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Programme for the Study of European Rural Societies

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First Workshop of Working Group 1 - Landed property

Call for papers

Property rights, the market in land and economic growth in Europe

*(13<sup>th</sup>-19<sup>th</sup> centuries)*

*Gregynog (United Kingdom)*

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Co-Ordinators: Gérard Béaur (CNRS/EHESS, CRH, Paris, France), Phillipp Schofield (University of Aberystwyth, United Kingdom),

With: Jean-Michel Chevet (INRA, Paris, France) and Maria-Teresa Perez-Picazo (University of Murcie, Spain).

Historians had, for a long time, neglected to give serious consideration to institutional constraints as key explanations for the slowness or absence of growth between the thirteenth and nineteenth centuries. The development of economic theory has reversed this trend. In recent work institutions have figured as decisive factors in explanations of the retardation of certain countries, indeed regions, and, by contrast, the Agricultural Revolution of the last centuries. Thus, Jean-Laurent Rosenthal, drawing upon contract theory, has been compelled to illustrate, in his *The Fruits of Revolution*, that the employment of rights in property was a hindrance to the effective development of the land. In so writing, he joins a tradition of historical writing which sees in systems of property an insurmountable handicap to economic growth. In the instance of France, institutional constraints, notably the

persistance of a feudal system, have been employed in order to explain its economic stagnation relative to that of England.

That said, at the same time other research has brought a nuanced perspective to the issue of institutional constraint. An 'institutional determinism' has been accused of failing to take full account of the variety within processes of evolution, a variety that is evident not only between nations but also between regions within a single nation or a group of nations. This view is already evident in the work of English historians who have rejected the notion that the openfields were an obstacle to the development of a more effective management of land and that enclosure was necessarily the decisive factor in the Agricultural Revolution in England. Other researchers have similarly denied the notion that rights in common were an obstacle to growth. It seems, therefore, necessary to re-examine the role of the institution in respect of rights in property and, as its corollary, the circulation of land in a true market. In so doing, it will be possible to explore the conditions which permitted the progress of agriculture in Europe and the emergence of capitalism in the countryside.

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This project presents a double paradox. The market in land has for long occupied an ambiguous position in the theses of historians and economists working on Europe. On the one hand, it has been frequently identified as a factor or symptom of economic development though it has hardly been investigated systematically in that respect. On the other hand, its development has been held to foreshadow agricultural development and, beyond that, economic growth more generally. At the same time, the clammer for land is also viewed as a drudge upon capital, as entrepreneurs, through error or design, turn themselves into rentier-landlords, this as part of an inevitable process of expropriation of the peasantry.

In other respects, the concept of a circulation of land which can be identified as a market in land remains controversial. Generally speaking, it is more or less accepted that a market in land could not have come into existence without the identification of legal rights in property (either in a form perfect or imperfect), and that a wholly free right of disposal of property was not established. An anthropological influence evident in certain studies has also tended to privilege discussion of the intra-familial aspect of the market in preindustrial societies to the extent that intra-familial transfer dominates exchange, price, and the circulation of land and challenges a fuller engagement with the possible. Further, the destruction of institutional constraints which prevent the circulation of property and the establishment of absolute rights in property present two necessary conditions for an effective market in land to operate. By the same token, an increasing tendency for families to see land as a commodity like any other and one capable of being bought and sold helped create the necessary conditions for the emergence of a 'true' market in land. These changes have been taken to encourage a process of revolution and the end of feudalism, which included the liberation of land from its ideological constraints and, at the same time, facilitated the establishment of capitalism in the countryside.

Furthermore, such hypothesis have been the object of debates intended to uncover the complexity and variety of discrete situations within this broad framework. For a number of years, therefore, the movement of property has been investigated by historians who have been content not just to recite generalities and construct broad hypotheses but to confront directly archival evidence for the land market. They have, in order to glean a sense of the factors that encouraged and permitted the transfer of land in past society, sought out available sources and made best use of the surviving records of land transfer. In each case, their research has revealed the multiplicity of contexts which have influenced markets in land and the complexity of elements which determine the function and nature of each. In each instance what emerges is the heterogeneity of each market and its divisions into subsets, themselves the consequences of specific determinants, so that it has become prudent to discuss 'land markets' rather than a 'land market'.

It is, in fact, this diversity of experience encountered through the work of historians that has encouraged the proposed exploration of the association between rights of property, the market in land and economic growth. It is evident, in fact, that the time has arrived to reconsider the established hypotheses and the common conceptions associated with the circulation of land, and to do so in a comparative context throughout Europe, examining typicalities and variances.

The following are the key questions it is intended to re-examine in exploring the variety of contextual situations on a European scale:

- What forms could restrictions upon the land market take? Issues here include the legal condition of the land (for instance, free or servile) and the relativities of demands upon it including customary rights and obligations, institutional claims, rights of inheritance (including rules of succession and recovery, as well as of dower)
- What was the influence of certain factors? Here, the type of lordship or estate, the rights of different social groups over the land, the extent of transaction costs (entry fines, for instance), the degree of available information, the role of crises, political events, social movements....
- What were the debates which encouraged politicians or economists to permit a circulation of property and to what did the freeing up of a market in land evolve in relation to a process of reform intended to overcome constraints (Revolution and liberal reforms)?
- What is the relationship between a process of liberalisation of exchange in land and economic progress? Could the development of market encourage initiative? Could it either/both liberate/immobilise capital which was available either to be sunk into land or invested in other sectors? Did it or did it not open the way to economic progress?

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Two colloquia concerning production and the productivity of work within Europe have already been organised by three of the present organisers. It is appropriate that the exploration of these themes impinge our proposal in order to inform the discussion of growth. The themes for consideration as

identified above are necessarily conceived broadly and will encourage the co-ordination of a European-wide history of agriculture. Besides the themes identified here, this proposal will draw together a range of approaches relevant to the main issues. By ensuring a comparative approach, with differences of time and place, any monocausal explanation of growth is necessarily and fundamentally challenged. This new investigation of European history, viewed from a comparativist perspective, permits consideration of the role played by institutions, economy society, but also geography. The organisation of this workshop, as in the case of colloquia already organised, is undertaken with this perspective much in mind.