

# STATE CAPACITY AND THE RISE AND FALL OF SERFDOM IN EUROPE

Tracy Dennison

California Institute of Technology

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# Motivations for This Project

Two questions emerged from Voshchazhikovo study:

- 1) How do the estate-level observations in *The Institutional Framework of Russian Serfdom* fit into a larger political economy of serfdom?
- 2) Why did the 1861 Emancipation Act in Russia make so little difference to the long term institutional equilibrium in Russia? Why did so little change?

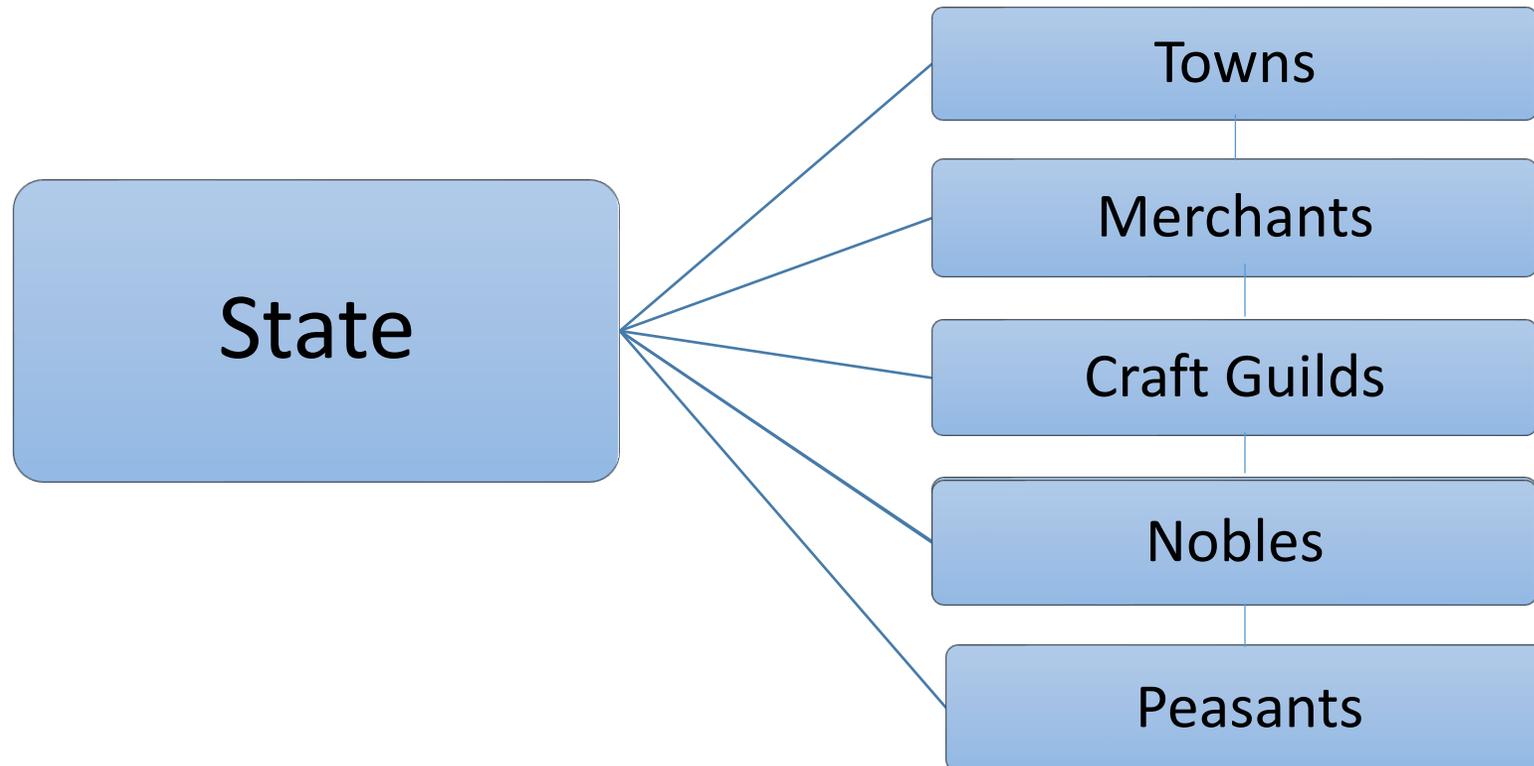
Russian crown initiated reform legislation expecting to gain from loosening nobles' hold on peasant population, expanding tax base. Didn't turn out that way; revisit again with new large-scale land reform in 1906.

Contrast with Prussia, where a strong, centralized state with much greater power has emerged by the time serfdom is abolished in the 19c.

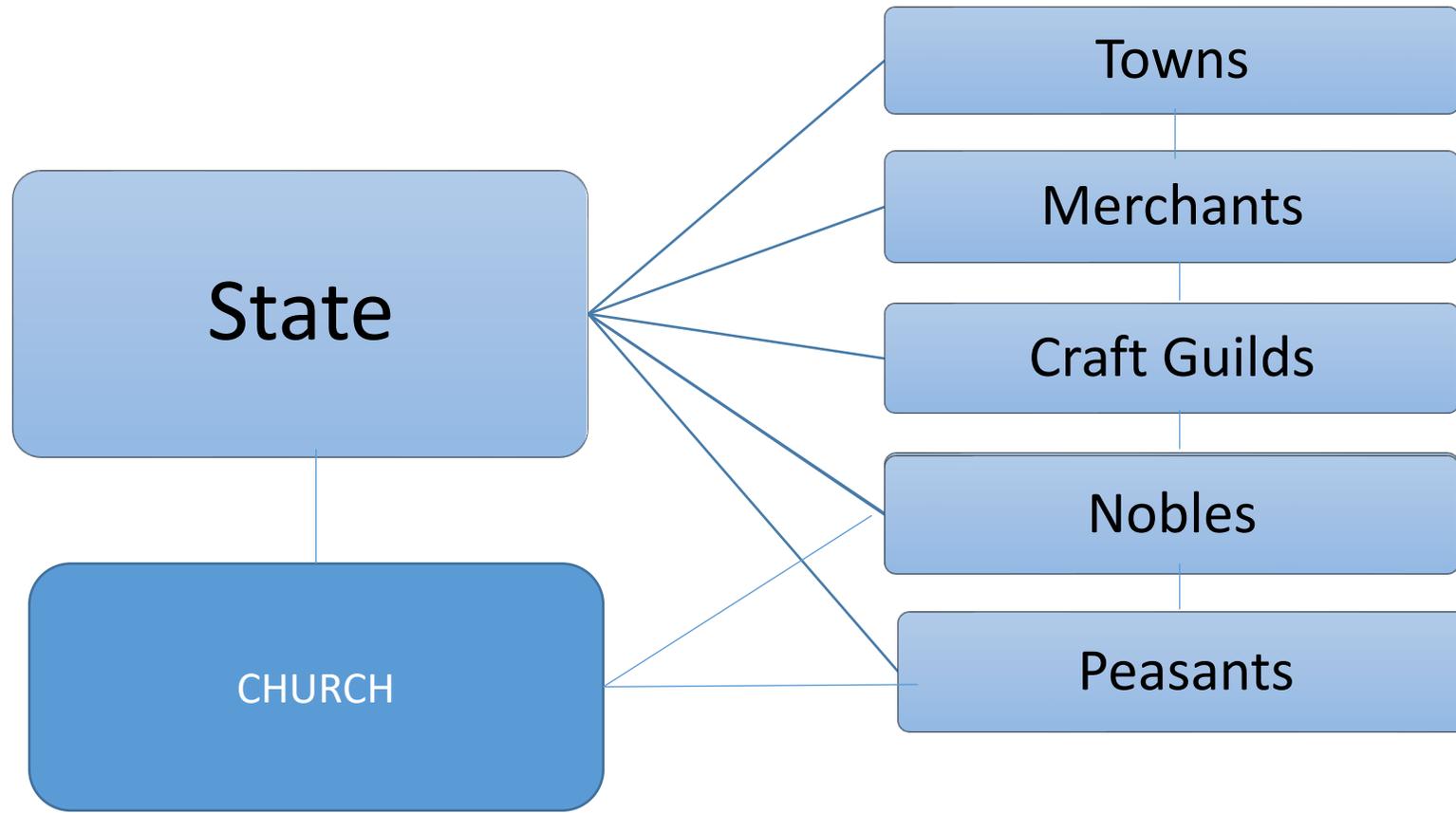
# Summary:

- Role of the state is key to understanding institutional context of serfdom
- Serfdom is part of a weak state equilibrium; ruler must make concessions to other powerful actors to obtain services/revenues/cooperation. Serfdom is a constraint on fiscal aims of the crown.
- In order to loosen this constraint, state has to be able to perform administrative functions that its noble agents perform in exchange for their privileges.
- This happens gradually over 17<sup>th</sup>- 19<sup>th</sup> cc in Prussia (and earlier in much of western Europe). Decline of serfdom reflects underlying institutional reconfigurations.
- In Russia serfdom is formally abolished, but the state still remains weak vis-à-vis other groups with limited options for surplus extraction.
- Key difference: law - **legal practices and processes** - esp enforcement of property rights emerges as an important tool for states in western/central Europe but not in Russia
- This suggestive finding has implications for our understanding of origins of "inclusive"/"open access" institutions and emergence of strong central states

# Larger Political Economy of Serfdom



# Even Larger Political Economy of Serfdom



# Institutional Framework of Serfdom

## *Key Points (and Caveats):*

- State concedes privileges to different groups – all of which (including the state) are competing for surpluses - in exchange for: administration (tax collection, conscription), military service, revenue, loans, loyalty
- These groups are not monolithic – nor is the state; there is internal conflict and there can be shifting alliances. This framework does not depend on any specific configuration.
- The balance of power at any given time among these different interests shaped the character of serfdom in a specific society. (But despite describing it as an “equilibrium”, it is constantly in flux.)
- These concessions, over time, become too constraining for the ruler. But in order to access the rents conceded to others, the state has to be in a position to do without the services/revenues it obtains through these negotiations.
- Success is not once-and-for-all. Not zero sum. States erode noble privileges in context of serfdom; nobles exercise their power through other channels.

# States, Landlords, Peasants

Existing models of serfdom focus on **labor dynamics**, mainly landlords and peasants. Mobility restrictions assumed to have “power of state” behind them.

The coercive aspects of serfdom are alluded to, not fully incorporated [eg Domar 1970 - “endogenous political variables”]

The problem is that states did not have the administrative capacity or resources to enforce serfdom. [Russia example: Domar 1970, Hellie 1971; Prussia examples, Enders 2000, 2001]

Rulers concede the right to extract rents from peasants (above what the state demands) **and the powers of enforcement at the local level**. (This is the monopoly on justice held through seigneurial courts.) In exchange, landlords agree to: collect state taxes, administer conscription, keep local order, support the crown, usw.

This concession is what gives serfdom its coercive, oppressive character and makes it more than just a tenurial contract. This concession had different implications depending on the existing institutional endowment of the society when serfdom arose.

# Serfdom in Russia

- Enforcement powers of landlords near absolute. “State power ends at the manor gate.”
- Serfs had no formal legal rights: before mid 19c could not own property in their own names. Could not transact with free persons. Had effectively no recourse against landlords (could petition crown for a short period) or other free people. Landlords were legally prohibited from killing their serfs. (Enforcement unclear.)
- Landlords could raise obligations, implement new ones, shift serf labor from agriculture to industry to trade to migrant labor. Could adapt rent-seeking to economic conditions.
- Landlords could buy and sell serfs without land, transfer them among their different estates. (Later prohibition of this practice seems to have been unenforced.)
- Landlords were responsible for collecting state taxes and organizing conscription, resolving local disputes, welfare provision, keeping order.
- Very powerful landholding oligarchy benefitted from this at expense of crown. (Example: Sheremetyev family 50+ estates across 17 provinces, 350k serfs)

## Serfdom in Prussia

- Noble landlords' powers were enormous, but constrained by a system of formal property rights (and existence of legal mechanisms for conflict resolution).
- Serfdom was still a tenurial relationship: both state and feudal obligations attached to the landholding. Still largely an agrarian feature (less heterogeneous than in Russia.)
- In principle serfs were protected against attempts by lords to alter tenurial terms, to raise obligations, to expropriate. Legal right to bring suit in princely courts or even in imperial courts, in territories of the HRE. Does not mean this legal right was always available or always favored peasants. But it existed and it ended up being a useful tool for Hohenzollern later on.
- Variation over space and time; different balances of power across territories. In eastern lands (Mecklenburg, Pomerania) nobles' power more concentrated; after 1701 part of Prussia in HRE, part outside.
- Larger legal framework – system of law and courts – unites disparate territories and makes building administration less onerous.

# Taxing Peasants

- Serfdom limits the state's ability to extract surpluses from enserfed peasants
- State taxation of serfs is competition with nobles and they resist. (Russian poll tax remains largely unchanged over 150 years; examples of outright competition in Prussia after TYW – also taxes fixed to holding in Prussia)
- States in Russia and Prussia resort to other ways of finding revenues: indirect taxes, reform of royal demesne lands, etc.
- Hohenzollern grab any surpluses they can extract; gradually expand administration (tax and military) and oversight, build up central state
- Romanovs make similar attempts to increase their take but without significant success

# On Eve of Reform:

## Prussia: Napoleonic Wars

- Expanded central administration, increased revenues
- Stronger central state
- Reformed demesne lands/ended corvée/legal option
- Wage labor employed on many serf estates

## **After 1807:**

- Tax reform in 19C, extension of direct taxes on rural inhabitants
- Former obligated peasants integrated into existing legal framework

## Russia: Crimean War

- State remains weak vis-à-vis nobles – greater concessions (freed military service, peasants denied right to petition crown, demesne reform unsuccessful)
- Declare end to serfdom but can't administer, can't subsidize
- Nobles and communal elites capture process – assignment of property, collection of taxes, obligations
- New admin institutions from scratch (“peasant” law and courts)
- New land reform in 1906: try again.

## What Made the Difference?

- Different social equilibria: rent-seeking power more diffuse in central Europe than in Russia (where concentrated in hands of nobles), easier to divide and conquer
- Internal vs External Threats. Prussian crown focused on external threats (Habsburgs!); intense intra-elite conflict in Russia; Russian crown constantly faced internal threats
- Geography: Prussian territories dispersed; Russian territory vast
- Institutional heterogeneity: Prussia partly in HRE, partly out
- **Different institutional endowments: legal processes and practices, system of assigned property rights and accepted mechanisms for enforcement in Prussia**

# Prussia

- All groups used legal venues and legal arguments to negotiate/re-negotiate privileges and obligations. Existence of property rights and contract enforcement and administration of these made possible successful demesne reform (for instance)
- Documented litigation at the estate level (increase over time?); peasants suing their landlords in princely courts; raised costs of serfdom to landlords, incentivized use of wage labor
- Peasants often used argument that landlord demands would undermine their ability to pay their taxes to the state
- Nobles collectively imploring the crown to stop allowing peasant suits and uphold their monopoly rights to dispense justice
- Post-emancipation, this existing legal framework could be extended to more people and adapted to different kinds of transactions
- \*For any of this to happen, an acknowledged system of property rights and enforcement had to exist in the first place; in order for rulers to start enforcing property rights in their courts, their right to do that had to exist (the tool was there; they could decide whether to use it)

# Russia

- Variation in procedures for dispute resolution across estates. Nothing like “manorial court” as Europeanists would understand it.
- No clearly assigned property rights; no cadastre. When it was time to implement land reform, on state demesnes and then private lands, there was no clear way of assigning property rights and no clear mechanism for enforcing them.
- Related: weak administration of territories. Legal framework and mechanisms for enforcement were largely uniform in west and served as links between center and periphery; these links remained weak in Russia and undermined reform attempts.
- In 1861 reform, state forced to fall back on noble landholders for information about rural societies (incl prices and wages), for administration of reform (allowed nobles to assign lands to peasantry).
- Also fall back on peasant communes, for collecting taxes, organizing redemption payments, and monitoring labor mobility and land transactions.
- Not straightforward to extend an existing legal framework to former serfs, as in Prussia; creation of new institutions to administer a new legal category: “peasant law”
- Acknowledgement of failure: by end of 19<sup>th</sup> century a new comprehensive land reform is in the cards.

## Elsewhere?

- First, In the Prussian case, expressions of conflict have legal dimension; this is different in the Russian sources.
- Second, what we observe for Prussia is not unlike processes historians have described for other parts of Europe. The extension of recourse beyond seigneurial jurisdictions for enforcement of tenancy terms and property rights relevant to decline of medieval serfdom.
- England – integration of court system; extension of access to royal courts
- France – conflicts between peasants and landlords, appeals to higher courts; extends into early modern period (Burgundy)
- western central Europe – conflicts between lords, princes (and often Church) appeal to legal
- Law and especially rights to enforcement were a tool rulers used in the competition for surpluses; erosion of foundations of serfdom over time as states acquired greater administrative and fiscal strength

# Larger Implications:

Serfdom offers lens through which to view institutional change (implications for questions about institutional origins: Acemoglu, Johnson, Robinson; North, Wallis, Weingast)

*Some observations/hypotheses:*

Law/legal recourse/enforcement mechanisms were a tool European rulers could use for extractive aims:

- Extending access to state courts could constrain rent seeking of competitors (noble landlords)
- Increase possibilities of greater extraction of surpluses from peasant population

Not by design: states used whatever they had at their disposal to further their short-term aims. This was not a tool the Russian state had available.

Rather than a system created by strong, centralized states, these legal (or political) institutions may have played a critical role in enabling their emergence

Innovations/extensions of this system/these legal mechanisms are observed at various critical junctures in European societies but its roots – the origins of these practices – are much deeper: already apparent in conflicts that come to the surface in the medieval period.