arable land, pastures, forests, or water became, starting from 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 common-property institutions was weaker, exhibiting a greater institutional fragility. It cannot be denied that this institutional divergence between East and West could well just be the result of disparate

⁴ The term 'ICA' stands for 'institution for collective action', the broader conceptual category in which commons would be encompassed. See also footnote 7.

regulation survival regarding common-property regimes. It could have well been the case that, despite the existence of a high number of common-property regimes in the East, subsequent documentary disappearance in that region is biasing our conclusions. Although we think that widespread extinction of documentary evidence is equally difficult to assume, we are fully aware of this reasonable criticism. This article is precisely aimed, however, at providing some hypotheses regarding why, precisely, we think that may not be the case: this divergence lies, we think, in more deep-rooted factors. Some of these factors have already been discussed elsewhere. Risk-sharing and economies of scale have been suggested as the main motives to opt for the institutionalization of the collective use and management of natural resources in a context of growing population pressures and market expansion De Moor (2008). 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 institutions for collective action, commons among them. The second section presents a historical narrative on the emergence and long-term development of common-property institutions between the eleventh and the nineteenth centuries in Western Europe; the third section does the same for Eastern and Central Europe. The fourth section discusses this historical evidence. The last section recapitulates and concludes with some amendments to our original model.

2. A theoretical framework on the emergence of institutions for collective action

Our starting point is a theoretical framework on the emergence of institutions for collective action.⁵ Since it has been presented by De Moor elsewhere (De Moor 2008), below we only provide a very brief overview of its main features. 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 collective action as an efficient institutional response in the presence of the former ('motives') (see Figure 2).

⁵ Admittedly, this theoretical framework is aimed at explaining the emergence of institutions for collective action, not only commons (De Moor 2008). As is known, institutions for collective action (institutional arrangements that are formed by groups of people in order to overcome certain common problems over an extended period of time by setting certain rules regarding access to the group, use of the resources, and services the group owns collectively, and management of these resources and services) would be the broader category in which commons (or common-property regimes) are included (with other institutions such as medieval guilds, waterboards or co-operatives).

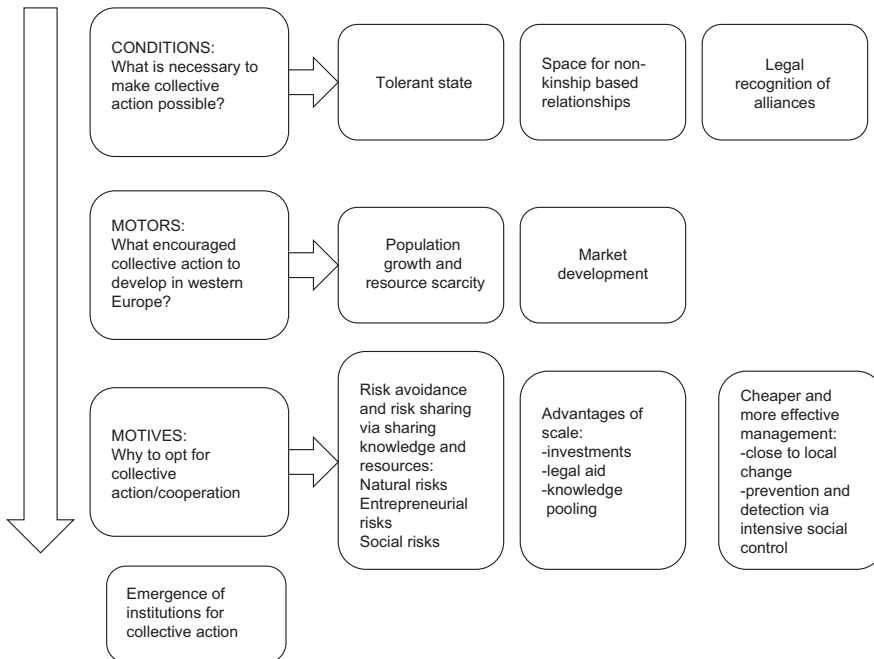


Figure 2: Motives, motors and conditions for the emergence of institutions for collective action in Western Europe.⁶

According to De Moor (2008), it is plausible to expect the formation and spread of institutions for collective action in the presence of processes of growing population pressure and market development. The economies of scale, lower transaction costs, and possibilities for risk-sharing offered by these institutions would be particularly attractive when it comes to dealing with the typical risks of a pre-industrial society, with an underdeveloped market economy possibly failing to provide insurance to guard against its own potential failure as well as failures that it could be exposed to in other domains (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 variations 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. Confronted with these situations, institutionalized cooperation may appear more attractive than purely public or private solutions. First, certain investments related to agricultural activities, such as fencing or drainage, may present scale economies (the vaster the area to cover, the lower

⁶ This figure is a more elaborate version of the figure that appeared in De Moor 2008.

the average cost per surface unit), which may constitute a powerful incentive to cooperate, particularly in those cases 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 not only be cheaper than top-down monitoring and enforcement mechanisms, but also considerably more effective in preventing free riding when a group of individuals is exploiting the same resource.

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 progressive disappearance of family bonds which took place in late medieval and early modern Europe may have had an important role in the development of more inclusive, open, non-kin based forms of social organization. This phenomenon has already been highlighted by other scholars elsewhere (Mitterauer 2003). For its part, the existence of enough freedom to organize also requires as a precondition the existence of a tolerant state, or at least a state unable to impose the discriminatory sovereign's will over his dominions as a consequence 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 due to the presence of legal instruments such as the concept of *universitas*, which was a unique feature of the legal systems in the northwest of Europe and was vital for various forms of collective enterprises, including the universities.

3. 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.⁷ The period between the eleventh and the fifteenth centuries witnessed, however, the increasing formalization of these arrangements. Statutes were drafted and formal structures (commoners' or village's assemblies, guards, dispute settlement councils) were set up. Besides this qualitative change, commons flourished and spread across

⁷ 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).

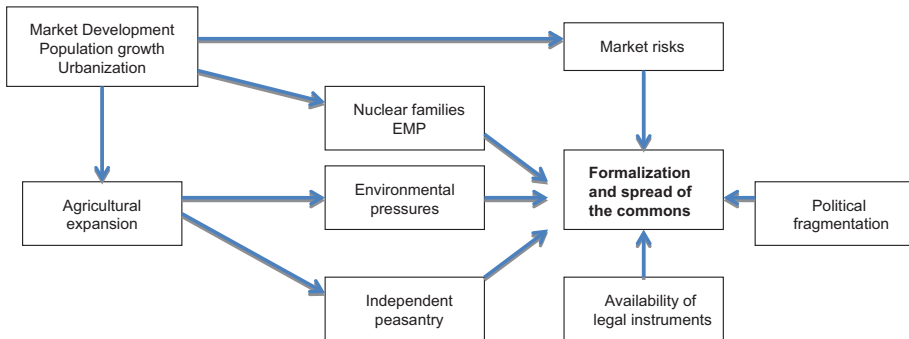


Figure 3: Factor analysis of the formalization and spread of the commons in Western Europe.

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 might have contributed to this process of growing formalization and spread. Population growth and urbanization between the eleventh and the thirteenth centuries increased the 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 could have encouraged a greater reliance on the commons as a way to stabilize what otherwise might 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, as well as the progressive erosion of kinship-based bonds, were the background against which this development took place.

By the turn of the first millennium, an economic renaissance began to gain momentum in Western Europe. Between the eleventh and fourteenth centuries, a virtuous circle of trade, urbanization, and population growth turned what had been the hinterlands of Eurasia into a prosperous region (Lopez 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 its 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 centers of international activity (Verlinden 1965; Van Houtte 1966; Lopez 1976; Greif 1994). Local trade and rural markets also began to spread across Europe. In England, for example, the rural population's need for produce and the Crown's need

for taxes happily converged to eventually provide institutional support and royal recognition to increasing levels of trade (Britnell 1981). The urban renaissance would have been, the outcome of these increasing commercial exchanges (Van Werveke 1965; Pirenne 1969 [1927]).⁸ 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, forthcoming). 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 occurred in parallel with these developments.⁹ It took place, however, in a manner that would reveal itself as decisive for the subsequent economic and socio-political path of the region the peasants themselves began to undertake production, rather than it occurring within the old institutional and economic arrangements of the self-sufficient manorial unit (Blum 1957; Lopez 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 on the lord's estates) 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 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, monarchs realized that urban incomes could well become an alternative source of taxation. Since, presumably, the rents of the landed nobility were less needed than before, landlords' ability to impose their interests over those of the king weakened. 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

⁸ Although the inertia of the Roman municipal system undoubtedly played some role in the resilience of 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 North-West Europe experienced in these centuries (Van Werveke 1963).

⁹ Admittedly, it is still disputed whether 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 (Lopez 1976; van Zanden 2008).

becoming a class of renters rather than continuing as managers of the manorial enterprise. In other words: rather than a mere factor of production subjected to the landlord's will, peasants themselves started to become intermediaries between the factors (land, capital, labour, technology) and the final markets (van Bavel 2007)¹⁰. This greater exposure to the fluctuations of a still underdeveloped market economy was decisive for the consolidation of common-property regimes, which, presumably, began to be regarded as a way of diversifying the new market risks as well.

The first phase of this agricultural expansion had a predominantly extensive character, involving a classical process of frontier development (Lewis 1958; Williams 2000).¹¹ 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.¹² 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 necessarily had 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). Centuries before the introduction of artificial fertilizer (mid-nineteenth century), farmers were highly dependent on the manure of their cattle to make the land fertile for crop production. Between 1250 and 1350, this led to a period of formalization of rights on common land in order to preserve that land as pasture land (Slicher van Bath 1944) from further reclamation, which would have endangered the balance between arable and pasture land. Although

¹⁰ Admittedly, the progressive weakening of feudal bonds gave rise to a diversity of institutional arrangements regarding the organization of agricultural production, i.e. short-term and long-term tenancy, small freeholders. We are aware that the differences between them are considerable enough to justify a separate analysis. However, according to our framework, they all share a key element: the shift of the risks of operating in the market from the feudal entrepreneur towards his former serfs, now either tenants or proprietors. For a differentiated treatment of these post-feudal arrangement and their economic consequences, see also van Bavel (2002).

¹¹ The 'internal frontier' in the European heartland of Northern Italy, France, Western Germany, the Low Countries, and south-east England was colonized until 950. 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 River.

¹² 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%.

this formalization process was often accompanied by conflicts and disagreement, lords in most cases agreed with giving peasants collective use rights for their common pastures, while usually also retaining the hunting rights on the common for themselves. Their agreement with the peasants to describe and restrict the use rights on the common should not, however, be seen as an act of altruism. Through their tax system, which was based on a percentage – usually one-tenth (a tithe) – of the peasants' harvest, it was to their advantage to guard the productivity of the arable land. A further reclamation of the pasture land would have led to an imbalance in the mixed agricultural system, endangered the overall productivity, and thus also the lords' tax income. The choice for defining use rights on the common pasture land was thus also for the lords a solution to the growing population pressure.

Apparently, environmental pressure by then was becoming a growing problem. Barret et al. (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 the agreement 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; Williams 2000; Pascua Echegaray 2011). Balancing traditional exploitation with a new 'conservationist' stance in order to preserve communities' livelihood seems have been emerging as a deliberate strategy precisely at that time.¹³

At the macro level, the socio-political configuration of Western Europe between the tenth and the fourteenth centuries undoubtedly favoured the consolidation of common-property regimes (De Moor 2008). Although, as Barthélemy and White (1996) have 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 other sorts of private-order solutions seem to have emerged in each realm of everyday life. In this context, 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

¹³ 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, 480).

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, 206–207).

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 Western Europe 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 prove to be decisive and distinctive. The notion of *universitas*, which made the acknowledgment of groups of people as fictitious legal entities with a single will and autonomy from external powers possible, would be widely used by guilds, communes, universities, religious fraternities, and commons in subsequent centuries to formalize their activities. This widened the range of activities groups could undertake as collectives: instead of being individually responsible for decisions taken by a group one belonged to, the group as a whole became responsible. This offered a number of legal, political, and social advantages.

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’ (EMP; see Hajnal 1965), family ties became considerably 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 that also took place in 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) household (De Moor and van Zanden 2010). This led to a much smaller percentage of extended households in the northwestern part of Europe in comparison to Southern Europe, a difference that is still visible today in Southern (Reher 1998) and Eastern Europe (Wall et al. 1983). Instead of organizing economic and social collaboration mainly on the basis of family ties, the villagers of Western Europe, especially from its Northwestern corner, started cooperating with other non-kin individuals in their neighbourhood. 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 favourable circumstances in the political and social realms, the commercial revolution provided, via growing environmental pressures and an additional source of risk (i.e. market risks), sufficient conditions for the formalization and expansion of the commons. By the end of the thirteenth century, a class of independent tenants increasingly exposed to market incentives and risks had bloomed all over Western Europe. Maybe more importantly, 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, therefore, it does not seem difficult to argue that the need of making the rules governing access by the peasant community to complementary livelihood was greatly enhanced. In the eastern part of the (modern) 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* – the local term for commons – in order to prevent overexploitation (van Zanden 1999). In the Spanish Pyrenees and the Ebro River lowlands, the development of a pastoral economy around the thirteenth century, linked to the rise of local and international wool markets in Southern Europe, favoured 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, it is from the thirteenth century onwards that 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).

If the commercial revolution had encouraged the formalization and spread 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. Mortality rates during the Black Death, peaking between 1348 and 1350, were around 60 percent (Peters 2010). Population declined, and land and grain prices experienced a dramatic decrease. The 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’, re-imposing 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 cities, 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

1524–1525), 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 even further concessions (free leaseholds, reduction of labour services, introduction of monetary payments) in order to keep peasants working on their estates. Many peasants, 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 formalization of 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 enhanced the traditional role played by commons as a strategy for complementing an ever-risky livelihood. This complementarity between the market and the commons gathered even more strength in times of economic decline. When demand declined and prices fell, a turn to the additional but essential source of livelihood offered by the commons was more necessary than before.

4. 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 River. Admittedly, the use and management of natural resources by the peasant community was present in this region since early times. However, in contrast to the Western experience, its presence in the economic life of the peasantry across history seems to have been much more reduced, as 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 institutional visibility of their Western counterparts.

Figure 4 presents some preliminary hypotheses regarding the factors that could have contributed to this situation. In contrast to 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 less environmental pressure over natural resources and lower market risks, which could have made the formalization of commons less pressing. In those areas in which communal use of resources was attractive enough, earlier processes of state formation and a slower erosion of the tribal organization of society could have prevented its formalization and spread. In subsequent centuries, the re-imposition of serfdom in Eastern and Central Europe possibly played the key role. By means of depressing the economic dynamism of the region, neo-serfdom could have also reduced environmental pressures. Additionally, since

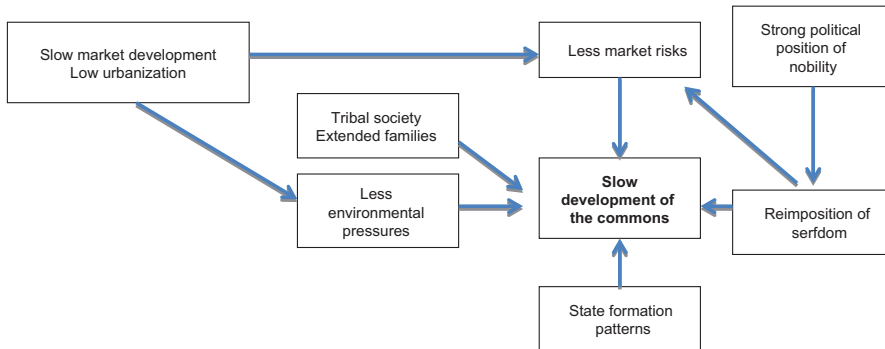


Figure 4: Factor analysis of the slow development of the commons in Eastern Europe.

peasants were now a depressed labour force rather than tenants or independent producers, their exposure to market risks as well as their political agency was now considerably lower in comparison to their Western European colleagues. Finally, the seigniorial regime developed its own institutions to guarantee a more secure livelihood for peasants, chiefly the repartitional commune, which presumably reduced the need for alternative strategies such as the commons.

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. 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 streams (Blum 1961). In Russia, the tribal form of organization originally gave way to patriarchal communes, large families in which several generations of the same family lived, worked, and shared their produce within the boundaries of a single household. This pre-Kievan economically self-sufficient family-unit 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 1961, 25). It is with the emergence of the territorial commune around the tenth and eleventh centuries that 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 1961). In Eastern and Central Europe, for its part, the slow transition from tribal organization to a centralized state infrastructure, together with the continuous Slavic, Avar, and Bulgar invasions, created a power vacuum from the fifth to the seventh century. In this context, there seems to have been enough room for bottom-up institutional formation. 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, however, contradictory developments in the Russian and Eastern European countryside. Although by the mid-thirteenth century most of the land in Kievan Russia was still owned by free *smerdy* living in *mir* communities, the progressive establishment of private ownership over large tracts of land 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 a 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 1961). Part of the communal land was expropriated. At approximately the same time Russian peasants were starting to experience a deterioration of their free status, a broad class of renters blossomed east of the Elbe River. 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 favourable conditions (hereditary rights of use, fixed monetary obligations, few labour services, recognition of the German law) for the settlement of colonists in their lands. As response, huge numbers of German peasants arrived to the region (Blum 1957, 1961; Sedlar 1994). Although, presumably, common use of certain natural resources continued to exist, these new trends in land tenure and agricultural labour patterns would likely have an impact, as we shall argue, the institutional consolidation of the commons in a rather decisive manner.

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 encouraged the landed nobility's political ascendancy. In Russia, by contrast, an emergent absolutist state decisively contributed to the re-imposition 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 rise in population, had forced the landlords to secure their income from arable land by limiting the reclamation of pasture land, needed for the fertilization 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, 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, and a domestic urban market 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 the 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, the traditional use of the commons by the peasantry was decisively affected by the re-imposition of serfdom. Serfdom's impact on commons worked through a variety of channels. From a macro perspective, it may be argued that the successful 'manorial reaction' checked prospects for market development and urbanization east of the Elbe River, lowering environmental pressure and reducing the importance of market risks. Additionally, in a system (neo-serfdom) that itself was 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 strategies for the peasantry, especially the repartitional commune, could have played an important role in diminishing the need to rely on commons as a source of additional livelihood for 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 in 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 could not develop sufficiently. Given the new organization of 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 role the commons started to play in Western Europe as a buffer against an unpredictable market environment was less needed in this region. 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.

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 allotments of similar quality (Pipes 1990). The village assembly, the governing body of the commune, decided on the most salient aspects of rural life.¹⁴ 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 the acquisition and strengthening of its distinctive features (Blum 1961). In particular, the interplay between the new village community and the serfdom regime has been stressed (Toumanoff 1981; Ogilvie 2005). On the one hand, the concentration of peasants in a number of settlements, instead of being scattered in small and isolated hamlets, made the monitoring and enforcement of their tasks easier. On the other, the periodic redistribution of landholdings among the peasants probably pushed reproduction costs. Admittedly, 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

¹⁴ 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 households, and the granting of permission to leave the commune.

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 also worked in the peasants' favour (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 minimal – 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 another – market participation.

Market exchange seems also to have played a non-negligible role in the subsistence strategies of the peasantry (Dennison 2011). 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 the *obrok* and taxes were paid and a part was set aside for the household's consumption – could be exchanged in the marketplace in order to obtain other products. The communal landholding could even be used as collateral in credit market transactions, which would have allowed serfs access to additional sources of income. As a result of all this, serfs' subsistence, even accumulation of wealth, would have been possible.

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

The collective exploitation of certain natural resources such as pasture or woodland constituted a decisive component of the economic basis of pre-industrial societies.¹⁵ In that sense, Western and Eastern Europe were never exceptions. Peasants' subsistence across the whole European continent faced, as in any other pre-industrial society, important risks stemming from environmental (e.g. droughts, floods), political (e.g. invasions, plunder), or economic (e.g. distorted supply, abnormally high prices) events. In the presence of such risks

¹⁵ Similarly, as a growing number of works is revealing in the last decades, common-property institutions have played, and continue to play, an important role in developing and less-developed countries as a subsistence strategy (see, for example, Ford Runge 1992).

and given the underdevelopment of alternative institutional arrangements to cope with them (e.g. financial and insurance markets), living so close to the subsistence level necessarily pushed peasants to develop their own solutions in order to both increase their average livelihood level and to reduce the fluctuations around it. Commons represented, both in Western and Eastern Europe, a salient strategy for this. Why? On the one hand, many of the resources involved in the peasant economy were common-pool resources. When resources present high subtractability but low levels of excludability, private exploitation may become impossible as a consequence of freeriding, and common-property regimes may represent a more efficient institutional response to arrange their exploitation (Ostrom 1990). On the other hand, certain activities, such as drainage or fencing, may allow economies of scale. When individual financial constraints are high (as a consequence of underdeveloped financial markets, low productivity levels, low resource prices, etc.), incentives for collective exploitation in order to reduce costs may be considerable (De Moor 2008). Although peasant economies west and east of the Elbe River were not identical, their mixed crop-livestock character certainly brought them together regarding the sort of natural resources and activities involved (Grigg 1974).

The divergence between both regions relates then to the process of formalization and institutional consolidation of common-property regimes, not their existence *per se*. Thus, whereas in Western Europe commons became a visible, central, persistent institution of the rural landscape until their abolishment in the nineteenth century, in Eastern Europe they exhibited more weakness and much less institutional visibility and formalization. Our intuition is that this divergence, rather than being the outcome of disparate documentary evidence survival, has its roots in deeper, structural factors which started to play a role from the late Middle Ages onwards and which would also become apparent in other parts of society.

In this context, the 'commercial revolution' experienced by Western Europe in the late Middle Ages represented a turning point in the evolution of the commons. The closely intertwined processes of population growth, urbanization, and long-distance trade greatly increased the pressure on natural resources. On the one hand, arable land needed to be continuously expanded in order to respond to the growing demand for agricultural produce. However, the nature of the mixed agricultural system itself entailed important obstacles to a process of unlimited expansion: not only cattle farming required (pasture) land availability but, more importantly, the productivity of arable land was highly dependent on the availability of sufficient livestock manure. The survival of the mixed agricultural system depended, then, on the equilibrium between arable and pasture land. The delimitation, granting, and formalization of common rights on pasture land by the landlords has to be seen, therefore, as a strategy to cope with this challenge. On the other hand, in a context of growing scarcity, the informal, unwritten arrangements for the collective exploitation of resources that had existed since the high Middle Ages revealed themselves insufficient to guarantee the long-term sustainability of this additional source of livelihood. In contrast with the former

resource-abundant period, free-riding now involved higher welfare losses for the commoners. Although privatization, given the nature of the resource and activities, continued to be impracticable, a more effective arrangement was needed in order to restrict over-exploitation of natural resources such as pasture or woodland. Explicit, written delimitation of the resource boundaries and the users, as well as the development of more refined monitoring and conflict-resolution mechanisms were all aimed at this.

The late Middle Ages also witnessed the development of another source of risks for peasants in Western Europe. The erosion of the feudal system involved a shift of the market risks from the landlords to their former serfs, now independent renters and smallholders. Until then, intermediation between factor and agricultural produce markets had been undertaken by the landlord, who had to face periodic decreases in his surplus, stemming from unpredictable falls in agricultural prices or increases in operating costs. With the emergence of a free peasantry, these risks were assumed by the peasants themselves, with former landlords now getting a monetary rent. To the traditional sources of risks (political turmoil, natural catastrophes), market risks were now added. The need for institutions aimed at securing a stable livelihood probably increased.

Equally decisive was the development of a freer political space and the growing agency of the peasantry. Western Europe experienced, from the tenth century onwards, a shift of power from supra-regional politics, namely the Carolingian Empire, to the local level, which could have contributed greatly to empowering peasant communities (Reuter and Wickham 1997; van Zanden 2008). More importantly, starting in the late Middle Ages, power was increasingly seen as a matter of negotiation between the estates of society, and states' structures became more representative and receptive to social diversity. Particularly, urban expansion and the monetization of the economy combined to increase the bargaining power of the peasants vis-à-vis the landlords. In this political environment, the ability of the peasants to formalize in written legal forms their old customary practices greatly increased and, when growing resource scarcity made the need for more effective institutional arrangements more pressing, this could be done more easily.

In Eastern Europe, by contrast, environmental pressures and market risks never reached the levels of Western Europe. Levels of population density, urbanization, and long-distance trade had already since the high Middle Ages been lower, but the re-imposition of serfdom from the fourteenth century onwards aggravated these trends. Peasants in Eastern Europe seem never to have faced the environmental pressures experienced by their Western fellows, at least not before 1800. In this sense, the need for explicit coordination and formalization of the customs governing the collective exploitation of certain natural resources could have been considerably lower east of the Elbe River. In a more resource-abundant context, free-riding on the commons was, after all, less costly. More direct, and maybe more important, was the impact that serfdom had on the agency of the peasants. An enserfed peasantry would have been unable to get their collective

arrangements formalized – even in the presence of pressing needs to do so, which was probably not the case.

Admittedly, despite lower market risks and environmental pressures, threats on peasants' subsistence levels did persist. However, the neo-serfdom regime provided them with strategies that, although different from the commons, still allowed them to obtain a more secure, albeit minimum, source of livelihood. On the one hand, submission to landlord's power, despite subjecting the serfs to his arbitrary will, itself represented a risk-minimization strategy. We do not claim, as North and Thomas (1971) did with respect to the English manorialist system, that neo-serfdom can be seen as a sort of voluntary agreement in which labour services were exchanged for protection. However, we do think that the interest of the landlord lay in the protection of his workforce against external threats as well as in its reproduction over time. In close relationship with this, it is then not surprising to find that the repartitional commune, with its periodic re-distribution of land, was a key institutional feature of the neo-serfdom regime. For their part, as recent analysis has shown, serfs also had access to market-based strategies in order to complement their livelihoods (Dennison 2011). Besides all this, a more extended family system continued to provide ample insurance against threats to the peasants' subsistence.

Commons, therefore, continued to play their role as a source of additional livelihood in Eastern Europe that they had been playing at least since the high Middle Ages, but in a more informal way. The bottom-line, however, is that both the need of formalization as well as the possibility to do so considerably declined when serfdom was re-imposed around the fourteenth century. Environmental pressures and market risks were considerably lower, the political space of the peasants had markedly decreased, and, in the end, both neo-serfdom and a more extended family provided peasants with institutional arrangements that decreased the importance of resorting to the commons. Formalization of the commons never reached the levels seen in Western Europe, making these collective arrangements much more vulnerable to external and internal shocks.

6. Conclusion

Above we have shed some light on the long-term development of common-property regimes. Our enquiry was motivated by the stark differences that, across history, are possible to observe in the presence and extent of the commons between Western Europe on the one hand, and Eastern and Central Europe on the other. Which factors can explain these contrasting paths? In order to provide a preliminary answer to this question, our starting point was the theoretical framework on the emergence of institutions for collective action suggested by De Moor (2008) on the basis of the historical experience of Western Europe. According to the Eastern European experience, however, some additional points can be raised, leading to nuances in our original framework.

First of all, it is important to stress that the collective use and management of natural resources seems to have been a strategy aimed at complementing a

fluctuating peasant livelihood. Living close to the subsistence level and highly exposed to a variety of unpredictable events, as pre-industrial societies did, peasants were forced to look for additional, more secure sources of livelihood. Given the common-pool nature of many natural resources and the existence of scale economies in certain peasant activities, commons represented an appropriate alternative for this: an institutional choice better suited to the pre-industrial environment than private or centrally-coordinated solutions. For several centuries, that was the case both in Western and Eastern Europe. Until the late Middle Ages, therefore, it is possible to find peasants on both sides of the Elbe River resorting to informal practices of collective exploitation of pastures, woodland, or other natural resources.

Between the twelfth and the fourteenth centuries, however, changes in the economic and political environment of both regions considerably modified the relative benefits of these informal practices, forcing institutional change and, eventually, institutional divergence. Resource scarcity was relatively higher in Western Europe, pushing upwards the value of the negative externalities associated with the informal management of the commons, and making necessary a more effective monitoring and sanctioning system. Similarly, in face of increased environmental pressure, the survival of the mixed agricultural system required the protection of the pastureland. Formalization of the commons would have contributed to these ends. In the absence of these developments, however, commons in Eastern Europe could continue much less formalized. Admittedly, peasant life continued to be exposed to high levels of risks in both regions. In Western Europe, the emergence of a market economy created new sources of risk for peasants, especially since they were starting to participate in markets as independent producers. In this new context, the value of commons as a subsistence strategy probably increased. In Eastern Europe, the neo-serfdom regime, together with one of its main components – the peasant commune – and with more extended families, probably provided peasants with quite stable, albeit very low, standards of living.

Beyond formalized commons being probably less needed east of the Elbe River from the fifteenth century onwards, possibilities for formalization were also considerably lower there. The agency of farmers and peasants is revealed here as a key aspect when explaining institutional divergence in common-property regimes between Western and Eastern Europe. An enserfed peasantry, even if interested in formalizing its necessary subsistence strategies, did not have the political power to do so. In the West, however, the development of more tolerant states and the weakening in the power of the landed nobility broadened the political space of peasants, allowing their interests to gain visibility and recognition from higher authorities.

A more generalized, but potentially important conclusion that can be drawn from the comparison between East and West is that the existence of collective management of resources in the formalized format of institutions for collective action is not a stage in an evolution towards another form of governance regime, but rather is a way of resource governance that is caused by the absence or presence of certain factors. Previous literature that looked at longer periods, as we do in this

article, was often teleological in nature in the sense that the current dominance of private property regimes was a ‘natural’ outcome of a longer evolution in which the establishment of a common was just ‘a phase’. The fluctuations and changes in governance regimes that we have described for Europe (but that are also visible today) suggest otherwise. Many regions in Europe are currently witnessing a revival of bottom-up collective action by citizens that prefer self-governance of their resources – from care to energy – over stage-orchestrated provisions of goods and services offered by the market. Whether this new revolution is causally related with the current economic crisis still remains to be researched, but it clearly indicates that collective governance of resources by the stakeholders themselves is not just a remnant of a distant past.¹⁶

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¹⁶ See also http://www.collective-action.info/_ICA_Today.

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