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FWF Grant application

**Busy Tenants: Rural Land Markets North and South the Alps in
Late-Medieval and Early-Modern Times**

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1. Questions and aims

In European economic history of the pre-modern era, the integration of rural product and factor markets has become a focus of research. Market integration is regarded as a characteristic feature of the spread of commercialization, which, together with other institutional changes, may have fuelled economic growth even in periods of slower technological change (Cerman 2011; Epstein 2000; Grantham 1999). In this context, it has become the increasing occupation of rural and agrarian historians to analyze patterns of transfers of tenant land in terms of the formation of the land market as part of rural factor markets, based upon the assumption that the rise and integration of tenant land markets changed the land market at large. So far, historical research on Central Europe, as opposed to other European regions, has concentrated on the early modern period or followed theoretical assumptions which have come under harsh criticism in recent years. However, new studies indicate that villagers' trading in land along with the existence of market transactions with tenant land may not only have existed in the Later Middle Ages, but may have been of considerable importance with regard to regional economic and socio-structural developments (Cerman 2004, 2008). To assess the significance of the rural land market in medieval times, more work is needed, with respect to empirical case studies set in a comparative perspective in addition to existing research efforts for other regions in Europe. The proposed project would combine the use of both approaches by a comparative in-depth analysis of selected case studies north and south the Alps which is positioned within the broader picture of the evolution of rural land markets in pre-modern Europe.

The main aims are to reconstruct the extent of market integration of land transfers of landholding tenants and the importance of the land market for changes in rural social structure. The analysis will further attempt to present a clear estimate as to the role of the land market for subsistence and income of the rural population. This aspect has particularly been raised by English studies (Campbell 1984; Cerman 2004; Dyer/Schofield 2007: 34-35; Schofield 1997). In addition, we intend to clarify whether its effects varied between Austrian and north Italian regions depending on the type of the rural economy and the legal and tenorial framework. This project intends, therefore, to assess the specific position of the selected case studies drawing attention to the whole variety of legal, social, cultural and possibly differences in the ecological conditions.

2. Theoretical and Historiographical Background

Research in European economic history related to the late medieval and early modern periods has tended to rely on three approaches (Cerman 2011; Harvey 1991; Kriedte 1981). The first approach, based on Malthusian and Ricardian theories (Abel 1966; Postan 1975), has long been the dominant one. Up until the 1980s, historical materialist approaches formed the main alternative (Aston/Philpin 1988; Hilton 1976). Finally, studies concentrating on trade and the spread of the monetary economy comprised the third approach (Lopez 1971; Pirenne 1986). Originally criticized for a relatively narrow thematic focus and the assumption of a linear progress of commercial integration, this latter approach re-emerged over the past two decades in the context of empirical studies. These oppose the overall image of 'stagnant' pre-industrial European societies and economies as it emerged from the Malthusian and Marxist research traditions. Lacking the greater cohesion sometimes attributed to the other two theoretical approaches, this recent research has been grouped together from time to time under the heading of 'commercialization' (Kitsikopoulos 2011: 2-7).

The example of the English experience, against the backdrop of a broader European perspective has yielded studies based on the idea of 'commercialization' in the Middle Ages and early modern period. These attempt to identify the factors influencing long-term economic growth besides major technological breakthroughs. Apart from classifying the nature of technological change in pre-industrial societies as incremental (rather than as completely absent), these studies highlight the importance of a long-term reduction of transaction costs and costs of trade due to, e. g., institutional change. Accordingly, processes of specialization, urbanization, growth of trade, increasing market integration and institutional innovation form the research focus of these new approaches.

As a corollary of this new perspective, the perception of the Middle Ages even in its early stages changed considerably. Against the conventional interpretation of a long period of stagnation and decline, new research has established a wide-ranging amount of evidence that trade and communication across religious and cultural borders was the main driving force of European economic growth as early as the eighth century (McCormick 2001, for English growth before 1300 see Britnell/Campbell 1995). Growth of early-modern economies is thus based upon these structural social and economic changes which date back to the growing commercialization of the medieval period and particularly the later Middle Ages (Epstein 2000; Hatcher/Bailey 2001). Intermediate conclusions on these long-term processes of growing market integration (Britnell 1996; Epstein 2000; Persson 2010) contrast strongly

with the picture of inflexibility and inherent stagnation of pre-modern societies that was predominantly at the heart of Malthusian-Ricardian but sometimes also Marxist interpretations. Consequently, theories of ‘commercialization’ represent an important and innovative theoretical alternative.

The majority of these new interpretations primarily refer to goods markets. Topics such as the significance of the later medieval and early modern trade fair networks or the trajectory of commodities exchanged in long distance trade and goods such as textiles or spices dominated this approach to a large extent (Munro 1994). This focus was due, in part, to the availability of the relevant source material ranging from account books to customs tariffs and other written documents connected to the trade of commodities and raw materials.

Increasing commercialization coupled with a long-term decrease of transaction costs and the costs of trade did not only boost goods markets but could support the development of factor markets, too. In the last two decades, this structural imbalance of research has been addressed systematically within English-language research (Britnell 1996; Britnell/Campbell 1995; Campbell 2009; see Hatcher/Bailey 2001) and to some degree in research on the Low Countries (van Bavel 2010; van Bavel et al. 2012), France (Cursente 2007: 78-79) and Italy (Carocci 2004; Menant 2005a und 2005b; van Bavel 2011), but solid conclusions linked to the impact of commercialization phenomena within factor markets need further empirical studies including other regions.

Especially in German and Austrian research, traditional approaches have proved more resistant in this respect due to two main reasons: Firstly, research interest in late medieval economic history declined after the 1970s. The shift to cultural history often resulted in neglecting research on economic structures and changes. Thus the rich foundations laid by German and Austrian scholars many decades ago now need to be widened with fresh approaches. Secondly, in stark contrast to historical research in other Western European countries, research in Germany and Austria has failed to decisively undermine Malthusian-Ricardian interpretations as represented e. g. by Wilhelm Abel’s works. Thus, even in recent surveys population development is still regarded as ‘prime mover’ for the explanation of social and economic change (Achilles 1991; Rösener 1992; Rösener 2012). In addition, agrarian history tended to analyze the establishment of hereditary tenurial rights (*Erbzinsrecht*) or the transmission of land between tenants almost exclusively in terms of ‘inheritance patterns’, suggesting a complete dominance of property devolution outside market contexts. In spite of some important new and innovative regional studies especially for Switzerland (cf. Meier/Sablonier 1999; Othenin-Girard 1994), the Lower Rhine area (Becker

1992; Reinicke 1989) and Swabia (Sreenivasan 2004; see for an overview Morsel 1999) and occasional references in criticism of Abel (Demade 2007: 217-226; Kriedte 1981; Rösener 2012: 194-196; Sandgruber 1995: 52f; Schubert 1999), approaches of ‘commercialization’ theories have not yet been applied systematically to the analysis of the land market and the economic development of Central European areas at the transition time between the Middle Ages and the early modern period.

3. The Institutional Framework of Medieval Tenant Land Transfers

A survey of land market development in medieval North-western Europe highlighted the importance of the establishment of “exclusive property rights” over land for market integration (van Bavel 2008). Even if it is doubtful that the Roman legal concept of full property is appropriate for describing the extremely differentiated rights late medieval tenants could claim on their land, it should be clear that a study on rural land markets is impossible without considering the role of formal and informal institutions which influenced the exchange and trade in land. Among formal institutions, the legal background, customary law and its change over time as well as the influence of landlords and village institutions will be analyzed. In Austria, for instance, the establishment of hereditary tenurial rights over land (Demade 2007: 229) in the thirteenth to fifteenth century (Sandgruber 1995) marks the earliest possible beginning of a market in tenant land.

In Austria, villagers’ property rights seemed to have remained favourable and stable until the early modern period, with certain areas of Carinthia proving to be a possible exception (Mathieu 2004: 168-171). On closer inspection, however, the legal position of tenant property was far from uniform, therefore, the concrete shape of these rights will have to be studied in detail for the areas selected for this study. Especially in some areas, such as in parts of Lower Austria and Styria, landlord structures seem to have been tightened during the sixteenth century (Knittler 1989). This development did not only have direct impact in terms of the sources used for this project (i. e. the spread of manorial land transfer registers surveying tenant land transactions - cf. below section 5) but may have also imposed some institutional rigidity on the tenant land market that became already visible before 1500, such as the ban on subdivisions, the prohibition of alienation of land etc. (Cerman 2008 for Central Europe). It will be necessary to assess whether forceful expropriations of tenants under certain conditions occurred, as it did, for instance, in late medieval England (Mullan/Britnell 2010: 85-86). The

effects of tenurial rights variation must also be seen in context of another factor, not directly addressed by van Bavel (2008), i. e. the influence of customary law and arrangements respected by custom rather than by explicit regulations. It will be necessary to establish, to which degree tenants could rely on customary rights to avoid possible institutional rigidities.

In fifteenth century Veneto, the legal and institutional framework is even more intricate. Its principal elements are (1) the structure of the landed property, (2) the types of lease contracts, including the communal or regional legislation on these topics, and (3) the Venetian fiscal policy. Whereas in the hills and mountains there was land owned directly by the farmers, the bigger properties, concentrated in the lowlands, belonged to local, urban or Venetian families and ecclesiastical institutions. Much of this land was leased to tenants and was sometimes organized in *poderi*, but very often dispersed in small pieces, since in Italy the manors had dissolved already in the high Middle Ages (Carocci 2004). The tenants' contracts were often short term (5–9 years), but could also be of long duration (*emphyteusis*).

Through a fully-fledged awareness of the mutual influence the institutional framework had on market mechanisms and vice versa, the proposed project will avoid the mistake common to purely 'Smithian' research perspectives prominent among recent 'commercialisation' literature. It will be necessary to understand the role which both the control of the tenant land market and the taxing of villagers' land transactions (entry fines - *Laudemien* - see Feigl 1998) had for the landlord structures emerging in areas of early modern Austria and Northern Italy. Existing case studies point at an important role of entry fines in terms of the influence on land market development and of late medieval landlord income (see for England Harvey 1984; Mullan/Britnell 2010: 71-83; Whittle 2000), but also in relation to the flexibility, with which these fees could be increased over time (as opposed to feudal cash and product rents) (Sreenivasan 2004: 11, 22).

Institutional influences are closely linked to property rights (often covered by laws and regulations regarding inheritance). Over the High and Late Middle Ages, the spread of hereditary tenure and its distinction from less secure tenant rights contributed to the establishment of inheritance customs and the rise of a regional division between partible and impartible inheritance. The actual establishment may not have been straightforward and was part of a more general process driven by landlords to establish control over land and property by means of the intensification of administration. It is to be expected that practices among villagers continued to vary widely for a certain period of time, not least also because of policy shifts by landlords into one direction or another. Even where formal manorial regulations existed – partly as a consequence of villagers' demands – the question would remain, which

tenurial form actually counted for each individual holding. Landlords would often only gain control over this situation by cooperation with village elites or the proprietors in question (Sreenivasan 2004: 17-23, 79-86, 155-164). Regulation by territorial princes contributed to the increasing standardization of such property rights and practices. While first measures in this respect can already be found in the aftermath of the Black Death and have given rise to a long-lasting debate on the effects for agrarian structures e. g. in England and France (Allen 1992; Brenner 1988; Whittle 2000), a successive tightening of regulations and their aim to standardize practices in one way or another may have been the result of territorial legislation after 1550 and was most likely linked to the gradual rise of regular state taxation (Rebel 1983; for German areas Rösener 2005: 62). While some of these developments are beyond the chronological and thematic focus of the project, our research will consider the background of these institutional changes and their effects as to whether tendencies of an increasing formalization were reflected in the transfer practices observed among the villagers.

Bas van Bavel emphasizes that the establishment of “exclusive property rights” over land also coincides with the erosion of the influence of informal institutions on land transactions, such as collective property claims exerted by family members (Bavel 2004; see originally Levi 1986; Macfarlane 1978: 62-65, 80-101; Sreenivasan 1991: 5). It is therefore necessary to consider the impact of informal institutions, particularly the family and the tenant household, on the development of the tenant land market and to measure the extent to which these informal institutions may have contributed to possible institutional rigidities governing the trade and transfer of land. After all, decisions to buy, sell or transfer land were embedded in the family, social and economic strategies of villagers’ households and, as far as we can determine from the existing empirical evidence, transactions among kin always formed some, if varying, share of transfers (e. g. Demade 2007: 230; Feller 2005; Levi 1986; Sreenivasan 2004: 23; for evidence on England see Razi 1980; Whittle 1998; Whittle 2000: 85-177). The increasing incidence of properties in shared ownership of several family members (so-called property *in gesamter Hand*, Latin *communis*), such as among brothers, observed by some of the literature for fourteenth-century Austria, mirrors the importance of possible family influences and has not been investigated in detail (Gänsler 1993; Sandgruber 1995: 52). This practice may also have been a family strategy in response to seignorial controls regarding division of farms through the course of transfers or inheritance (Brakensiek 2003: 282-287; Demade 2005; Patzelt 1977; Sreenivasan 2004: 79-86). Available studies on Austria and Germany have concentrated on the early modern period and do suggest a continuous

influence of family inheritance strategies on transfer patterns, sometimes supported by interests of higher authorities (Rebel 1983: 170-198; Sreenivasan 2004).

In order to establish clarity with regard to these questions, conventionally, research differentiates between family transfers, e. g. in the course of inheritance, and sales between non-relatives, the proportion of which is often used as an indicator for the extent of the land market (Hoyle 1995: 159, 162-163; Mullan/Britnell 2010: 87-97; Müller 2005: 304-310; Sreenivasan 1991: 9-11; Whittle 1998; Whittle 2000; see for criticism Sreenivasan 1991: 9-28). Although there are good reasons to follow this analytical approach, there are also several pitfalls, as, for instance, studies on early modern land transfers in a Central European context established that transfers among relatives were, in fact, sales, involving formal contracts and actual payments between the involved (related) contract partners (Štefanová 2009; see also Hoyle 1995: 168-173). Moreover, kin transfers usually dominated the volume of land transferred even though the number of transactions carried out was higher among non-related individuals (French/Hoyle 2003: 603-607). As illustrated by research over the last decades, all European pre-modern rural societies shared the combination of these patterns. It will be one task of this project to determine the variety of inheritance practices in late medieval and early modern Central European regions. Although there is no direct link to be drawn from inheritance provision to family life the inheritance customs do yield certain hints to ways family bonds over generations were maintained and secured. How strong the tie between land and family, the so-called family-land bond, had been in the regions under scrutiny, has to be discussed (Sreenivasan 1991; Whittle 1998).

The project builds on earlier theoretical, empirical and comparative research of the applicant (cf. esp. Cerman 2004, 2008) and the co-applicants' expertise in medieval economic and social history. Previous publications of the applicants have established that the lack of empirical case studies into land transactions of the late medieval rural population in Central Europe forms a significant research gap, which this project wants to address. Its design is based on an earlier application developed as one of the project parts of a planned National Research Network 'Agricultural History of Austria' in 2005/2006 (FWF application S101-G14). Although the network was turned down, the evaluation of this particular project part (no. S10105), from which the current application was amended and extended, was highly positive: 'This PP is excellent and belongs to the strongest of the entire NFN, accompanied by one of the most impressive presentations during the hearing. The PP creates very interesting questions, the goals are clearly defined and the proposed methods are appropriate (...) Dr Cerman is an extraordinary and very promising (...) researcher with an interdisciplinary

background in history and economics. He has a strong international track record including publications in different languages. Moreover, the reviewers were particularly impressed by the list of project partners and international collaborators that have been assembled for this work.’ (Quote from p. 5 of the referee’s report) After further preliminary research, a revised version is now handed in and represents an independent research undertaking on medieval rural land markets.

4. Methods and Comparative Surplus

In a methodological respect, the project will include a quantitative analysis of land market activities of the rural population and their diachronic changes in the areas studied. In addition, a qualitative analysis of land market institutions created by villagers’ and seigniorial interests and the way they influenced the land market will be carried out. The methods of the proposed study will rely upon research approaches used by international research into rural factor markets and in particular on rural land markets (see e. g. Cavaciocchi 2004; Harvey 1984; Razi 1980; Razi 1993; Schofield 2003; Schofield 2008; Smith 1984; Soens/Thoen 2004; Whittle 1998).

Information derived from the sources will be entered into a database which will be centred on holdings/households and individuals. The complete database will contain entries of the type of holding/land involved, area and date, names of individuals participating in the transactions and, if available, other information, such as price, mode of payment and any additional details on special circumstances. As the study will first concentrate on a quantitative analysis of transfer registers (see section 5), even this basic information is sufficient to analyze the main questions raised, i. e. the frequency of transfers, the types of transfers (e. g. full holdings vs. individual pieces of land) and the situation of the individuals involved. Where possible, the quantitative analysis will deal with other aspects, too. Often, problematic cases are accompanied by more detailed information and, over time, transfer contracts usually grow larger and include more details. The database will be designed to be able to deal with such entries to include information on heirs, their inheritance share and contractual retirement arrangements e. g. for the former owners and other possibly relevant details.

The influence of formal and informal institutions on the behaviour of tenant households can only be reconstructed in detail by conducting a qualitative analysis of the transfer contracts. Similarly, scarce evidence regarding property inventories (such as in debt litigations or

inheritance regulations for under-age children) will allow scope for some tentative conclusions on factor endowment and prices. This qualitative approach will culminate in an analysis of household and family level and will be an attempt to recreate – as much as this is possible given the limits of the medieval source material – the approach centred on agency of individuals characterizing the work of the project.

The comparative perspective between Austria and Northern Italy will additionally enrich the study. A recent paper by Bas van Bavel serves as an example for an attempt to compare late medieval and early modern Northern European with Italian factor markets (van Bavel 2011). This article provides challenging and important observations on Italian agrarian and social history, but it concentrates on research which focuses on Florence and Tuscany. By contrast, medieval ‘Italy’ was a very heterogeneous country (Carocci 2004; Cammarosano 2009). Van Bavel’s discussion of regional variation in the Netherlands and his interesting comparison thus invites further empirical research on other Italian regions.

The aim of the comparison between an Italian and two Austrian regional examples is not to attest a particular case or region as more ‘progressive’ and another more ‘backward’, but to reconstruct the factors which prove relevant, decisive or obstructive for the development of flexible land markets. On the one hand the selected case studies are similar enough with respect to the legal and agrarian framework. On the other hand the comparison is going to highlight the specific feature of the single case studies. In looking at two distinct but similar Central European regions, both the as yet dominant focus on West European conditions and the all too simplifying conclusions already established on the differences between North and South European conditions can be ignored. The result hopefully will enlarge our understanding of the late medieval and early modern European land market by illustrating commonly shared patterns and regional differences.

5. The Case Studies in Austria and Italy

The sequence of the case studies’ analysis will be based on the following strategy:

1) as first step of analysis, the construction and analysis of a database regarding estate size, the number and size of villages, the number and social structure of tenant holdings, evidence of the economic structures and the structure of dues, rents and services rendered will be based on manorial extents, terriers and possibly tax assessments. The database will also allow identifying changes over time;

2) the core of the research will centre on the expansion of this database with information drawn from manorial land transfers registers and similar sources (such as charters, notarial contracts), which register the transfer of individual holdings with a varying set of information. The database will be based on individual holdings (see section 4 for the methodological approach). Thus, it will be possible to establish the dynamics of the transfer of tenant land, social differences and the degree of integration of rural land markets as well as to develop assumptions on the role of formal and informal institutions. For a certain point in time and for particular tenant holdings, which can be identified in both types of sources, information from the first step of analysis (1) and this step (2) may be linked;

3) a qualitative analysis of the transfer contracts will deepen our understanding of the influence of institutions and the way they were used by the agents involved. It will shed light on the way landed property was perceived by tenant families and on the range of conflicts that emerged among buyers and sellers. Transfer contracts were often actively used to anticipate conflict scenarios and established procedures in case of the default of contract partners;

4) finally, the use of customals (see *Österreichische Weistümer 1890ff*) and documents originating from the manorial administration will reflect the background of formal regulations, the institutional influences and changes over time with respect to property rights, inheritance laws and customs, entry fines and tenurial rights. Wherever possible a reconstruction of the evolution of tenants households will allow scope to draw conclusions on the informal institutions which could have influenced the behaviour of farmers as agents in a land market.

Case study 1: Lambach (Upper Austria)

The Benedictine monastery of Lambach was founded in the eleventh century by the counts of Wels-Lambach. As a result of donations, the monastery received landed property of varied characteristics in different locations over the course of the following centuries. The central area of the estate close to the monastery is situated at the border region between the core arable agricultural region of Upper Austria, the Traunviertel, and the Hausruckviertel, which is less favourably suited for arable activities and was characterized by a stronger pastoral element of traditional mixed husbandry. This is also evident by the existence of tenant holdings specialized in animal husbandry, the so-called *Schwaighöfe*. The manorial extents show that forestry played an important economic role in the fifteenth century, though large-scale clearing (assarting) for settlement purposes had stopped much earlier. The settlement

structure is characterized by hamlets and single farms, not by nucleated villages (Stockinger 1929: 10, 12-13, 19-20, 23-27). Hereditary tenure was widespread, although the manorial extents indicate that also less secure forms of tenure, i. e. at will of the lord (*Freistift*), still existed (Katzenbeisser 1923; Stockinger 1929: 27-38). This finding of the older research will have to be scrutinized by an in-depth analysis of the transfer registers. Social structure was dominated by the *beneficia* of tenant farmers, but it is very likely that medieval sources failed to register cottagers and smallholders fully. This is especially evident by the inroad divisions of holdings made between the extents of 1414 and 1441/1463 (Stockinger 1929: 15-16, 18, 58-61) which may indicate that tenant land markets became more dynamic after the first decades of the fifteenth century.

The fifteenth-century *Briefprotokolle* of Lambach Monastery (Oberösterreichisches Landesarchiv [OÖLA], Stift Lambach, Hs. 188-190, Nr. 760, Briefprotokolle 1443-1461) represent the type of property transfers registers which originated in the sphere of late medieval and sixteenth-century manorial administration in Austria (*Kaufbücher/-protokolle* and later *Gewährbücher*) (Feigl 1998; Schöggl-Ernst 2004; Sonnlechner 1998). They have been preserved in outstanding condition, record standardized contracts for all registered tenant land transfers and include partly more detailed contracts for special cases (such as protecting the rights of under-age heirs etc.). Nearly 1,000 contracts have been preserved for the periods 1443-45, 1446-51, 1457-61. Similar registers for the period 1537-1570 can be used as comparative material (OÖLA, Stiftsarchiv Lambach, Briefprotokolle Amt Wels, Nr. 1323).

In support of these sources, a rich set of manorial extents/terriers (*Urbare*) is available. The oldest surviving dates back to 1414 and was presumably based on older written notes. In the following decades, growing income from the salt business and renewed privileges regarding the market in Lambach village added to the monastery's economic success. The contemporaneous development of the landed property was noted down in a second manorial extent in 1441 and a third one in 1463, which are also available in a published form (Schiffmann 1912). The quality and quantity of these primary sources are extraordinary, which allow the possibility for property structures to be reconstructed at various points of time in the fifteenth and sixteenth centuries (OÖLA, Stiftsarchiv Lambach, Hs. 37-43; see Grill 1950).

Case study 2: St. Lambrecht (Styria)

The second case study focuses on the tenants of another Benedictine monastery. Like Lambach, Sankt Lambrecht Monastery was founded in the eleventh century by an aristocratic family and accumulated privileges along with property over the course of the following centuries. The monastery is located in a mountainous region with properties in the close vicinity and in several valleys in Upper Styria. Due to environmental conditions in the area, the economic characteristics of the monastery's properties resemble more the type of mountain farming which resulted in a greater importance of animal husbandry and the dairy economy. So economically, pastoral activities – cattle and sheep rearing and dairy farming –, along with forestry, represented the most important tenurial activities. Compared with other estates, the number of cattle was particularly high on individual manors of the monastery. This does not mean that there was no arable agriculture. On the contrary, the monastery also received grain rents – particularly wheat and rye – from the tenant holdings (Gänser 1980: 78-80).

The villages of the monastery were characterized by the continuous spread of a particularly secure form of tenure, the emphyteutic *ius emtionis* or *Kaufrecht*. Although in practical terms these property rights may not have differed very much from ordinary hereditary tenure, they appear more formal and involved additional legal security and additional income for the monastery due to fees (Gänser 1980: 65-66, 81-93; Steppan 1995: 23, 26-27). A further regional peculiarity is the presence of holdings in shared ownership of more than one tenant, although the incidence of these property arrangements seems to decrease quickly over the fifteenth century. Instead, there was an increase of smallholdings, which, however, often did not secure a livelihood which resulted in some of the new units becoming reunited again with larger properties (Gänser 1980: 60-61). During the fifteenth century, a number of holdings also were tenures at will of the lord (*Freistift*) (Gänser 1980: 109-110).

As a special regional institution, tenant land transfers were recorded as charters of property purchases (emphyteutic charters - *Kaufrechtsurkunden*) which are available for some of the St. Lambrecht manors (Posch 1963; Gänser 1980; Sandgruber 1995: 32; Stiftsarchiv St. Lambrecht, Urkunden). These seem comparable to the English form of copyhold and the favourable nature of property rights seems to have encouraged tenant land transactions. At least, the manorial extent of 1494 refers to widespread independent tenant transfers which made a new documentation of their properties necessary in the eyes of the manorial administration. (Plank 1976: 52-53)

Similar to case study 1, the material regarding land transfers in St. Lambrecht is also accompanied by a rich set of manorial extents which can be used to establish rural social structure and the number of village households for individual manors of the monastery (Pichler 1967/3,1: 309-323; 1977/3,2: 737-745; see also Schöggel-Ernst 2004: 518-522; Stiftsherrschaft St. Lambrecht, Karton 12; Herrschaft Piber, Karton 1, Karton 31). Uniquely in a later medieval/early modern context, not only the earliest tax registers (1527 and 1542) have been preserved and can be used to determine the value and inventory of tenant holdings, but also a population register documenting household sizes and members (Gänsler 1980: 44-46, 48; Steiermärkisches Landesarchiv, Gülterschätzung no. 21/272; Leibsteuer 1527, no. 150).

Case Study 3a and 3b: Ospedale di S. Maria dei Battuti and Certosa del Montello (Treviso, Veneto)

The city of Treviso, situated in north-eastern Italy some 25 km north of Venice and 40 km south-east of the first promontories of the Dolomite Alps, is a typical Italian medieval commune. Even after it had lost its political independence to Venice during the fourteenth century, the communal elites succeeded in keeping their key positions because the *Serenissima* conceded to local powers a broad margin of autonomy in fiscal policies and in the administration of the towns' resources. The Trevigiano territory consisted of a central part, the *podesteria* of Treviso, divided in eight *quartieri* and subjected to the city's taxation, and of a periphery of other *podesterie* and *contee* that paid their taxes directly to Venice. In the fifteenth and sixteenth centuries, the structure of landed property was characterized by a mixture of large and medium-sized estates owned by ecclesiastical or charitable institutions, noble families and citizens of Treviso as well as by Venetian patricians or churches; all of them leased their land to tenant farmers. However, in the northern part of the territory – in the hills of the upper Piave valley and the foothills of the Alps – a certain amount of land belonged to small farmers. In the lower, southern parts of the Trevigiano grain cultivation predominated, whereas in the hills viticulture was mixed with the cultivation of cereals and sheep farming. These property structures and features of production can be reconstructed on the basis of an exceptionally rich tradition of fiscal documents (*Estimi*, available in the Archivio di Stato of Treviso), which exist from the first half of the fifteenth century on. These also provide a very good insight in the composition of the farmers' families: they are particularly complete for the eight *quartieri* directly subjected to the city, though much less

for the other *podesterie* and *contee* (e. g. Galletti 1994; Bulian 2001; Cavazzana-Romanelli/Orlando 2006; Ferrarese 2009).

For the purpose of the proposed project, we will concentrate on the archives of two ecclesiastical and charitable institutions and on the very fine collection of notary registers, all of them preserved in the Archivio di Stato of Treviso. The main example are the estate registers of the Ospedale di S. Maria dei Battuti (D'Andrea 2007; Gasparini 2010: 11-42). Several of these registers survive, but one of them is a very good point of departure for our investigation: the *Catastico* written by the Hospital's employee Girolamo Marcolin in 1567 (Treviso, Archivio di Stato, Ospedale dei Battuti, busta 343), an extensive volume where all the possessions of the Hospital are described in detail and the history of every single complex is reconstructed from the beginning of the fifteenth century until 1567.

This information from the *Catastico* will be completed by an analysis of the notarial documents, where the full texts of the contracts between the Hospital and its tenants, quoted regularly by Marcolin, can be found. The probability of discovering these contracts is reasonably good, not only because Marcolin gives sufficient information on the date of each contract and the name of the notary, but also because the notaries who worked preferably for the Hospital are known and many of their registers are conserved in the very rich Archivio notarile in Treviso's Archivio di Stato. The qualitative analysis will rely on the data given by the *Catastico* and the other registers, on the content of the notarial contracts and on the information offered by the *Estimi* (detailed overview in Cavazzana-Romanelli/Orlando 2006). These documents will give insight in the economic and social situation of the agents and help understanding the structures of selected tenants' families; they thus should shed some light on the informal institutions that contributed to forming the land market, whereas information on formal institutions that regulated land transfers in the Trevigiano; other information on this topic can be found in communal statutes and regional legislation and in the already existing historical research on the normative background of the local dealing with land (Betto 1984-1986).

In order to compare the Hospital's case with a differently structured economic agent, the investigation will then be extended to another land owning institution of the Trevigiano, the Certosa del Montello (for a short historical survey see Crovato 1987). The documents of this Carthusian monastery are conserved in the Archivio di Stato of Treviso, too (Inventory of the Corporazioni religiose soppresse in the Sala di studio). This material includes registers of possessions and tenants from the late fifteenth century on (the oldest one is in Treviso, Archivio di Stato, CRS, Certosa del Montello, busta 1). Whereas the Hospital's lands are

concentrated in the southern, lower part of the territory, the possessions of the Certosa are located near the Montello, a hill of 371 m height located at 15 km North-West from the city, and in the higher northern parts of the *podesteria* of Treviso. Most of these locations are covered by the *Estimi*. Since the monks' economic activities do not focus on the city it is not yet sure whether notarial registers relating to the Certosa are available in the Archivio Notarile of Treviso, but the archives of the monastery contain a series of copies of lease contracts beginning in the early sixteenth century (e. g. Treviso, Archivio di Stato, CRS, Certosa del Montello, busta 64). It is probable that the institutions regulating land transfers were the same for the Hospital and the Carthusian tenants. At any rate, the sources available for the Certosa allow for comparisons – at least with regard to selected farming families – of the rhythms and ways of land transfers in the two agrarian units and of the structures of the tenants' households.

6. Plans for Cooperation, Publications and Dissemination

The project can rely on an existing network of cooperative partners in Austria and abroad, which the applicants built up in earlier research contexts and on the basis of international research projects. A first group of cooperation partners in Austria was assembled following the application for a National Research Network in 2005/2006 – already mentioned above – that aimed at the publication of a research-based multi-volume 'Agricultural History of Austria'. In their positive evaluation, the referees also suggested giving more attention to the analysis of the influence of informal institutions and this suggestion was taken up in the current proposal forming now one of the main aims. One of the particularly strengths of the original proposal, specifically lauded by the referees, was its thorough integration into the international research (see above). The current proposal gives even additional weight to this strength, not least by our strategy to participate in adequate international conference series in Europe and overseas and by specific research periods abroad for our young researchers. The extensive network established for the original network application, especially the research contacts to the Ludwig Boltzmann-Institut für Geschichte des ländlichen Raumes (Doz. Ernst Langthaler), the Institut für Interdisziplinäre Forschung und Fortbildung of the University of Klagenfurt, Dept. of Environmental History (Prof. Verena Winiwarter) and, naturally, our home department, the Dept. of Economic and Social History, University of Vienna (Prof. Erich Landsteiner), will also be used for the current project. Secondly, the project will draw

from long-term cooperation with medievalists, specifically with Prof. Christian Lackner and Dr Herwig Weigl of the Dept. of History, University of Vienna, and Dr Christoph Sonnlechner of the Vienna Provincial and Municipal Archives. Prof. Winiwarter and Dr Sonnlechner are also leading experts on the types of documents used in our project, as they were involved in an environmental history study on Lower Austrian regions in the late 1990s that drew evidence from fifteenth-century land transfer registers of the Göttweig Monastery's estate. With regard to the historical sources, the project will also be in contact with Dr Elisabeth Schögggl-Ernst of the Provincial Archives of Styria. The closeness of these partners will allow consultations in the context of informal meetings and formal project team meetings (see below), but they will also be specifically invited to occasions of presentations of preliminary research results in one of the many University of Vienna's History Faculty research seminars.

Thirdly, the project collaborators dispose over an extensive network of contacts to specialists on medieval economic and rural history in various European countries. The following have agreed to be partners of the project, review the planned papers and participate in panels on international conferences or else support the quality and dissemination of our research work: Prof. Mathieu Arnoux (University of Paris I), Dr Chris Briggs (University of Cambridge), Prof. Paolo Cammarosano (University of Trieste), Prof. Bruce Campbell (Queen's University of Belfast), Prof. Sandro Carocci (University of Rome II, "Tor Vergata"), Dr Julien Demade (EHESS, Paris), Prof. Laurent Feller (EHESS, Paris), Dr Michael Limberger (University of Gent), Prof. Paolo Malanima (Institute of Studies on Mediterranean Societies, Naples), Prof. Eduard Maur (Charles University Prague), Prof. Richard Smith (University of Cambridge) and Doz. Dr Stefan Sonderegger (University of Zurich). Finally, during the COST A35 network (Programme for the Study of European Rural Societies), in which the applicant participated, an extensive network of European rural historians was established, on which this project will rest for cooperation. Partners are Prof. Bas van Bavel (University of Utrecht), Prof. Gérard Béaur (EHESS, Paris), Prof. Rosa Congost (University of Girona), Dr Piotr Guzowski (University of Białystok), Prof. Richard Hoyle (University of Reading), Prof. Rui Santos (University of Lisbon), Prof. Philipp Schofield (University of Aberystwyth) and Prof. Erik Thoen (University of Gent). Several of these partners have already worked on medieval and early modern tenant land markets and land transfer patterns and are therefore ideal consultants as well as reviewers of preliminary results of the project. In addition, it will be necessary for the two pre-doc co-workers of the project to spend research visits abroad to liaison more closely with some of our foreign cooperation partners in designated research

centres. For this, the EHESS Paris (Prof. Arnoux, Prof. Béaur, Dr Demade, Prof. Feller) and the University of Cambridge (Dr Briggs, Prof. Smith) will be ideal hosts in terms of resources and research expertise.

The first year of research will concentrate on archival studies and on constructing the data base for later analysis. Any presentations (and prepared publications) in the course of this phase of the project will concentrate on historical-critical aspects of the source material, on technical and methodological aspects of constructing the database and on preliminary tests of analysis, especially based on qualitative approaches. It will be in this phase that the contact to project partners will be most useful in terms of research experience and advice for future steps. It would be useful if the research periods, which the pre-doc researchers will spend abroad at designated research centres and in direct contact with project collaborators either in Paris or Cambridge, would take place during the last weeks of this initial work phase. Dissemination in this period will rely mainly on introducing the project to the international scholarly community by means of research seminars and conference contributions. Only when the empirical analysis has progressed, there will be a better basis to develop for publication papers based on preliminary results. These papers may be individually authored by the researchers responsible for the case studies or completed in collaboration. In the final stage, there will be at least one common paper with special focus on summarizing the empirical findings of the analysis and on the comparative aspects, drawing conclusions from the three case studies set in a common analytical focus. Work on two or three major monographical studies will progress during the final phase of the project. Thus, dissemination will mainly rely on (i) conference and seminar papers as well as contact to cooperation partners, (ii) presentations and discussions on a workshop planned for the second year of the project and (iii) research articles submitted for publication in relevant journals. Large international conferences taking place during the project will provide occasion for the presentation of preliminary results and the project researchers will seek to organize special panels. These are annual conferences such as the Medieval History Congress in Leeds, the International Conference in Medieval Studies in Kalamazoo or the Social Science History Conference (US). Then there are relevant international conference series taking place in a longer-term rhythm such as the XVIIth World Economic History Congress (2015, location yet unknown), the European Social Science History Conference (Vienna, 2014) or the International Conference of the European Rural History Organisation (Berne, 2013).

The following peer-reviewed scholarly journals focus on topics related to the project: *Agricultural History Review*, *Annales*, *Continuity and Change*, *Economic History Review*,

Histoire et sociétés rurales, Jahrbuch für Wirtschaftsgeschichte, Past and Present, Rural History, Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte and *Zeitschrift für Agrargeschichte und Agrarsoziologie*. Articles for publication will be submitted to journals selected from this list.

Towards the end of the second year of the project also a workshop with project partners and collaborators will be organized. The aim of the workshop (one and a half days) is to discuss the approach of the project with European and local experts. The scholars invited should be able to evaluate the problems raised by our specific sources and the historical contexts of the three case studies.

The travel budget estimated for conference participation and research periods abroad is integral part of the project dissemination strategies and enables a fast introduction of the results of our empirical research into the international debate, which, as we argue above, lacks relevant data for the late medieval Central European area. While this gap seems to justify the conference time table specified above and the necessary travel finances to support it, they also serve another aim. The applicants are convinced that the young researchers should seek intensive contact to our international project partners and should be enabled to participate in the international scholarly network and discussion at the earliest possible stage to gain experience at the international stage. The gains for future career expectations in terms of networking and publication possibilities can hardly be overestimated. In addition, conference travels by the applicants will help to stabilize and extend existing international research contacts for future purposes and will help to intensify the Austrian presence in international research in the area of medieval economic and social history, a field, as we argue, long neglected in Germany and Austria.

7. Finances

7.1 Research facilities

The University of Vienna will be host to this project through the applicant and the co-applicant Prof. Thomas Ertl. It will be most likely in the position to offer office space and access to the communication network for researchers specifically hired for the project. In addition, rich resources on European economic history and on medieval history will be offered by the research libraries of the University of Vienna, in particular the University

Library and the libraries of Geschichtswissenschaften and of the Institut für österreichische Geschichtsforschung.

7.2 Researchers

The applicant and co-applicant

Markus Cerman and Thomas Ertl will be director and co-director of the research project. They will devote a part of their research to the proposed project, participate in presentations, publications and other forms of dissemination of the project's research aims and results and will supervise and collaborate in the research of the three case studies and their senior and junior investigators.

Co-applicant and principal investigator (case study 3), post-doc (Thomas Frank)

Responsible for carrying out and completing case study 3: preparation, archival research, construction of the data base for case study 3, entering data, data analysis, source analysis, conference participation, preparation of publications, co-organizer of a workshop.

Sub total EUR 181,830,--

Two principal investigators (case studies 1 and 2), pre-doc

Responsible for carrying out and completing case studies 1 and 2: preparation, archival research, construction of the data base for case study 3, entering data, data analysis, source analysis, conference participation, research stay abroad, preparation of publications, co-organizers of a workshop.

Sub total EUR 208,200,--

Graduate student support

A stipend will be reserved for a graduate student of Economic and Social History to participate in the project, support data applications, for obtaining the large and heterogeneous body of printed sources (e. g. customs, regulations) and for help in preparing the project workshop in the third project year. In total, a workload of 40 hours per month over 24 months is calculated.

Sub total EUR 16,170,--

Total costs EUR 406,200,--

7.3 Other costs

Costs for supplies and expendables

Case studies 1 and 2: 1,050,--

Costs of reproduction of primary sources (microfilm, photocopies, digital copies)

Case study 3: EUR 500,--

General photocopying and obtaining research literature

EUR 750,--

Sub total EUR 2,300,--

Travel costs

Travels for archival research:

Case study 1: three months of archival research (mainly Oberösterreichisches Landesarchiv, Linz)

Accommodation costs: EUR 3,600,--

Travel expenses (train Vienna/Linz): EUR 400,--

Case study 2: three months of archival research (split between Steiermärkisches Landesarchiv, Graz, and Stiftsarchiv, St. Lambrecht).

Accommodation costs: EUR 3,600,--

Travel expenses (train Vienna/Graz/St. Lambrecht): EUR 500,--

Case study 3: three months of archival research

Travel costs: EUR 600,--

Accommodation: EUR 1,800,--

Sub-total archival research EUR 10,500,--

Conference participation

Annual international conferences in the US (one conference in the second and two in the third project year)

Airfares for four participants (at EUR 800 per travel) EUR 9,600,--

Accommodation costs for four participants (minimum four nights at EUR 110) EUR 5,280,--

Medieval History Congress Leeds (second and third project year)

Airfares for three participants (at EUR 200 per travel) EUR 1,200,--

Accommodation costs (minimum three nights at EUR 130) EUR 2,340,--

World Economic History Congress (once; location unknown)

Estimated costs for three participants: EUR 2,700,--

Sub-total conferences 21,120,--

Research visit abroad

2 principal investigators (pre-docs) will spend one month each in designated research centres (Paris or Cambridge) preparing their analysis, networking, comparative dimensions, presentations and obtaining literature not available in Vienna.

Total costs: EUR 2,000,--

Sub-total research abroad 2,000

Project workshop

Travel costs of 6 invited experts and speakers: 3,000,--

Accommodation costs (6 persons, 3 nights each): 1,800,--

Organizational costs (preparation support, buffet lunch, dinner and coffee breaks): 300,-- (flyers, posters); 1 buffet lunch for 12 persons = 240,--; 2 dinners for 12 persons = 720,--

Sub-total workshop: 6,060,--

Hardware

1 digital camera EUR 200,--

Three laptops (including software licenses) EUR 2,400,--

Sub-total hardware EUR 2,600,--

Total other costs EUR 44,680,--

Total costs EUR 434,710,--

8. Select bibliography

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