

國立政治大學外交系碩士班
碩士論文

指導教授：李河清 博士

中文題目：

公有地悲劇的再探：英國中世紀公有地制度對於二十一世紀全球治理的啟示

英文題目：

The Tragedy of the Commons Revisited—How the British Medieval Commons Can Shed Light on 21st Century Global Governance

研究生：梁守道

中華民國一〇一年十一月

Acknowledgements

This has not been the easiest thing to do, but I have enjoyed the process very much thanks to a great many people who helped me along the way. I would like to thank, first and foremost, my thesis adviser Prof. Ho-Ching Lee (李河清) of National Central University for the many inspirations—academic, professional, and bigger than life—that brought me to write this topic. I would like to thank my two committee members, Prof. Ai-Ching Yen (顏愛靜) of National Chengchi University and Prof. Tze-Luen Lin (林子倫) of National Taiwan University, for their timely efforts to my cause. They have all made my endeavors much easier and more fruitful.

I regret that due to urgent requirements needed for my future military service, I am compelled to finish my thesis in a very compressed timeframe. I am aware that there are many places that I could have done much better, but could not do so, time-wise. I would like to thank my respectable committee members again for such generous understanding and support. I am sincerely grateful for them bearing with me on such tight time schedule to finish. However, I take full and sole responsibility for any errors and mistakes in this paper.

Furthermore, I would also like to thank many teachers who provided me valuable insights and suggestions along the way: Prof. Yves Turbingen of University of British Columbia, Prof. Yia-Ling Liu (劉雅靈) of National Chengchi University, Prof. Eric Chen-Hua Yu (俞振華) of National Chengchi University, and Prof. Ching-Ping Tang (湯京平) of National Chengchi University (listed in chronicle sequence of courses taken with these professors). I would like to thank those who gave suggestions, critiques, and encouragements to my different chapters during various seminars: Prof. Chang Teng-Chi (張登及), Prof. Yu-Tai Tsai (蔡育岱), Hui-Yin Sung (宋蕙吟), Sheng-Chih Terence Wang (王聖智), Szuning Ping (平思寧), and Szu-Hsien Lee (李賜賢).

Additionally, I would like to thank Prof. Chia-Hsiung Chiang (姜家雄) for supporting me greatly in recruiting me to be his teaching assistant, which I found to be an inspiring

experience. This one-year experience has encouraged my aspiration to become a professor one day.

I would also like to thank my fellow peers who supported me emotionally and physically day in and day out: Xavier, Tony, Uri, Geobert, Barry, and most of all, Charlotte. I would also like to thank those who studied and traveled together with me under supervision of Prof. Ho-Ching Lee: Tracy, Linyun, Potsang, Ya-Hsu, and Yu-Tzu. I would also like to thank my support groups for constant understanding and encouragement: the counselor team of Victory Church Youth Fellowship, NMUN2011, YAIC, EDP Staff of 2008-2010, TWYCC, my high school soccer teammates, and my college classmates.

Last but not the least, I would like to thank my two roommates—Rodman and Rexi—who accompanied me through this long journey by accepting who I am and how I am at home. I would like to thank Rexi, John, and Joyce who helped me borrow research related books that my school didn't have, which made my research possible. I would like to thank Rose for always being there for me when I lock myself out of the research room. I would also like to thank the fantastic places that allowed me to work on my master thesis: my postgraduate research rooms, the school library's social science branch, and McDonald's Dehe Branch.

Most importantly, I am grateful for the love and support from home. I could not have dreamed for a better family: Dad, Mom, my younger sister. Finally, I thank God for his amazing guidance and grace. I could not have done this without Him.

Shou-Tao Liang (Joseph)

January 29, 2013 in Muzha

English Abstract

As identified by Elinor Ostrom, a third approach to collective action on common resource management was the “community”. This important finding seemed to have been timely for contributing to academic debates on the issues of “democratic deficiency” and the “human security” aspects of bottom-up approaches in overall global governance. In recent years, modern-day enclosure movements in places around the world have led to international peasantry movements. Interestingly, the empowerment of individuals and communities these movements are fighting for are nothing new. Just as Ostrom has shown in some of her cases, it was how agrarian human society functioned at the local level before the industrial revolution—with some kind of communal decision making process in place to decide on essential issues impacting peasants’ livelihood activities and where most people affected were involved in the process. Choosing the same “commons” Garret Hardin alluded to as a “tragedy”, I asked the center question of the paper: What light can the British medieval commons, as a historical case and a long-enduring institution, shed on community-based institutions and even global governance today? From the case, I argue that local communities and individuals should be given social, economic, and even political empowerment and recognition for the livelihood institutions they depend on. This study shows that when local and national authorities decide not to support this empowerment and give recognition, it brings tragedy to those whose livelihoods depended on the institution. Learning from the institutional shortcomings of the British commons, I hope to point out useful implications to global governance of today.

Key words: common-pool resource management, CPR, governance, global governance, commons, British medieval commonfields, historical institutionalism

Chinese Abstract (中文摘要)

埃莉諾·奧斯特羅姆(Elinor Ostrom)指出，針對集體行動來處理公共資源管理的第三個途徑正是「社區」。此重要學術創建剛好貢獻全球治理由下而上之論述中的「民主赤字」和「人類安全」之討論。近年來，世界各地發生現代圈地運動，造成了一股全球性的農民反動。有趣的是，這些反動中所訴求的個人和社區層次之賦權卻非新鮮事。正如奧斯特羅姆在他的研究案例中就已經展現了，個人層次的賦權正是工業革命前，農業社會的運作模式—由某種社區共同決策的治理型態來處理日常之經濟行為，並且大多數人都參與決策程序中。我選擇了蓋瑞·哈登(Garrett Hardin)比喻為「悲劇」的英國公有地制度來當研究案例，提出本文的核心研究問題：英國中世紀公有地制度，作為一個歷史的案例和長期持續的制度，如何能成為社區治理，乃至於全球治理的借鏡？經案例分析，我主張地方社區和個人應被賦予社會、經濟和政治上的權利與認可，以維繫他們賴以維生的地方制度。本研究顯示，當地方或國家政府決定不再給予權利和認可時，那些依賴該制度維生的人將終遭致悲劇。本文點出英國公有地制度的缺陷，並希望藉此用以借鏡今日的全球治理。

關鍵字：公共資源管理、治理、全球治理、公有地、英國中世紀公有地、歷史制度論

Table of Contents

ACKNOWLEDGEMENTS	I
ENGLISH ABSTRACT	III
CHINESE ABSTRACT (中文摘要)	IV
CHAPTER I: INTRODUCTION	1
1.1 RESEARCH BACKGROUND AND RESEARCH QUESTION	1
1.2 RESEARCH APPROACH AND METHOD	7
1.3 RESEARCH STRUCTURE	9
1.4 RESEARCH CONSTRAINTS	11
1.5 USE OF TERMINOLOGY	12
CHAPTER II: HISTORICAL CASE STUDY—THE MEDIEVAL BRITISH COMMONFIELDS	15
2.1 THE ORIGINAL “TRAGEDY” OF THE BRITISH COMMONS—A HISTORICAL MISUNDERSTANDING	15
2.2 LITERATURE REVIEW ON THE MEDIEVAL BRITISH COMMONS AND COMMONFIELDS	17
2.2.1 <i>The Initiation</i>	19
2.2.2 <i>The Daily Workings</i>	23
2.2.3 <i>The Collapse</i>	26
2.3 REGIONAL DIFFERENCES OF BRITISH COMMONFIELD SYSTEMS	30
2.4 ARGUING A NEW CASE: THE REAL TRAGEDY OF THE COMMONS	36
CHAPTER III: CONTINUITY AND CHANGE—HISTORICAL INSTITUTIONAL ANALYSIS ON THE BRITISH COMMONS	41
3.1 LITERATURE REVIEW ON HISTORICAL INSTITUTIONAL ANALYSIS	41
3.2 RESEARCH FRAMEWORK OF EXPLAINING CONTINUITY AND CHANGE.....	50

3.2.1 <i>Self-reproduction Mechanisms</i>	50
3.2.2 <i>Research Framework</i>	55
3.3 ANALYSIS	56
3.3.1 <i>Identifying Factors of Continuity</i>	56
3.3.2 <i>Identifying Factors of Change</i>	69
3.4 DISCUSSION AND IMPLICATIONS	72
CHAPTER IV: THE BRITISH MEDIEVAL COMMONS AS A CPR INSTITUTION?	75
4.1 LITERATURE ON COMMON-POOL RESOURCE MANAGEMENT (CPR)	75
4.2 CHARACTERISTIC DISCREPANCIES OF THE BRITISH COMMONS AND CPR CASES	78
4.3 HOW THE BRITISH COMMONS CAN STILL FIT IN WITH CPR	79
4.4 THEORIZING THE COLLAPSE OF THE BRITISH COMMONS FROM A CPR VIEWPOINT	85
4.5 POLICY IMPLICATIONS	90
CHAPTER V: BACK TO THE FUTURE—POLICY IMPLICATIONS TO THE 21ST	92
CENTURY	92
5.1 PROBLEMS ON THE BRITISH COMMONS	92
5.2 COMPARING DIFFERENCES BETWEEN THE MIDLAND AND EAST ANGLIA MODELS	94
5.3 POLICY IMPLICATIONS FROM THE CPR PERSPECTIVE TO GLOBAL GOVERNANCE TODAY	99
5.4 FURTHER RESEARCH SUGGESTIONS	101
BIBLIOGRAPHY	102

Chapter I: Introduction

1.1 Research Background and Research Question

Global governance has become a major catchphrase of many researches and studies in international politics over the past decade. Given the realist conventional understanding in international relations—the anarchic characteristics of the international system, states are the only major actors, security of the state and its survival as the core objective of state actions—the emergence of global governance related studies posed a great challenge to existing theories.¹ Since the 1990s, many factors have contributed to the rise of certain phenomena that scholars and practitioners alike find new and interesting—retreat of the state, weakened sovereignty, scores of new actors in the international arena, interdependence of interstate relations, globalization, and democratization.

With the end of the Cold War, fall of the Soviet Union, and democratization of East European and other countries around the world, the bi-polar power struggle has ceased to be the simple structural background of the world. In the United Nations, more Security Council backed peacekeeping and humanitarian intervention tasks have been passed, and economic liberalist policies have become a major trend sweeping across national level policy implementation as well as in the supranational level organizations like the International Monetary Fund and the World Bank. In short, state sovereignty have been challenged reoccurringly and the old state-versus-market/ Keynesian-versus-Neoliberalism debate is hotter than ever.²

These changes gave way to many discussions about the role of the government and its function of governing. After finding widespread exceptions between what “ought to be” and

¹ Deborah D. Avant, Martha Finnemore & Susan K. Sell. 2010. “Who Governs the Globe?” in *Who Governs the Globe?*, eds. Deborah D. Avant, Martha Finnemore & Susan K. Sell. (Cambridge, UK: Cambridge University Press), 2

² Thomas G. Weiss, “Governance, Good Governance and Global Governance: Conceptual and Actual Challenges,” *Third World Quarterly* 21, no. 5 (2000): 795-814.

what actually “is”, the concept of “governance” appeared. The concept of governance at the state level, as defined by James Rosenau, is “not synonymous with government”.³ It “encompasses the activities of governments, but also includes the many other channels through which ‘commands’ flow in the form of goals framed, directives issued, and policies pursued”.⁴ It “also subsumes informal, non-governmental mechanisms whereby those persons and organizations within its purview more ahead, satisfy their needs, and fulfill their wants”.⁵ Thus, Rosenau clearly points out that governments do not necessarily govern, and the need for governance may be filled in by other actors, just like how he termed his edited volume *Governance Without Government*.

Global governance, on the international level, is not an aggregate sum of sovereign government actions put together.⁶ Two things stand out to be mentioned here. First, the types of actors involved in “governance” are many. They include intergovernmental organizations (IGOs), international non-governmental organizations (INGOs), and transnational corporation (TNCs), as well as subnational actors such as local governments, non-governmental organizations (NGOs), communities, and individuals. Sovereign states are no longer the sole player. Second, the notion of “good” governance has been edging towards what can be called as more “human-centered” focuses, as compared to “state-centered” ones. This notion includes “accountable, efficient, lawful, representative and transparent”,⁷ and thus enabling “the human development idea” of—“equality of opportunity, sustainability and empowerment of people”⁸ It also ties in with Rosenau’s observation that authority is in “bifurcation”—people give authority no longer according to “tradition”, but based on

³ James N. Rosenau, “Governance, Order and Change in World Politics,” in *Governance Without Government: Order and Change in World Politics*, eds. James N. Rosenau and Ernst-Otto Czempiel. (Cambridge, UK: Cambridge University Press, 1992), 4.

⁴ James N. Rosenau, “Governance in the Twenty-first Century,” *Global Governance* 1, no. 1 (1995), 14.

⁵ Rosenau, *Change in World Politics*, 4.

⁶ Peter Willets, *Non-governmental Organizations in World Politics: The Construction of Global Governance*. (London; New York : Routledge. 2011).

⁷ Thomas G. Weiss, “Governance, Good Governance and Global Governance: Conceptual and Actual Challenges,” *Third World Quarterly* 21, no. 5 (2000): 808.

⁸ Weiss, *Conceptual and Actual Challenges*, 807.

“performance”⁹ or “recognition”¹⁰ and not only the ability to “control”.¹¹

Global governance is not global government: it is not top-down, not hierarchical, not coercive in nature; it is carried out by an array of actors on many levels in the form of formal and/or informal rules, norms, mechanisms, and activities; it is concerned with solving issues of collective action regarding public goods and services on multi-levels; it is an aggregation of cooperation from state government, intergovernmental authorities, the civil society, and the private sector.¹²

However, as good as it sounds, global governance is not without criticism. Issues of transparency, legitimacy, representation, participation, and democratic deficiency have constantly been brought up concerning intergovernmental regimes.¹³ We find this apparent in many issue areas like international trade at conferences of the World Trade Organization (WTO),¹⁴ international and national finance at Group of 20 meetings,¹⁵ and especially in the global climate negotiations under the United Nations Framework Convention on Climate Change (UNFCCC).¹⁶

Moreover, we are witnessing a slowdown in the progress of multilateral intergovernmental/supranational level negotiations in the recent decade. WTO’s Doha round has achieved no significant breakthroughs since 2001. Right now bilateral and regional free

⁹ James N. Rosenau, 1995. “Sovereignty in a Turbulent World.” In *Beyond Westphalia? State Sovereignty and International Intervention*, eds. Michael Mastanduno and Gene Lyons. Baltimore: Johns Hopkins University Press, 191-227.

¹⁰ Avant, Finnemore & Sell, 2010.

¹¹ See Stephen D. Krasner, 1999. *Sovereignty: Organized Hypocrisy*. Princeton, New Jersey: Princeton University Press).

¹² Weiss, 2000; Willets, 2011; Margaret P. Karns and Karen A. Mingst. 2004. *International Organizations: The Politics and Processes of Global Governance*. Boulder, Colorado: Lynne Rienner.

¹³ Jan A. Scholte, 2002. “Civil Society and Democracy in Global Governance”, *Global Governance* 8 (3): 281-304; Fisher, Dana R., and Jessica Green. 2004. Understanding Disenfranchisement: Civil Society and Developing Countries’ Influence and Participation in Global Governance for Sustainable Development. *Global Environmental Politics* 4 (3): 65–84.

¹⁴ Michael Strange. 2011. “Discursivity of Global Governance: Vestiges of ‘Democracy’ in the World Trade Organization.” *Alternatives: Global, Local, Political* 36(3): 240-256.

¹⁵ Fen Osler Hampson and Paul Heinbecker. 2011. The “New” Multilateralism of the Twenty-First Century. *Global Governance* 17 (3):299-310.

¹⁶ Fisher and Green, 2004; Dana R. Fisher. 2010. “COP-15 in Copenhagen: How the Merging of Movements Left Civil Society Out in the Cold.” *Global Environmental Politics* 10 (2): 11-17.

trade agreements are filling in the gap. UNFCCC's climate negotiations have been stuck in the post-Kyoto framework on binding-or-not emission reduction targets since 2007, and just postponed this job last year at COP18 until 2015. It is the European Union, individual states and local cities that are going ahead with real action. All in all, it seems that the top-bottom approach has met major setbacks on various pending contemporary issues. Seemingly, they might not clear up in the near future.

Scholars have long supported some sort of bottom-up approach. Margaret Keck and Kathryn Sikkink paved way for a difference pathway to look at non-state actors in the international arena, enabling more systematic analysis of the agency of transnational advocacy networks, and explaining how and why it works.¹⁷ Dana Fisher and Jessica Green hoped for a better participation of the civil society (and developing countries) in global governance, thus they developed a model to explain and typify why certain groups are weaker than other in policy influence. They believe that as long as these "disenfranchisement" exists, global governance for sustainable development will be limited.¹⁸ Thomas Weiss, Tatiana Carayannis, and Richard Jolly went even further to invent a "Third" United Nations to emphasize the importance of non-state, non-secretariat(the "Second" UN), policy-influencing, professional individuals and experts from NGOs, think tanks, and the academia.¹⁹ Fisher, after the events of COP15 at Copenhagen, even criticized how the civil society was "left out in the cold" (2010).²⁰

However, there are more radical genres in "bottom-up" approaches. In my own attendance of the UNFCCC 16th Conference of Parties (COP16) in Cancun, Mexico, I

¹⁷ Margaret E. Keck and Kathryn Sikkink. *Activists beyond Borders: Advocacy Networks in International Politics*. Ithaca, N.Y.: Cornell University Press, 1998.

¹⁸ Fisher and Green, 2004.

¹⁹ Thomas G. Weiss, Tatiana Carayannis, and Richard Jolly. 2009. "The 'Third' United Nations." *Global Governance*, Vol. 15, No. 1, pp. 123-142; on the "First" UN, see Inis L. Claude Jr., "Peace and Security: Prospective Roles for the Two United Nations", *Global Governance*, Vol. 2, No. 3 (1996), pp. 289-298.

²⁰ Fisher pointed reasons due to over registration, poor conference planning and a paradox of civil society conference "outsiders", the radical protestors, causing conference "insiders", the pacifists, unable to participate in the conference. Therefore, it wasn't exactly fault on the governments' side.

witnessed a gathering of the famous transnational grass-root social movement called “La Via Campesina”. La Via Campesina is consisted of small to middle-sized farmers, poor peasants, rural women, and indigenous communities from America, Africa, Asia, and Europe seriously concerned about their farming rights, community rights, and food sovereignty being attacked by the local/national governments and/or corporate interests. They “defend small-scale sustainable agriculture as a way to promote social justice” and “strongly oppose corporate driven agriculture and transnational companies that are destroying people and nature”.²¹ They view all solutions brought up by UNFCCC as fraudulent and false promises. They only believe in the people and people’s solutions to their collective action and public goods problems. The approaches mentioned before talk about how actors in the civil society can influence policy making with the authorities. But this approach hopes to reclaim the authority in its own affairs and make its own decisions.

Interestingly enough, this community’s/people’s view has academics support with empirical evidence. Elinor Ostrom (1990) and her colleagues studied common-pool resource (CPR) management for years, and found that many community-based CPR institutions have successfully managed their common goods for over centuries.²² Moreover, this community-based, bottom-up approach has been nothing new historically. The English medieval commonfield systems serve as interesting examples.

The English medieval commonfield was made famous by Garrett Hardin’s 1968 article “The Tragedy of the Commons”. In the article, he leads the reader to “picture a pasture open to all”.²³ In the economic sense of marginal utility of gains, it is in fact a good bargain to keep on adding to one’s own herd. Therefore, when all herdsmen act freely on self-interest, it

²¹ La Via Campesina. 2011. “The International Peasant's Voice.” In <http://viacampesina.org/en/index.php/organisation-mainmenu-44>. posted. Last updated 09 February 2011.

²² Elinor Ostrom, 1990. *Governing the Commons: The Evolution of Institutions for Collective Action*. New York, NY.: Cambridge University Press.

²³ Garrett Hardin. 1968. “The Tragedy of the Commons”, *Science*, Vol. 162: 1243-1248. Reprinted in *Managing the Commons* 2nd ed. eds., John A. Baden and Douglas S. Noonan. Bloomington, Indiana: Indiana University Press, 1998), pp. 3-16. The pages mentioned in this paper are all from this print and not the 1968 original print.

causes overgrazing and thus the tragedy: “Freedom in a commons brings ruin to all.”²⁴ However, Susan Jane Buck Cox argued that the tragic logic proposed by Hardin never did happen in history.²⁵ Not only did it not happen, the British commonfields actually operated for hundreds of years. Hence, Buck suggests that the communal courts of medieval England manors could be a “remedy” to the “ruins” of commons governance of today.²⁶

More scholarly works build into the conventional wisdom of the British commons. Barrington Moore in his famous book *“Social Origins of Dictatorship and Democracy”* argued that due to the enclosure movements, the peasantry class in Britain was effectively dissolved, thus contributing to the development of democracy in England. The process of the enclosure movements and start of the industrial revolution was also linked by Douglass North and Robert Thomas in their book *“The Rise of the Western World”*—that the release of abundant and cheap labor from the countryside caused by the enclosure movements was a great contributing factor to the transformation of production during the “revolution”. What became of the lives of the mass proletariats was vividly depicted by social critics and writers alike, like Charles Dicken in his famous series *“The Christmas Carol”*.

Interesting enough, three similarities of enclosure movements during the late medieval to early modern periods and that of today ring loud to me: (1) there is plain peasantry agony and disillusion towards the governance structure, local, national and even intergovernmental alike; (2) we find strong structural constraints at work with the victims suffering greatly from weak agency and bearing great despair; (3) we find many a failure in the original governing/institutional design, in which if they were better designed in the first place may lessen or even avoid the horrendous situations of the affected people originally depending

²⁴ Hardin. 1968.

²⁵ Susan Jane Buck Cox, 1985. “No tragedy on the commons.” *Environmental Ethics*, Vol. 7 (Spring): 49-61. In the rest of the paper, I will mention Susan Jane Buck Cox as “Buck” due to the fact that in later publications she dropped “Cox” and used only “Buck”. See Buck’s affiliations page at <http://www.uncg.edu/psc/FacultyVita/Buck%202012.pdf>.

²⁶ Buck, 1985, p. 61.

their livelihoods on these institutions that went wrong.

It is from personal experiences and academic encounters of class readings that I finally came to this research question. I share Buck's take at the commons and ask the overall question of this paper: What light can historical long-enduring institutions shed on community-based institutions and even global governance today? In other words, what can be done to alleviate the agony in the impacted communities? What was the cause of the agony? What can be done to change it?

For empirical evidence, I introduce my historical case for reference: the case made famous by Garret Hardin—The Tragedy of the Commons.²⁷ I argue that not only was the British commons not a “tragedy”, but had lasted for centuries, and largely fits in with the 8 long-enduring CPR principles that Ostrom derived from her research of many case studies. I support this point by analyzing both internal and external factors contributing to continuity and change of the British commonfield systems using historical institutional analysis.

Moreover, I also argue that the fall of the British commons was not an “inevitable” result of the enclosure movement and industrialization,²⁸ but infringement of certain foundational principles for the CPR to work self-sustainably. Examining the fall of a once successful community-based institution can bring forth lessons for today's governance in the subnational level, and even for global governance itself.

1.2 Research Approach and Method

My research will basically conduct via literature analysis and case study comparison. Literature materials are mostly second-hand (or more) information due to the nature of my case selection and availability of literature here in Taiwan.

The approach to support my research question will be historical institutionalism.

²⁷ Hardin, 1968.

²⁸ Buck, 1985.

Historical institutionalism is one of the schools of New Institutionalism. Historical institutionalists tend to see institutions as historical legacies of past conflicts and constellations that are dynamic and changes temporally. They see institutions as embodying constraints that restrict individual decision from a “macro-process” perspective. Historical institutionalists tend to be more willing to embrace the concept of path-dependency, but are torn between debates of evolutionary (incremental) and revolutionary (punctuated) change.²⁹ Further explanations will be given in Chapter 3.1.

This brings a question in order: Why choose historical institutionalism? First, because the British commonfield system is an institution embedded against a web of intermixed political, economic, and social contexts, and embodying various groups of actors and individuals mixed and matched with various causal relationships. Hence, historical institutionalism lends many insights to such a complex research issue.

Second, the emphasis on longer stretches of time and time sequence is one of the grand traditions in social sciences, for “[c]ausal analysis is inherently sequence analysis”.³⁰ From Marx and Weber to Polanyi and Schumpeter, these giants adopted historical approaches, lending them an acute view to their observation on how the social world is. For Pierson, “[a]ttentiveness to issues of temporality highlights aspects of social life that are essentially invisible from an ahistorical vantage point”; “Placing politics in time can greatly enrich our understanding of complex social dynamics”.³¹ For an institution that has been in operation for several centuries, an approach that takes vast periods of time seriously is in order.³²

²⁹ John L. Campbell, *Institutional Change and Globalization* (Princeton, N.J.: Princeton University Press, 2004), p. 27.

³⁰ Rueschemeyer D., Stephens E.H., Stephens J.D., *Capitalist Development and Democracy* (Chicago: University Chicago Press, 1992), p. 4.

³¹ Paul Pierson, *Politics in Time: History, Institutions, and Social Analysis* (Princeton, N.J.: Princeton University Press, 2004), p. 2.

³² Also considering the “laggard” characteristic of events and their potential influences, that the influences are not instantly felt and seen but become more visible after a length of time. See James Mahoney and Daniel Schensul, “Historical Context and Path Dependence”, in Robert E. Goodin and Charles Tilly eds., *The Oxford Handbook of Contextual Political Analysis* (Oxford, England ; New York, USA: Oxford University Press, 2006), p. 457.

Third, that historical institutionalism is a better encompassing approach to integrate the other two approaches, simply accepting parts of the behavior assumptions of the rational-choice approach (the “logic of instrumentality/ consequence”) with restrictions and acknowledging influence of social scripts, cognitive constraints, and social legitimacy to individual actions (the “logic of appropriateness”) under a “choice-within-constraint” path dependent approach.³³ Hall and Taylor seemed to support a similar view in arguing that historical institutionalism embodies both the “calculus approach” and the “cultural approach”;³⁴ and Ikenberry seemed to appreciate that historical institutionalism can strike a balance between the “rationalist” approach being “too thin” (too much agency) and the “constructivist” approach being “too thick” (not enough agency).³⁵ I understand that this view is not without debate, but this is not the focus of this paper, therefore I will leave this at that.

1.3 Research Structure

As mentioned, my research question is “What light can the British medieval commonfields, as a historical long-enduring institution, shed on community-based institutions and even global governance today?” My research structure is illustrated in Table 1-1 below. My independent variable is the institutional designs of two different regional models of the British commonfields. My dependent variable is the general livelihoods of the peasantry in the region. There are many factors that account into explaining the general livelihood outcome, which will be the main focus in Chapter 3. In Chapter 4, I utilize Ostrom’s common-pool resource management literature to make sense of how the

³³ Peter A. Hall, and Rosemary C. R. Taylor, “Political Science and the Three New Institutionalisms”, *Political Studies*, Vol. XLIV (1996), pp. 936-957.

³⁴ Hall and Taylor, 1996, p. 939; Peter A. Hall and Rosemary C. R. Taylor, “The Potential of Historical Institutionalism: A Response to Han and Wincott”, *Political Studies*, Vol. 46 (1998), pp. 958-962.

³⁵ G. J. Ikenberry. 1994. History’s Heavy Hand: Institutions and the Politics of the State. Paper presented at conference on The New Institutionalism, University of Maryland, Oct. 14-15, pp. 5-6.

institutional design is flawed and should be changed. That is where I draw lessons and implications to modern day global governance.

Table 1-1. Research Structure

Independent Variable	Intervening Variables	Dependent Variable
Institutional designs	<p>Self-reproduction mechanisms</p> <ul style="list-style-type: none"> • Power explanation: Manorial lordship power versus Tenant bargaining power; Extent of legal protection of rights and liberties • Utilitarian explanation: Lively agrarian markets and land markets; Incentive for risk taking • Legitimation explanation: Communalism versus Individualism; development of agrarian technology <p>Critical Junctures</p> <ul style="list-style-type: none"> • Magna Carta of 1215 • Civil Wars and 1688 Glory Revolution <p>Initial Conditions</p> <ul style="list-style-type: none"> • Presentations of lords in a village 	General livelihood outcomes of peasants

Below, I provide an overview of this paper. In Chapter One, I will introduce the research question, research framework, and research methods. I point out that calls for trusting the people and taking a bottom-up approach is nothing new, both historically and academically. I will also mention my research constraints and define the use of terminology.

In Chapter Two, I introduce the historical case study of the medieval British commons and commonfield systems, discuss the misunderstandings of the British commons in conventional wisdom, and explain the initiation, the daily operations, and collapse of the British medieval commons. The center question unique to this chapter is “Was the British commons a “tragedy” or “triumph”? Retracing historical facts from historians and relevant records, I redraw the image of the so called champion model of the British medieval

commonfields, compare regional differences of the commonfield systems, and argue a new case: that peasants who lived on the commonfield systems suffered the most when the institution collapsed, hence, the “real” tragedy of the commons therein.

In Chapter Three, I review the historical institutional analysis literature, and apply it to analyze the British commonfields system by identifying its factors contributing to continuity (hence its success as seen by some scholars,) and change. The core questions in this chapter are “What caused the commonfields institution to reinforce itself?” “What caused it to break down?” Drawing on the idea that positive feedback loops contribute to institutional reproduction mechanisms to explain change and negative feedback to disrupt reproduction and thus implying change, I analyze the historical case and briefly discuss the implications.

In Chapter Four, I review the CPR literature and Ostrom’s eight long-enduring CPR principles, point out the discrepancies of how the historical “commons” differ from the theoretical “commons” in CPR literature, and examine how the British commonfield system can still fit with Ostrom’s principles. Finally, I explain, in light of CPR literature, how the fall of the British commonfield system was not an inevitable turn of events, but sophisticatedly intertwined with the socio-economic context—external forces, as well as internal factors, impeded the eight principles—resulted in the collapse of the commonfield system. I support these analyzes with findings from chapter 3.

In Chapter Five, I discuss the implications of this historical case to modern cases of community-based institutions, attempt a dialogue with current literature and theories, point out how the British medieval commonfields can be a lesson to local as well as global governance in the 21st century, and derive my policy implications with conclusions and further research directions.

1.4 Research Constraints

The main constraint to my research is the availability of the British medieval

commonfield systems literature. The literature on the British commons is itself not complete due to three main of reasons: First, is that the literature is still in the process of construction and discovery. Records of this centuries-old institution were kept with punctuation due to many reasons, including the impact of the Black Death in 1349-50, decline of the population, fires and break-out of wars.

The second reason was that it wasn't until recent years that the British decided to start to rediscover their own historical institutions because they suddenly realized that so little was left of it to study and trace. Therefore, in the endeavor hoping to unveil the causal reasons or enabling conditions of the rise, triumph, and fall of the British commons, I do hope to dig up as much literature as possible while acknowledging the limitation of available data as just explained.

A third reason is the availability of first hand historical data is largely limited here in Taiwan. Without needed funds, I cannot but rely mainly on second-hand research published by other scholars.

1.5 Use of Terminology

Hardin's use of "the commons" was narrowly restricted, which I will get back to shortly. Before I go on, I should bring attention to the use of terminology of "commons". The discussions of "commons" in this paper are focused on the historical socio-economic agrarian arrangements in medieval and post-medieval England and not the concept of "commons" or "public goods" in economy. Now let me explain the "historical" commons more clearly.

The British common fields system is basically a pre-industrial-revolution English socio-economic arrangement. It was the only way to make a living for most of the population in medieval England. Peasants are bound to manorial lands with service duties as serfs or villeins. The common fields system was the comprehensive arrangement of cropping, grazing, and gathering activities. The village is nucleus in appearance, meaning that all the buildings

and houses are built together, usually surrounding the village church, and all the fields surround the village. Land usage in this arrangement is differed by the physical environment, functions, and rights of usage. These include arable fields, commons proper (rough grazing land, marshlands, woodlands, and wastelands), and the demense (land which agrarian production goes to the manorial lord or the King, but worked by tenants who owe service of 2-3 days work a week to the lord or King).

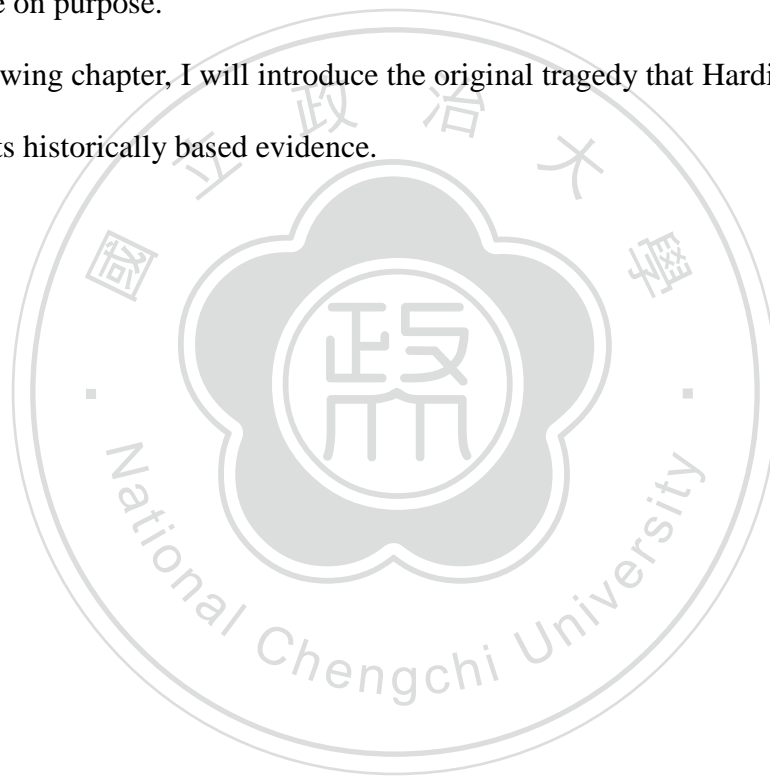
My usage of the commons is broader than Hardin's use of the "common meadow" and "grazing grass" as the resource unit in concern. It basically includes the whole common field system as a socio-economic arrangement in which the "common meadow" is embedded within. My reason is that since "the commons" arrangement could not exist without the socio-economic context of the common field system, including the manorial lord, the manorial court, the village council, the open arable fields, the way of cropping, grazing, and gathering...etc. All this fall upon a central theme and core resource unit: the land. The rights, rules, and regulations are concern the use of land. This is the exact focus of this study: viewing the British common fields as a CPR institution.

In sum, "the commons" can be used as only mentioning the "common land" or "common meadow", as Hardin used it in its "grazing" rights and function (see Chapter 2.1 on this). It can also be a shortened synonym of the broader "common field system" as I have intended to use, but just to immunize the confusion, I will keep on using "common field system" throughout this paper as much as possible. The difference of definition is essential to keep in mind and hopefully not be confused about.

Another more important note is that the commons in the historical context is quite different than that in current theory or conventional wisdom. Ostrom's and others scholars' literature on "common-pool resource management (CPR)" is actually an extension of Hardin's misunderstanding or misuse of parody (see Chapter 2.1 for more). Hardin later admitted that what he regretted using the "commons" to illustrate his concept. He said that he

should have coined the title “The Tragedy of the ‘Unmanaged’ Commons”.³⁶ The wide known theoretical understanding of “the commons”, or CPR, is that the resource system has “open access” or not have “exclusion/excludability”, meaning hard to exclude other users, and has “subtractability” of resource units, meaning that a person using the resource would diminish the availability of the resource for another person.³⁷ This historical British commons does not adhere to the first characteristic of “open access”, as Hardin himself later noted. That being said, I did intend to allude to the “misuse” understanding of “the commons” in my thesis title on purpose.

In the following chapter, I will introduce the original tragedy that Hardin made known to the world, and its historically based evidence.



³⁶ From Hardin’s personal communication with John A. Baden on 5 October, 1994. See John A. Baden, “Preface: Overcoming the Tragedy” in John A. Baden and Douglas S. Noonan eds., *Managing the Commons*, 2nd Ed. Bloomington, Indiana, US: Indiana University Press, p. xvii; see also, Hardin’s own article in 1994: Garrett Hardin, 1994. “The Tragedy of the Unmanaged Commons”, *Trends in Ecology & Evolution*, Vol. 9, No. 5, p. 199.

³⁷ Ostrom, 1990, p. 32; Elinor Ostrom, Roy Gardner, and James Walker. 1994. *Rules, Games, and Common-pool Resources*. Ann Arbor, Michigan: University of Michigan Press, p. 6-7; Susan J. Buck. 1998. *The Global Commons: An Introduction*. Washington, D.C.: Island Press, pp. 4-5; David Feeny, Fikret Berkes, Bonnie J. McCay, and James M. Acheson. 1990. "The Tragedy of the Commons: Twenty-Two Years Later", *Human Ecology*, Vol. 18, No. 1, pp. 3-4.

Chapter II: Historical Case Study—The Medieval British Commonfields

2.1 The Original “Tragedy” of the British Commons—A Historical Misunderstanding

In this section, which I need to stress, I do not tend to challenge the theoretical contributions of “The Tragedy of the Commons”—illustrating the problem of collective action in which individual interests conflicts with collective interests will deductively cause ruin to all. Here, I only wish to point out that the use of such a parody was historically inappropriate.

In Hardin’s 1968 article “The Tragedy of the Commons”, Hardin first credits William Foster Llyod’s 1832 publication—*Two Lectures on the Checks to Population*—for providing inspiration of the commons concept.³⁸ Hardin, then, leads the reader to “picture a pasture open to all”.³⁹ In this “pasture” parable, he did not clearly mention a specific context, place or history.⁴⁰ The reason he mentioned this was to give an example to illustrate the danger of no control on the growth of population. As his argument goes, “[a]s a rational being, each herdsman seeks to maximize his gain...This utility has one negative and one positive component”: the positive utility is near +1, but the negative is only a fraction of -1.⁴¹ In the economic sense of marginal utility of gains, it is in fact a good bargain to keep on adding to one’s own herd. However, when all herdsmen act freely on self-interest, it causes overgrazing and thus the tragedy:

“...the rational herdsman concludes that the only sensible course for him to pursue is to add another animal to his herd. And another; and another... But this is the conclusion reached by each and every rational herdsman sharing a commons. Therein is the tragedy. Each man is

³⁸ Hardin, 1968, p. 6. Hardin put the date as “1833”, but in footnote 7 in Buck, she put the date as 1832 as it was republished in Garrett Hardin and John Baden, ed., *Managing the Commons* (San Francisco: Freeman, 1977). See Buck, 1985, p. 51, footnote 7.

³⁹ Hardin, 1968, p. 6.

⁴⁰ Buck, 1985, p. 51.

⁴¹ Hardin, 1968, p. 7.

locked into a system that compels him to increase his herd without limit—in a world that is limited. Ruin is the destination toward which all men rush, each pursuing his own best interest in a society that believes in the freedom of the commons. Freedom in a commons brings ruin to all.”⁴²

In the 1985 article by Susan Jane Buck Cox, “No Tragedy on the Commons”, she tried to point out the misconception and misuse of the original medieval British field-system concept made famous by Hardin. Her main argument was that the “tragedy” from the “inherent logic of the commons” in which “each herdsman seeks to maximize his gain” as Hardin illustrated never did resolve in the consequence of overgrazing.⁴³ In medieval England, manorial courts of village communities, where the chief lord and all the villagers were represented, regulated the common rules of cropping and grazing of the fields.⁴⁴ Therefore, overgrazing caused by the egoistic behavior of the “economic man” would not have happened. Hence, Buck suggests that the all-inclusive communal courts of medieval England manors could be a “remedy” to the “ruins” of commons governance of today.⁴⁵ As Buck puts it:

“Perhaps what existed in fact was not a “tragedy of the commons” but rather a triumph: that for hundreds of years—and perhaps thousands, although written records do not exist to prove the longer era—land was managed successfully by communities.”⁴⁶

When concluding at the end of her article, Buck views the British medieval commons as quiet a success as a long-lived institution. This raises questions for the researcher: How were the common fields managed over the long period of time? How did it manage to last for so long? How was it successful to be considered a “triumph”? Why was it a historically inappropriate parody (not a “tragedy”)? And what really caused its demise? I devote the rest

⁴² Hardin, “The Tragedy”, 7.

⁴³ Buck, 1985, p. 51.

⁴⁴ Buck 1985.

⁴⁵ Buck 1985, p. 61.

⁴⁶ Buck 1985, p. 60.

of this chapter to deal with the questions above.

2.2 Literature Review on the Medieval British Commons and Commonfields

The study of the medieval and post-medieval English commons has been slow. It wasn't until about a century ago when scholars realized that there was not only one field system, but various "systems".⁴⁷ In 1915, it was Howard Levi Gray who published his classical work *English Field Systems* that marked a beacon in the contemporary English common-fields literature.⁴⁸

Gray made an important contribution to the literature and the understanding of the commons system in manifolds: (1) identifying the plurality English field systems; (2) distinguishing other separate systems in East Anglia, the Lower Thames Basin, Kent, and in the Celtic region (Ireland and Scotland) from the classical "midland" system of two- and three fields;⁴⁹ (3) proposing two main factors as cause of the variations between systems—ethnic settlement as primary, and the physical environment as secondary.⁵⁰ While the first two has been largely accepted, confirmed and expanded by other scholars, the third on reasons causing system variation is still under debate.⁵¹

⁴⁷ Howard Levi Gray, *English Field Systems* (Cambridge, Harvard University Press, 1915); Alan R. H. Baker, "Howard Levi Gray and English Field Systems: An Evaluation", *Agricultural History* 39, no. 2 (April 1965):87.

⁴⁸ Alan R. H. Baker, "Howard Levi Gray and English Field Systems: An Evaluation." *Agricultural History*, Vol. 39, No. 2 (April, 1965), pp. 86-91.; Bruce M. S. Campbell, "Commonfield Origins—the Regional Dimension", in *The Origins of Open Field Agriculture*, ed. T. Rowley (London: Croom Helm, 1981), pp. 112-113; B. K. Roberts, "Field Systems of the West Midlands", in *Studies of Field Systems in the British Isles*, ed. Alan R. H. Baker and Robert A. Butlin (Cambridge, England: University Press, 1973), 188-190; Joan Thirsk, 1967. "Preface to the Third Edition." In C. S. Orwin and C. S. Orwin eds., *The Open Fields* (Oxford: Clarendon Press, 1967), p. vi.

⁴⁹ The "two- and three field system" meant total sectors of land-use rotation: two-field system meant two fields in rotation and 1/2 would be left fallow each year, meaning leaving the land to rest and not produce any crop; three-field system meant three in rotation and 1/3 stood fallow each year. However, it was later discovered that the rotation may not have followed in units of "fields", but smaller units consisting of "strips" call the "furlong". This implied that a two-field system could adopt a three-course rotation. See Rosemary L. Hopcroft, 1999. *Regions, Institutions, and Agrarian Change in European History*. Ann Arbor: University of Michigan Press, pp. 16-17; Alan R. H. Baker and Robert A. Butlin, "Conclusion: Problems and Perspectives", in Baker and Butlin, *Studies of Field Systems*, p. 622.

⁵⁰ Baker, "An Evaluation", 87; Baker and Butlin, "Conclusion", 624-625; Campbell, "Commonfield Origins", 112.

⁵¹ Campbell, "Commonfield Origins", 112-113, 118-129; Hopcroft, *Regions*, pp. 28-41; Baker and Butlin, "Conclusion", pp. 627-656.

Thirsk, in her 1964 article “The Common Fields”, defined the “classic model”⁵² or the “midland model”⁵³ of the common field system in four essential characters: (1) scattered strips of landholding for each cultivator, implying a sharing of both good and bad lands; (2) common grazing of animals and common cropping on arable fields and meadows are subjected to common rules of cultivation, organized into systems of two- or three-field systems; (3) cultivators enjoy rights to common pasture and waste (unused land) for grazing of stock and gathering of timber, peat, and other commodities; (4) the presence of an assembly of cultivators, embodying disciplinary powers, oversees the working of the system—the manorial court, or when involving more than one manor in a township, a village meeting.⁵⁴ However, as Thirsk notes herself, not all characters may exist at the same time.⁵⁵

Campbell, in a 1981 article titled “Commonfield Origins—the Regional Dimension”, made a more detailed refinement of commonfield elements into 14 attributes and categorized the common fields into 5 main categories according to the consisting attributes. Campbell’s finding, in short, was that the structure of the lordship and its will makes a huge difference on the commonfield systems: strong lordship was associated with the regular commonfield system, lower technical innovation, and moderate population; weaker lordship was associated with the irregular commonfield systems, higher technical innovations, and populations to the two extremes.⁵⁶

The original commons, extracted from British pre-industrialization society, according to

⁵² “Classic” in the sense of the two- or three-field systems understood even before Gray’s 1915 work. In view of the past hundred-year literature on the common field system study, it is safe to say that all the literature were aimed at identifying the original “norm”—the classical or midland model—and other alternative models that existed: characteristics of variation(what and how), boundaries of variation(when), and most importantly, what caused the difference(why)?

⁵³ Campbell labeled Thirsk’s definition the Midland system the “Thirsk model”. See Campbell, “Commonfield Origins”, 112.

⁵⁴ Joan Thirsk, “The Common Fields”, *Past & Present*, no. 29 (December 1964): 3; Hopcroft, *Regions*, 20

⁵⁵ Thirsk, “Common Fields”, 4. It should be reasonable to conjuncture here, that when Hardin wrote his influential article, the “commons” he had in mind when writing was approximated to this model—the most widespread understanding of the common field system.

⁵⁶ Campbell, “Commonfield Origins” 128-129.

Buck, did not meet its doom due to individual excessive exploitation caused by the paradox of collective action, (and thereby creating the “tragedy”) but ceased to remain a functional “social institution” after the industrial revolution and the huge social change it incurred.⁵⁷ The communal commons held on to function at large, before industrialization, because community councils, consisting of all the stakeholders who possess right to use the commons, were established to govern the collective use of both cropping, grazing, and other communal activities. The four observations of Thirsk apply here fully. Being in a pre-industrialized society with pre-modern bureaucracies in the Weberian sense, the common field system, governed by “shared norms and rules” of a community council with no modern sovereign state entity at the middle, survived many centuries. In this sense, the commons was considered a success by Buck.⁵⁸

Below, I will go into a little deeper into the historical context of this communal socio-economic institution by reviewing its initiation, its daily working, and final collapse.

2.2.1 *The Initiation*

The rise of the British commonfields is still being debated.⁵⁹ While the reasons of initiation of the institution or how the system took on its physical looks are varied, several historical facts are clear. After the Norman Conquest of the England in 1066, William, Duke of Normandy, or William the Conqueror, granted titles and knighthoods to a few thousands, and with it, the honors to lands. These lands, as documented in the earliest census—the Domesday Book—in 1086,⁶⁰ were pretty much matching to mostly all arable lands know today. This implies that the peoples working these lands before the Conquest knew pretty

⁵⁷ Buck, 1985, pp. 58-60.

⁵⁸ Buck, 1985, p. 60.

⁵⁹ Campbell, “Commonfield Origins”, 112-113, 118-129; Hopcroft, *Regions*, 28-41; Baker and Butlin, “Conclusion” 627-656.

⁶⁰ The Domesday Book is a “far-reaching census” ordered by William the Conquer in 1086 aimed at recording lands, resources, tenures and people in England at the time. The results were later compiled into a volume known as the “Domesday Book”. In short, it was the best snapshot a historian could wish for at the time. See Amt (2001): 74.

much what they were doing. Some documents even imply that the commonfield system could be traced up to the eighth century. However, due to the fact that time is harsh on these historical evidences, what we know today is still limited. Here, I try to put some of it back together for us to have a better glance and understanding.

As mentioned afore, Gray made three contributions to this field. Two of them concern our discussion here: the identification of plurality in the English field systems and the proposition of two main factors as cause of the variations between systems—ethnic settlement as primary, and the physical environment as secondary.⁶¹

Hopcroft, in her book, supported Gray's ethnic explanation. Arguing in light of a "path dependency" explanation and considering high transactions costs once a whole socio-economic system would incur if changed halfway,⁶² Hopcroft proposes a possible interpretation: evidence suggests that "wherever certain Germanic groups settled in large numbers, communal open fields systems later emerged. This suggests that they imported into those regions the cultural precursors of the communal system."⁶³ This is not to say that the systems were brought in "full-fledged", but evolved according to the new environment through time. Having done extensive research in England, the Netherlands, France, German lands, and Sweden, Hopcroft postulates:

"It is quite possible that they may have taken a particular regular form in parts of northern Europe, We may surmise that both familial and community organizations were strong in the face of severities of winter in the inland areas of northwestern Europe. In turn, strong village communities may have worked to maintain the regular nature of and division and inheritance rules, assuming that they operated on democratic or both democratic and hierarchical principles. We then can imagine that groups maintained these customs when they

⁶¹ Baker, "An Evaluation", 87; Baker and Butlin, "Conclusion", 624-625; Campbell, "Commonfield Origins", 112.

⁶² Hopcroft, *Regions*, 35-36, 38-41, 46-51.

⁶³ Hopcroft, *Regions*, 40.

migrated to other regions and that these customs later facilitated the emergence of communal open field systems across the plains of Europe.”⁶⁴

C. S. Orwin and C. S. Orwin detested against Gray’s plurality argument, and believed that “wherever you find evidence of open-field farming and at whatever date, it is sufficient to assume that you have got the three-field system at one stage or another”⁶⁵. They assumed that practical cooperation and collaboration was a sensible method of insuring survival in primitive conditions when the pioneer farmers arrived in the newly settled lands.⁶⁶ Due to the fact that “the animals, men, and the equipment needed for to make an effective plough-team were beyond the resources of individual peasants”,⁶⁷ pioneer families had to cooperate. In short, the Orwins believed that the open fields system was a result due to necessity of survival and limited resources, and the physical look took as such since the beginning.

However, Thirsk, coining the four core elements of the midland/champion model, sees the contrary. She notes that the system may not have taken such a look from the start, but a natural development of many factors; not all characters existed at the same time:

“The oldest element in the system is in all probability the right of common grazing over pasture and waste. It is the residue of more extensive rights which were enjoyed from time immemorial, which the Anglo-Saxon and later Norman kings and manorial lords curtailed, but could not altogether deny. By the sixteenth century we are familiar with commons that were enjoyed by one township alone.”⁶⁸

Thirsk believed that the common rights and regulations, along with the subdivided fields, came from the impetus of population growth: it created the need to regularize land

⁶⁴ Hopcroft, *Regions*, 40-41.

⁶⁵ Orwin and Orwin, *Open Fields*, 127.

⁶⁶ Baker and Butlin, “Conclusion”, 625.

⁶⁷ *Ibid.*, 626.

⁶⁸ Thirsk, “Common Fields”, 4. It should be reasonable to conjuncture here, that when Hardin wrote his influential article, the “commons” he had in mind when writing was approximated to this model—the most widespread understanding of the common field system.

holdings and layout, to ensure even access to water, and to protect the crops from beasts; communal rotation was introduced to rationalize the disposition of fallow lands, and communal grazing rights were established on the fallow strips.⁶⁹ The partition and subdivision of landholding into many parcels and strips, seen by Thirsk, was the result of partition among heirs from inheritance through generations, and the pressure of increased population as afore mentioned. All this proceeded in gradual stages in time. Summarized later by Bruce Campbell, Thirsk views the classical midland model representing “the ultimate stage in a long process of evolution, other English fields systems reflecting the effects of local and regional peculiarities of environment, settlement history, population density, and agrarian economy, upon the evolutionary process.”⁷⁰

However, Campbell disagrees with Thirsk’s theory of commonfield evolvement. First, Campbell believes that under increasing population, large changes like redrawing layouts of land and communal rotation would cause huge risks of low or no yields at all for farmer families. In a context of communal regulations and village consensus with an increasing number of affected parties, changes, such as proposed by Thirsk, would have been faced with immense resistance and would not have likely come from the organized peasant societies. Hence, a higher authority (such as the Parliament acting upon enclosure) would be needed to carry out such a reconstruction of socio-economic arrangements.⁷¹ Additionally, if pressure from population increased, technical innovations to agricultural methods would have been more responsive to increased demands than the rearrangements of land usage. However, just as shown above, a regular commonfield system would also be slow in adopting or experimenting new agriculture technologies due to the communal consensus character.⁷²

⁶⁹ Campbell, “*Commonfield Origins*”, 115, 118.

⁷⁰ Excerpted from Campbell, “*Commonfield Origins*”, 112.

⁷¹ Campbell, “*Commonfield Origins*” 119-120.

⁷² Campbell, “*Commonfield Origins*” 120-122.

A third point would be that “[i]nnovations such as substitution for fodder crops for bare fallows, flexible rotations, and the stall-feeding of livestock, would have been incompatible with a fully regularized commonfield system.” Moreover, the increase of production from technology change would exempt the need for restructuring land use.⁷³ Forth, Campbell found that the regular commonfield system generally did not exist in areas with too dense or too scarce a population due to the reason of population pressure on the economy. If the population was too sparse, there was no need for rationalization of land holding and layout; a more consolidated and enclosed land use would be reasonable with a more extensive form of agriculture. On the contrary, if too many people, the resistance of change make restructuring impossible.⁷⁴

Whatever the reason for the initiation of the commonfield system, either ethnic or for survival, the system remained and stuck on. How it took shape was another myth, either from natural development to respond from population pressures or from order of a higher authority, but are now irrelevant to our main quest for answers. This communal style of living sunk in. In the next section, I discuss how the commonfield system runs daily as a long lasting socio-economic institution.

2.2.2 *The Daily Workings*

How did the commonfields operate on a daily basis?

In the communal open field system (or the regular commonfield system), “communitarianism” was the essential trait of the system. A communal way of socio-economic life was the order:

“Strips of land were cropped individually yet were subject to communal rotations and (typically) communal regulation of cropping....This meant that each farmer was required to

⁷³ Campbell, “*Commonfield Origins*” 122-123.

⁷⁴ Campbell, “*Commonfield Origins*” 123-125.

follow the same time schedule for planting, harvesting, and fallowing his strips in the open fields (although the choice of crops was not always constrained). In addition...villagers had to allow the village herd to graze on their land at times: on the fallow field and on the arable fields after harvest.”⁷⁵

It was clear that as a farmer in a township adopting the communal open field system, he would have to follow regulations on communal cropping, fallowing, rotations, and grazing. But where do the rules come from? Hopcroft writes:

“All of this was regulated by a central body or council of some sort, called the *byelaw* in England.... This council was responsible for coordinating cropping, harvesting, grazing, and field rotations as well as appointing village shepherds and fence keepers.”⁷⁶

Bylaws, as afore mentioned by Buck, are rules of the villages. They regulate almost all aspects of the agrarian economy activities. How were they made?

“...evidence points unequivocally to the autonomy of village communities in determining the form of, and the rules governing, their field systems. They made their decisions in the light of their own circumstances and their own requirements. In villages which possessed no more than one manor, matters were agreed in the manorial court, and the decisions sometimes, but not always, recorded on the court roll. Decisions affecting villages which shared the use of commons were taken at the court of the chief lord, at which all the vills were represented. In villages where more than one manor existed, agreement might be reached at a village meeting at which all tenants and lords were present or represented.”⁷⁷

This account implies that some kind of consent was to be reached at these institutions of gatherings which were attended by the all stakeholders or representative of the stakeholders. What about rule breaching?

“[The *byelaw*] was also responsible for sanctioning those who violated the rules. If

⁷⁵ Hopcroft, *Regions*, 17-18.

⁷⁶ Hopcroft, *Regions*, 18.

⁷⁷ Joan Thirsk, “Field of the East Midlands”, in Baker and Butlin, *Studies of Field Systems*, 232.

admonishment by the village council was not enough, seigneurial law and the seigneurial court further enforced agricultural rules. Such regulation and enforcement served to maintain the system, because unless all farmers followed the rules the entire field system would break down.⁷⁸

Hence, if village bylaws weren't enough to enforce the norms and punishments, the court of the feudal lord will intervene and defend its authority and order. "Village governance typically worked in conjunction with manorial officials, and vice versa." In short, bylaws depended on the feudal lordship's manorial court for deterring and punishing noncompliance of the peasants.⁷⁹

However, who were the peasants? What was their relationship with the lordship? Most of the peasants were customary tenants, meaning that they are either personally bound to the lord in some way (as villeins or serfs), or that their farmed land belonged to the manor (hence, they are not freeholders). Customary tenants had to be responsible for both the lord's land and his own. In addition, there were other obligations of feudal payments and dues in kind, fees, and services. "These often included money rents for using the land, mandatory fees for the usage of manorial facilities—the mills, ponds, ovens, etc.", as well as taxes of land or goods transfer and others taxes.⁸⁰ Tenants are also subjected to the manorial courts and limits of mobility and other behavior.⁸¹ In sum, lords control the land which tenants live on and are tied to. Hence, the influence of the feudal lord "pervades all aspects of life, economic and social".⁸²

Therefore, this brings one to ask: "How much freedom of decision were the medieval peasants entitled to?" This is a very fair and insightful question. Peasants at this time are not all a serf or "villain". In general, they can be separated by the types of relationship they have

⁷⁸ Hopcroft, *Regions*, 19.

⁷⁹ Hopcroft, *Regions*, 26.

⁸⁰ Hopcroft, *Regions*, 26.

⁸¹ Hopcroft, *Regions*, 65.

⁸² Hopcroft, *Regions*, 26.

with the manorial lord. Those who do not own labor service or marriage fines are “free men”. Free men are not under reign of the manorial lord, so they are mainly not the subject of manorial records in which we draw most of our understanding of the agrarian arrangements of the day. If the rights of a free man are impeded upon, he can bring a lawsuit upon the breacher at the royal court, or appeal to the royal justices who travel around the country. Those that fall under the manorial court are unfree tenants, including villeins and customary tenants.⁸³ These tenants are presented at the court/village meetings when community matters are discussed in which bylaws are issued on common grazing and cropping affairs.⁸⁴ When disputes arise, villagers were able to serve as jurors and pledges.⁸⁵ Hence, these types of participation, gives some extent of legitimacy to the lord’s court and village meetings.

2.2.3 The Collapse

Why did the British common fields system fail? And how?

The first and foremost reason is the enclosure movement. The term “enclosure” actually has three meanings to it: “[1]The enclosure of the great open fields characteristic of midland agriculture;[2] the enclosure of regular town or village commons;[3] the nibbling away of forest, moor, and other waste land...”.⁸⁶ The situation in the third meaning has already been happening since the increase of population from 12-14th centuries.⁸⁷ By the 13th century, most of the best land has been taken, which leaves naturally lesser arable land left to develop. This implications of this last activity is least impacting to other peasants.

However, the situation of the second meaning, the enclosure of the town or village

⁸³ According to Dyre, “villein” meant “an unfree tenant, holding by a servile tenure”, or in other words, in a “villeinage”. A “customary tenant” is a person holding land under the customs of a manor. This means that such a holding is enforced through the manorial lord’s court, excluding common law, and the person is considered under servitude. “Neif”, is a person born into servility. See Dyre, 2002, p. 140.

⁸⁴ Dyre, 2002, p. 142.

⁸⁵ Dyre, 2002, p. 145.

⁸⁶ John Clapham. 1949/1963. *A Concise Economic History of Britain: From the Earliest Times to 1750*. London: Cambridge University Press, p. 194

⁸⁷ *Ibid.*, p. 123.

commons, will affect gravely the many that live day-to-day on the commons. These rights on the commons may include grazing rights for their husbandry animal, rights to gather firewood, or fodder, turf, clay, etc..⁸⁸ These resources were essential to villagers for their daily livelihoods: grazing of oxen for plows and wood as the resource of heat and cooking. Not having access to these critical resources would severely interrupt the peasant life. Two royal statutes have already been issued in the 13th century—Merton in 1235 and Westminster in 1285—in which both permitted manorial lords to enclose waste lands as long as there are sufficient lands left for other peasants to exercise their common rights.⁸⁹ This second meaning of enclosure was part of the main cause of the Great Rising of 1381.⁹⁰ Angry peasants ganged together to tear down the fences of enclosed land of the wealthier gentry during the unrest. Moreover, enclosing the commons was the direct cause of many other peasant revolts, like Kett's Rebellion in 1549. Due to the built-in power-asymmetry, monitoring and sanctions become moot when the violator is the lord himself, or the landed gentry who have lots of money and associates themselves with the aristocracy.

The first meaning of enclosure, acquiring strips of open land, was also in motion, but done in another fashion—purchase. Especially in the non-midland areas like east and southwest England where land markets were more active and prevalent, the consolidation of land via purchase was already existent even before the Black Death of 1348-1350. After the Black Death, the significant loss of population due to plague brought down crop prices, labor wages soared, and land became abundant again. During this time, living conditions improved for peasants due to shortage of labor, but land grab became extravagant, especially in East Anglia, but throughout the Midlands as well to a lesser extent.

Another expansion of population came in the later part of the 15th century, more and

⁸⁸ Larry Patriquin, 2007. *Agrarian Capitalism and Poor Relief in England, 1500-1860*. New York: Palgrave Macmillan, p. 48.

⁸⁹ Clapham, 1949, p. 123; Douglass C. North and Robert Paul Thomas. 1973. *The Rise of the Western World: A New Economic History*. London; New York: Cambridge University Press, p. 63.

⁹⁰ Clapham, 1949.

more the fabrics of the traditional feudal society, grounded on land, obligations, and communalism, began to give away to a capitalist's way of functioning.⁹¹ The relationship founded on land and service between the lord and servant became a relationship linked by wage and labor between the capitalist and laborer. Falling real wages and rising crop prices towards the end of the 16th century brought on another wave of enclosure movement.⁹² In 1560, around 12% of English peasants made a living by employment because they did not have a farm. This number has raised to somewhere around 40-50% in 1630.⁹³ This growing body of wage workers was evicted from their customary landholdings and was forced to make a living (find a wage-paying job) in a time when real wages are falling. Hence, poverty and suffering were widespread.⁹⁴ The Midland Revolt of 1607 in Newton, Northamptonshire (part of the Midlands) was such example of the building agony and grievances of the peasants at the time.

The English society became accustomed to the capitalist ways of economics by during 1650-1750, thus, the social relations of capitalist production were becoming dominant even in the agrarian sector.⁹⁵ Especially after the Glorious Revolution of 1688, when the crown was weaker and could not act to guard peasant rights like in the Stuart and Tutor years,⁹⁶ the enclosure movement became much more pervasive and merciless. Customary peasants were driven out of their cultivating landholdings for the landlord to turn cropping land into grazing land for pursue of the rising wool price. By 1750, at least half of the population in England had little or no land to make a living, and thus lived off wages from employment. By 1790, the “independent peasant class, producing their own subsistence with their own labor on their

⁹¹ North and Thomas, 1973.

⁹² North and Thomas, 1973; Patriquin, 2007.

⁹³ Richard Lachmann. 1987. *From Manor to Market: Structural Change in England, 1536-1640*. Madison: University of Wisconsin Press., p. 17.

⁹⁴ Patriquin, 2007, p. 59.

⁹⁵ William Lazonick, 1974. “Karl Marx and Enclosures in England.” *Review of Radical Economics* 6 (2): 1-59.

⁹⁶ Barrington Moore. 1966/1993. *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World*. Boston: Beacon Press.

own land, was almost extinct”.⁹⁷

Finally, enclosures enacted by Acts of Parliament (in the 18th and 19th centuries) enclosed 40% of land in the communal farming, or champion/Midland, regions, which was extremely more than any other region.⁹⁸ The enclosure movement peaked from around 1760-1820s and basically stopped after 1832, totally transforming the English countryside.⁹⁹ The Midland areas were the most heavily impacted, accounting for over a third to a half of the effected regions of the whole country.¹⁰⁰ Without the right to the common waste, or the right to cultivate their own landholdings, peasants could not live on the farms. Those that had no right of property and legal protection were evicted at the lord’s will, but those that did have some property protection could take the lord to the king’s court and put up a fight. However, few won. Resistance by force was also responded by force.¹⁰¹ And after the Civil War, the Parliament won. The result was a Parliament representing the like-minded capitalist landed aristocrats and gentry successfully limiting the power of the Crown. No more could the King’s court pity the peasants.¹⁰² This was a total reverse and complete overhaul in traditional rights given to the peasants. The central and local level governments denied traditional rights originally allocated to the peasants, let along their rights for communal governance and rule making; moreover, the bigger enterprise/institution of feudalism (in which the common fields were nested and embedded within) and power relations between the crown versus the aristocracy and landed gentry have changed largely over the centuries.¹⁰³

The situation of the peasantry in the Midland area was dire. When the enclosures enacted by Acts of Parliament went into force, evicted peasants were thrown into a society no longer operating on the traditional/agrarian understanding of making a living on land and a

⁹⁷ Lazonick, 1974 p. 23.

⁹⁸ Hopcroft, 1999, p.79.

⁹⁹ Moore, 1966, p. 25.

¹⁰⁰ Moore, 1966, p. 26.

¹⁰¹ Hopcroft, 1999.

¹⁰² Moore, 1966, p. 12.

¹⁰³ Margaret Levi. 1988. *Of Rule and Revenue*. Berkeley: University of California Press.

basic living style of autarky. They were thrown into a society with economic model based on a labor-wage relationship. With hardly any skills to work in a labor-divisional market, they were skill-less and could but join the swelling ranks of the proletariat swarming into the cities at the turn of the Industrial Revolution.

However, such situations were not as dire in other regions of England.

2.3 Regional Differences of British Commonfield Systems

As mentioned afore, it was Gray who foundationally changed the understanding of regional differences of the British commonfield system. He identified the classical “midland” system of two- and three fields¹⁰⁴ versus other separate systems. These other systems have since received more scholarly focus and we now understand more about these other models. Other scholars have also tried to categorize the differences among these various systems.

Campbell, in his 1981 article made a more detailed refinement of commonfield elements into 14 attributes and categorized the common fields into 5 main categories according to the consisting attributes. The 14 elements came from detailed functions of 6 main elements: the waste, field layout, holding layout, fallow grazing, regulation of cropping, and mode of regulation. The five main categories are: (A) non-common subdivided fields, (B) irregular non-regulated cropping commonfield system, (C) irregular partially regulated cropping commonfield system, (D) irregular fully regulated cropping commonfield system, and (E) regular commonfield systems.¹⁰⁵ To further clarify the main concept of “the commons” and contribute to my center aim of this paper, I will list the

¹⁰⁴ The “two- and three field system” meant total sectors of land-use rotation: two-field system meant two fields in rotation and 1/2 would be left fallow each year, meaning leaving the land to rest and not produce any crop; three-field system meant three in rotation and 1/3 stood fallow each year. However, it was later discovered that the rotation may not have followed in units of “fields”, but smaller units consisting of “strips” call the “furlong”. This implied that a two-field system could adopt a three-course rotation. See Hopcroft, *Regions*, pp. 16-17; Alan R. H. Baker and Robert A. Butlin, “Conclusion: Problems and Perspectives”, in Baker and Butlin, *Studies of Field Systems*, p. 622.

¹⁰⁵ Campbell, “Commonfield Origins”, pp. 113-115.

“regular commonfield systems” (type E) as defined by Campbell, possessing 9 attributes:¹⁰⁶

1. Communal ownership of the waste;¹⁰⁷
2. Arable land & meadow characterized by a predominance of unenclosed strips;¹⁰⁸
3. Holdings made up of a regular distribution of strips (exclusive to this system);
4. Full rights of common pasturage on the harvest stock;
5. Full rights of common pasturage on half-year fallows;¹⁰⁹
6. Full rights of common pasturage on full-year fallows;
7. Imposition of flexible cropping shifts;¹¹⁰
8. Imposition of a regular crop rotation (exclusive to this and type D system);
9. Communal regulation of all collective activities (almost only excluding type A).

Another scholar, Rosemary Hopcroft, in her 1999 book *Regions, Institution, and Agrarian Change in European History*, identified three categories: (1) the communal open field system, (2) less-communal open field system, and (3) enclosed field systems.¹¹¹ The emphasis of such nominal difference was that there was a critical “communal” element central in the substantial variance of the three in a continuum as from the most to the least (the enclosed field systems being the least). While she based her categorization on Marc Bloch’s 1966 work,¹¹² according to definitions provided, I can safely relate such typology

¹⁰⁶ Campbell, “Commonfield Origins”, Table 5.1 on p. 116.

¹⁰⁷ The “waste” means unused land.

¹⁰⁸ “Strips” are the long, narrow units of arable land split up for cultivation. They are usually thin and very long indeed, sometimes up to a kilometer. “Unenclosed strips”, then, are “divided by grassy bulks (unplowed ridges), by boundary-stones, and by the pattern of ridge and furrow left by the plow.” They are then grouped into bigger units called “furlongs”. Surrounding the village and church in the middle, the furlongs spread neatly around the village. Because little fence and hedges are used to mark boundaries, it generally has the look of a wide-open country, hence “open fields”, or “unenclosed”. “Enclosed strips”, on the other hand, would be the opposite. Fields are mostly fenced with hedges, trees, or stones, and little land was left open. Since many of the hedges are actually “live hedges” or including trees, the landscape would acquire a wooded appearance, hence earning the name of “woodland” regions. See Hopcroft, *Regions*, pp. 16, 20, 22-25.

¹⁰⁹ On “fallows”, see footnote 104 on “two- and three field system”.

¹¹⁰ The “shift” is a certain designated area of land, maybe a furlong, but usually not an entire field of land. It is a unit of rotation, smaller than a field. See Hopcroft, *Regions*, p. 22.

¹¹¹ Hopcroft, *Regions*, pp. 15-24.

¹¹² Marc Bloch, *French Rural History* (Berkeley: University of California Press, 1966).

to that of Campbell's. Hopcroft's "communal open field system" would equal to Campbell's type E, "regular commonfield system"; the "enclosed field systems" would equal to type A, "non-common subdivided fields"; and the "less-communal open field systems" would roughly relate to Campbell's type B, C, and D, the "irregular commonfield systems", although a few variants may be in question (See Table 2-1).

Table 2-1. Comparing the "regular type" of commons among scholars

Scholars	Irregular Types	The Regular Type
Gray (1915)	others systems: East Anglia, the Lower Thames Basin, Kent, and in the Celtic region (Ireland and Scotland)	classical "midland" system of two- and three fields
Thirsk (1964)	(not mentioned)	The "midland" or "Thirsk" model: <ol style="list-style-type: none"> 1. scattered strips of landholding 2. common grazing/ common cropping rights subjected to common rules 3. rights to common pasture and waste 4. the presence of an assembly of cultivators and the manorial court
Campbell (1981)	(A) non- common subdivided fields (B) irregular non-regulated cropping commonfield system (C) irregular partially regulated cropping commonfield system (D) irregular fully regulated cropping commonfield system	(E) regular commonfield systems: <ol style="list-style-type: none"> 1. Communal ownership of the waste; 2. Arable land & meadow characterized by a predominance of unenclosed strips; 3. Holdings made up of a regular distribution of strips; 4. Full rights of common pasturage on the harvest stock, full- and half-year fallows; 5. Imposition of flexible cropping shifts; 6. Imposition of a regular crop rotation; 7. Communal regulation of all collective activities.
Hopcroft (1999)	The less-communal open field system	The communal open field system: <ol style="list-style-type: none"> 1. "communitarianism" was the essential trait of the system 2. regulations on communal cropping, fallowing,

		rotations, and grazing 3. regulated by a central body or council of some sort, called the “byelaw” 4. the long and narrow furlongs and open fields surround the village 5. stronger lordship, lower technical innovation, and moderate population
--	--	--

Table made by author. Reference: from respective scholars mentioned in this paper.

Apart from these typological based on physical and organizational differences, there are also other differences observed by scholars. Campbell argued that the structure of the lordship and its will makes a huge difference on the commonfield systems: strong lordship was associated with the regular commonfield system, lower technical innovation, and moderate population; weaker lordship was associated with the irregular commonfield systems, higher technical innovations, and populations to the two extremes.¹¹³ Hopcroft found out that the largest difference between the communal and the less-communal open field systems was the extent of community coordination and cooperation in agricultural matters. Less-communal systems differed in great variability of the countryside landscape, in ways of doing things and class relations, and in the individuals’ mind set. In communal systems, communal regulation of land use was accompanied by strong traditions of communitarianism. In communal regions and townships, people tend to be large and compact, living together with the church in the middle as the place for association and meets;¹¹⁴ the long and narrow furlongs and open fields surround the village;¹¹⁵ and these communities tend to have more village festivals.¹¹⁶

Of these different regional systems, one system stood out in many ways. Norfolk in East Anglia was a very interesting case. Hopcroft compared the communal open field

¹¹³ Campbell, “Commonfield Origins”, pp. 128-129.

¹¹⁴ Hopcroft, *Regions*, p. 24.

¹¹⁵ See note 108 on “unenclosed strips”.

¹¹⁶ Hopcroft, *Regions*, p. 25.

system with the less-communal ones (Norfolk as a major reference point) to the communal one, presented by midland and central areas.¹¹⁷ First, on conditions of ecology, she found out that not only was Norfolk's land poor in soil and climate, it was also subjected to drought in the summer and freezing cold North Sea winds in the winter.¹¹⁸ These were all bad conditions for Norfolk, a less-communal open field system by characterization. The midlands and central areas, in contrast, were fertile with clay and loams, the best of soil. However, not only was Norfolk one of the most populated areas in England in the 1377 poll tax, Eastern England was also a major cereal producer at an early date. Eastern Norfolk in particular was also an important barley and malt exporter to the international market by the 13th century.¹¹⁹

Second, on the relation between peasant and lord, Hopcroft pointed out that due to the higher population density in the east, there tend to be more lord representation in a village. This has the effect of lowering the lord's bargaining power (peasants could choose to take suits to other manorial courts of other lords), resulting in lesser labor services to the lords, and even gave birth to a conversion to money payments at an early date. By the 13th century, most large estates used wage labor, while the rest of England used customary labor. Additionally, these less-communal regions tend to have more freeholding peasantry. That is, they are free of feudal obligations and manorial restrictions. In East Anglia, the free population reached up to 80% in some areas. Due to the common law of the 12th century, the freeholders also had the right to appeal to the king's court. This gave the freeholders much more land right protection than the customary peasants.¹²⁰

Third, on agrarian technology, Hopcroft discovered that also less-communal regions

¹¹⁷ Campbell also did such a comparison. See Bruce M. S. Campbell, 1980. "Population Change and the Genesis of Commonfields on a Norfolk Manor." *The Economic History Review*, Vol.33, No. 2 (May), pp. 180-191.

¹¹⁸ Hopcroft, *Regions*, pp. 59-60.

¹¹⁹ Hopcroft, *Regions*, p. 64.

¹²⁰ Hopcroft, *Regions*, pp. 65-66.

had the upper hand. Given better ecology, dense population and easier market access (closer to the London vicinity) in southern midland, seed/yield ratios were higher in east England than in the midlands 7:1 compared to 5:1. High productivity was due to much more sophisticated agricultural methods compared to other places, including “extensive use of leguminous plants, multiple plowings, replacing use of ox with use of horse, intensive soil fertilization and liming, and complex crop rotations that left smaller proportion of land fallow each year.”¹²¹

Before the Black Death of 1349-1350, less-communal regions like east England already had outstanding development in terms of population, agriculture productivity, development of wage labor, and better agrarian technology and methods. As Hopcroft argued, these were all contributions of a lesser communitarian community, weaker lordship control, and a more individualistic way of doing things.

After the Black Death of 1349-1350, low population levels caused more land to be available, thus contributed to an initiation of farmland consolidation. As land markets already existed especially in the less-communal regions where manorial regulations were lesser and weaker, the occurrence of the Black Death caused full boom on the land markets. Already with a higher population of freeholding farmers and irregular land holdings concentrated in one area, unlike the communal regions (customary farmers with highly scattered holdings), the consolidation process of land—enclosure—carried on feverently, uncomplicatedly, and with much less complaints (it was not so in the more communal regions).¹²²

Another important development after the post-plague period in the less-communal areas was the “spread of (more efficient) contractual labor relations”. Copy tenure was established in the east in early times. A “copyhold tenure” meant that “tenants possessed a

¹²¹ Hopcroft, *Regions*, pp. 67-69.

¹²² Hopcroft, *Regions*, pp. 69-71.

copy of the terms (as entered in the manorial court role) on which their land was held from the lord of the manor....Copyhold tenure afforded tenants some legal support for their property rights; thus copyholders were more secure than most customary tenants.” This trend of “contractual labor relations” was accompanied by the development of rural industry in the less-communal regions. By the 15th century, the east (and southwest¹²³) was very prosperous due to the development of the textile industry, as well as many other rural industries, such as brewing, salt making, shipping, etc.¹²⁴

At the same time, small farms continued to exist due to good institutional strength in peasantry property rights. The technical innovative experimental spirits on the small farms provided much success in advancement of agrarian methods. This valuable output of technology and experience able farmers from these small farms provided much valuable assets to the operations of emerging large farms.¹²⁵

In short, in the 15th century, the east was doing prosperous and kept its development advantage into the early modern era as they took the lead onto new agricultural methods and became the forefront of agrarian change and played an important part in the English agriculture revolution, which in turn, provided the industrial revolution an essential foundation.¹²⁶ The flourishing industrial sector accommodated much of the landless peasants from the midland and central areas.

2.4 Arguing a New Case: The Real Tragedy of the Commons

In the communal open field system region, this was much less the case. The communal institutions and the need for communal interests retarded the pace of agrarian change and led

¹²³ Throughout Hopcroft’s work on England, the southwest region was another great example of the less-communal regions that seemed to be better than the midland communal system, although many times being outshone by the east. For the flow of argument and focus of this paper, I chose not to examine another case for study.

¹²⁴ Hopcroft, *Regions*, pp. 72-73.

¹²⁵ Hopcroft, *Regions*, p. 81.

¹²⁶ Hopcroft, *Regions*, pp. 80-83.

to serious consequences especially after the Black Death.¹²⁷ Low population levels caused shortage of labor, therein causing an economic depression most severe in the midland and central regions:

“Cereal prices in these regions fell and stayed low. Conversely, wool prices were relatively high. Many farmers and landlords switched to producing the more profitable commodities of wool, meat, and milk. These activities also had the advantage of using less labor... This change to pasture farming prompted farmer and landlords to attempt to enclose their fields in these regions...to raise sheep or graze cattle.”¹²⁸

Changes in the supply of labor and permanent price change (all the way into the 17th century) on main agriculture commodities served heavy impact on the original communal open field system. This posed grave consequences to the smallholders of land, especially the customary peasants in the midland and central areas:

“Many smallholders in these regions depended on common grazing rights for their livelihood, and enclosure meant the end of communal grazing on the common fields and/or the commons proper.”¹²⁹

In other words, the original common grazing rights for smallholding farmers were no longer provided for after the rapid enclosure of common lands by the landlords and wealthier farmers. This left the standing smallholders (that survived the market due to low prices on cereals) unable to provide enough to feed their livestock or unable to gather other common commodities from the common proper. In effect, this raised their costs of living.

“From the seventeenth century on enclosure had the effect of reducing the number of smallholders in the midlands and the central regions, while the number of middle-sized and large estates grew. Smallholders who could not support themselves without access to the commons sold out, and their holding were added to existing farms. They began to swell the

¹²⁷ Hopcroft, *Regions*, p. 78.

¹²⁸ Hopcroft, *Regions*, p. 71.

¹²⁹ Hopcroft, *Regions*, p. 71.

ranks of the industrial proletariat. Cottage industry began to develop in the midland counties only after the enclosure movement...as the newly landless or land-poor became available as cheap sources of labor.”¹³⁰

Much resistance resulted from this movement, but most ended in vain. While there were some cases of peasant who took rights of the commons to the court against their lords in which some did succeed, most failed in simple evictions of the tenant by the landlord. Riots became common phenomena, including a serious rebellion in the midland revolt of 1607.¹³¹ Act of Parliament enforcing enclosure (mostly in the 18-19th centuries) only made things worse.¹³²

It is hard for any farmer, having only known how to crop all his life, be able to leave the land and live off skilled labor in exchange for a wage. This causes a huge surge in “poor relief”. Leicestershire, a parish in the Midlands, had a steady rise of poor relief rates that, by 1832, “nearly one half of the families in the village were in regular receipt of poor relief and many more receiving intermittent relief”.¹³³ Only those young, unmarried, and skilled were able to work for the industrial employers, but only to find themselves joining a swarm of lowly-paid, overworked, brutally treated urban laborers. As scholars later observed, the enclosure movements have totally dissipated the English peasantry class.¹³⁴

In sum, as the high level constructs of power play edged institutionally to the capitalists-minded class of aristocrats and gentry and increasing international trade and increasing price of wool, land grab became inevitable and irreversible. For the poor throngs of customary peasants living on the common lands, without further legal or political support from the local or central level, they were “left out in the cold” with no avenue for institutional

¹³⁰ Hopcroft, *Regions*, p. 79.

¹³¹ Hopcroft, *Regions*, pp. 71, 79.

¹³² Hopcroft, *Regions*, p. 79.

¹³³ Moore, 1966, p. 26.

¹³⁴ Moore, 1966, pp. 28, 39; Patriquin, 2007, p. 62.

remedy. “Sheep ate man” was the result.¹³⁵ This became the ultimate “tragedy” for those whose livelihoods depended on the commons.

Does this not ring a bell? Buck argued that the demise of the commons system was not because of overgrazing due to over-egoistic economic behavior, the original “tragedy” that Hardin made famous. It happened because of the larger socio-economic change of the society, from the enclosure movements to industrialization.¹³⁶ Buck seemed to overlook the fact that the communal traditions of the commons that she praised actually impeded the regions that adopted them the needed developments towards the “agriculture revolution”. These regions adopting the communal common field systems hence ended up lagging behind up to the early modern industrialization period.¹³⁷ In a community where all changes had to be agreed upon by all, changes were largely discouraged, and if ever permitted, showed very slow process. Peasants on the open common fields also lack the incentives to do so, being issues of free-riding and high taxation in existence.¹³⁸ This caused the less-communal open field systems, especially in east England, like Norfolk, to excel in crop production, exportation, better farming technologies, and even fast advancement into the textile industry and hence industrialization. Not only did “the commons” impede advancement and development, such an overdue socio-economic system, without providing adequate legal protection for peasant rights and property, incentive for technological innovation, channels for voicing resent and remedial measures, it actually brought tragedy to all the tenants that lived on it. The commons itself became the tragedy for the peasantry.

This finding actually brings the main research question of whole project into light. Understanding the existence of regional institutional differences of English commonfields systems and even huger differences in the historical developments of these respective areas,

¹³⁵ Moore, 1966, p. 12.

¹³⁶ Buck, 1985.

¹³⁷ Hopcroft, *Regions*; Campbell, 1980.

¹³⁸ Hopcroft, *Regions*, 50-51.

we should ask “what caused these institutional differences?” In such a long time length, what factors contributed to the institutional persistency in the Midlands? What caused weaker communal institutions in East Anglia? Can an institution is considered a “triumph” due to its persistence in time? Or should we incorporate other standards or values in such an evaluation? These are all interesting questions we will tackle in the following chapters.

In the next chapter, I adopt historical institutionalism as an explanatory approach and analytical framework to link causal relations between causes and outcomes. Such establishments of the causal relations in this case study will lay the foundations of analysis for Chapter 4.



Chapter III: Continuity and Change—Historical Institutional Analysis on

the British Commons

I have introduced the British commons as a historical case study in the previous chapter. I also argued for a new tragedy on the commons—an institution that failed to respond to internally conflicting and externally challenging factors which brought tragedy to all those whose livelihoods depended on it. It was not overgrazing of the pasture that caused the tragedy; communal institutions in place overcame problems of collective action, free riding and supervision, thus avoiding Hardin’s tragedy parody all together. But that was not the whole picture: while the commonfield system had certain “communal” arrangements in common, other regional institutional differences may have led to different interesting outcomes. How can we address and explain these differences? And how can this lend insight to our original research question—to find lessons from this historic case for modern day governance?

In this chapter, I tackle the problems of how the commons was considered to be a “triumph”? What really caused its demise? These problems require a method to establish causal relations and view the British medieval commonfield system as an institution. First, I start from introducing the definition of institutions and the literature of historical institutionalism. Then I pinpoint important concepts for my research framework, and introduce the framework of this chapter. Third, I analyze historical data under this framework and uncover the causal relations. Last, I discuss the findings and their implications.

3.1 Literature Review on Historical Institutional Analysis

Here I pose three questions and answer them one by one as a contour of the literature review on historical institutional analysis: (1) What are institutions? (2) What is historical institutionalism?

Hence, what are institutions? Hall and Taylor see institutions as “the formal or informal procedures, routines, norms and conventions embedded in the organizational structure of the polity or political economy”.¹³⁹ John L. Campbell made an excellent brief summary of the definition of institutions (from a non-rational choice institutionalist standpoint):

“Institutions are the foundation of social life. They consist of formal and informal rules, monitoring and enforcement mechanisms, and systems of meaning that define the context within which individuals, corporations, labor unions, nation-states, and other organizations operate and interact with each other. Institutions are settlements born from struggle and bargaining. They reflect the resources and power of those who made them and, in turn, affect the distribution of resources and power in society. Once created, institutions are powerful external forces that help determine how people make sense of their world and act in it. They channel and regulate conflict and thus ensure stability in society.”¹⁴⁰

His definition is quite extensive, acknowledging that in any society, it is the fundamental layering of social interaction; that formal as well as informal rules matter; that institutions reflect struggles among the people living in it; that power and material resources are important in influencing the making of institutions; that institutions restraint possible options of action; and that institutions increase behavior predictability.

A second question in order is: what is historical institutionalism? Historical institutionalism is a school of approach in “New Institutionalism”.¹⁴¹ There are a total of

¹³⁹ Peter A. Hall and Rosemary C. R. Taylor, “Political Science and the Three New Institutionalisms”, *Political Studies*, Vol. 44 (1996), pp. 936-957.

¹⁴⁰ John L. Campbell. *Institutional Change and Globalization*. (Princeton, N.J.: Princeton University Press, 2004), p. 1.

¹⁴¹ See Paul DiMaggio and Walter W. Powell’s comparison of the “old” and “new” institutionalisms. Paul DiMaggio and Walter W. Powell. 1991. *The New Institutionalism in Organizational Analysis*. Chicago: University of Chicago Press, Introduction.

three school categorized by scholars: rational choice institutionalism, organizational/sociological institutionalism, and historical institutionalism.¹⁴² Scholars believe that this waves of thinking origins from fields such as macrosolciology, social history, and cultural studies—fields that have never been dominated by behavioralism.¹⁴³ A brief mentioning of the first two is needed for further justification and understanding.

Rational-choice institutionalists generally assume that actors “have a fixed set of preferences or tastes” and “behave entirely instrumentally so as to maximize the attainment of these preferences in a highly strategic manner”.¹⁴⁴ They also recognize the importance of equilibrium change, view institutions as “coordinating mechanisms that sustain particular equilibria”¹⁴⁵ or as “strategic equilibria—situations where no one sees an advantage in changing his or her behavior”¹⁴⁶—and explain institutions’ self-enforcement as the result when “each player’s behavior is a best response”.¹⁴⁷

Sociological/organizational institutionalists consider institutions much more broader than political scientists,¹⁴⁸ focus on “noncodified, informal conventions and collective scripts that regulate human behavior”,¹⁴⁹ and take a cultural approach on individual behavior which sees actors’ behavior being not fully strategic but bounded by their own worldview (thus becoming “satisfiers” and not “utility maximizes”).¹⁵⁰ Additionally, sociological/organizational institutionalists stress “codes of appropriateness”; view institutional reproduction as actors socialize and learn to follow the codes, or because they have taken it for granted that they escape conscious scrutiny; and see actors carry existing

¹⁴² Hall and Taylor, 1996; Campbell, 2004.

¹⁴³ DiMaggio and Powell, 1991, p. 3.

¹⁴⁴ Hall and Taylor, 1996, pp. 944-45.

¹⁴⁵ Mahoney and Thelen, 2010, p. 6.

¹⁴⁶ Campbell, 2004, p. 16.

¹⁴⁷ Grief and Laitin, 2004, p. 633.

¹⁴⁸ See Hall and Taylor, 1996.

¹⁴⁹ Mahoney and Thelen, 2010, p. 5.

¹⁵⁰ Hall and Taylor, 1996, p. 939.

scripts on to new innovations in new institutions.¹⁵¹ They see change as a process of bricolage by which actors recombine the existing institutional principles and practices available in their repertoires.¹⁵² Also, actors tend to reproduce the same institutional logic across various domains and become “isomorphic” with existing organizations.¹⁵³

Last but not the least, we come to grips with “historical institutionalism”. According to scholars, this approach borrows from political theory, structural-functionalism, and social history.¹⁵⁴ According to Hall and Taylor, historical institutionalists see institutions somewhat like Campbell as “the formal or informal procedures, routines, norms and conventions embedded in organizational structure of the polity or political economy”.¹⁵⁵ In terms of the structure-agent struggle, it tends to emphasize the structural; in terms of factors of change, it tends to assign “power” as the central role; in terms of micro-macro attention of scope, it tends to accentuate the relationship between institutions and the individual in broad.¹⁵⁶ Most importantly, this approach emphasizes “path dependency” (stressing the structural explanations) as a main mechanism of explaining the continuity and persistency of institutions, even be it “unintended consequences” that were not the original function of the institution (not stressing the functional explanations).¹⁵⁷ To explain change, the mechanism of “critical juncture” was applied to explain the sudden “breakdown” of the original arrangements. In other words, “critical juncture” is a “discontinuous model of change in which enduring historical pathways are periodically punctuated by moments of agency and choice”.¹⁵⁸

Paul Pierson and Theda Skocpol assigned three features of the historical institutional approach: (1) it addresses big and substantive issues, (2) it takes time seriously, and (3) it

¹⁵¹ Mahoney and Thelen, 2010, p. 5.

¹⁵² Campbell, 2004, p. 184.

¹⁵³ Mahoney and Thelen, 2010, p. 5.

¹⁵⁴ Hall and Taylor, 1996, p. 937; DiMaggio and Powell, 1991, p. 3.

¹⁵⁵ Hall and Taylor, 1996, p. 938.

¹⁵⁶ Hall and Taylor, 1996, p. 938.

¹⁵⁷ Hall and Taylor, 1996, pp. 937-938.

¹⁵⁸ Mahoney and Thelen, 2010, p. 7.

“analyze[s] macro contexts and hypothesize[s] about the combined effects of institutions and processes”.¹⁵⁹ Mahoney and Thelen views historical institutionalism as emphasizing the explanation of persistency of institutional patterns and outcomes, mostly over long periods of time, seeing institutions as the “political legacies of concrete historical struggles”, embracing a “power-political” view of institutions with distributional effects, and explaining institutional persistence in terms of “increasing returns to power”.¹⁶⁰ Additionally, as Ikenberry puts it, historical institutionalism allows for “causal complexity”—“that there are interactive lines of causation between the social and economic environment and institutional structures”, and that institutions do not determine policy outcome, but “constraint, channel, and bend the play of societal interests” and “shape the identity and goals of groups and individuals”.¹⁶¹

We can see here that scholars have an array of defining characteristics of what historical institutionalism is. Mahoney and Schensul, in a rather insightful yet introductory article “Historical Context and Path Dependence”, summarized best the variations of different traits into six “components” which are disputed among scholars arguing “*how history matters*”: (1) the past affects the future; (2) initial conditions are causally important; (3) contingent events are causally important; (4) historical lock-in occurs (5) a self-reproducing sequence occurs; (6) a reactive sequence occurs.¹⁶² Mahoney and Schensul reviewed in brief the disputed points of argument from opposing sides with examples and gave their syncretical view of how the two sides can be integrated. While this discussion is interesting and worth mentioning, we have to first introduce two main broader concepts of historical institutionalism: path-dependency and critical junctures. After the general explanations, we will be more able

¹⁵⁹ Paul Pierson and Theda Skocpol, “Historical Institutionalism I Contemporary Political Science”, in Katznelson, Ira and Helen V. Milner eds., *Political Science: The State of the Discipline* (New York: Norton; Washington, D.C.: American Political Science Association, 2002), pp 695-96.

¹⁶⁰ Mahoney and Thelen, 2010, pp. 6-7.

¹⁶¹ G. John Ikenberry, *History's Heavy Hand: Institutions and the Politics of the State*. Paper presented at conference on The New Institutionalism, University of Maryland, Oct. 14-15, pp. 10-11.

¹⁶² James Mahoney and Daniel Schensul, “Historical Context and Path Dependence”, in Robert E. Goodin and Charles Tilly eds., *The Oxford Handbook of Contextual Political Analysis* (Oxford, England ; New York, USA: Oxford University Press, 2006), p.457.

to appreciate why the six above are “components” rather than individual and mutual exclusive traits.

Path-dependency is “the notion that the institutions that guide decision making reflect historical experience...”, or in other words, meaning that “once institutions have been established through complex struggles and bargaining among organized groups, they have a continuing effect on subsequent decision-making and institutional building episodes”.¹⁶³ In other words, a decision made at time A will have an impact on (limiting or enabling) a later decision at time B, even when actors and contextual situations may not even be the same at the later time. Generally speaking, this concept involves all the components above, from 1 to 6, but some more obvious than others.

Critical juncture is the “crucial founding moments of institutional formation that send [entities/organizations] along broadly different developmental paths”;¹⁶⁴ it is the “periods of contingency during which the usual constraints on action are lifted or eased, thus open[ing] up opportunities for historic agent to alter the trajectory of development”;¹⁶⁵ and it especially incorporates “issues of sequencing and timing into the analysis”.¹⁶⁶ Simply put, it is a specific timeframe, given all the right sequences of timing of events, that a window of opportunity opens up to allow for a different developmental path apart from the old one which might have not able to be considered as an option before. Thus, this directly includes components 3 and 6. Others are also relevant, but depend on how one view and define “how history matters”.

Now we explain the six traits listed by Mahoney and Schensul.

(1) *The past affects the future*: this is simply saying that something that happened in the past

¹⁶³ Campbell, 2004, p. 25.

¹⁶⁴ Kathleen Thelen, "Historical Institutionalism in Corporative Politics", *Annual Review of Political Science*, Vol. 2 (1999), p. 387.

¹⁶⁵ James Mahoney and Kathleen Thelen, “A Theory of Gradual Institutional Change”, in Mahoney, James and Kathleen Thelen eds., *Explaining Institutional Change* (New York: Cambridge University Press, 2010), p. 7.

¹⁶⁶ Thelen, 1999, p. 388.

will affect something at a later time point. The problem with this “minimalist” assertion is that it is too vague for research operation or analytical rigor. It could mean that any causal relationship might become a path dependent example. In short, scholars do not contest this point, but do agree that this insight alone is not enough.¹⁶⁷

(2) *Initial conditions are causally important*: This is saying that the starting conditions at the beginning or even before the beginning of a sequence make a lot of difference to the following sequence of events. Opposing scholars argue that initial conditions are not “casually efficacious” because it is the immediate corresponding events which follow that is important. Hence, the critical juncture, in which a particular option is selected from an array of possibilities, initiates a path dependent sequence (from “the immediate corresponding events”). This should be the center of focus and not the all-encompassing initial conditions. The synthesis view proposed by Mahoney and Schensul is that if the so called “initial conditions” can be seen as antecedent conditions that come before the main sequence and that initial conditions are only part of the causal factor, then the sequence would still start from the critical juncture and not the initial conditions. This would make initial conditions as one of the intermediate variables and not the independent variable.¹⁶⁸

(3) *Contingent events are causally important*: Contingency conveys the unpredictable nature of events. Scholars see contingency embodied in the concept of critical juncture in that an option was selected during the opening or “random happening” which cannot be predicted with any existing theory or framework. However, other scholars do not view contingency as an innate or necessary characteristic of path dependence. They criticize this view as putting too much weight in the role of “chance” to explain a path dependent sequence; “important and systematic origins of institutional outcomes” cannot be explained as

¹⁶⁷ Mahoney and Schensul, 2006, pp. 458-59.

¹⁶⁸ Mahoney and Schensul, 2006, pp. 459-61.

“accidental” side of the debate.¹⁶⁹

- (4) *Historical lock-in occurs*: The central idea is that actors find it increasingly impossible to escape from the present pathway once the course is set. This implies a causal determinism which the destiny of the course is highly determined by past events. This idea is illustrated by the famous “Polya urn” experiment in which early decisions have colossal effects on the end results and later decisions’ effects are hardly influential, emphasizing the lock-in characteristic.¹⁷⁰ However, other scholars do not view historical lock-in as inherent to the concept of path dependence. They are skeptical of *real* lock-in trajectories and stress the possibility of sudden breakoffs or ruptures with past established patterns. Thus, this brings clashes between critical juncture (sudden ruptures) and path dependence (historical lock-in). A middle ground is proposed by Thelen’s concept of “layering”—outcomes *gradually* change slowly over time which marginally shifts the overall trajectory, but accumulates notable shifts after a long period of time. In her perspective, change and continuity are closely embedded together such that they “occur side by side”.¹⁷¹
- (5) *A self-reproducing sequence occurs*: Self-reproducing sequences mean that a given direction is steadily reinforced and furthered over time. Scholars who view self-reproducing mechanisms as necessary for path dependence define path dependence as increasing returns. This contrasts with scholars who accept other kinds of path dependence, namely “reactive sequences” mentioned below. One other disagreement, a very important one indeed, is the mechanisms of self-reproduction. What drives the self-reinforcing forces behind path dependence or historical lock-in? Mahoney’s adaption

¹⁶⁹ Mahoney and Schensul, 2006, p. 462.

¹⁷⁰ “Polya urn” experiment starts with two balls in an urn. One ball is red and the other black. In each round, a ball is randomly selected, taken out then put back again along with an extra ball of the same color. As the process goes along, one color becomes increasingly dominant. After many rounds, the ratio of the two colors of balls becomes relatively stable.

¹⁷¹ Mahoney and Schensul, 2006, p. 465. See also Thelen, 1999; Thelen, 2003. “How Institutions Evolve: Insights from Comparative Historical Analysis”, in James Mahoney and D. Rueschemeyer eds., *Comparative Historical Analysis in the Social Sciences* (Cambridge: Cambridge University Press), pp. 208-240.

of Randall Collins' theoretical framework into four mechanisms is worth mentioning: utilitarian explanation, functional explanation, power explanation, and legitimation explanation. We will get back to these mechanisms later.¹⁷²

(6) *A reactive sequence occurs*: This is a sequence that is non-reinforcing. According to Mahoney and Schensul, it is “marked by a tight coupling of events in which each event in the sequence is both a reaction to earlier occurrences and a cause of subsequent occurrences”.¹⁷³ In other words, each event is dependent on the previous event to form the overall course or pathway. For example, event A causes event B, then event B causes event C, and so on until event Z is reached. While event A (initial variable) may maintain the direct causal relationship to event Z (final outcome) independently of events B to Y (intermediate variables), the literature so far has not stressed the initial variable as explicitly important. However, this definition does “often imply a deterministic chain of causation”.¹⁷⁴ Opponents to reactive sequence criticize it as possible to encompass any causal relationship that is non-reinforcing; path dependence should be left only strictly to self-reproducing sequences.

Having understood better the essence of historical institutionalism, we can see that such an approach can lend many insights to our understanding of the world. In research application, this approach has been used especially in comparative political economy, origins of the state, and development of state policy, just to name a few.¹⁷⁵

This brings an end to introductory review of my research approach. I will now turn to the specifics of using historical institutionalism: to pin point causal relationships.

¹⁷² Mahoney and Schensul, 2006, p. 465-67; James Mahoney, “Path Dependence in Historical Sociology”, *Theory and Society*, Vol. 29 (2000), pp. 517-526. See also Randall Collins, *Four Sociological Traditions* (New York: Oxford University Press, 1994).

¹⁷³ Mahoney and Schensul, 2006, p. 467.

¹⁷⁴ Mahoney and Schensul, 2006, p. 468.

¹⁷⁵ See for example, Peter J. Katzenstein ed., *Between Power and Plenty: Foreign Economic Policies of Advanced Industrial States* (Madison: University of Wisconsin Press, 1977); Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge, MA: Harvard University Press, 1993); Thomas Ertman, *Birth of the Leviathan: Building States and Regimes in Medieval and Early Modern Europe* (Cambridge, U.K.; New York: Cambridge University Press, 1997).

3.2 Research Framework of Explaining Continuity and Change

In this section, I will explain the main mechanisms used to explain causal relationship of my case study—the British medieval commonfields. The main mechanism of explanation is “self-reproduction mechanism” already partly mentioned above. Below, I will elaborate it a bit more for research clarity and operational purposes.

3.2.1 Self-reproduction Mechanisms

As the objective of part of this research is to answer why there were regional variances in the British commonfield system causing pain and suffering more so in certain areas than others, it is of utmost importance to identify the self-reproducing mechanisms within the institutions. The essence of historical institutionalism lies in its notion that “past influence future” via causal mechanisms such as “path dependency”, “lock-in” effects and/or “self-reproducing sequences” mentioned earlier. However, as scholars pointed out, there is an urgent need for historical institutionalism to specify more precisely “the reproduction and feedback mechanisms on which particular institutions rest”,¹⁷⁶ or else, it is only a “mysterious block box” (“without clearly specifying the underlying mechanisms or processes by which change occur...”).¹⁷⁷ “Exploring these mechanisms”, as Pierson puts it, “can lead us to reassess prominent areas of social science inquiry and conventional practices in new and fertile ways”.¹⁷⁸ Thus, the “identification and clarification of such mechanisms can enhance our ability to develop arguments about temporal processes that are both convincing and have at least limited portability”.¹⁷⁹

¹⁷⁶ Thelen, 1999, p. 400.

¹⁷⁷ Campbell, 2004, p.5.

¹⁷⁸ Paul Pierson, *Politics in Time: History, Institutions, and Social Analysis* (Princeton, N.J.: Princeton University Press, 2004), p. 6.

¹⁷⁹ Pierson, 2004, p. 6.

Ikenberry characterized two sources of this institutional “stickiness” or “lock-in” phenomenon. The first, coined by Thelen as “*distributional*”,¹⁸⁰ states that “institutions tend to create privileged positions for groups and individuals who work to perpetuate those institutions, even after the interests that created the institutions have gone or changed”.¹⁸¹ This creates a so-called “vested interest” that the beneficiaries of the institution seek to retain and protect.¹⁸² Hence, from this view, the reinforcement of these institutions only strengthens status-quo power and resource asymmetries, even if it was not meant to be intentional initially. This renders institutions as non-neutral, but rather seemingly “created to serve the interests of those with the bargaining power to devise new rules”.¹⁸³

Second, coined as “*functional*” by Thelen,¹⁸⁴ institutional persistence exists “in terms of costs and uncertainty”.¹⁸⁵ Thelen puts it best: “once a set of institutions is in place, actors adapt their strategies in ways that reflect but also reinforce the ‘logic’ of the system”.¹⁸⁶ Zysman also illustrates this effect rightly that “the institutional structure induces particular kinds of...behavior by constraining and by laying out to the market and policy-making process”.¹⁸⁷ This largely coincides with North’s notion of “increasing returns” (due to existence of transaction costs among all human dealings).¹⁸⁸ North sees increasing returns channeling through four effects: (1) large setup or fixed costs; (2) learning effects; (3) coordination effects; (4) adaptive expectations. The first effect is about “sunken costs” of the old institutions adding on top of the erection costs of a new institution with unforeseeable benefits, and thus a large uncertainty of loss versus gain prospects. (If according to prospect

¹⁸⁰ Thelen, 1999, p. 394.

¹⁸¹ Ikenberry, 1994, p. 8.

¹⁸² Arthur L. Stinchcombe, *Constructing Social Theories* (New York: Harcourt, Brace and World, 1968), pp. 108-118.

¹⁸³ Douglass C. North, *Institutions, Institutional Change and Economic Performance* (Cambridge, U.K.; New York: Cambridge University Press, 1990), p.16.

¹⁸⁴ Thelen, 1999, p.392.

¹⁸⁵ Ikenberry, 1994, p. 9.

¹⁸⁶ Thelen, 1999, p.392.

¹⁸⁷ John Zysman, “How Institutions Create Historically Rooted Trajectories of Growth”, *Industrial and Corporate Change*, Vol. 3, No. 1 (1994), p. 243.

¹⁸⁸ See North, 1990, 93-96.

theory, it suggests that “individuals value losses twice as much as they value gains”.)¹⁸⁹ The second to fourth effects are all kinds of “adaptive strategies” of response to the institutional structure: learning the logic, working within the logic with others, and thus constructing a mutual/inter-subjective expectation of others also within the institution (also lowers uncertainty). In sum, when we combine the above effects, North predicts, “the interdependent web of an institutional matrix produces massive increasing returns” (especially when in a situation of “imperfect markets” with asymmetrical information).¹⁹⁰

It is important here to remind that under these two reproduction mechanisms, neither implies increasing efficiency of the institution in question, nor do individuals or groups always act to the utility-maximization logic. Moreover, both of these mechanisms operate under the causal chain of path dependency, punctuated by critical junctures that cause certain continuation or breakaway of institutional arrangements.

However, the two categories above are still too general for research. I’ll need to borrow from the four adaptations of self-reinforcing mechanisms from Mahoney (originally from Randall Collins) mentioned before: utilitarian, functional, power, and legitimation explanations. From definition, we can generally relate the utilitarian and functional explanations under Ikenberry and Thelen’s “functional” mechanism and power and legitimation explanations under the “distributional” mechanism.

(1) *Utilitarian explanation*: Rational actors make rational decisions to reproduce institutions—including even possibly sub-optimal institutions—due to the reason that potential benefits of changing the institutions outweigh the costs. Douglas North’s concepts of increasing returns fall under here. Efficiency is also the main rationale in the making of decisions. It is also understandable that this view is most applicable in a market situation and much less salient outside the marketplace. Change is brought about when

¹⁸⁹ Deborah Kay Elms, “New Directions for IPE: Drawing from Behavioral Economics”, *International Studies Review*, Vol. 10 (June, 2008), p. 245.

¹⁹⁰ North, 1990, p. 95.

faced with “increased competitive pressures” and “learning processes” in which rational actors are able to anticipate future costs and make changes in the present. In short, institutional change comes from change of cost-benefit analysis of possible options.¹⁹¹

(2) *Functional explanation*: There are strong and weak versions of this explanation. Mahoney emphasizes the strong version—“institutional reproduction is explained specifically because of its functional consequences for a larger system within which the institution is embedded in”.¹⁹² More importantly, “the consequences of an institution for an overall system are also understood to be the causes of the reproduction of that institution”.¹⁹³ The institution serves a certain function, which helps the system to function, and in turn, expands the institution and furthers its ability to perform the function and so on. Functionality replaces efficiency as the core rationale mechanism of reproduction. Should changes arise, they would come from “exogenous shocks that transform the systems need” to change or even replace the old institution.¹⁹⁴

(3) *Power explanation*: Similar to the utilitarian explanation, analysts using this approach assume actors to act rationally weighing costs and benefits of options. However, they view institutions as non-neutral and biased in distribution of costs and benefits, and that actors have “different endowments of resources” and influences with “conflicting interest vis-à-vis institutional reproduction”.¹⁹⁵ This means that certain actors have a better chance at swaying the distributional effects of an institution towards their way, and use that institution to further their own interests. Thus, even when most individuals are hurt by the institution and wish to change it, the institution, provided with powerful elites with vested interests, may still endure and reproduce. This is not to say that the benefited powerful elites existed before the institution. It may be because of the institution that such

¹⁹¹ Mahoney, 2000, pp. 517-19.

¹⁹² Mahoney, 2000, p. 519.

¹⁹³ Mahoney, 2000, p. 519.

¹⁹⁴ Mahoney, 2000, p. 517 (Table 1), pp. 519-21.

¹⁹⁵ Mahoney, 2000, p. 521.

a group become privileged and this advantaged group uses its additional power to increase institutional benefits for themselves. In effect, they become better off and more powerful again. Should change arise, it would come from the “weakening of elites and strengthening of subordinate groups”.¹⁹⁶ In short, apart from sudden external power shifts, this change could only come incrementally from within.

(4) Legitimation explanation: In this perspective, institutional reproduction is “grounded in actors’ subjective orientation and beliefs of what is appropriate or morally correct”.¹⁹⁷ In other words, it is the logic of appropriateness to do what is believed to be right. Thus, institutions reproduce because actors deem it as legitimate and “voluntarily opt for its reproduction”.¹⁹⁸ Such a belief may arise from moral principles or just an acceptance with the status quo. “What is right to do” replaces utilitarian cost-benefit analysis, system functionality or elite power as the main rationale of decision making. If change happens, it means “changes in the values or subjective beliefs of actors”.¹⁹⁹ In short, as long as there are no change in ideas, “what is right to do” remains right; when ideas change, so do actors’ perception of what is legitimate.

Thelen rightly observes that “what we need to know is which particular interactions and collisions...have the potential to disrupt the feedback mechanism that reproduce stable patterns over time, producing political openings for institutional evolution and change”.²⁰⁰ It is this particular observation that makes possible for both positive and negative feedback loops to explain change and stability:²⁰¹ if the feedback mechanism is not disrupted, we can assume institutional stability; if it is, then we can assume some kind of change is bound to follow in time.

¹⁹⁶ Mahoney, 2000, p. 517 (Table 1).

¹⁹⁷ Mahoney, 2000, p. 523.

¹⁹⁸ Mahoney, 2000, p. 523.

¹⁹⁹ Mahoney, 2000, p. 517 (Table 1).

²⁰⁰ Thelen, 1999, p. 397.

²⁰¹ Thelen, 1999, p. 399.

3.2.2 Research Framework

In this chapter, I plan to investigate institutional change through a few ideas, borrowing from Mahoney and Schensulthe as well as other scholars: the past affects the future; initial conditions are causally important; the self-reproducing mechanism mentioned above.²⁰²

Bringing together insights from path dependency, critical juncture, and self-reproduction literature, as Thelen argued, “the key to understanding institutional evolution and change lies in specifying more precisely the reproduction and feedback mechanisms on which particular institutions rest”.²⁰³ To tackle the “cogs and bolts” of the institutional process as it unfolds over time and relations between its actors and institutional structures, it is essential to retrace how self-reinforcement mechanisms become positive feedbacks, and how the feedbacks are broken and such self-reinforcement mechanisms become broken, causing the institution to change.

The main objective in this chapter is to try to identify the casual relations on change and continuity. I hope to trace the initial conditions of the commonfield systems via the operations of the four identified reproduction mechanisms—utilitarian explanation, functional explanation, power explanation, and legitimation explanation—and unfold the progress of change mounting to such difference later on in history. A brief overview is summarized in Table 3-1 below.

Table 3-1. The Four Explanations of the Self-Reproduction Mechanism

Explanations	Mechanisms of Reproduction	Mechanisms of Change
Utilitarian	Reproduced through rational cost-benefit assessment of actors	Change in cost-benefit analysis
Functional	Reproduced because it serves a function for an	Change in needs of

²⁰² Campbell, 2004, p. 57.

²⁰³ Thelen, 1999, p. 400.

	overall system	system
Power	Reproduced because it is supported by an elite group of actors	Change in power distribution
Legitimation	Reproduced because actors believe it is morally just or appropriate	Change in beliefs of what is right

Adapted from Mahoney, 2000, pp. 517 (Table 1).

Due to the complicated nature of the institution at hand, I try to segment the institution and break it down into three aspects: the political, the social, and the economic. The political aspect deals with the political entities of the day, mainly the power and rulings of the Crown and manorial lords. These institutional aspects are mostly formal arrangements. The social infers to the ethnic and cultural context and meanings. Compared to the political aspect, the social aspect implies more informal arrangements, but is not in any sense a weaker influence to individual behavior. The third is the economic aspect. It focuses on the means of making a living, or in other words, the economic activities of the day. A mix of formal and informal institutional arrangements occurs here. However, it is often hard to dissect completely the functions and its causes or influences into these three categories. Hence, we should not look at the three categories as mutual exclusive; they overlap more or less with some parts of the institution easier to identify with certain aspects.

3.3 Analysis

In this section, using the research structure above, I identify the factors of continuity and change in the British medieval commonfield systems. I examine the factors of change first, then address the factors of change.

3.3.1 Identifying Factors of Continuity

As already outlined in the research, the search for internal and external factors are the

main research objectives. Here, I hope to compare the difference of the Midland system to another variant: the East Anglia system, including areas of Norfolk, Suffolk, and parts of Kent. I conduct this part from comparison of three basic aspects of the commonfield system: the political, the economic, and the social. In the end, I point out the developmental differences in their own institutional logics.

3.3.1.1 The Political Dimension

First, the political dimension is the most essential aspect, including the manorial court and the larger background system of feudalism itself. Manors and lords exist both in the Midland and East Anglia. As mentioned by Buck, she gave credit to the communal community models of common land management, viewing it as a critical factor of centuries of success of the common fields system.²⁰⁴ The center to this success, in Buck's view, rests on the functioning of the manorial courts. This was also the fourth characteristic of the midland model spelled out by Thirsk.

In the Midlands, when decisions affecting villages using the same commons were to be made, all the villages were present and the manorial lord oversaw the court.²⁰⁵ These meetings were recorded by village bylaws, which "emphasized the degree...agricultural practice was directed and controlled by an assembly of cultivators, the manorial court, who coordinated and regulated the season-by-season activities of the whole community".²⁰⁶ Even within a village, the number of stock each peasant can keep is strictly regulated.²⁰⁷

As pointed out by Dyer, the communal governance did not assert itself,²⁰⁸ especially in a feudal society. It must have been the work of a superior authority—the crown (starting

²⁰⁴ Buck, 1985, p. 60.

²⁰⁵ Thirsk, 1973, p. 232.

²⁰⁶ Roberts, 1973, p. 199.

²⁰⁷ Buck, 1985, p. 55; Christopher Dyer, *Making a Living in the Middle Ages: The People of Britain 850-1520* (New Haven, Connecticut: Yale University Press, 2002).

²⁰⁸ Dyer, 2002, p.185.

from William the Conqueror conquering England in 1066). Power in the hands of the landlord was laid down in the first place. If village bylaws weren't enough to enforce the norms and punishments, the court of the feudal lord will intervene and defend its authority and order. "Village governance typically worked in conjunction with manorial officials, and vice versa".²⁰⁹ Byelaws depended on the feudal lordship's manorial court for deterring and punishing noncompliance of the peasants, mostly being fines of cash or produce;²¹⁰ it was a built-in hierarchical power relationship in the beginning. The characteristic of coercion of power is obviously at work here, and thus enables the compliance of peasants. As long as the manorial lord has credible powers to enforce punishment, and the peasant wishes to avert punishment, this feedback mechanism of power explanation sinks in. The power of manorial lords was so big because it was able to ensure so many things attached to that privilege, which we will get to later.

On the other hand, while the East Anglia area also functioned under the same feudal system, the relative powers of the manorial lords there seemed to be weaker from various up keep of certain rules prevalent in the Midlands. For example, the economic and social rules in East Anglia seemed less tidy: the scattered and uneven strips, hamlets rather than condense villages, peasants have lesser duties to the lords, lighter feudal dues and taxes,²¹¹ and a sense of individualism seems to prevail in the East. Hopcroft pointed out that there tends to be more lord representation in a village, and in some cases,²¹² even four lord manors on one village (while there was only one manor per village in the Midland).²¹³ This meant that the peasants could choose to take disputes to other manorial courts of other lords if they aren't satisfied with the results. The manorial lords sharing one village would

²⁰⁹ Hopcroft, 1999, p. 26.

²¹⁰ Hopcroft, 1999, p. 26.

²¹¹ Hopcroft, 1999, p. 66.

²¹² Hopcroft, 1999, p. 65.

²¹³ Mark Overton, *Agricultural Revolution in England: The Transformation of the Agrarian Economy 1500-1850* (Cambridge; New York: Cambridge University Press, 1996), p. 46.

be competing against manpower, tax revenues, and influence in the village council.

The implication was huge: the lord’s bargaining power vis-à-vis the peasants was sufficiently weakened.²¹⁴ Due to this reason, it resulted in lesser labor services demanded by the lords, gave birth to the conversion of labor duties to money payments at an early date, and even more free men and copyholders in this area. By the 13th century, most large estates in East Anglia used wage labor, while the rest of England used customary labor (which was a development far ahead of England in economic development).²¹⁵ Without powerful lordship in these regions, individualism arose and lesser economic issues were decided communally with the lord overseeing everything (see Table 3-2). This was one of the most important power feedback reproduction mechanisms that dispersed the developmental paths of East Anglia and the Midlands.

Table 3-2. Self-Reproduction Mechanisms in the Political Dimension

	Midland Model	East Anglia Model
The Political Dimension	<p>Feudalism—[Power]</p> <ul style="list-style-type: none"> ● Governance on the commons come from village meetings based on the manorial lord and his court →One lord per village →Power of the lord is larger 	<p>Feudalism—[Power]</p> <ul style="list-style-type: none"> ● Being a less communal region, forms of communal activities still exist, therefore village meetings also; but the number of lords given privilege in this area is clearly more than the Midland →More than one lord per village →Tenants can chose to bring their lawsuits to manorial courts that better their cause →Weaker bargaining power of the lords
Influences	<ul style="list-style-type: none"> ✓ Tenants have heavier fees and rents ✓ Land holdings are scattered but much more intact and in order ✓ Weak land market ✓ Communal governance has 	<ul style="list-style-type: none"> ✓ Tenants have lighter fees and rents ✓ Land holdings are much more concentrated but fragmented ✓ Early existence of wage labor ✓ Strong land market ✓ Communal governance is much weaker with lesser

²¹⁴ Hopcroft, 1999, p. 65-66.

²¹⁵ Hopcroft, 1999, p. 66.

	stronger constraints	constraints
--	----------------------	-------------

3.3.1.2 The Social Dimension

On the influence of ideas in the political arena, no one questioned the legitimacy of the feudal way of life—the notion of a patron-client way of life in that people are bounded to land in turn of service to the lord. It may even have been unthought of that the King can be refuted. In fact, scholars have long argued that the communal norms and traditions came from a deep historical origin—a social creation of many complicated factors as well as a fact of historical path-dependency.²¹⁶ Germanic cultural traits of communal traditions were brought to the English Isles by Germanic peoples who migrated to the lands as they conquered them and settled down (as in many other places in Europe). Where Germanic settlements lay, communal communities and common cropping/grazing systems were more likely to evolve, taking into consideration of the environment context and conditions. Hence, communal courts and communal open field systems with the same sense of strong communalism came from ethnic traits the Germanic people brought with them where ever they went. While how much a fully-fledged system was brought over is still being debate, we can be safe to assume that the traditional traits of kinship, honor, and notion of swearing oath and offering service to a landed person for protection and livelihood upkeep were passed on. This implied power relationships, mutual interests, and mutual expectations in a society.

While Germanic traditional traits do not equal completely to feudalism, quite a few notions passed on as feudalism as we know it. The idea that service in turn for protection and up keep of livelihood (rights of landholding and use of commons) should still be the

²¹⁶ See Gray 1915; J. Z. Titow, “Medieval England and the Open-Field System”, *The Past and Present Society*, Vol. 32 (Dec., 1965), pp. 86-102; George C. Homans, “The Explanation of English Regional Differences”, *The Past and Present Society*, Vol. 42 (Feb., 1969), pp. 18-34.; Rosemary L. Hopcroft, “The Importance of the Local: Rural Institutions and Economic Change in Preindustrial England”, In Mary C. Brinton and Victor Nee, eds., *The New Institutionalism in Sociology* (New York: Russell Sage Foundation, 1998), pp. 277-304; Hopcroft, 1999.

heart of the lord-serf relationship. Therefore, peasants on the medieval manors always fought to bring their cases against their own lords to the royal court, believing that the King can help them regain freedom on an “ancient demesne”, which the manorial lords were also granted rights to use, just as they are, too.²¹⁷ They seldom target manorial lords directly in peasant revolts, but only hope for a better living condition (regaining lost rights). These were the underlying fabrics of society, buried so deep in people’s worldviews, as if it does escape scrutiny, boarding on total compliance without knowing. This is the legitimation mechanism at work.

Aspects of communalism in the community on the Midland areas are of heavy influence here. This is also why Hopcroft termed the region the “communal open fields”. Confirming to tradition is one part of this influence, especially to the hereditary system on the midland common fields. Due to strong lordship in this area and possible ethnic traits of settled people, hereditary system is primogenitary, meaning the father’s right to land is only passed down to his eldest son. (Some places, it is passed down to the smallest son, called “borough”.²¹⁸) This implies no means of concrete livelihood promises to the other children.²¹⁹ Hence, even in an agricultural society which food output was significantly increasing with good prospects, the peasant households in the midlands gave birth only to an average of 1.8 children. In East Anglia, it was 2-3 per household, with the average members in a household to be 5.1.²²⁰

Another example of communitarianism was the village council. It operated as the center of village business administration where every peasant had a say.²²¹ This was a good check against people trying to harm the village’s common interest, but at the same time, proved equally harmful to possible technological innovations and changes to agrarian

²¹⁷ Dyer, 2002, p. 181.

²¹⁸ Overton, 1996, p. 35.

²¹⁹ Dyer, 2002, p. 158.

²²⁰ Dyer, 2002, p. 158.

²²¹ Dyer, 2002, pp. 107, 145.

methods. This caused slow progression in improving agricultural technique and knowhow.²²² Both of these examples were done in the logic of appropriateness, the reason to seeing fit in a situation where others are doing it, deem it legitimate, and are part of others' expectation to do so. It is a legitimation explanation of feedback mechanism.

However, in East Anglia, this sense of communalism is has complete opposite—individualism. First reason for this, is that this region was already made up of a different demographic in terms of tenure rights than the Midlands. It was consisted of more freeholding peasantry in the beginning. “Freeholders” are free of feudal obligations, fees, and manorial restrictions.²²³ In Norfolk and Suffolk, there are roughly 36% freeholders (2-2.5 times as many than the Midland areas);²²⁴ in some others places in East Anglia, the free population even reached up to 80% of the population.²²⁵ Due to the common law of the 12th century, the freeholders also had the right to appeal to the king's court.²²⁶ Not only did the freeholders reign out of manorial lords' reach, they could even bring the lord to the king's court if they feel that their rights have been breached.²²⁷ Moreover, freeholders get to keep everything they reap. With the protection of the king for his gains, this is the very incentive for a freeholder to go the extra mile to work his butt off, and brings about the essence of the individualist spirit: innovation, risk taking, and entrepreneurship. This is another significant difference, imprinted as a power effect which influenced matters greatly.

Adding the far significant percentage of freeholders with a relatively weaker manorial existence, and customary tenants that have few duties and lighter taxes, a communal way

²²² Hopcroft, 1999, pp. 75-78; Campbell, 1981, pp. 128-129.

²²³ Overton, 1996, p. 34.

²²⁴ Overton, 1996, p. 34.

²²⁵ Hopcroft, 1999, p. 66.

²²⁶ Somewhere around 1180. See Dyer, 2002, p. 140.

²²⁷ Free tenants only had to pay a few shillings each year being now officially declared free and under protection of the common law (since the late 12th century) and under the provision of Magna Carta of 1215. See Dyer, 2002, pp. 140-141. On the translation of the text of Magna Carta, see James Clarke Holt. 1965. *Magna Carta*. (Cambridge: University Press), pp. 317-337.

of operating about daily economic activity was not the choice of most East Anglians. The peasantry here enjoys much more freedom than their Midland counterparts. This reflects largely in heritage patterns of land, spirit of innovation and entrepreneurship, advance agricultural technologies, and early consolidation of lands (these point I will return to in the next part). Additionally, this also shows in the landscape appearance. While there still were areas of open land, the areas were more enclosed as there were fenced by stones, hedges, and trees, giving the area a “woodland” look.²²⁸ Still, kinds of commons existed even in less-communal regions, so that a kind of village council dedicated to manage such a common would be in place, it would still be significantly weaker in strength and simpler in issues of concern. Table 3-3 summarizes the social dimension in comparing the two regional models.

Table 3-3. Self-Reproduction Mechanisms in the Social Dimension

	Midland Model	East Anglia Model
The Social Dimension	<p>Status of Peasantry—[Power]</p> <ul style="list-style-type: none"> ● Mostly are villeins and serfs bound to the lord and are burdened with labor services and fees to the lord <p>Communalism—[Legitimation]</p> <ul style="list-style-type: none"> ● Originates from Germanic traits (kinship, honor, and swearing oath and offering service to a landed person for protection) ● Hereditary system → Primogenitary (pass only to the eldest son) ● Communal governance → Affairs of cropping and grazing need consensus of the village meeting 	<p>Status of Peasantry—[Power]</p> <ul style="list-style-type: none"> ● The percentage of free men is significantly higher, reaching over 1/3 or even up to 80% in some places → Free men are protected by the common law and the royal court <p>Individualism—[Legitimation]</p> <ul style="list-style-type: none"> ● Free men have much less burdens in fees and rents, thus they get to keep all they reap → Encourages the spirit of innovation, risk taking, and entrepreneurship
Influences	<ul style="list-style-type: none"> ✓ Tenants have heavier fees and rents ✓ Communal governance caused lagging behind in agrarian technology → 	<ul style="list-style-type: none"> ✓ Tenants have lighter fees and rents ✓ The spirit of innovation, risk taking, and entrepreneurship, plus protection of the

²²⁸ Joan Thirsk, “The Common Fields”, *Past & Present*, no. 29 (December 1964), p. 3; Hopcroft, 1999, p. 20.

	weaker agrarian productivity ✓ Primogenitary → neater land holdings, lesser population and lesser non-agrarian population	common law → Flourishing agrarian economy, lively land market, leading edge in agrarian technology, rise of cottage industry (and the non-agrarian population) ✓ More voluntary enclosures at an early date (due to the individualism spirit and an objective market oriented economy)
--	--	---

3.3.1.3 The Economic Dimension

Economic interest in a communal agricultural setting meant a sense of egalitarianism in the Midland. Recall the first champion model characteristics by Thirsk. It talked about scattered strips of land holdings. According to scholars, it was for fairness that all peasants got to work a piece of the more fertile lands as well as the less fertile ones.²²⁹ And the scattering also meant peasants worked distant and near lands alike.

Another more pending issue of egalitarianism arises in the second characteristic on common cropping and grazing practices on a two or three field rotation. To crop, a plough is needed and implies the need to raise oxen along with other agrarian animal stock, sheep for instance, for their manure to fertilize the soil. Ploughs, unwheeled at this time, needed about 8 oxen to pull and at least two able-bodied men to steer in order to form a plough team.²³⁰ Peasants would need cooperation to work on each other's landholdings as well as on the lord's demesne, for it is their service of duty to the lord.

Additionally, it is impossible for an average peasant household to own 8 oxen. Oxen pretty much belonged to the lord, or peasants each owned a few, and teamed up to work together. This demanded cooperation, hence termed "common" cropping. Moreover, "common" grazing also required all to abide by the village bylaws. Wandering stock would devastate crops before the harvesting season, so it is absolutely pivotal that all peasants

²²⁹ Dyer, 2002, pp 23-24.

²³⁰ Dyer, 2002, p. 129.

keep their husbandry animals fenced on a common pasture, or appoint a herdsman to look after the village herd. In the surviving ruling records of manorial courts, we find cases filed by peasants to claim damage of others on their right to their produce or property, and crop damage caused by wandering animals were not uncommon.²³¹

In such regions, villages or townships tend to be large and compact. People lived together with the church in the middle of the village or town as the place for association and meets.²³² The long and narrow furlongs and open fields surrounded the village;²³³ and these communities tend to have more village festivals.²³⁴

If a tenant is lagging behind on his duties or simply being careless, other tenants will be burdened with more work and/or be worst off. In the village community, daily economic activities and services to the lord required a strong bond of communitarianism, not only for their own interests, but also to keep an eye out on your neighbors to avoid free riding of cheaters and infringement on the village common interests.²³⁵ In sum, this is a strong legitimation reproduction mechanism on economic interest.

Logically inferring, if the Midland system was successful in agrarian production as Buck thought it was, should it have not had the best output in crops? Sadly, it wasn't. During the late medieval period, seed/yield ratios were higher in east England, 7:1 (and higher, Dyer report 8-9:1) compared to 5:1 (at best, some places are as low as 2-3:1) in the midlands.²³⁶ High productivity was due to pressure of dense population,²³⁷ smaller

²³¹ Dyer, 2002, p. 141-142.

²³² Hopcroft, *Regions*, p. 24.

²³³ "Strips" are the long, narrow units of arable land split up for cultivation. They are usually thin and very long indeed, sometimes up to a kilometer. "Unenclosed strips", then, are "divided by grassy bulks (unplowed ridges), by boundary-stones, and by the pattern of ridge and furrow left by the plow." They are then grouped into bigger units call "furlongs". Surrounding the village and church in the middle, the furlongs spread neatly around the village. Because little fence and hedges are used to mark boundaries, it generally has the looks of a wide-open country, hence "open fields", or "unenclosed". "Enclosed strips", on the other hand, would be the opposite. Fields are mostly fenced with hedges, trees, or stones, and little land was left open. Since many of the hedges are actually "live hedges" or including trees, the landscape would acquire a wooded appearance, hence earning the name of "woodland" regions. See Hopcroft, 1999, pp. 16, 20, 22-25.

²³⁴ Hopcroft, 1999, p. 25.

²³⁵ Dyer, 2002, p.184.

²³⁶ Dyer, 2002, p.; Hopcroft, 1999, p. 68.

landholdings, and much more sophisticated agricultural methods compared to other places, including “extensive use of leguminous plants, multiple plowings, replacing use of ox with use of horse, intensive soil fertilization and liming, and complex crop rotations that left smaller proportion of land fallow each year.”²³⁸ The individualist spirit and existence of smaller farm leading expedition on trial tests on agrarian technologies and knowhow has largely benefited this region, which later became the forefront exemplar model for agriculture revolution centuries later.²³⁹ The individualist spirit, special only to this region, was the utilitarian mechanism of feedback and institutional self-reproduction. Below is another relative example.

Weaker or no manorial constraints on landholdings caused the strips in East Anglia to be much smaller than a traditional average landholding (many under 15 or even 5 acres, which the tradition is about 15-30). Here, after a few generations, an abundance small farms ranging from 2-6 acres existed due to partial inheritance (meaning that all sons split the father’s holdings equally).²⁴⁰ Population density (mentioned above), miniature holdings, and an abundant number of freeholders, contributed to a lively land market. The intense attention already given to agriculture output did not spare the region from the fear of lack of food. Under the individualist spirit, farmers with miniature holdings can choose to sell off their land and live on wage labor or skilled labor and afford to buy food for himself and his family from the local markets.²⁴¹ This not only gave rise to early markets in East Anglia, it also gave rise to cottage industry. Hopcroft mentions many crafts such as brewing, salt making, shipping, baking, carpentry, tanning, tiling, and most of all, the textile industry, which started to emerge at the time.²⁴²

²³⁷ Dyer, 2002, p. 167.

²³⁸ Hopcroft, 1999, p. 67-69.

²³⁹ Hopcroft, 1999, p. 83.

²⁴⁰ See Hopcroft, 1999, pp. 16, 20, 22-25.

²⁴¹ Dyer, 2002, pp. 158-159; Hopcroft, 1999, pp. 69-70.

²⁴² Hopcroft, 1999, pp. 72-73.

For other peasantry with larger land holdings, both in the Midland and East Anglia regions, they may be more advantaged to profit from local markets to improve their economic wellbeing, even possible to buy up more land and become part of the gentry class (freemen/yeoman with manors), if they possessed a market entrepreneurial mindset and are not serfs bounded to lords. There were examples of lower ranking nobles, gentry, or clergy members ascending in the ranks of the landed over the years, acquiring more titles, land, manors, villages, and serfs through “inheritance, marriage, purchase and gift”.²⁴³ This game of “sink or swim” applied evenly to the landed aristocrats. Over the ages, bigger manors got bigger as the better managed manors were able to overcome the bleak years and triumph at the loss of its neighbors. There were also lords that didn’t do well. Those landlords that ran into debt were bought off their debts in exchange for their rights to lands and title.²⁴⁴ This was a utilitarian self-reproduction effect—some prospered and rose, some faired averagely, and some failed and lost everything.

In the Midlands where free men are much lesser in percentage, it would be mostly the aristocrats who are entitled to “own lands” (not exactly property ownership in the modern sense). However, only in East Anglia, where the freehold men percentage is surprisingly high, can a large percentage of the population engage in such entrepreneur spirit, reap the benefits of their own labors, and hopefully rise among the ranks to prosperity. It is also in the East, given its special environment, developed a certain occupation of “professional farmers” that profited from managerial experience on small experimental farms, the rising as tenure farmers as “managers” of lager farms of bigger landlords. These managerial minded farmers also rose to higher ranks over the ages.²⁴⁵

Compared to most peasants (customary) in the Midland, they were only partly integrated into the market because they didn’t depend their living by selling produce from

²⁴³ Dyer, 2002, pp. 112-113, 115.

²⁴⁴ Dyer, 2002, p. 148.

²⁴⁵ Dyer, 2002, pp. 125-131.

the land.²⁴⁶ They mostly lived in autarky, having enough to pay the fixed rent to the lord, enough set aside for next year's seeds, and the rest enough for the peasant household to consume year round. Only after seeing these basic necessities met can they bring the surplus to market, which are very limited under the harsh circumstances. Even if they did reap any benefit from the market, lords are entitled to impost rents and fines for licenses to trade on the local markets and fairs.²⁴⁷ The capitalist enterprise is much harder to achieve on the Midlands. Even moving away from the Midland is not an option. As a tenant being under a heritable contract, he would need the consent of the lord, meeting a considerable fine to submit to the lord,²⁴⁸ and even consent of the new lord to move to the new location.²⁴⁹ This is just how powerful a Midland lord is. This is the extension of the institutional power effect as the institution keeps on reproducing itself. Table 3-4 illustrates the self-reproduction mechanisms in the economic dimension.

Table 3-4. Self-Reproduction Mechanisms in the Economic Dimension

	Midland Model	East Anglia Model
The Economic Dimension	<p>Common grazing and cropping— [Legitimation]</p> <ul style="list-style-type: none"> ● The scattering of land holdings considers equality and need of cooperation on agrarian affairs →mutual monitoring ● Lords levy many fees, rents and fines →Hard for most tenant households to garner any surplus →Harder to be integrated into the agrarian market economy 	<p>Agrarian economy—[Utilitarian]</p> <ul style="list-style-type: none"> ● More incentives for risk taking and innovation on agrarian technology ● Lively land markets gave a possible exist strategy for partial heritage of land → peasants inheriting a holding too small can choose to sell the lands and turn to non-agrarian activities ● Rise of the individualist spirit
Influences	<ul style="list-style-type: none"> ✓ Discouraging for any kind of innovative and experimental spirit 	<ul style="list-style-type: none"> ✓ Lead in agrarian technology ✓ Higher cropping yield, supporting a

²⁴⁶ Dyer, 2002, pp.168-169.

²⁴⁷ Dyer, 2002, pp.107, 143.

²⁴⁸ Dyer, 2002, p. 141.

²⁴⁹ Dyer, 2002, p. 141.

	<ul style="list-style-type: none"> ✓ Agrarian technology lagging behind with lower crop yield ✓ Agrarian market economy is more restricted ✓ Moving up the social strata is harder 	<ul style="list-style-type: none"> higher population and even becoming a major cereal exporting region ✓ Becoming of professional farm managers ✓ More percentage of the population turned to non-agrarian economic activities ✓ Rise of wage labor and cottage industry ✓ Bigger and livelier agrarian market ✓ Better possibility of rising through the social strata
--	---	---

3.3.2 Identifying Factors of Change

After crisscrossing between the two models, I hope I have pointed out enough important and significant on-going institutional differences (in the feedback mechanisms) that make the whole picture comprehensible enough to draw a conclusion to my research questions: What are the reasons causing these differences? What factors contributed to the differences of institutional continuity and change?

We can see clearly that although both regions inherited traditions from the Germanic tribes, both started the new reign of landlords start from William the Conqueror since 1066, there still are many differences among them. In East Anglia, multiple presentations of manorial lords to a village weaken the relative power of the lord vis-à-vis a serf; a significant number of freeholders in the initial stages of the society which further infused possibilities of the individualist spirit and better property protection; denser population levels, leading to better agricultural technology; miniature landholdings leading to rise of skilled labor and cottage industry...etc. Multiple presentations of lords in a given locale may have been a very important initial conditional difference that posed a critical rationale for later trajectory differences. Below, I explain in depth the importance of such initial conditions, in light of later critical events, which brought on the historical path dependency we see.

The first critical juncture, the signing of Magna Carta by King John in 1215 under pressure of a political crisis from rebel barons initiated a series of legal protection to not just barons and other nobles, but also other social strata to some extent.²⁵⁰ While the Magna Carta was an outcome of a political crisis between King John and rebel barons, which originated from the failure of King John's war campaign in 1214 to reclaim the loss of Normandy to the French in 1204, it served as an important legal basis of liberties and rights of all "free men" in the realm.²⁵¹ The Magna Carta and series of documents in the following years reaffirmed its many articles led to a new legal structure made for the protection of "free men" (or freeholders). The King's law is now being extended to all free tenants. The legal effects were: once being "free" the person need not pay unto the lords' rent and is under the protection of the Crown's justice and royal courts.²⁵²

For the laws to come into effect, the status of being "free" had to be defined. Royal courts use certain criteria to judge whether the person was free or not. For example, if the tenant owed heavy labor services, or paid marriage fines, or were bond to serve as a reeve, then they and their families were deemed as "not free".²⁵³ Hence, this status of "free" was based on already existing social structures. East Anglia, with an already larger bargaining power of the peasantry, became a region now with more legally free men than most other regions. While in the Midlands, where the manorial lords' power was stronger, villeins, customary tenants, and neifs were the majority.²⁵⁴

When a second critical juncture hit—the Civil Wars and the Glorious Revolution of 1688—most of those living in East Anglia had a like-minded capitalist mindset as the land grabbing Parliament members of the landed aristocrats and gentry. Not only were they much

²⁵⁰ Austin Lane Poole, 1955. *From Domesday book to Magna Carta, 1087-1216*, 2nd Ed. (Oxford: Clarendon Press), p. 474.

²⁵¹ Holt, 1965, pp.4, 20.

²⁵² Dyre, 2002, p. 140.

²⁵³ Dyre, 2002, p. 140.

²⁵⁴ See footnote 83 on this.

more ready for the transition (or already undergoing), having being ahead of their age for some time already and many lived independent of land, they were much more acquainted with the capitalist notion of capitalist and worker, wage and labor. East Anglia was doing prosperous and kept its development advantage into the early modern era as they took the lead onto new agricultural methods and became the forefront of agrarian change and played an important part in the English agriculture revolution. This in turn provided the industrial revolution an essential foundation.²⁵⁵ It should have not been a surprise that East Anglians met the enclosure movement with lesser dissents for they had much more possibilities open for them with a better array of skills and a unique mindset specific to the Eastern regions.

In the Midlands, we find a much stronger manorial power at work; lesser percentage of freeholders and more customary tenants without copyhold; much stable land inheritance pattern; strong communal bonds of produce and life in the village. This is associated with more services owed to the lord, more customary fees and fines, lesser protection of property and lesser space for innovation of new technology or transfer of land.

The influence of the first critical juncture—the signing of Magna Carta in 1215—meant a clear cut of administrative boundaries for the Crown and manorial lords. “Free men” were being defined under the existing relations to the lord, namely kinds of services they owned, types of rents they are obliged to, and what families they are born into. Manorial customs differed from estate to estate and regions to regions. The result was an obvious difference of the number of “free men” in certain regions, namely like Norfolk of East Anglia and other regions, like Dorset in the southeast. Additionally, due to the wish to limit the King’s abuse of taxation and profit from high grain and wool prices, the second critical juncture—the Civil War and the Glorious Revolution—proved much more critical than the first. Landed nobilities sided with the newly rising landed gentry, merchants, and traders against the crown. Having won the War, the King’s powers were diminished. This further rendered protections of the

²⁵⁵ Hopcroft, 1999, pp.80-83.

common law issued by the King useless. No one or law could save the land-grounded tenants, who were disadvantaged institutionally, economically, technically, and ideologically. It is no wonder that their agony echoed loudly through history.

Moreover, these impacts of these critical junctures posed on the original path dependent trajectories caused two severe contradictory logics on the Midland commonfield system. First, as also identified by Campbell and Hopcroft, stronger lordship/more communal system was associated with the regular commonfield system, lower technical innovation, and moderate population; weaker lordship/ less communal system was associated with the irregular commonfield systems, higher technical innovations, and populations to the two extremes. Hence, it could be asserted that strong lordships and strong communalism works against the logic of individualism, hence the needed transition towards agrarian revolution and pre-industrial preparations.

Second, more subtly grounded in the minds of serfs and villains, was a core idea of feudalism, lord and serfdom—life-bounded service and obligations in turn for protection and livelihood. While this was the fundamental fabric of the peasantry, as discussed afore, it was not anymore within the beliefs of the landed. As the chase of accumulation of capital and land increased over the years, landlords came in conflict with the crown, and no longer saw the King as absolute power and the feudalism arrangements critical to attain. When they forcefully gained from enclosures, nowhere would they be taking heed to the feudal reciprocal relationship of lord and serfdom: protection and livelihood of the serf.

3.4 Discussion and Implications

Concluding the above discussion on contradicting logics on the Midland, I summarized the reasons into Table 3-5. It is important to understand that both contradicting logics did not occur on the Midlands at the beginning of its initiation. The counter logics appeared only

after the conjuncture of the critical events, thus heavily demanding some kind of response or change from the institution's part. The Midland model, with strong lordship and strong self-reproducing mechanisms, reacted much slower to the changes brought forth by the external environment. East Anglia, with a weaker lordship and more institutional flexibility (prevailing individualism), adapted faster to the changing external situations.

Table 3-5. Contradicting Logins in the Midland Commonfields

	Midland Model	East Anglia Model
internal forces	Strong and powerful manorial power → local communalist spirit →←(in conflict with) need for agrarian technological advancement	Weak lordship and a much larger percent of freeholders and copyholders → agrarian economy, technology innovation, rise of rural industry
external forces	Relying on protection from the King and the royal court (ancient rights), peasants hope that the King's court can uphold their ancient rights and liberties →← (in conflict with) The transition of power from the Crown gradually to the Parliament, meaning that the landed nobles and gentry won over the power struggle; they would not sacrifice their own economic benefits to care for the rights of the tenants	Peasants are already in the transition of living off the land (no longer tied to it); they either engage in a skilled craft or become a professional farmer; others may even have ascended into the ranks of the landed gentry → They increasingly become natural allies of the landed nobles, or at least are not direct victims of the enclosure movements

Using a historical institutionalist approach, not only did I identify the important essential differences in the reproduction mechanisms in the two models of British commonfield systems, I argued in this paper that Buck's conception that the Midlands systems was a "triumph" was overstated: the institution itself contained partially the seeds of its own destruction. Strong manorial lordship and communalism impeded the development of innovation and possibility of transition towards a pre-capitalist society from within the institutional structure. Also, peasantry trust in the feudal logic backfired in their faces. As

the landed class and Parliament triumphed over the crown, so were the fates of the peasantry sealed in tragedy. The seeds of tragedy were contained within the institution before the cards were dealt. It is no wonder that the agony of the Midlanders echoed loudly through history.



Chapter IV: The British Medieval Commons as a CPR Institution?

In this chapter, I start by introducing Ostrom's eight long-enduring CPR principles. Then, I discuss the discrepancies of the British medieval commonfields vis-à-vis the other cases Ostrom used in her book to derive the 8 principles. Thirdly, even with the discrepancies, I demonstrate how the 8 principles can still apply to the British medieval commonfield case. Last but not the least, I discuss the reasons of the fall of the British commons from a CPR perspective.

4.1 Literature on Common-pool Resource Management (CPR)

Against the background of economic neoliberalism and Keynesian debates of government versus market, Ostrom (1990) underscored a centuries-old third approach to collective action on public goods management, or much more specifically, “common-pool resource” (CPR) management²⁵⁶—the “community”. From her research in many locals in Switzerland, Japan, Spain, the Philippines and other countries around the world, she found that many villages have derived their own varieties of managerial institutions for the village common resources, be it land, fisheries, forest, or water for irrigation, etc.²⁵⁷ Not only have these local small-scale CPR institutions overcome problems of commitment, mutual monitoring, and sanctioning, they have survived at least over a hundred years, and at most exceeding a thousand years.²⁵⁸ One thing to note here is that the notion of “community CPR institution” is not inventing another type of property ownership, but actually only a varying

²⁵⁶ Common-pool resource is different from public goods that it the resource in hand has a characteristic of subtractibility, or in other words, exclusion. It means that once one unit of the resource is appropriated, another appropriator cannot use it. This goes for fisheries, irrigation water, lumber, grazing grass, internet bandwidth, highway traffic capacity, etc. See Ostrom, 1990, pp. 30-33.

²⁵⁷ Ostrom, 1990, pp. 58-102.

²⁵⁸ Ostrom, 1990, p. 58.

degree of the combination of private and public rights clearly defined by appropriators in the community which all comply to.²⁵⁹

Ostrom derived 8 principles from the long-enduring CPR case studies: (1) clearly defined boundaries; (2) congruence between appropriation and provision rules and local conditions; (3) collective-choice arrangements; (4) monitoring; (5) graduated sanctions; (6) conflict-resolution mechanism; (7) minimal recognition of rights to organize, and (for CPRs that are part of a larger system) (8) nested enterprises. ²⁶⁰I will briefly explain each one.

First, “clearly defined boundaries” is a first step to organizing community collective action.²⁶¹ This includes rules and rights of withdrawing the resource. If boundaries cannot be drawn, not only can the contributors to the resource face uncertainties of management, outsiders who don’t contribute, may come in and reap the benefits. Thus, for purposes of coordination among insiders and exclusion of outsiders, boundaries are important.

Second, appropriation rules include “restricting time, place, technology [used to acquire resource units], and/or quantity of resource units” and provision rules include issues of “labor, material, and/or money”.²⁶² Moreover, both of these rules have to fit-in with local conditions. This would require extensive local knowledge of the environment and the resource itself. Hence, there cannot exist a single set of rules that would work for all; the rules will always differ from place to place; resource to resource.

Third, “collective-choice arrangements” means participation of most appropriators in the making of operational rules. Local knowledge is needed to derive good rules, but more important is the commitment and compliance of all individual appropriators involved.

Fourth, the “monitoring” issue is the key in these CPR institutions. The persons that actively audit appropriation conditions are not external authorities, but the participating

²⁵⁹ Ostrom, 1990, p. 14.

²⁶⁰ Ostrom, 1990, pp. 90-102.

²⁶¹ Ostrom, 1990, pp. 90.

²⁶² Ostrom, 1990, p. 92.

appropriators themselves. They become appropriator-monitors. Due to the arrangements, they are able to monitor each other without adding much cost of time and effort. Their monitoring becomes a natural “by-product” of their own strong motivation and commitment to use their own share of the resource well.²⁶³ Moreover, appropriator-monitors learn and gather information when working the resource: the conditions of the CPR and compliance of other appropriator-monitors. This helps rule revision later on.

Fifth, “graduated sanctions” means some kind of deterrence or coercion to enforce compliance of appropriators. When someone violates the rules, they will be assessed with graduated sanctions by other appropriators and/or officials accountable to the appropriators. Appropriators create their own “internal enforcement” for deterrence of possible rule-breakers and assure “quasi-voluntary”²⁶⁴ compliance from participants that other will also comply. And due to the fact it is a repeated game with the same appropriator-monitors over and over again, harm to reputation would count a lot in the community, even if the penalty to violations are small. It was so in most of Ostrom’s cases.

Sixth, “conflict-resolution mechanism” is there to provide easy access for appropriators to resolve their conflicts with other appropriators or officials.

Seventh, the right for appropriators to devise their own institutions and rules must be recognized in some extent by external governmental authorities.

Eighth, all of the above operational rules are organized and embedded within multiple layers of “nested enterprises”. “Establishing rules at one level, without rules at other levels, will produce an incomplete system that may not endure over the long run”.²⁶⁵ In other words, if the CPR is part of a bigger system, rules in different layers complement each other.

²⁶³ Ostrom, 1990, pp. 95-96.

²⁶⁴ The idea of “quasi-voluntary compliance” was brought up by Margaret Levi (1998). It was used to explain taxpayer behavior in a sense that they are not directly being coerced to do so, but may be punished if they are caught. Moreover, they are willing to comply because they have confidence that the government/ruler will keep their side of the bargain, and believe that all other citizens are paying their taxes also, so that they are not suckers. See Levi (1988: 52-53).

²⁶⁵ Ostrom, 1990, p. 102.

Below, before I go on to analyze British commons in a CPR perspective, there are some issues between my historical case and Ostrom's CPR definition that need to be addressed. Some of this has been already been dealt with in Chapter 1.6 on terminology, but this is an important part that has to be addresses before we can go on.

4.2 Characteristic Discrepancies of the British Commons and CPR Cases

As already explained in Chapter 1.5 on terminology of “the commons”, the wide known theoretical understanding of “the commons” or CPR is that the resource system has “open access” and has “subtractability” of resource units meant that it is fundamentally different from the historical British “commons”.²⁶⁶ This historical British commons does not adhere to the first characteristic of “open access”. As explained in Chapter 2.2 on “Daily Workings” of the commons, arable as well as pastoral fields were never “open to all” as Hardin parodiably described it. This is the first discrepancy between the British commonfield case and the CPR definition. Interestingly, a case not fitting unto the theoretical definitions of a CPR can still largely fit in the 8 long-enduring CPR principles.

Secondly, Ostrom did state that her successful cases all had no “direct regulation by a centralized authority”.²⁶⁷ It might have been intended by her because she was trying to prove, to some extent, that a third way of governing resource use is possible, besides “full property rights” or “centralized regulation”, to achieve “at least a minimal level of ‘solution’”²⁶⁸. However, this is another underlining difference between her CPR principles and the case in this paper—the existence of direct local authorities (manorial lords and their courts) and a distant national authority (the Crown and royal courts). This means that all communal decisions were under the higher social construct of the feudal society, silently implying understandings of the lord-serf relationship and all duties, rents, services, rights or liberties it

²⁶⁶ Ostrom, 1990, p. 32.

²⁶⁷ Ostrom, 1990, p. 184.

²⁶⁸ Ostrom, 1990, p. 184-185.

embodied. This was a also point Buck left out of her criticism to Hardin in her 1985 article.

4.3 How the British Commons Can Still Fit in with CPR

Having identified the theoretical discrepancies of the historical “commons” and the theoretical “commons”, I hope to derive more policy implications from this historical case towards present day governance. In this section, I examine how the British common fields, even with theoretical differences, can still fit largely in the principles brought forth by Ostrom. Additionally, I go on to argue that the centuries-long institution did not just fall inevitably to immense forces of history, but meet its demise directly because certain pillars of the system were fundamentally undermined. I examine how forces reckoned with the fall of the commons directly undermined the core principles of how it persisted to be a self-sustaining long-enduring CPR.

Arguing that the British common fields system, while not exactly fitting into the theoretical commons’ definition, can still fit in the principles of a long-enduring CPR institution, I now examine the system with Ostrom’s 8 principles explained afore: (1) clearly defined boundaries; (2) congruence between appropriation and provision rules and local conditions; (3) collective-choice arrangements; (4) monitoring; (5) graduated sanctions; (6) conflict-resolution mechanism; (7) minimal recognition of rights to organize, and (for CPRs that are part of a larger system) (8) nested enterprises.

First, it is clear that an average 12-13th century midland peasant would receive a “yardland”, or 30 acres of land made up of strips scattered around the village.²⁶⁹ Strips are usually long and narrow, and are divided by unplowed ridges, boundaries stones, or the pattern of the ridge and furrow left by the plow. These boundaries are documented by the manorial court rolls, and entries were recorded upon heritage from father tenant to son. In many midland villages, Compton Verney in Warwickshire for example, had 48 households in

²⁶⁹ Dyer, 2002, p. 163.

the time of Domesday and still supported 45 in 1280 was a great example of how field boundaries have largely stayed put for centuries.²⁷⁰ This also had to do with the heritage culture in the midland—only passing to one son—that kept population numbers relatively stable. Besides having rights to land, the tenancy comes with rights in the commons proper regarding grazing and gathering of wood, peat, and other commodities.²⁷¹ The amount of livestock is also limited. The general rule is that a peasant cannot put on the common meadows in the summer more livestock than he can feed on his own lands in the winter.²⁷² These characteristics of British commonfield system fit in with Ostrom’s principle of “clearly defined boundaries” and rights to with draw resource units (the first principle).

Second, in the champion model, the scattering of strips reflects local knowledge of the difference of fertility of land around the village. Moreover, the yearly rotation of crops is subjected to community decisions—which field should lay fallow, which field should sow wheat, oats, or other crops. A tenant under this arrangement cannot choose his own choice of crops, or even the technology used for cropping (switching from oxen to horse for plow pulling) or soil improvement (sowing of turnips and beans rather than leaving land fallow). This latter factor was a main reason for slow improvement of agrarian technology in the midlands which we mentioned before,²⁷³ but just mentioning here just to emphasize the strength of local communal rules. From these examples, we can see that “congruence of appropriation and provision rules with local conditions” (the second principle) is also a trait of the British commons..

Third, on the participation of resource appropriators in the decision making of rules governing the usage of the resource units at hand, the Thirsk wrote:

²⁷⁰ Dyer, 2002, p. 160.

²⁷¹ Roberts, 1973, p. 199.

²⁷² Buck, 1985. See also E.C.K. Gonner, 1912. *Common Land and Inclosure*. London: Macmillan and Co.

²⁷³ Hopcroft, 1999.

“The earliest documents recording communal farming regulations in manor court rolls begin in the later thirteenth century (c. 1270); the earliest record of village meetings date from the fourteenth century. From these dates the evidence points unequivocally to the autonomy of village communities in determining the form of, and the rules governing, their field systems. ...In villages which possessed no more than one manor, matters were agreed on the manorial court, and the decisions sometimes, but not always, recorded on the court roll. Decisions affecting villages which shared the use of commons were taken at the court of the chief lord, at which all the vills were represented. In the villages where more than one manor existed, agreement might be reached at a village meeting at which all tenants and lords were present or represented.”²⁷⁴

Dyer also pointed out that peasants respected and had some regard for the manorial courts decisions,²⁷⁵ because they actually participated as jurors and pledges, and were overseen by the lord’s steward.²⁷⁶ These evidences suggest that not only were peasants able to attend rule-making village or court meetings, they actually actively helped to uphold village byelaws and customs. We can see from this that the involvement of peasants in the village council’s rule modifying process is a very good realization of “collective-choice arrangements” being lived out (the third principle).

Fourth, in a collective action situation, some kind of mechanism needs to be set up to observe if anyone is breaking the rules. In the more communal commonfields, as unplowed land and ridges were used as natural borders separating strips of holdings, peasants working the land will find out very soon that his land borders have been breached upon because they work the lands constantly and new ridges or newly plowed land are obviously spottable right away. And because the borders are unplowed ridges or furrows left by the plow, it is also

²⁷⁴ Thirsk, 1973, p. 232.

²⁷⁵ Dyer, 2002, p. 145.

²⁷⁶ Gerald Harriss. 2005. *Shaping the Nation: England, 1360-1461*. Oxford, England ; New York, N.Y.: Oxford University Press, p. 215.

called the “open” fields, as compared to the irregular model of common fields that “fence” their land using trees, and hedges, making the landscape look woody and hence the name of “woodlands”. In the open fields, anything you do different will be scrutinized. During the high medieval period, ploughs in the midland were unwheeled, and needed about 8 oxen to pull and at least two able-bodied men to steer,²⁷⁷ therefore collaboration is needed to form a plough team. Peasants will have to work with others to plow their own land, as well as the lord’s land (the demense). Additionally, during the sowing and cropping seasons, village livestock had to be fence up and kept from wandering off into the fields. Generally, a village shepherd was appointed by the village council, or peasants took turn looking after the village herd. Either way, no peasant could get away with adding more livestock without being noticed. These practices further strengthen mutual monitoring among appropriators with very low cost added. Dyer even mentioned that newlywed couples were being closely watched by their neighbors, because the whole community had interest in this household’s stability, inheritance, labor-sharing, and rent-sharing practices with the whole community.²⁷⁸ Put simply, “monitoring” was low costing for the midland/champion model of commonfields (the forth principle)—no need for another new system for mutual monitoring. The peasants themselves had the incentive to observe their neighbors.

Fifth, collective arrangements need some kind of real enforcement credibility. “[The *byelaw*] was also responsible for sanctioning those who violated the rules. If admonishment by the village council was not enough, seigneurial law and the seigneurial court further enforced agricultural rules.”²⁷⁹ Hence, if village bylaws weren’t enough to enforce the norms and punishments, the court of the feudal lord will intervene and defend its authority and order. “Village governance typically worked in conjunction with manorial officials, and vice

²⁷⁷ Dyer, 2002, p. 129.

²⁷⁸ Dyer, 2002, p. 157.

²⁷⁹ Hopcroft, 1999, p. 19.

versa.”²⁸⁰ In short, byelaws depended on the feudal lordship’s manorial court for deterring and punishing noncompliance of the peasants. This left many records in manorial court rolls: “People were fined for neglecting works due in autumn, for letting a daughter trespass in the corn, for not grinding at the lord’s mill, for diverting a watercourse, . . . for delay in doing their works”.²⁸¹ In short, there were “graduate sanctions” in place to deter and coerce violators on the commons (the fifth principle).

Sixth, disputes need to be resolved when breaches happen among appropriators. On the commons, court cases between peasants and peasants and peasants and lords have been recorded. Here is a case from Great Cressingham in Norfolk: “Order. It was ordered to distraint Peter the Cooper for 15d. which he owed to Roger the Miller, at the suit of William Attestreet, who proved against him four shillings in court”.²⁸² In cases like this, resorting to law usually came to an acceptable result on all sides. However, towards the late medieval period, when conflicts clashed between parties of different social status, more than often the weaker side was exploited.²⁸³ Private land grabs, or enclosure movements increased with the rise of wool price in the 15th century. This became a major source of peasant agony in the later centuries and one of the important pillars that was undermined.²⁸⁴ There is much to be said about this later. While I will not get ahead of myself right now, “conflict resolution mechanisms” functioned under the operations of the manorial courts as a daily function (the sixth principle).

Seven, as also mentioned before, the commonfield system exists under a broader feudal context. The lord-vassal relationship meant the lord’s insurance of protection and livelihood on the lord’s land in exchange for service and rents to the lord. Land belonged to the King, or called the royal demesne, were granted by the King as honors with titles to the aristocracy,

²⁸⁰ Hopcroft, 1999, p. 26.

²⁸¹ Clapham, 1949, p. :99.

²⁸² Originally in Chandler, 1885, reprinted in Cheyney, reprinted in Amt, 2001: 309.

²⁸³ Buck, 1985.

²⁸⁴ Hopcroft: 1999, pp. 78-79.

knights, or the church, aligned with duties of services and fees to the King. Peasants and tenants also serve vassalage to the manorial lord in turn for protection and survival on rights to a portion (usually a yardland) of land and all other rights with it (rights to commons proper, etc.). In a sense, everyone was a tenant of another in the feudal society, as all people, no matter status, was bound on land. This relationship was multi-layered in a sense that being granted land, a baron can then grant parts of his land to his own knights and vassals, who would then be entitled serfs to work their own manors. It would be virtually a smaller manor within a larger manor. The King granting titles and land, also granted the right of administrative affairs and legal affairs to the manorial lord. As Dyer correctly observed, the manorial governance did not assert itself.²⁸⁵ It was the work of the crown—William the Conqueror conquering England in 1066 and granting land to his kinsman and knights. Power and authority in the hands of the landlord was laid down in the first place. Village bylaws rested upon the manorial feudal lord to intervene and defend its authority and order when violators arise. Bylaws depended on the feudal lordship's manorial court for deterring and punishing noncompliance of the peasants, which was all under recognition from the crown. Therefore, as we can see, “minimal recognition of rights to organize” and “nested enterprises” can both be explained in the bigger social institution of “feudalism”.

It is important to keep in mind that while most of the time the village council can manage daily village affairs by itself and not rely on the coercion of power and force of the manorial lord, the source of power and authority was still established prior to its self-governing institutions, and that the lord-vassal relationship is the foundation of all social relationships in a feudal society. This may be a very different factor that sets this case apart from Ostrom's other case studies—that the power structure of participants in the CPR was not horizontal, but hierarchical, *ex ante* the CPR institution itself.²⁸⁶

²⁸⁵ Dyer, 2002, p. 185.

²⁸⁶ Ostrom spoke of two future challenges to tackle in her research project: “time” and “power”. See Elinor

In sum, the common fields system held on to function at large, before industrialization, because community councils, consisting of all the stakeholders who possess right to use the commons, were established to govern the collective use of both cropping, grazing, and other communal activities. Being in a pre-industrialized society with pre-modern bureaucracies in the Weberian sense, the common field system, governed by “shared norms and rules” of a community council with no modern sovereign state entity at the middle, has survived many centuries.

Having examined it bit by bit with Ostrom’s principles, we find that the British commons largely coincides with the 8 long-enduring CRP principles, even though the historical commons seldom permit “open access” characteristics. The commons is a robust institution because, according to Ostrom: “the appropriators designed basic operational rules, created organizations to undertake the operational management of their CPRs, and modified their rules over time in light of past experience according to their own collective-choice and constitutional-choice rules”.²⁸⁷ In this sense, the commons was rather a success in its time. As Buck noted:

“Perhaps what existed in fact was not a “tragedy of the commons” but rather a triumph: that for hundreds of years—and perhaps thousands, although written records do not exist to prove the longer era—land was managed successfully by communities.”²⁸⁸

4.4 Theorizing the Collapse of the British Commons from a CPR Viewpoint

However, Buck concluded her article with a rather interesting conclusion: “That the [commons] system failed to survive the industrial revolution, agrarian reform, and transfigured farming practices is hardly to be wondered at”.²⁸⁹ Buck seemed to view the

Ostrom, 2011. “Background on the Institutional Analysis and Development Framework”, *The Policy Studies Journal*, Vol. 39, No. 1, pp. 7-27.

²⁸⁷ Ostrom, 1990, p. 58.

²⁸⁸ Buck, 1985, p. 60.

²⁸⁹ Buck, 1985, p. 60.

common land as unfertile land and relevant agrarian practices as out of date, thus she believed that better husbandry practices replacing grazing practices on the commons and increase of agrarian output as a great progression of civilization.²⁹⁰ Thus, its ultimate demise was not to be pitied or regretted upon. However, Buck failed immensely to see what happened to the peasants whose livelihoods depended upon the system, even if it was outdated and seemed to deserve to be trashed away. How was it a “triumph” a minute before, then totally becoming a failed institution that failed to survive the next wave of events? This does not answer the question, but on the contrary, begs the question of “why” and “how”: Why did the British common fields system fail? And how?

The first and foremost reason is the enclosure movement. The term “enclosure” actually has three meanings to it: “[1]The enclosure of the great open fields characteristic of midland agriculture;[2] the enclosure of regular town of village commons;[3] the nibbling away of forest, moor, and other waste land...”.²⁹¹ The situation in the third meaning has already been happening since the increase of population from 12-14th centuries.²⁹² By the 13th century, most of the best land has been taken, which leaves naturally lesser arable land left to develop. The implications of this last activity are least impacting to other peasants.

However, the situation of the second meaning, the enclosure of the town or village commons, will affect gravely the many that live day-to-day on the commons. These rights on the commons may include grazing rights for their husbandry animal, rights to gather firewood, or fodder, turf, clay, etc..²⁹³ These resources were essential to villagers for their daily livelihoods: grazing of oxen for plows and wood as the resource of heat and cooking. Not having access to these critical resources would severely interrupt the peasant life. Two royal

²⁹⁰ Buck, 1985, pp. 59-60.

²⁹¹ John Clapham. 1949/1963. *A Concise Economic History of Britain: From the Earliest Times to 1750*. London: Cambridge University Press, p. 194

²⁹² Ibid., p. 123.

²⁹³ Larry Patriquin, 2007. *Agrarian Capitalism and Poor Relief in England, 1500-1860*. New York: Palgrave Macmillan, p. 48.

statutes have already been issued in the 13th century—Merton in 1235 and Westminster in 1285—in which both permitted manorial lords to enclose waste lands as long as there are sufficient lands left for other peasants to exercise their common rights.²⁹⁴ This second meaning of enclosure was part of the main cause of the Great Rising of 1381.²⁹⁵ Angry peasants ganged together to tear down the fences of enclosed land of the wealthier gentry during the unrest. Moreover, enclosing the commons was the direct cause of many other peasant revolts, like Kett's Rebellion in 1549. In short, this was a clear erosion of Ostrom's first principle: the boundaries and withdraw rights of the less privileged peasants have been changed without consensus on all sides, and clearly the sixth principle of "conflict-resolution mechanism" aren't working effectively enough to resolve the conflicts within existing institutions due to the reason that manorial courts won't likely stand against its own lord. Due to the built-in power-asymmetry, monitoring and sanctions become moot when the violator is the lord himself, or the landed gentry who have lots of money and associates themselves with the aristocracy.

The first meaning of enclosure, acquiring strips of open land, was also in motion, but done in another fashion—purchase. Especially in the non-midland areas like east and southwest England where land markets were more active and prevalent, the consolidation of land via purchase was already existent even before the Black Death of 1348-1350. After the Black Death, the significant loss of population due to plague brought down crop prices, labor wages soared, and land became abundant again. During this time, living conditions improved for peasants due to shortage of labor, but land grab became extravagant, especially in East Anglia, but throughout the Midlands as well to a lesser extent.

Another expansion of population came in the later part of the 15th century, more and more the fabrics of the traditional feudal society, grounded on land, obligations, and

²⁹⁴ Clapham, 1949, p. 123; Douglass C. North and Robert Paul Thomas. 1973. *The Rise of the Western World: A New Economic History*. London; New York: Cambridge University Press, p. 63.

²⁹⁵ Clapham, 1949.

communalism, began to give away to a capitalist's way of functioning.²⁹⁶ The relationship founded on land and service between the lord and servant became a relationship linked by wage and labor between the capitalist and laborer. Falling real wages and rising crop prices towards the end of the 16th century brought on another wave of enclosure movement.²⁹⁷ In 1560, around 12% of English peasants lived on by employment because they did not have a farm. This number has raised to somewhere around 40-50% in 1630.²⁹⁸ This growing body of wage workers was evicted from their customary landholdings and was forced to make a living (find a wage-paying job) in a time when real wages are falling. Hence, poverty and suffering were widespread.²⁹⁹ The Midland Revolt of 1607 in Newton, Northamptonshire (part of the Midlands) was such example of the building agony and grievances of the peasants at the time.

The English society became accustomed to the capitalist ways of economics by 1650-1750. Thus, the social relations of capitalist production were becoming dominant even in the agrarian sector.³⁰⁰ Especially after the Glorious Revolution of 1688, when the crown was weaker and could not act to guard peasant rights like in the Stuart and Tutor years,³⁰¹ the enclosure movement became much more pervasive and merciless. Customary peasants were driven out of their cultivating landholdings for the landlord to turn cropping land into grazing land for pursue of the rising wool price. By 1750, at least half of the population in England had little or no land to make a living, and thus lived off wages from employment. By 1790, the “independent peasant class, producing their own subsistence with their own labor on their own land, was almost extinct”.³⁰²

²⁹⁶ North and Thomas, 1973.

²⁹⁷ North and Thomas, 1973; Patriquin, 2007.

²⁹⁸ Richard Lachmann. 1987. *From Manor to Market: Structural Change in England, 1536-1640*. Madison: University of Wisconsin Press., p. 17.

²⁹⁹ Patriquin, 2007, p. 59.

³⁰⁰ William Lazonick, 1974. “Karl Marx and Enclosures in England.” *Review of Radical Economics* 6 (2): 1-59.

³⁰¹ Barrington Moore. 1966/1993. *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World*. Boston: Beacon Press.

³⁰² Lazonick, 1974 p. 23.

Finally, enclosures enacted by Acts of Parliament (in the 18th and 19th centuries) enclosed 40% of land in the communal farming, or champion/Midland, regions, which was extremely more than any other region.³⁰³ The enclosure movement peaked from around 1760-1820s and basically stopped after 1832, totally transforming the English countryside.³⁰⁴ The Midland areas were the most heavily impacted, accounting for over a third to a half of the effected regions of the whole country.³⁰⁵ Without the right to the common waste, or the right to cultivate their own landholdings, peasants could not live on the farms. Those that had no right of property were evicted with ease, but those that did have some property/legal protection could take the lord to the king's court and put up a fight. However, few won. Resistance by force was also responded by force.³⁰⁶ And after the Civil War, a Parliament representing the like-minded capitalist landed aristocrats and gentry successfully limited the power of the crown. No more could the king's court pity the peasants.³⁰⁷ This was a total reverse and complete overhaul in traditional rights given to the peasants. The central and local level governments deny traditional rights originally allocated to the peasants, let along their rights for communal governance and rule making; moreover, the bigger enterprise/institution of feudalism (in which the common fields were nested and embedded within) and power relations between the crown versus the aristocracy and landed gentry have changed largely over the centuries.³⁰⁸

It is hard for any farmer, having only known how to crop all his life, be able to leave the land and live off skilled labor in exchange for a wage. This causes a huge surge in “poor relief”. Leicestershire, a parish in the Midlands, had a steady rise of poor relief rates that, by 1832, “nearly one half of the families in the village were in regular receipt of poor relief and

³⁰³ Hopcroft, 1999, p.79.

³⁰⁴ Moore, 1966, p. 25.

³⁰⁵ Moore, 1966, p. 26.

³⁰⁶ Hopcroft, 1999.

³⁰⁷ Moore, 1966, p. 12.

³⁰⁸ Margaret Levi. 1988. *Of Rule and Revenue*. Berkeley: University of California Press.

many more receiving intermittent relief”.³⁰⁹ Only those young, unmarried, and skilled were able to work for the industrial employers, but only to find themselves joining a swarm of lowly-paid, overworked, brutally treated urban laborers. As scholars later observed, the enclosure movements have dissipated the English peasantry.³¹⁰

In sum, as the high level constructs of power play edged institutionally to the capitalists-minded class of aristocrats and gentry and increasing international trade and increasing price of wool, land grab became inevitable and irreversible. For the poor throngs of customary peasants living on the common lands, without further legal or political support from the local or central level, they were “left out in the cold” with no avenue for institutional remedy. “Sheep ate man” was the result.³¹¹ This became the ultimate “tragedy” for those whose livelihoods depended on the commons.

4.5 Policy Implications

While I am clear that Ostrom’s CPR principles apply only to small-scale CPRs with number of effected individuals ranging from 50-15,000 persons,³¹² it is quite clear that the nested enterprise or institutional embeddedness characteristics of small-scale CPRs vis-à-vis its larger environment, back then and of today, have many sharp similarities.

It was sheep that ate men 500 hundred years ago, just as certain interests and forces are eating the men of today. On the local level, many small-scale CPRs were doing quite robust until certain interests become associated with it. We find that “clearly defined boundaries and withdrawing rights” and “collective choice arrangements” (principle 1 and 3) were being the first to be breached, and principles 4 and 5 become exploited with it when the other player doubles as the referee (when the local or national authorities choose to become part of the

³⁰⁹ Moore, 1966, p. 26.

³¹⁰ Moore, 1966. 28, 39; Patriquin, 2007, p. 62.

³¹¹ Moore, 1966, p. 12.

³¹² Ostrom, 1990, p. 26.

problem by either becoming the violator or do nothing). And when this happens, it is of no surprise that no remedies would work or be utilized (principle 6), no recognition will be given (principle 7), and the original larger environment of the nested enterprise has been changed (principle 8). If this is so the case, then no wondering phenomena like La Via Campesina are going to the streets with radical opinions, just like the peasant revolts. Moreover, there seems to be “sheep” everywhere eating men, thus making it become a transnational agrarian movement within no more than a decade. These are all issues of democracy, transparency, representation, and legitimacy. And learning from the case study above, none of this is new, for they have happened before in the past. Now we are back in the “future”, we all know how it ended and why.



Chapter V: Back to the Future—Policy Implications to the 21st Century

Having now introduced the case, established causal relations, and analyzed the case from a CPR perspective, I now move to discuss the lessons learned from this case and engage in debates with existing literature and theories. First, I respond to Buck's observation in her 1985 article. While I shared her research question, I do not agree with all her findings and conclusions. Referring to my findings in Chapter 2, I conclude my own observations. Second, recalling chapters 2 and 3, by comparing the Midland/Champion and East Anglia model, I identify five important characteristic differences of the two institutions: stronger lordship and lesser peasantry bargaining power, more lively agrarian market, incentives for innovation and the individualist spirit, protection of legal rights, and establishment of non-partisan remedial channels.

5.1 Problems on the British Commons

Having now outlined the contour of the origins, progression, and demise of “the commons”, I elaborate my reflections and critique on Buck. First, Buck gave credit to the communal community models of common land management, viewing it as a critical factor of centuries of success of the common fields system.³¹³ However, the communal norms and traditions came from a deep historical origin: “the commons”, the “common fields”, the “regular commonfield system”, or the “communal open field system”,³¹⁴ is a social creation of many complicated factors as well as a fact of historical path-dependency. Germanic cultural traits of communal traditions were brought to the English Isles by Germanic peoples who migrated to the lands as they conquered them and settled down.

³¹³ Buck, 1985, p. 51.

³¹⁴ Names used by Hardin and Buck, Thirsk, Campbell, and Hopcroft, respectively, which indicates the same concept.

Where Germanic settlements lay, communal communities and common cropping/grazing systems were more likely to evolve, taking into consideration of the environment context and conditions. Hence, communal courts and communal open field systems came from a path-dependent course from history.

Secondly, another important factor that Buck left out was the existence of a strong lordship to support the manorial rules and courts. A communal council or assembly of peasants could have effect to certain extents. If it did not have a deep root in the social institutions in the communities and manors with an enforcement power underlying it, it would not have enforcement power. Therefore, beyond the communitarian norms and rules, was the “fist” or “stick” of the lordship to enforce order and rule. A hierarchical social structure is implied here as a must.

Last, while Buck argued that the demise of the commons system was not because of overgrazing due to over-egoistic economic behavior, the original “tragedy” that Hardin made famous. It happened because of the larger socio-economic change of the society, from the enclosure movements to industrialization. Buck overlooked the fact that the communal traditions of the commons that she praised actually impeded the regions that adopted them the needed developments towards the “agriculture revolution”. This was the contradicting logic in the midlands model I identified in Chapter 3. These regions adopting the communal common field systems hence ended up lagging behind up to the early modern industrialization period. In a community where all changes had to be agreed upon by all, changes were largely discouraged, and if ever permitted, showed very slow process. Peasants on the open common fields also lack the incentives to do so, being issues of free-riding and high taxation in existence.³¹⁵ This caused the less-communal open field systems, especially in east England, like Norfolk, to excel in crop production, exportation, better farming technologies, and even fast advancement into the textile industry and hence

³¹⁵ Hopcroft, *Regions*, pp. 50-51.

industrialization. Not only did “the commons” impede advancement and development, such an overdue socio-economic system, without providing adequate legal protection for peasant rights, incentive for technological innovation, channels for voicing resent and remedial measures, it actually brought tragedy to all the tenants that lived on it. The commons itself became the tragedy for the peasantry.

5.2 Comparing Differences between the Midland and East Anglia Models

From analyzing the problems of the Midland model and comparing with that in East Anglia, we can identify four important characteristic differences and one initial condition difference in the two institutions: stronger lordship and lesser peasantry bargaining power, more lively agrarian market, incentives for innovation and the individualist spirit, and the protection of legal rights and establishment of non-partisan remedial channels. The initial conditional difference is the presentation of lordship on a village.

1. *On lordship, manorial power, and bargaining power of the tenants:* In both models, while they have inherited traditions from Germanic tribes and started the new reign of landlords after the Norman conquest of 1066, there still are many differences among them. In East Anglia, multiple presentations of manorial lords to a village weaken the relative bargaining power of the lord vis-à-vis a serf; a significant number of freeholders in the initial stages of the society which further infused possibilities of the individualist spirit and better legal protection; denser population levels, leading to better agricultural technology; miniature landholdings leading to rise of skilled labor and cottage industry. But in the Midland model, there was a very strong presence of lordship unlike the situation in East Anglia; the percentage of freeholders was smaller in most places; and most of all, due to the backing of the manorial lord, the communal character in the community institutions was much stronger in the midland, leading to disincentives for agrarian technology improvement and many constraints to a freer market.

2. *On the agrarian and land markets:* As explained before, weaker lordship, stronger peasantry, and larger percentage of free men and copyholders led to a more individualist culture in the East. This meant better peasantry bargaining power in East Anglia. This meant that regulations were friendlier to the peasantry than in the Midlands. In the long run, changes in regional rules tilted in favor of the individual peasants and labor workers than in the Midland. One important resulting feature in East Anglia was an earlier existence of a vivid agrarian market and even a lively land market as well. Being able to reap one's own labor, the incentives to utilize a booming market for transactions were all the more tempting. Markets worked hand in hand with the individualism spirit in the region.
3. *On incentive of innovation and the individualist spirit:* In the Midlands, it was the communal character that enabled and legitimized the rule-making process and thus firm level of community support for the socio-economic institution. However, it was this same mechanism that caused trial-and-error experiments of agrarian innovation to be near impossible in the Midlands and retarding its technological advancement. As pointed out by Hopcroft, the consensus-reaching communal decision-making process in the more communal regions became a resistance to possible technological improvements. More importantly, the peasantry participation of the rule-making process was only limited to the local village level. On the national level, the peasantry had no say in the century-long struggle for power between the Crown and the Parliament, nor any share of the gains of the Parliament. If any land-sliding shift happened at the top, the bottom strata would be left with the little they can control to cope with the challenges. Individuals in East Anglia thus had much more to their maneuver due to the individualist legacy—less communal rules, freer market, lesser fees and rents to the lord, better protection of legal rights, the entrepreneurial spirit, etc.

4. *On protection of legal rights and remedial channels:* Protection of legal rights was much more advanced in the East due to its initiation with more free men and “copyholders”. As we know, free men did not owe lords tax, fees or labor service, and were already under protection of the common law and the King’s court and justices. They could even file suits bringing a lord to the King’s court. “Copyholders” meant that although they were also unfree in status, they received a copy of their transaction of land holding with the manorial court record as an official record. It meant that “land was held ‘by custom of the manor and copy of court roll’”. It implied more protection of the copyholder, compared to those without a copy of their lease, especially in time when legal action is needed; it was still much better than totally adhering to the lord’s rule at will. The legal status of copyholders was given a better protection by the Crown in the early 13th century. In short, in East Anglia, most majority of the peasantry had legal protection to some extent of personal rights (i.e., right to petition) and property rights. While peasants in the Midland can still participate in community meetings, channels of conflict resolution, especially those between serfs bounded to land and manorial lords, were overwhelmingly biased. Serfs without copyhold had almost no rights and liberties after the establishment of status in the early 13th century, and they made up the overwhelming majority in most estates in the Midland. Not that there were no cases of landlords losing a case here or there, it’ was just a very trivial number compared to the mass engrossment of the acts of enclosure through the hundreds of years. There was no non-partisan remedy channel for peasants and the protection of peasants’ rights to land-use was at least ineffective and at most absent all together.
5. *On initial conditions:* Initial institutional conditions can cause significant variation as path dependency carries on and effects accumulate. We find that an essential departure of difference came from the number of manorial lords present in the same village and the percentage of copyright holders in the region. This deeply affected the bargaining power

of local peasants vis-à-vis feudal lords and thus leading to different paths as events unfolded. In the long-run, it led to lower rents and fees to the feudal lords, freer markets with lesser manorial regulations, better legal/property protection, and contribution to cultivation of a individualistic culture encouraging the entrepreneurial spirit. That East Anglia led the agrarian revolution and transition into modern capitalist economy seems perfectly understandable.

The signing of Magna Carta in 1215 and the series of constitutional documents following it in the 13th century enhanced bargaining power of free men and copyholders, especially in the East, while largely putting more constraints to all those that are not deemed as free. The struggle of the aristocracy and the Crown resulted in a clearer definition of social status and the rights and liberties it entails. The barons' success to limit the Crown's power contributed to the enlargement of their own powers in their own little realm on the manors and they took full advantage of that—the lords exploited their “subjects” as they wished. In the Midland where the lordship is strong and unfree tenants are the majority, communalism and stability of the system endured. However, in East Anglia where the lordship was weak and more of the peasantry were free men, the clarification of status enforced the existing individualist trends of agrarian innovation and skilled labor. Given the freer market and sprouting rural industry, labors could choose to leave the livelihood earned from working lands and go on to other professions. Those that were still on it were likely to be good at it, acquiring the likeminded individualist thought as other independent of land.

After the Civil War and the Glorious Revolution of 1688, most of those living in East Anglia already had a like-minded capitalist mindset as the land grabbing Parliament members of the landed aristocrats and gentry. On some level, they shared some of the same interests. Not only were they much more ready for the transition, having being ahead of their age for some time already and many lived independent of land, they were much more acquainted with the capitalist notion of capitalist and worker, wage and labor. East Anglia was doing

prosperous and kept its development advantage into the early modern era as they took the lead onto new agricultural methods and became the forefront of agrarian change and played an important part in the English agriculture revolution, which in turn, provided the industrial revolution an essential foundation.³¹⁶ It should have not been a surprise that East Anglians met the enclosure movement with lesser dissents.

Table 5-1. Comparison of the Two Commonfield Models

	Midland Model	East Anglia Model
Power/Authority	Strong lordship, weaker peasantry bargaining power.	Weak lordship, stronger peasantry bargaining power.
Markets	More restrictions on market transactions.	Lesser restrictions on market transaction.
Innovation	Communalism discouraged any kind of trail-and-error experiments.	Individualism became a regional mindset, encouraging technology progression
Legal Rights	Most tenants had little or no protection of the common law, and thus fell solely to the customs on the manor, meaning being treated by the lords will.	Most peasants were freemen, or at least copyholders who had more protection. Free men were under protection of the King's court, thus a much partisan remedial channel.
Contradictory Logics	<ol style="list-style-type: none"> 1. Strong lordship conflicts with agrarian technological advancements and market development. 2. During the process of the Parliament trumping the Crown, feudalism and serfdom gradually loses its legal uphold. 	(Individualism works away at the foundations of feudalism and the serfdom relationship.)
Result	The ultimate tragedy: that after the waves of enclosure movements, those that only knew how to live on land were evicted from the rural settings and were compelled to join the swarm of industrial workers.	Already took significant lead in agrarian technological revolution; Had an advantaged edge in transition into the modern society and industrial revolution; Had lesser agonies during transition than the Midlanders

Using a historical institutionalist approach, not only did I identify the important essential

³¹⁶ Hopcroft, 1999, pp. 80-83.

differences in the reproduction mechanisms in the two models of British commonfield systems, I argued that Buck's conception that the Midlands systems was a "triumph" was overstated: the institution itself contained its own seeds of destruction (see Table 5-1). Strong manorial lordship and communalism impeded the development of innovation and possibility of transition towards a pre-capitalist society from within the institutional structure. Also, peasantry trust in the feudalist logic did not play out into their liking. As the landed class and Parliament triumphed over the Crown, the ancient rights and liberties of the tenants were forgotten. The tragedy was contained within the institution before the cards were dealt. It is no wonder that the agony of the Midlanders echoed loudly through history.

5.3 Policy Implications from the CPR Perspective to Global Governance Today

It was sheep that ate men 500 hundred years ago, just as certain interests and forces are eating the men of today. On the local level, many small-scale CPRs were doing quite robust until certain interests become associated with it. It is clear that in the local, national, and even at the international level, there should be more institutionalized channels for the exploited to voice the needs of communities, groups, and/or individuals, be represented in policy making processes, and given access to non-partisan institutional remedies when conflicts arise. Moreover, these groups should be given social, economic, and even political and legal recognition for their causes and what they are standing up for. Local and national empowerment and recognition with rights of resource appropriation, rights of collective self-management, and rights to non-partisan institutional remedies maybe the most essential answers to many problems of today. It wouldn't have gone international in the first place.

The importance of Ostrom's 7th principle of minimum recognition of a higher authority is nicely illustrated in the British commons' example. Local community-based governing institutions have the ability to operate and sustain themselves without intervention and help from outside authorities. However, basic recognition from outside authorities is needed for

the self-sustainable institution to sustain without outside intervention. In the British commons case, enclosure movement encroached bit by bit the peasants' usage rights or appropriation rights of land and goods (hay, wood, pit, etc.) on the common waste. It was originally understood in most communities, communal and less-communal alike, that peasants had rights to collect goods from the commons, add certain number of animals to the village herd, and was entitled some scattered strips of land to cultivate. In the end, not only did they serfs and peasants lose the rights to use the commons, they were eventually evicted from their land. When cases like this happens, then no wondering phenomena like La Via Campesina are going on the streets with radical opinions, just like the peasant revolts. Moreover, there seems to be "sheep" everywhere eating men, thus making it become a transnational agrarian movement within no more than a decade. These are all issues of democracy, transparency, representation, and legitimacy. And learning from the case study above, none of this is new, for they have happened before in the past. Now we are back in the "future", we all know how it ended and why.

Hence, how can the case of British medieval commons shed light on the literature? It is clear that historical cases can teach us various things. In the case of the British commons, it failed miserably due to the loss of outside authority recognition, as well as inadequate legal protection and biased conflict resolution mechanisms. Interestingly, as mentioned in the introduction, various movements becoming international today were originally locally originated issues that could have been resolve at the local or national level. Calls for solutions from the bottom level are increasing and not without reason: empirical evidences prove that many communities have successfully managed their commons for centuries. Therefore, if we can learn from past cases and design a resilient institution to be sustainable and robust, or let communities design their own institutions, the government or outer authorities only need to give communities the basic recognition and/or legal protection with an unbiased remedy channel. If such a goal can be achieved, many issued of today can be addressed or at least

mitigated to a certain extent.

5.4 Further Research Suggestions

Now we see that the British medieval commonfields did in fact have interesting implications to nowadays governance. I do believe a more detailed evaluation of the two models (and even others) is needed for a clearer understanding of deeper contributing factors neglected in this research (i.e., religion, social capital, etc.). On making sense of the results of historical causal analysis, my intended marriage try out with Ostrom's 8 long-enduring principles have not been excitingly fruitful. Maybe later insights of her project would help better understandings of how and why the commons worked or failed to work. However, historical details are a large constraint to overcome. On use of research approach and theoretical framework, I find the "reaction sequences" maybe a possible way to reconstruct the casual relations in the East Anglia model, which may be totally another story, but still may bring more insights to the differences of the two models. Last but not the least, understanding local conditions is still light years away from understanding the global. It is very hard for a direct relation of the two, but not impossible. From personal observations, many global level initiatives lack good national or local implementation mechanisms. Issues of monitoring, sanctioning, and free riding happen commonly. From another angle, many international issues also arise from weak national or local level governance, as mentioned in this paper. Personally, I believe that this is a possible route to marry the community and the global. However, this still requires a lot of work.

Bibliography

- Amt, Emilie. *Medieval England, 1000-1500: A Reader*. Peterborough, Ont.; Orchard Park, N.Y.: Broadview Press, 2001.
- Avant, Deborah D., Martha Finnemore & Susan K. Sell. "Who Governs the Globe?" In *Who Governs the Globe?*, edited by Deborah D. Avant, Martha Finnemore, and Susan K. Sell, 1-31. Cambridge, UK: Cambridge University Press, 2010.
- Baden John A. and Douglas S. Noonan eds. *Managing the Commons*. 2nd ed. Bloomington, Indiana: Indiana University Press, 1998.
- Baker, Alan R. H. "Howard Levi Gray and English Field Systems: An Evaluation," *Agricultural History* 39, no. 2 (April, 1965): 86-91.
- Baker, Alan R. H. and Robert A. Butlin. "Conclusion: Problems and Perspectives." In *Studies of Field Systems in the British Isles*, edited by Alan R. H. Baker and Robert A. Butlin, 619-656. Cambridge, England: University Press, 1973.
- Bloch, Marc. *French Rural History*. Berkeley: University of California Press, 1966.
- Buck, Susan J. *The Global Commons: An Introduction*. Washington, D.C.: Island Press, 1998.
- Byrne, Steve. *Common Land, Open Country: Defining a Future for the Countryside of England and Wales*. Charlbury: Jon Carpenter, 2003.
- Campbell, Bruce M. S. "Commonfield Origins—the Regional Dimension." In *The Origins of Open Field Agriculture*, edited by T. Rowley, 112-129. London: Croom Helm, 1981.
- Campbell, Bruce M. S. "Population Change and the Genesis of Commonfields on a Norfolk Manor," *The Economic History Review* 33, no. 2 (May, 1980): 180-191.
- Campbell, John L. *Institutional Change and Globalization*. Princeton, N.J.: Princeton University Press, 2004.
- Clapham, John. *A Concise Economic History of Britain: From the Earliest Times to 1750*.

- London: Cambridge University Press, 1949/1963.
- Claude, Inis L., Jr. "Peace and Security: Prospective Roles for the Two United Nations," *Global Governance* 2, no. 3 (1996): 289-298.
- Collins, Randall, *Four Sociological Traditions*. New York: Oxford University Press, 1994.
- Cox, Susan Jane Buck. "No Tragedy on the Commons," *Environmental Ethics* 7 (Spring, 1985): 49-61.
- Crowe, Beryle L. "The Tragedy of the Commons Revisited," *Science*, New Series 166, no. 3909 (November, 1969): 1103-1107.
- DiMaggio, Paul J. and Walter W. Powell eds., *The New Institutionalism in Organizational Analysis*. Chicago: University of Chicago Press, 1991.
- Dyer, Christopher. *Making a Living in the Middle Ages: The People of Britain 850-1520*. New Haven, Connecticut: Yale University Press, 2002.
- Elms, Deborah Kay, "New Directions for IPE: Drawing from Behavioral Economics," *International Studies Review* 10 (June, 2008): 239-265.
- Ertman, Thomas. *Birth of the Leviathan: Building States and Regimes in Medieval and Early Modern Europe*. Cambridge, U.K.; New York: Cambridge University Press, 1997.
- Feeny, David, Fikret Berkes, Bonnie J. McCay, and James M. Acheson. "The Tragedy of the Commons: Twenty-Two Years Later," *Human Ecology* 18, no. 1 (1990): 1-19.
- Fisher, Dana R. "COP-15 in Copenhagen: How the Merging of Movements Left Civil Society Out in the Cold," *Global Environmental Politics* 10, no. 2 (2010): 11-17.
- Fisher, Dana R., and Jessica Green. "Understanding Disenfranchisement: Civil Society and Developing Countries' Influence and Participation in Global Governance for Sustainable Development," *Global Environmental Politics* 4, no. 3 (2004): 65-84.
- Gonner, E.C.K. *Common Land and Inclosure*. London: Macmillan and Co., 1912.
- Gray, Howard Levi. *English Field Systems*. Cambridge, Harvard University Press, 1915.

- Grief, Avner and David D. Laitin. "A Theory of Endogenous Institutional Change," *American Political Science Review* 98, no. 4 (2004): 633-652.
- Hall, Peter A. and Rosemary C. R. Taylor. "Political Science and the Three New Institutionalisms," *Political Studies* 44 (1996): 936-957.
- Hall, Peter A. and Rosemary C. R. Taylor. "The Potential of Historical Institutionalism: a Response to Han and Wincott," *Political Studies* 46 (1998): 958-962.
- Hampson, Fen Osler and Paul Heinbecker. "The 'New' Multilateralism of the Twenty-First Century," *Global Governance* 17, no. 3 (2011): 299-310.
- Hardin, Garrett. "The Tragedy of the Commons." In *Managing the Commons*. 2nd ed, edited by John A. Baden and Douglas S. Noonan, 3-16. Bloomington, Indiana: Indiana University Press, 1998. Originally published in *Science* 162 (1968): 1243-1248.
- Hardin, Garrett. "The Tragedy of the Unmanaged Commons," *Trends in Ecology & Evolution* 9, no. 5 (1994): 199.
- Harriss, Gerald. *Shaping the Nation: England, 1360-1461*. Oxford, England; New York, N.Y.: Oxford University Press, 2005.
- Holt, James Clarke. *Magna Carta*. Cambridge: University Press, 1965.
- Homans, George C. "The Explanation of English Regional Differences," *The Past and Present Society* 42 (February, 1969): 18-34.
- Hopcroft, Rosemary L. "The Importance of the Local: Rural Institutions and Economic Change in Preindustrial England." In *The New Institutionalism in Sociology*, edited by Mary C. Brinton and Victor Nee, 277-304. New York: Russell Sage Foundation, 1998.
- Hopcroft, Rosemary L. *Regions, Institutions, and Agrarian Change in European History*. Ann Arbor: University of Michigan Press, 1999.
- Ikenberry, G. J. "History's Heavy Hand: Institutions and the Politics of the State." Paper presented at conference on The New Institutionalism, University of Maryland, October 14-15, 1994.

- Karns, Margaret P. and Karen A. Mingst. *International Organizations: The Politics and Processes of Global Governance*. Boulder, Colorado: Lynne Rienner, 2004.
- Katzenstein, Peter J. ed. *Between Power and Plenty: Foreign Economic Policies of Advanced Industrial States*. Madison: University of Wisconsin Press, 1977.
- Keck, Margaret E. and Kathryn Sikkink. *Activists beyond Borders: Advocacy Networks in International Politics*. Ithaca, N.Y.: Cornell University Press, 1998.
- Krasner, Stephen D. *Sovereignty: Organized Hypocrisy*. Princeton, New Jersey: Princeton University Press, 1999.
- La Via Campesina. "The International Peasant's Voice." La Via Campesina: The International Peasant's Movement. La Via Campesina: International Peasant's Movement. Accessed February 9, 2011. <http://viacampesina.org/en/index.php/organisation-mainmenu-44>.
- Lachmann, Richard. *From Manor to Market: Structural Change in England, 1536-1640*. Madison: University of Wisconsin Press, 1987.
- Lazonick, William. "Karl Marx and Enclosures in England," *Review of Radical Economics* 6, no. 2 (1974): 1-59.
- Levi, Margaret. *Of Rule and Revenue*. Berkeley: University of California Press, 1988.
- Mahoney, James and Daniel Schensul. "Historical Context and Path Dependence." In *The Oxford Handbook of Contextual Political Analysis*, edited by Robert E. Goodin and Charles Tilly, 454-471. Oxford, England; New York, USA: Oxford University Press, 2006.
- Mahoney, James and Kathleen Thelen. "A Theory of Gradual Institutional Change." In *Explaining Institutional Change*, edited by James Mahoney and Kathleen Thelen, 1-38. New York: Cambridge University Press, 2010.
- Mahoney, James. "Path Dependence in Historical Sociology," *Theory and Society* 29 (2000): 507-548.
- Moore, Barrington. *Social Origins of Dictatorship and Democracy: Lord and Peasant in the*

- Making of the Modern World*. Boston: Beacon Press, 1966/1993.
- North, Douglass C. and Robert Paul Thomas. *The Rise of the Western World: A New Economic History*. London; New York: Cambridge University Press, 1973.
- North, Douglass C. *Institutions, Institutional Change and Economic Performance*. Cambridge, U.K.; New York: Cambridge University Press, 1990.
- Olson, Mancur, Jr. *The Logic of Collective Action: Public Goods and the Theory of Groups*. Cambridge, Mass.: Harvard University Press, 1965.
- Orwin C.S. and Orwin C.S. *The Open Fields*. 3rd ed. Oxford: Clarendon Press, 1967.
- Ostrom, Elinor, Roy Gardner, and James Walker. *Rules, Games, and Common-pool Resources*. Ann Arbor, Michigan: University of Michigan Press, 1994.
- Ostrom, Elinor. "Background on the Institutional Analysis and Development Framework," *The Policy Studies Journal* 39, no. 1 (2011): 7-27.
- Ostrom, Elinor. *Governing the Commons: The Evolution of Institutions for Collective Action*. New York, NY.: Cambridge University Press, 1990.
- Overton, Mark. *Agricultural Revolution in England: The Transformation of the Agrarian Economy 1500-1850*. Cambridge; New York: Cambridge University Press, 1996.
- Patriquin, Larry. *Agrarian Capitalism and Poor Relief in England, 1500-1860*. New York: Palgrave Macmillan, 2007.
- Pierson, Paul and Theda Skocpol, "Historical Institutionalism In Contemporary Political Science." In *Political Science: The State of the Discipline*, edited by Ira Katznelson and Helen V. Milner, 693-721. New York: Norton; Washington, D.C.: American Political Science Association, 2002.
- Pierson, Paul. *Politics in Time: History, Institutions, and Social Analysis*. Princeton, N.J.: Princeton University Press, 2004.
- Poole, Austin Lane. *From Domesday book to Magna Carta, 1087-1216*. 2nd ed. Oxford:

- Clarendon Press, 1955.
- Roberts, B. K. "Field Systems of the West Midlands." In *Studies of Field Systems in the British Isles*, edited by Alan R. H. Baker and Robert A. Butlin, 188-231. Cambridge, England: University Press, 1973.
- Rosenau James N.. "Governance, Order and Change in World Politics." In *Governance Without Government: Order and Change in World Politics*, edited by James N. Rosenau and Ernst-Otto Czempiel, 1-29. Cambridge, UK: Cambridge University Press, 1992.
- Rosenau, James N. "Governance in the Twenty-first Century," *Global Governance* 1, no. 1 (1995): 13-43.
- Rosenau, James N. "Sovereignty in a Turbulent World." In *Beyond Westphalia? State Sovereignty and International Intervention*, edited by Michael Mastanduno and Gene Lyons, 191-227. Baltimore: Johns Hopkins University Press, 1995.
- Rueschemeyer D., Stephens E.H., Stephens J.D. *Capitalist Development and Democracy*. Chichago: University Chicago Press, 1992.
- Scholte, Jan A.. "Civil Society and Democracy in Global Governance," *Global Governance* 8, no. 3 (2002): 281-304.
- Scott, W. Richard. *Institutions and Organizations: Ideas and Interests*. 3rd ed. Thousand Oaks, California: Sage Publications, 2001.
- Skocpol, Theda. *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States*. Cambridge, MA: Harvard University Press, 1993.
- Stinchcombe, Arthur L., *Constructing Social Theories*. New York: Harcourt, Brace and World, 1968.
- Strange, Michael. "Discursivity of Global Governance: Vestiges of 'Democracy' in the World Trade Organization," *Alternatives: Global, Local, Political* 36, no. 3 (2011): 240-256.
- Thelen, Kathleen. "Historical Institutionalism in Corporative Politics," *Annual Review of Political Science* 2 (1999): 369-404.

- Thirsk, Joan. "Field of the East Midlands." In *Studies of Field Systems in the British Isles*, edited by Alan R. H. Baker and Robert A. Butlin, 232-280. Cambridge, England: University Press, 1973.
- Thirsk, Joan. "Preface to the Third Edition." In *The Open Fields*, edited by C. S. Orwin and C. S. Orwin, v-xv. Oxford: Clarendon Press, 1967.
- Thirsk, Joan. "The Common Fields," *Past & Present* 29 (December, 1964): 3-25.
- Titow, J. Z., "Medieval England and the Open-Field System," *The Past and Present Society* 32 (December, 1965): 86-102.
- Weiss, Thomas G. "Governance, Good Governance and Global Governance: Conceptual and Actual Challenges," *Third World Quarterly* 21, no. 5 (2000): 795-814.
- Weiss, Thomas G., Tatiana Carayannis, and Richard Jolly. "The 'Third' United Nations," *Global Governance* 15, no. 1 (2009): 123-142.
- Willets, Peter. *Non-governmental Organizations in World Politics: The Construction of Global Governance*. London; New York: Routledge, 2011.
- Zysman, John, "How Institutions Create Historically Rooted Trajectories of Growth," *Industrial and Corporate Change* 3, no. 1 (1994): 243-283.