



Sheilagh Ogilvie*

Was Serfdom Good for the Economy? War die Leibeigenschaft gut für die Wirtschaft?

Peasants, Lords, and Markets in Early Modern Bohemia

Bauern, Gutsherren und Märkte im frühneuzeitlichen Böhmen

<https://doi.org/10.1515/jbwg-2026-0010>

Abstract: Some recent theories have sought to rehabilitate serfdom, postulating that it could have been economically beneficial because lords used their institutional power to address pre-modern market failures. This article tests these claims through a detailed case study of a large lordly estate in early modern Bohemia. It investigates the supposed benefits of lordly mills, credit provision, money dues, labour services, demesne enterprises, and manorial administration. The analysis of extensive archival evidence reveals a picture very different from the one proposed by the rehabilitation theories. Peasant enterprise, private credit, and non-manorial mills were widespread, while lordly interventions often proved to be extractive, monopolistic, and inefficient, creating obstacles to peasant initiative. The study concludes that strong lordship, far from being a solution to market imperfections, was frequently part of the problem, and that peasant enterprise developed more effectively in interstices free of lordly coercion.

JEL-Codes: K 11, N 43, O 43, P 51, Q 15

Keywords: Serfdom, Lordship, Peasant Economy, Bohemia (Czech Republic), Institutions, Market Failure, Leibeigenschaft, Erbuntertänigkeit, Gutsherrschaft, Bauernwirtschaft, Böhmen (Tschechische Republik), Institutionen, Marktversagen

*Corresponding author: **Sheilagh Ogilvie** (Prof.), All Souls College, Oxford University, Oxford OX1 4AL, United Kingdom, E-mail: sheilagh.ogilvie@all-souls.ox.ac.uk

1 Introduction

Serfdom or manorial lordship was an institutional system giving medieval and early modern European landlords legal rights to restrict the choices of people living on their land. Many inhabitants of lordly estates were unfree. They were legally tied to their lord's territory, obliged to do labour services, and required his permission to migrate or marry. Their economic, demographic, social, and educational choices were subject to lordly consent. This institutional system prevailed in varying forms across most of Europe from c. 1000 to c. 1350, after which it gradually declined in the west of the continent, but survived in many parts of the centre, east and south-east. After c. 1500, lordship intensified under the so-called second serfdom, which lasted in many areas into the 19th century.¹ How did this institutionalized coercion affect the rural economy, which produced most of the output and employed most of the workers in pre-modern Europe?

This article focuses on what I shall call the rehabilitation view of lordship, which contends that lordly coercion benefited pre-modern economies. In previous publications, I have discussed the manorial dominance approach, which assumed that serfdom was harmful because landlords were all-powerful,² and the peasant autonomy view, which argued that serfdom was harmless because peasants exercised agency within an autonomous sphere free of lordly coercion.³ My assessment was that peasants did exercise agency, but their autonomy was constrained in varying ways by lordly power; either evading or submitting to lordly coercion imposed costs on peasants and burdened the wider economy.⁴

¹ *S. Ogilvie/A. Carus*, Institutions and Economic Growth in Historical Perspective, in: *S. Durlauf/P. Aghion (Eds.)*, Handbook of Economic Growth, Vol. 2A, Amsterdam 2014, pp. 405-514; *S. Ogilvie*, Serfdom and the Institutional System in Early Modern Germany, in: *S. Cavaciocchi (Ed.)*, Slavery and Serfdom in the European Economy from the 11th to the 18th Centuries, Florence 2014, pp. 33-58.

² Among many examples, see: *R. Brenner*, Agrarian Class Structure and Economic Development in Pre-Industrial Europe, in: *T. Aston/C. Philpin (Eds.)*, The Brenner Debate: Agrarian Class Structure and Economic Development in Pre-industrial Europe, Cambridge 1985, pp. 10-63, here pp. 23, 40-46; *P. Blickle*, Deutsche Untertanen: ein Widerspruch, Munich 1981, pp. 46-47; *H. Hamisch*, Die Landgemeinde im ostelbischen Gebiet (mit Schwerpunkt Brandenburg), in: *P. Blickle (Ed.)*, Landgemeinde und Stadtgemeinde in Mitteleuropa. Ein struktureller Vergleich, Munich 1991, pp. 309-332, here pp. 313, 325.

³ Examples can be found in: *H. Wunder*, Die bäuerliche Gemeinde in Deutschland, Göttingen 1986, pp. 37-41; *L. Enders*, Die Uckermark: Geschichte einer kurmärkischen Landschaft vom 12. bis zum 18. Jahrhundert, Berlin 1992, pp. 259-261, 498-536; *W. Hagen*, Ordinary Prussians. Brandenburg Junkers and Villagers 1500–1840, Cambridge 2002, pp. 646-654.

⁴ *S. Ogilvie*, The Economic World of the Bohemian Serf: Economic Concepts, Preferences and Constraints on the Estate of Friedland, 1583–1692, in: *Economic History Review* 54/3, 2001,

The rehabilitation view, by contrast, regards serfdom as beneficial, precisely to the extent that lords succeeded in coercing peasants. Overlords, according to this argument, used their power to correct market failures. They addressed failures in capital markets by investing in key facilities such as mills.⁵ They supported their peasants' investments through loans and grants.⁶ They remedied thin and volatile markets by increasing dues to impel peasants into industriousness and market participation.⁷ They established demesne enterprises which reaped scale economies and introduced efficiencies, galvanizing the moribund peasant economy.⁸ They created hubs such as manorial courts and demesne farms which reduced transaction costs and information asymmetries, encouraging peasant exchange.⁹ By correcting these market failures, it is argued, strong lordship benefited peasants and the economy at large.

pp. 430-453; S. *Ogilvie*, Communities and the 'Second Serfdom' in Early Modern Bohemia, in: *Past & Present* 187, 2005, pp. 69-119; *Ogilvie*, Serfdom, pp. 33-58; S. *Ogilvie*, Slavery and Serfdom in the European Economy: Contribution to Tavola Rotunda, in: *Cavaciocchi (Ed.)*, Slavery and Serfdom, pp. 689-693.

5 M. *Bloch*, The Advent and Triumph of the Watermill, in: M. *Bloch (Ed.)*, Land and Work in Mediaeval Europe, London 1967, pp. 136-168; J. *Langdon*, The Mobilization of Labour in the Milling Industry of Thirteenth- and Early Fourteenth-century England, in: *Canadian Journal of History* 31, 1996, pp. 37-58.

6 S. *Eddie*, Freedom's Price: Serfdom, Subjection, and Reform in Prussia, 1648-1848, Oxford 2013, pp. 49, 88-91, 95, 101-110; S. *Sonderregger*, Active Manorial Lords and Peasant Farmers in the Economic Life of the Late Middle Ages: Results from New Swiss and German Research, in: T. *Iversen/J. Myking/S. Sonderregger (Eds.)*, Peasants, Lords, and State: Comparing Peasant Conditions in Scandinavia and the Eastern Alpine Region, 1000-1750, Leiden 2020, pp. 292-318, here pp. 303-305, 309-311, 315; F. *Buylaert et al.*, Lordship in the Later Middle Ages: A Round Table Discussion, in: *Past & Present* gtaf011, 2025, pp. 3, 6.

7 M. *Bush*, Introduction, in: M. *Bush (Ed.)*, Serfdom and Slavery: Studies in Legal Bondage, New York 1996, pp. 1-17, here p. 5; M. *Cerman*, Proto-industrialisierung und Grundherrschaft. Ländliche Sozialstruktur, Feudalismus und Proto-industrielles Heimgewerbe in Nordböhmen vom 14. bis zum 18. Jahrhundert (1381-1790), unpublished Ph.D. dissertation, Vienna 1996, pp. 67-77; M. *Cerman*, The Organization of Production and Trade in Proto-Industrial Textile Production in Early Modern East-Central Europe: the Role of Seigneurial Influence and Sub-Contracting, in: F. *Guy/J. Veluwenkamp (Eds.)*, Entrepreneurs and Institutions in Europe and Asia 1500-2000, Amsterdam 2002, pp. 215-236; *Eddie*, Freedom's Price, pp. 90-91, 101, 106-107; M. *Malinowski*, Serfs and the City: Market Conditions, Surplus Extraction, Institutions, and Urban Growth in Early Modern Poland, in: *European Review of Economic History* 20/2, 2016, pp. 123-146, here pp. 123, 143.

8 *Bush*, Introduction, p. 5; *Malinowski*, Serfs and the City, p. 123; *Cerman*, Proto-industrialisierung, pp. 67, 76; *Cerman*, The Organization of Production and Trade; M. *Cerman*, Villagers and Lords in Eastern Europe, 1300-1800 Houndmills, New York 2012, p. 93.

9 D. *North/R. Thomas*, The Rise and Fall of the Manorial System: a Theoretical Model, in: *Journal of Economic History* 31/4, 1971, pp. 777-803; S. *Sonderregger*, Active Manorial Lords and

Pre-modern economies indisputably suffered from market failures. But do beneficial lordly activities appear in the records for serf societies? How important were they, relative to other things lords did? Were there alternative solutions to failures in pre-modern markets?

This article addresses these questions by reconstructing the concrete operation of lordship on a manorial estate in Bohemia (now the Czech Republic). Friedland (now Frýdlant) was part of a small complex of three estates owned by the same lord; the other two estates, Seidenberg (now Zawidów) and Reichenberg (now Liberec), were administered separately.¹⁰ In 1651, the estate of Friedland contained a population of about 5,600 serfs living in 38 villages and two small towns; about 98 percent of both villagers and townsmen were subject to the legal status of hereditary serfdom (*Erbuntertänigkeit*).¹¹

Bohemia experienced a fairly standard form of medieval serfdom, but after c. 1550 the so-called second serfdom increased labour services, cash rents, in-kind levies, mobility restrictions, market regulations, and demesne operations. Lordly extraction rapidly escalated during the Thirty Years' War (1618 to 1648), and intensified further in the century after 1650. In 1781, Emperor Joseph II formally abolished personal unfreedom in the Bohemian lands but economic burdens, including forced labour, endured until 1848. In cross-country comparisons, Bohemian serfdom was situated somewhere between the temperate lordship of medieval England or Flanders and the severe bondage of 19th-century Livonia or Russia.

This article uses a database of primary sources, consisting of rent rolls, censuses, tax registers, manorial accounts, correspondence, and petitions, along with the detailed minute-books of the Friedland manorial court. The manorial court or office (*úřad, Amt*) was the central organ of Bohemian lordly administration. Like a court, it summoned offenders and litigants, heard testimony, issued judgments, set bail bonds, levied fines, and sentenced offenders to imprison-

Peasant Farmers in the Economic Life of the Late Middle Ages: Results from New Swiss and German Research, in: *T. Iversen/J. Myking/S. Sonderegger (Eds.), Peasants, Lords, and State: Comparing Peasant Conditions in Scandinavia and the Eastern Alpine Region, 1000–1750*, Leiden 2020, pp. 292–318, here p. 308; *Buylaert et al., Lordship*, pp. 14–15.

10 For ease of understanding by English-speaking readers, throughout this article place names are given in the German variant used by inhabitants of the estate of Friedland in the historical period under analysis; however, it should be recognized that nowadays these places are known by their Czech names.

11 *Cerman, Proto-industrialisierung*, pp. 110–113. For a discussion of the differences and similarities between the two German-language terms *Leibeigenschaft* and *Erbuntertänigkeit*, which correspond to the single English-language term serfdom, see *Ogilvie, Serfdom*, pp. 33–37, 57.

ment, corporal punishment, forced labour, public shaming, or deportation. Like an administrative office, it recorded debts, land sales, inheritance agreements, rent arrears, guarantees, privileges, certificates, decrees, and other official deeds. It thus combined the judicial, administrative, regulatory, and governmental functions of lordship. Bohemian serfs could not legally appeal to outside jurisdictions and the state could not intervene inside lordly estates until 1773.¹²

Bohemian manorial courts, unlike English ones, had no peasant members. Community headmen and elders sometimes reported to the manorial court but had no say in its decisions.¹³ Manorial jurisdiction and administration were implemented by the lord's paid officials: the estate captain (*hejtman, Hauptmann*) who headed the administration and the court sessions; the rent-collector (*důchodní, Rentschreiber*) who looked after the finances; the burggrave (*purkrabí, Burggraf*) who administered the demesne; and an array of clerks, messengers, stewards, foremen, clerks, wardens, gamekeepers, fishpond-masters, and so on.

The minute-books of the Friedland manorial court survive for 78 of the 110 years between 1583 and 1692, providing a systematic source which is both qualitatively rich (comprising over 750,000 words of text) and quantitatively substantial (containing 3,792 court cases).¹⁴ This article combines these minute-books with other primary sources to investigate the operation of lordship during the Bohemian second serfdom.

2 The Lord's Mill: Engine of Growth?

One way lords are supposed to have used their powers to benefit the economy is by providing mills. Rehabilitation approaches argue that comprehensive lordly action was required to provide this essential energy source to the rural economy. First, capital markets were so imperfect that only lords could amass the resources to build and maintain mills. Second, peasant culture rejected powered mills, so lords had to coerce serfs to patronize these more efficient energy sources. Third, markets were so imperfect that the lord had to grant milling

¹² E. Maur, Staat und lokale Gutsherrschaft in Böhmen, 1650–1750, in: M. Cerman/R. Luft (Eds.), Untertanen, Herrschaft und Staat in Böhmen und im 'Alten Reich'. Sozialgeschichtliche Perspektiven, Munich 2005; Ogilvie, Communities, pp. 77-78; K. Kovárová, Úřední knihy velkostatku Veveří, unpublished B.A. thesis, Brno 2012, esp. pp. 14-18.

¹³ Ogilvie, Communities; S. Ogilvie, Village Community and Village Headman in Early Modern Bohemia, in: Bohemia 46/2, 2005, pp. 402-451; Cerman, Proto-industrialisierung, pp. 110-113.

¹⁴ Ogilvie, Communities, pp. 77-78.

monopolies (*suit of mill*) to guarantee each mill a tied body of customers. Fourth, private mills gave rise to an inefficient spatial distribution, requiring lordly standardization. Lords are supposed to have deployed their power to correct market failures that impeded rational mill construction and operation; this use of lordly power, it is argued, increased economic efficiency.¹⁵

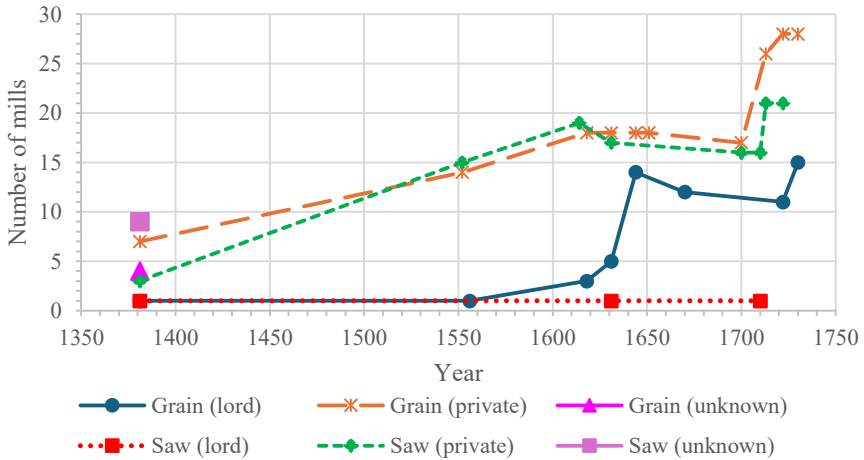


Fig. 1: Mills on the Bohemian Estate of Friedland, 1381–1730. Sources: *Cerman*, Proto-industrialisierung, Fig. A15; *J. Helbig*, Friedland i. B. Umriss der Stadtgeschichte, in: Deutsche Arbeit. Monatschrift für das geistige Leben der Deutschen in Böhmen 10, 1911, pp. 597-641, here p. 612 (manorial mill in 1556); *H. Hallwich*, Friedland vor fünfhundert Jahren in: Mitteilungen des Vereins für Geschichte der Deutschen in Böhmen 43, 1905, pp. 357-428 (mills in 1381).

Let us first pose a counterfactual question. Without lordly finance and monopolies, would pre-modern Bohemia have lacked mills? The short answer is no. By 1381, as Figure 1 shows, the Friedland *Urbar* (a manorial survey of holdings and obligations) recorded 12 grain-mills and 13 saw-mills. All were water-mills, the most capital-intensive type of mill and thus most likely to need lordly investment. However, only 1 grain-mill was manorial, 7 were private, and 4 were of unknown ownership. Of the 13 saw-mills, 1 was manorial, 3 were private, and the other 9 were of unknown ownership. The owners of private mills were main-

¹⁵ For the classic exposition, see: *Bloch*, The Advent; for application to Bohemia, see: *J. Škudrnová*, Rajonizace rožmberských vodních mlýnů na panství Třeboň po roce 1590: Mýtus nebo skutečnost?, unpublished M.A. dissertation, Charles University Prague 2014, pp. 51-55.

ly individual serfs, but included village headmen (also serfs), individual non-servile millers, village communities, and village clergy. Mills of unknown ownership were almost certainly non-manorial: the 1381 *Urbar* listed lordly property carefully, and the numbers are consistent with those of subsequent sources, as shown by the single manorial grain-mill in 1556. The number of manorial grain-mills rose to 3 in 1618, 5 in 1631, and 14 in 1644 – not because the lord of Friedland strategically built new mills but because he took over the property of exiled fief-nobles.¹⁶ From 1644 to 1730, the number of manorial grain-mills fluctuated between 11 and 15, while the number of private ones increased from 18 to 28. The number of manorial saw-mills never exceeded 1 while the number of private ones rose from 15 in 1552 to 21 in 1730.

Friedland was no exception in having primarily non-manorial mills in the pre-modern period. A charter for Zábřdovice (in modern Moravia) records a private mill previously owned by an individual called Daren in the 12th century.¹⁷ From the 1240s onwards, Bohemian and Moravian charters increasingly record mills owned by private individuals, including village headmen and town burghers.¹⁸ The 1379 *Urbar* of the south Bohemian Rosenberg holdings listed 219 mills, of which 22 percent were private, 4 percent were lordly, and 74 percent were of unrecorded (probably private) ownership; the Rosenberg estates thus contained five times as many definitely private mills as definitely manorial mills.¹⁹ By 1590, the Rosenberg estates had 298 mills, 9 percent lordly and 91 percent private.²⁰ In 1680, the east Bohemian estate of Pardubice had 28 mills, of which 71 percent were private and 29 percent were lordly; half the lordly mills had recently belonged to serfs.²¹

Non-manorial mills existed elsewhere in medieval Europe. In rural areas of 9th- and 10th-century Salerno and Lombardy, non-manorial actors and consortia of less wealthy individuals owned mills, including technically elaborate ones.²² In 10th-century northwest Spain, mills were owned by lay persons of non-aristocratic

¹⁶ Cerman, Proto-industrialisierung, p. 130.

¹⁷ M. Maříková, Středověké mlýny v českých zemích (archeologické a písemné prameny), in: *Mediaevalia Historica Bohemica* 10, 2005, pp. 89-148, here p. 109.

¹⁸ *Ibid.*, pp. 112-126, 134.

¹⁹ See the edition by: J. Truhlář, *Urbář zboží Rožmberského z roku 1379*, Prague 1880.

²⁰ Škudrnová, *Rajonizace*, p. 14.

²¹ M. Toegel, Zbĭhání poddaných na pardubickém panství v druhé polovině 17. Století, in: *Sborník historický* 6, 1960, pp. 191-226, p. 200.

²² P. Squatriti, *Water and Society in Early Medieval Italy, AD 400–1000*, Cambridge 1998, pp. 137-138, 144-146, 149.

status, and by consortia.²³ In England around 1300, an estimated 40 percent of grain was ground in manorial mills, 20 percent in town mills, 20 percent in tenant (i.e. peasant) mills, and 20 percent in domestic mills (some of them operating commercially).²⁴ In the Florentine countryside in 1407 to 1416, 48 percent of mills belonged to individuals, 20 percent to ecclesiastical lords and institutions, 12 percent to communities, 9 percent to consortia, and 9 percent to families.²⁵

Of course, the non-manorial mills observed across medieval Europe might originally have been built by lords, as is postulated for the c. 6,000 mills in England in the Domesday Book of 1086.²⁶ This hypothesis cannot be tested for Friedland, since the original builders of its seven mills that were definitely non-manorial in 1381 are unknown. By the 17th century, however, Friedland serfs were building mills from scratch, as shown by a consortium of six Ullersdorf serf smallholders petitioning for lordly permission to build a saw-mill in 1658. Even in the aftermath of the Thirty Years War, when markets were thinned by depopulation and the estate already contained 15 (private) saw-mills, these lower-stratum serfs had sufficient capital to buy the land and build the mill. All the lord did was grant the permit, sell the land, and extract the dues.²⁷

It might be argued that even if a mill did not need lordly capital to build, it needed a lordly monopoly to operate and maintain.²⁸ But this raises a theoretical question. Why could building and repairing a mill not be funded, like other costs, out of expected revenues? A mill was not like a highway, involving spatially scattered infrastructure from which it was difficult to exclude users. A mill might be costly to build and maintain, but customers had to pay to use it and could be excluded if they did not. Nor was a mill a large investment relative to the size of the market: bread was the most important single food item, so every household had a demand for milling, and women, as the default household

23 J. Escalona/Á. Carvajal Castro, Mills and the Politics of Water Management in the NW of the Iberian Peninsula, 900–1050, in: *I. Viso (Ed.), Political Landscapes in Late Antiquity and Early Middle Ages: the Iberian Northwest in the Context of Southern Europe*, Florence 2024, pp. 225–247, here pp. 230–231, 233, 235.

24 J. Langdon, Lordship and Peasant Consumerism in the Milling Industry of Early Fourteenth-Century England, in: *Past & Present* 145, 1994, pp. 3–46, here p. 31.

25 J. Muendel, The Distribution of Mills in the Florentine Countryside During the Late Middle Ages, in: *J. Raftis (Ed.), Pathways to medieval peasants*, Leiden 1981, pp. 83–115, here pp. 98–99.

26 R. Holt, *The Mills of Medieval England*, Oxford 1988, pp. 37–38; A. Lucas, Ecclesiastical Lordship, Seigneurial Power, and the Commercialization of Milling in Medieval England, Aldershot 2014, p. 60.

27 SOAD HS, Kart. 81, Dekretbuch, pag. 48 & 51, 16.07.1658 & 09.08.1658.

28 Bloch, *The Advent*; Škudrnová, Rajonizace.

handmill operators, are known to have placed a monetary value on their own time and to have engaged in income-earning work both inside and outside the household.²⁹ If for some reason a particular mill had a local advantage – e.g. because of hydrological features or location near settlements – then it would enjoy a natural monopoly and not need a legal one.

The lords of Friedland, like those of other Bohemian estates until 1814, did grant legal monopolies tying customers to manorial mills and to privileged private ones.³⁰ In 1556, the lord of Friedland warned Ringenhain villagers not to take grain anywhere but to the castle-mill (nearly 3 km distant).³¹ A monopoly for a manorial mill enabled the lord to charge a higher (non-feudal) rent to the miller who operated it. A monopoly for a village headman's mill enabled the lord to reward the headman for organizing delivery of village services, dues and taxes.³² A monopoly for any private mill increased the dues the lord could charge the owner, a non-trivial consideration given that in 1631 the dues owed to the lord by the 15 non-manorial Friedland mills totaled 589.5 fl (equivalent to 4,716 days' wages).³³ Granting monopolies to private actors in return for payment was a normal way for a Bohemian lord to monetize his coercive power.

Though some private mills enjoyed monopolies, the manorial court records show that enforcement was disproportionately allocated to manorial mills. Table 1 shows the 24 Friedland manorial court cases involving suit of mill. All resulted in penalties: fines, imprisonment, forced labour, or expulsion. Manorial mills made up 63 percent of mill compulsion cases in the surviving court records, even though just one quarter of total mills were manorial in 1631, a large and statistically significant difference.³⁴ Conversely, peasant mills comprised just 8.3 percent of mill compulsion court cases in the surviving court records, but 35 per-

²⁹ S. Ogilvie/J. Edwards, Women and the 'Second Serfdom': Evidence From Early Modern Bohemia, in: *Journal of Economic History* 60/4, 2000, pp. 961-994; Ogilvie, *The Economic World*, p. 438.

³⁰ Škudrnová, *Rajonizace*, p. 51.

³¹ Helbig, *Friedland*, p. 612.

³² Ogilvie, *Village Community*; S. Ogilvie, *Staat und Untertanen in der lokalen Gesellschaft am Beispiel der Herrschaft Frýdlant (Böhmen)*, in: M. Cerman/R. Luft (Eds.), *Untertanen, Herrschaft und Staat in Böhmen und im "Alten Reich"*. Sozialgeschichtliche Studien zur Frühen Neuzeit, Munich 2005, pp. 51-86.

³³ J. Helbig, *Urbarium der Herrschaft Friedland vom Jahre 1631*, in: *Mitteilungen des Vereines für Heimatkunde des Jeschken-Iser-Gaues* 4, 1910, pp. 130-145, here p. 133 (calculation excludes additional dues levied on Friedland castle-mill). Wages from: R. Allen, *Wages and Prices Database*, <https://www.nuffield.ox.ac.uk/people/sites/allen-research-pages> (02.07.2025), Vienna data, grape-picker's day-wage 7.5k. 1s=60k.

³⁴ Significant at the .015 level.

cent of total mills in 1631, a difference that is also statistically significant.³⁵ This suggests that enforcement of mill monopolies was undertaken mainly to profit manorial mills, not to support serf enterprise.

Tab. 1: Mills in 1631 and Manorial Court Cases Involving Suit of Mill 1583–1692, Estate of Friedland.

Ownership of mill	All mills		Manorial court cases enforcing mill compulsion					Total	
	1631 rent roll		1583– 1619	1645– 1645	1649– 1664	1674– 1692			
	no.	%	no.	no.	no.	no.	no.	%	
Hereditary: headman	4	20.0	1	1	0	1	3	12.5	
Hereditary: peasant	7	35.0	1	0	0	1	2	8.3	
Hereditary: community	1	5.0	0	0	0	0	0	0	
Hereditary: miller	1	5.0	0	0	0	0	0	0	
Hereditary: unknown	2	10.0	2	0	0	0	2	8.3	
Manorial	5	25.0	3	2	5	2	12	50.0	
In the estate	0	0.0	3	0	2	0	5	20.8	
Total	20	100.0	10	3	7	4	24	100.0	
Definitely hereditary	15	75.0	2	1	0	2	7	36.8	
Definitely manorial	5	25.0	3	2	5	2	12	63.2	
Known ownership	20	100.0	5	3	5	4	19	100.0	

Notes:

“Suit of mill” = English expression for “Mühlzwang” (lit. “mill compulsion”) tying customers to a mill.

“All mills 1631” = all mills listed in the 1631 *Urbar*.

“Hereditary” = not owned by the lord; owner pays feudal dues to lord.

“Hereditary: unknown” = not owned by lord; no information on owner.

“Manorial” = owned by the lord, operated by miller who pays (non-feudal) rent to lord.

“In the estate” = unknown whether hereditary or manorial, but located in estate and subject to lord.

Sources: For the 1631 *Urbar*: *J. Helbig*, *Urbarium*, pp. 130-145. For the manorial court cases: Státní oblastní archiv Litoměřice, pobočka Děčín, fond Rodinný archiv Clam-Gallasů, Historická sbírka [henceforth SOAD HS], Kart. 61, 77-80, 709, *Amtsprotokolle Friedland, 1583–1692*.

Mill monopolies benefited lords and millers. But did they benefit the economy by motivating people to build and maintain mills? Almost certainly not. In medieval England and France, mills lacking suit of mill were built, repaired, and com-

³⁵ Significant at the .043 level.

peted successfully with monopolistic manorial mills.³⁶ On the estate of Friedland, likewise, private mills without monopolies successfully competed against the monopolistic manorial mills. In 1566, for instance, several village headmen's mills were closed down for competing with the Friedland castle-mill.³⁷ In 1688, the serf miller in Mildeneichen tried to claim an ancient milling obligation over four villages, whose inhabitants in turn appealed to 16th-century documents stating "[...] that in Haindorf, Mildeneichen, Raspenau, and Mildenau, only those who of their own free will wish to, and no-one shall be compelled into, the said Mildeneichen grain-mill". Evidently, other mills were serving these serf villages successfully, without enjoying any monopoly.³⁸

Manorial monopolies were thus neither necessary nor sufficient to ensure the building, maintenance, or operation of mills. They did, however, inflict costs on serfs. In 1608, for instance, the entire community of Mildenau complained that "[...] the miller mills for them poorly, [but] when the village headman had him spoken to [...] the miller sent him a message asking what he had to do with him? [...] he had nothing to do with him, the overlord was his lord, they brought him very small grain, if they were not satisfied they should mill it for themselves." The lord went through the motions of admonishing the miller to serve the peasants better, but did not punish or replace him.³⁹

In 1645, the Friedland castle-miller complained that the villages tied to his mill were going elsewhere, "[...] to which the communities responded that in these difficult times each must look around for himself and sometimes must borrow grain wherever they know it is to be obtained and must also have it milled there". The lord did not even pretend to address the communities' concerns, instead commanding the village headmen to monitor and report serfs who broke the castle-mill's monopoly.⁴⁰ In 1652, the manorial miller in Einsiedel complained that serfs in Ullersdorf (3 km distant) were evading his mill, to which they responded by pointing out that he often lacked both wheat and flour when they needed it; the lord admonished the miller to serve customers better but confirmed his mo-

36 *Langdon*, *Lordship*, pp. 17-18; *Lucas*, *Ecclesiastical Lordship*, pp. 46-47; *K. Van der Beek*, *The Effects of Political Fragmentation on Investments: A Case Study of Watermill Construction in Medieval Ponthieu, France*, in: *Explorations in Economic History* 47/4, 2010, pp. 369-380; *K. Van der Beek*, *Political Fragmentation, Competition, and Investment Decisions: the Medieval Grinding Industry in Ponthieu, France, 1150-1250*, in: *Economic History Review* 63/3, 2010, pp. 664-687.

37 *Cerman*, *Proto-industrialisierung*, p. 133.

38 SOAD HS, Kart. 709, Amtsprotokolle 1687-1692, fol. 33v, 03.02.1688.

39 SOAD HS, Kart. 309, Amtsprotokolle 1607-1608, fol. 1378, 23.05.1608.

40 SOAD HS, Kart. 78, Amtsprotokolle 1645, fol. 15r, 26.05.1645.

nopoly.⁴¹ In 1687, the community of Göhe complained that their miller “[...] is not making good nor properly setting up for them the beloved grain even though today, because of the rich blessedness of God, it is quite splendid, [...] for which reason the community obediently asks for another miller, who can better look after what belongs to the poor people”. The manorial court told the miller to serve the serfs better, but “[...] conversely the community shall be obliged to bring everything that is theirs to be milled in this mill, on pain of punishment and loss of double the grain for whoever who has milling done elsewhere”.⁴²

Lords on this Bohemian estate sometimes operated mills and granted them monopolies. But this was neither necessary nor beneficial. Despite their poverty, serfs owned and operated most mills from the 14th century at latest. Lordly monopolies were deployed to keep the inefficient, customer-unfriendly manorial mills in business. But non-manorial mills with little or no lordly protection continued to outnumber and out-compete manorial ones. The lord did deploy coercive power in the milling sector, but mainly to extract resources from serfs, not to overcome market failures.

3 Lordly Largesse: Supporting Serf Investment?

A second way lords are thought to have used their power beneficially was by correcting market failures that limited serfs’ access to credit and raw materials. In medieval Switzerland, according to this view, lords granted wood and loaned money to support peasants’ investment in land, livestock, and farm buildings.⁴³ In early modern Prussia, the argument goes, peasants willingly accepted insecure property rights, mobility restrictions, and extra-economic coercion in exchange for lordly wood and finance.⁴⁴ Should serfdom thus be seen as a voluntary exchange in which peasants traded freedom for lordly largesse?

3.1 Seeing the Wood for the Trees

Bohemian lords, like Swiss and Prussian ones, granted wood to serfs for repairing farm buildings. Table 2 shows that about 1 percent of all manorial court

⁴¹ SOAD HS, Kart. 79, Amtsprotokolle 1649–1655, fol. 149r, 30.04.1652.

⁴² SOAD HS, Kart. 709, Amtsprotokolle 1687–1692, fol. 21r, 09.09.1687.

⁴³ *Sonderegger*, *Active Manorial Lords*, pp. 303–305, 309–311.

⁴⁴ *Eddie*, *Freedom’s Price*, pp. 68, 88–91, 101, 106–107.

cases involved such grants. The key point is not that wood grants were infrequent. Rather, they must be understood in the wider context of how lords controlled forest resources, shown in the other columns of Table 2.

Tab. 2: Manorial Court Cases Involving Wood, Estate of Friedland, 1583–1692.

Period	Wood grant from lord		Forest privileges / monopoly of lord		Wood-related labour dues		Wood theft from lord		Total cases
	no.	%	no.	%	no.	%	no.	%	
1583–1619	1	0.05	56	2.6	33	1.6	43	2.0	2,124
1627–1631	0	0.00	5	1.4	1	0.3	3	0.8	364
1645–1645	3	1.54	3	1.5	2	1.0	2	1.0	195
1649–1664	29	4.50	19	2.9	7	1.1	11	1.7	645
1674–1692	1	0.22	15	3.2	5	1.1	10	2.2	464
Total	34	0.90	98	2.6	48	1.3	69	1.8	3,792

Notes:

Wood grant from lord = grant of wood from lord to serf.

Forest privileges / monopoly of lord = assertion and enforcement of lord's exclusive rights over forest.

Wood-related labour dues = coerced labour services explicitly described as being for felling, splitting, stacking, or delivering wood.

Wood theft from lord = theft of trees, brush, logs, split wood, or boards from lord. By comparison, the manorial court records contained only 19 cases of wood theft from individuals (14 of them in the 1583–1619 period).

Sources: SOAD HS, Kart. 61, 77-80, 709, Amtsprotokolle Friedland, 1583–1692.

The lords of Friedland increasingly asserted the legal principle that all forest on the estate was fundamentally in manorial ownership; this made the lord the monopoly supplier of wood to serfs.⁴⁵ This differed from most non-feudal societies, where forest resources were also owned by peasants, burghers, communities, religious houses, the church, merchants, and other non-manorial actors. From 1558 to 1600, Friedland lords increasingly sought to enforce their legal control over all common land, i.e. all tracts outside serf holdings.⁴⁶ By 1619, the Friedland manorial court was declaring uncompromisingly that “[...] everywhere, the right over the common meadows appertains to the lord of every lo-

⁴⁵ *Cerman*, Proto-industrialisierung, pp. 132, 220, 276, 315.

⁴⁶ *Ibid.*, pp. 111, 220, 316-317.

cality, and the serfs do not have any right to take possession of it”.⁴⁷ In 1651, the court ordered all village headmen “[...] to make the infallible arrangement that no-one shall go into the hills [*Gebürge*] or otherwise into the manorial authority’s land and soil collecting grass, unless he has previously gone to the manorial court and got himself written down, and the forest-warden shall be commanded to pay careful attention to this, and if anyone takes it upon himself to undertake such a thing, report him immediately; such offenders shall be deservedly punished without mercy, and everyone is to orient themselves to this and know to protect themselves against trouble.”⁴⁸ A few plots of individual or communal forest existed, but using them was conditional on manorial consent and payment of dues.⁴⁹ In 1687, for instance, the lord of Friedland imprisoned and fined several Rückersdorf serfs for having “[...] sold some logs from their farms without permission from the manorial court”.⁵⁰ It might be argued that such court cases show that peasants were challenging the lordly forest monopoly, but that would be an over-optimistic view, given that these infringements attracted incarceration and fines. Rather, such cases show that the lordly monopoly imposed real costs and risks on peasant access to wood.

This interpretation is strengthened by what is shown in columns 4-9 of Table 2. The lord’s forest monopoly generated not just wood grants but also numerous other manorial actions. The manorial court penalized serfs who tried to use forests without getting permission and paying dues (2.6 percent of all cases). It enforced serf obligations to provide coerced labour for tree felling, brush clearing, log splitting, wood stacking, and lumber carting (1.3 percent of cases). It penalized serfs’ thefts of manorial wood (1.8 percent of cases). Wood grants were thus just one component of the broader system of manorial control over a key resource.

Within this system, manorial wood grants cannot be viewed simply as lordly largesse. The lord was the monopoly supplier of wood. Serfs who needed wood had to petition for wood grants, steal manorial wood, or buy it from the demesne at a monopoly price.⁵¹ Lordly wood grants indeed alleviated a constraint on serf investment. But this constraint had been imposed by the lord himself. In societies without a seigneurial forest monopoly, peasants could buy

⁴⁷ SOAD HS, Kart. 78, Amtsprotokolle 1616–1619, fol. 191r, 05.08.1619. See also: *Cerman*, Proto-industrialisierung, p. 220.

⁴⁸ SOAD HS, Kart. 79, Amtsprotokolle 1650, fol. 36v-37r, 13.05.1651.

⁴⁹ *Cerman*, Proto-industrialisierung, p. 276.

⁵⁰ SOAD HS, Kart. 709, Amtsprotokolle 1687–1692, fol. 13r, 03.06.1687.

⁵¹ *Cerman*, Proto-industrialisierung, pp. 132-136.

wood from multiple suppliers at competitive prices. Viewing wood grants as lordly support for peasant investment is unjustified. They were a – partial – alleviation of the constraints imposed by the lordly monopoly on forest resources.

3.2 Capital or Control? The Lord's Credit

Lords are also held to have corrected capital-market imperfections by granting loans to serfs, encouraging investment and commercialization.⁵² In Switzerland and southern Germany, lords loaned peasants capital to buy land and livestock.⁵³ In Prussia, it is argued, peasants voluntarily accepted restrictions on their personal freedom in exchange for lordly capital to improve their farms.⁵⁴ In southern Bohemia, some scholars argue, manorial loans functioned as a “communication platform” between lord and serfs.⁵⁵

In the Friedland manorial court between 1583 and 1692, debts (*Schulden*) and arrears (*Rückstände*, *Ausstände*) each made up 1.3 percent of total court cases. Table 3 shows that cases involving *Schulden* owed to the lord increased over time, rising from barely 1 percent of cases before 1619 to 2-3 percent after 1649. But were credit markets so imperfect that serfs could only get credit from lords? Not remotely. Friedland serfs were involved in a dense network of private credit relations. Between 1583 and 1692, over a quarter of manorial court cases involved debts between private individuals. The share declined over time, from 29 percent before 1619, to 23-24 percent in the immediate post-war decades, to under 11 percent in 1674 to 1692. But even at their lowest share, debts owed to private persons appeared in nearly twice as many manorial court cases as debts owed to the lord.

Can we at least interpret lordly loans as strategic investments to increase the productivity of serf enterprises? Columns 4-5 in Table 3 show the number of cases involving peasant arrears owed to the lord: obligations arising not from peasants' investment needs but from lordly dues and levies. However, columns 2-3 show the number of cases involving peasant debts to the lord: lordly loans that might have helped serfs invest in their farms or other enterprises.

52 Eddie, *Freedom's Price*, pp. 90-91, 101, 106-107; *Sonderegger*, *Active Manorial Lords*, pp. 303-305, 309-311; *Buylaert et al.*, *Lordship*, pp. 3, 6.

53 *Sonderegger*, *Active Manorial Lords*, pp. 303-305, 309-311.

54 Eddie, *Freedom's Price*, pp. 68, 88-91, 101, 106-107.

55 A. Stejskal, 'Zeman bez sedláků stojí za sto jebáků': Obilní dluhy jako typ nedoplatku a forma selské rezistence na panství Český Krumlov, in: Z. Kárník/J. Štaif (Eds.), *K novověkým sociálním dějinám českých zemí*. Part 1. Čechy mezi tradicí a modernizací 1566–1848, Prague 1999, pp. 21-70, here pp. 36-37, 48-49; Škudrnová, *Rajonizace*, p. 18.

Tab. 3: Manorial Court Cases Involving Debt, Estate of Friedland, 1583–1692.

Period	Debt owed to lord		Arrears owed to lord		Private debt		Total cases
	no.	%	no.	%	no.	%	no.
1583–1619	16	0.8	11	0.5	609	28.7	2,124
1627–1631	10	2.7	6	1.6	217	59.6	364
1645–1645	0	0.0	0	0.0	46	23.6	195
1649–1664	12	1.9	17	2.6	146	22.6	645
1674–1692	10	2.2	14	3.0	50	10.8	464
Total	48	1.3	48	1.3	1,068	28.2	3,792

Notes:

Debt to lord = case involves a debt (“Schuld”) owed by an individual serf or other subordinate inhabitant (e.g. townsman, fief-noble) to the overlord or the manorial administration.

Arrears = case involves arrears (“Rückstände”, “Ausstände”) owed by an individual serf or other subordinate inhabitant to the overlord or the manorial administration.

Private debt = case involves debt between private persons.

Sources: SOAD HS, Kart. 61, 77-80, 709, Amtsprotokolle Friedland, 1583–1692.

Table 4 analyzes the purposes recorded for debts owed to the lord. One third of cases were for payments owed by serfs to buy demesne output or pay lordly fines, by headmen for undelivered serf dues, or by manorial or urban officials at the end of their terms of office. One tenth related to purchase-installments on manorial mills, taverns, and confiscated properties. A further one tenth were owed by headmen’s taverns for demesne beer and spirits. These three categories, relating to the exercise of lordship, made up 54 percent of all cases of debts to the lord. For another 44 percent of cases, no specific purpose was recorded: the debt was simply owed to a component of the lordly administration – the burggrave, rent-office, manorial authority, manorial court, or lord himself. Only one single debt case (comprising just 2 percent of total debt cases) was described as being for serf production: it was owed to the lord “for iron”.⁵⁶ This case does document a productive loan, but it was owed to the lord by a serf who had just absconded from the estate, thus casting a certain doubt on the putative willingness of serfs to exchange personal freedom for lordly credit.⁵⁷ Since 44 percent of cases involving debts to the lord had no recorded purpose, it is not impossible that more than 2 percent of total cases involved lordly support for serf enterprise. On the other

⁵⁶ SOAD HS, Kart. 309, Amtsprotokolle 1607-1608, fol. 18r, 27.11.1607.

⁵⁷ *Eddie*, *Freedom’s Price*, pp. 90-91, 101, 106-107.

hand, why should debts of unknown purpose not have had a similar composition to those of known purpose, which were dominated by the prerogatives of lordship?

Tab. 4: Purposes of Debts Owed to Lord, Friedland Manorial Court, 1583–1692.

	1583– 1619	1627– 1631	1649– 1664	1674– 1692	total	
Exercise of lordship						
demesne	2	1			3	6.3
dues	1		1		2	4.2
finer from serfs	1			1	2	4.2
fine for damaging manorial wine		1		1	2	4.2
dues on fief-village			1		1	2.1
dues on mill				1	1	2.1
dues from serfs		1			1	2.1
demesne grain	1				1	2.1
balance on manorial / town office	1			2	3	6.3
Subtotal	6	3	2	5	16	33.3
Lord's real property						
property of absconded serf			3		3	6.3
fire damage to manorial mill	1				1	2.1
installment on village tavern			1		1	2.1
Subtotal	1	0	4	0	5	10.4
Lord's brewing/distilling monopoly						
manorial beer	1		1	1	3	6.3
manorial brandywine			2		2	4.2
Subtotal	1	0	3	1	5	10.4
Industrial inputs						
Iron	1				1	2.1
Subtotal	1	0	0	0	1	2.1

Continuation Tab. 4:

	1583– 1619	1627– 1631	1649– 1664	1674– 1692	total	
Unknown						
to lord	1	3	3	2	9	18.8
to manorial court	3			1	4	8.3
to rents		4			4	8.3
to burggrave	1				1	2.1
to manorial authority				1	1	2.1
not given	2				2	4.2
Subtotal	7	7	3	4	21	43.8
Grand Total	16	10	12	10	48	100.0

Notes:

Demesne = the operations of one of the lord's demesne farms.

Burggrave = the manorial official responsible for the economic operations of the lord on the estate.

Lord = the person of the lord ("Herr").

Manorial authority = the lord in his governmental capacity ("Obrigkeit").

Manorial court = the manorial court or office ("Amt"), responsible for keeping the manorial court records.

Rents = the branch of manorial administration ("Renten") responsible for collecting payments from serfs.

Not given = no information, merely recorded as "Schuld".

Sources: SOAD HS, Kart. 61, 77-80, 709, Amtsprotokolle Friedland, 1583–1692.

Even if the lordly loans with no recorded purpose had all been used to support peasant investment, why should they have been necessary? As Table 3 shows, Friedland had a large and lively market for private credit, involving voluntary transactions in which borrowers paid interest to lenders in return for using their funds.⁵⁸ Lords were not remotely peasants' only source of investment capital. Against this background, it seems unlikely that peasants were so desperate for credit that they voluntarily accepted constraints on their personal freedom to get loans from lords.

⁵⁸ On private serf credit, see: *Ogilvie*, *The Economic World*, pp. 438-439.

4 Whipped to Market: Did Lordly Dues Encourage Peasants to Work?

Perhaps the most paradoxical way in which lords are held to have benefited serfs was by extracting dues from them. According to this theory of forced commercialization, peasant mentalities were marked by extreme leisure-preference and risk-aversion which deterred serfs from working more than required for subsistence and from producing surpluses for sale. This resulted in thin markets characterized by few participants, frequent shortages, and volatile prices. Lords corrected these market failures by imposing heavy money rents and labour dues, impelling serfs to become industrious and market-oriented.⁵⁹ Higher rents resulting from weaker legal rights, it is argued, forced peasants to work harder and produce more output for sale, fostering commercialization and resilience under conditions of market adversity.⁶⁰

This theory postulates that a rise in lordly dues exerts what economists call an *income effect*. Faced with higher dues, peasants need more income. To get it, they allocate more time to labour instead of leisure and supply more labour to market production instead of subsistence. These income responses both increase aggregate output and remedy a situation in which markets have too few participants to operate efficiently.⁶¹

This hypothesis, however, ignores the fact that income effects are almost always accompanied by what economists term *substitution effects*. Faced with higher dues, peasants will substitute away from the dues-paying activity, either by immediately reducing the time they allocate to it (if that is feasible) or by refraining from undertaking new effort in future. When lords increase dues, therefore, substitution effects cause peasant industriousness and market participation to fall – counteracting any positive income effect. Only if peasants cannot take any action to alter the amount they have to pay will a rise in dues evoke no substitution effect.

Increased lordly extraction had three features likely to give rise to peasant substitution responses. First, lords often increased so-called hereditary dues –

⁵⁹ R. Hilton, Transition from Feudalism to Capitalism [A Comment], in: Science and Society 17, 1953, pp. 340-348, here pp. 346-347; G. Duby, The Early Growth of the European Economy, Ithaca 1974, esp. pp. 157-270; R. Britnell, The Commercialisation of English Society, 1000-1500, Cambridge 1993, pp. 50-51, 70-71; Bush, Introduction, p. 5; Malinowski, Serfs and the City, pp. 123, 126-127, 143.

⁶⁰ *Ibid.*, pp. 123, 126-127, 143.

⁶¹ *Ibid.*, p. 127.

dues a serf had to pay just to occupy a landholding or cottage on the lord's estate. Increasing dues on holdings, however, created incentives for serfs to avoid taking them on. An enserfed peasant could not emigrate freely, but he could seek out a livelihood niche that did not involve taking on a dues-paying holding. Rising dues on serf holdings created a substitution effect motivating serfs to choose livelihoods that earned lower incomes than householding but also incurred lower dues – for example working as a live-in servant or labouring as a houseless lodger.

Second, intensifying lordly extraction often involved introducing dues on specific occupations, typically market-oriented ones such as crafts, trades, and proto-industries. By increasing dues on a particular occupation, however, a lord created incentives for serfs to substitute away towards activities that did not incur dues. A weaving cottager might switch to day-labouring in order to avoid loom-dues; a housewife might switch to care-work, gleaning, or scavenging to avoid spinning-dues; a serf with a small mill might switch to farming to avoid mill-dues.

Third, increasing lordly extraction often involved raising dues at will, ignoring custom or charter. Arbitrary increases in dues often arose from situations in which the manor observed that peasants were increasing their output and decided to seize a share of the increase. However, as soon as peasants perceived that dues were likely to be increased arbitrarily, they had less incentive to increase output, since producing more would not increase their ability to pay dues but merely increase the dues they had to pay. By increasing dues arbitrarily, a lord was likely to evoke a substitution effect in which peasants reduced the amount of time they allocated to expanding their output, particularly if that expansion could be observed by lords.

When the lord increased the dues he levied, the net impact of this increase on serf industriousness and market participation depended on the size of all these negative substitution effects compared to that of any positive income effect.

Let us start by assessing evidence for the pure income effect. The basic assumption of the forced commercialization theory is that peasants strongly preferred leisure to labour and were too risk-averse to produce for the market. Only higher lordly dues could compel them to work harder and produce marketable surpluses.⁶² How well are such assumptions borne out by the evidence for the Bohemian estate of Friedland?

A first fundamental problem for the forced commercialization theory is the historical timing. On the estate of Friedland, it was not until 1558, when the

⁶² *Ibid.*, pp. 123, 126-127, 131.

estate was taken over by a new overlord, that manorial dues began to expand rapidly. Between then and c. 1620, the new lordly dynasty greatly increased the dues burden, extending it to new social groups and new economic activities. This process accelerated during the Thirty Years' War (1618 to 1648), and intensified further in the century after c. 1650.⁶³

Serf market participation, by contrast, is recorded for at least 170 years before lordly dues began to rise in the late 1550s. In 1381, as we have seen, Friedland serfs were already operating at least 10 private mills to grind grain and saw wood for customers. At latest by the 15th century, serfs were supplying labour to the market on a scale that evoked lordly decrees forbidding Friedland serfs from migrating to towns, undertaking apprenticeships, or leaving the estate at harvest time.⁶⁴ In 1393 and 1409, Friedland villagers were selling wood to coopers from the Silesian town of Görlitz.⁶⁵ In 1427, several Friedland serfs were exporting wool to the Saxon town of Zittau.⁶⁶ In 1438, “a man from Friedland” sold 36 *Groschen* worth of fish in Görlitz.⁶⁷ In 1445 and 1476, Friedland villagers were locked in commercial conflict with Görlitz townsmen over grain sales.⁶⁸ So substantial were Friedland serfs' grain exports in 1483 that the lord threatened to fine them for “smuggling” grain to sell outside the estate.⁶⁹ Serf butchering and meat trading was vigorously entrepreneurial, as in 1520 when the Friedland villager Hans Scheffer was imprisoned in Görlitz for repeatedly selling meat there counter to the privileges of the Görlitz butchers' guild.⁷⁰ By 1539, serf yarn-trading was so competitive that the lord of Friedland restricted it to protect the exclusive legal privileges which he granted (in return for cash bribes) to the Friedland weavers' guild.⁷¹ In 1549, all the Friedland fief-nobles petitioned against new customs charges, since “[...] whatever is sold by us or our serfs, be it cattle, grain, or other things, occurs out of the great necessity of ourselves and our serfs”.⁷² By 1586, serfs were again “busying themselves” (*sich befleissen*) so

63 Cerman, Proto-industrialisierung, pp. 110-125.

64 *Ibid.*, pp. 115-116.

65 *Ibid.*, pp. 276-277.

66 Zittauer Urkundenbuch 287 (31.12.1427).

67 Cerman, Proto-industrialisierung, p. 130.

68 See the discussion in: *Ibid.*, p. 271.

69 SOAD, VS Friedland, č. I, Gerichtsbuch 1493-1516, fol. 31v; SOA Liberec, OS Friedland, kn. 11, Stadtbuch, fol. 287.

70 *Ibid.*

71 Cerman, Proto-industrialisierung, p. 132.

72 SÚA Praha, SM C 65/8, fol. 57.

competitively with yarn-trading that they evoked protests by urban guildsmen, a generation before the first manorial yarn-trading dues were imposed in 1614.⁷³

The desire of Friedland peasants for income thus dominated their preference for leisure and their aversion to risk at latest from the 1380s onwards. Any income effect arising from the increase in manorial dues after 1558 was thus not necessary to impel Friedland peasants into industriousness and market participation. On a number of other Bohemian estates, too, serf proto-industries were widespread long before manorial authorities started to license, monopolize, and tax them.⁷⁴ On the south Bohemian Schwarzenberg domains, for instance, market-oriented behaviour was recorded (and often criticized or constrained by manorial officials) long before the rise in manorial burdens in the 1590s.⁷⁵ In medieval and early modern Europe more widely, a large number of archival studies have provided detailed evidence showing that peasants were eager to be industrious and to produce for the market without being forced into doing so by lordly extraction.⁷⁶

Of course, the 16th-century rise in lordly exactions might have motivated Friedland peasants to be even more industrious and market-oriented than they already were. But not one of the 3,792 Friedland manorial court cases from 1583 to 1692 contains any hint of a serf working or selling harder in response to rising lordly exactions. A positive income effect of rising lordly dues on peasant effort cannot be ruled out. But it is not recorded, even in the manorial court minutes, which provide c. 750,000 words of insight into serfs' economic activities and reasoning.⁷⁷

Substitution effects, by contrast, are amply documented. As early as 1381, the Ringenhain demesne farm was extracting the highest coerced labour dues on the estate, causing part of the village to become deserted.⁷⁸ After 1558, dues on landholdings in all Friedland villages were harshly increased for the full peasant stratum and extended to the rural sub-strata of smallholders (with insufficient land to live entirely from farming) and cottagers (with just small cab-

73 SOAD, HS, Kart. č. 166, M. 2 (14.03.1586).

74 *Cerman*, Proto-industrialisierung, pp. 44-46.

75 *Stejskal*, Zeman bez sedláků, pp. 23-24, 35, 44, 54.

76 See the European evidence surveyed in *Ogilvie*, *The Economic World*, pp. 432-434; and *S. Ogilvie*, Choices and Constraints in the Pre-Industrial Countryside, in: *C. Briggs/P. Kitson/S.J. Thompson (Eds.)*, Population, Welfare and Economic Change in Britain, 1290-1834, Woodbridge, 1985, pp. 269-305, here pp. 269-278.

77 On serf economic reasoning as documented in the Friedland manorial court records, see: *Ogilvie*, *The Economic World*.

78 *Cerman*, Proto-industrialisierung, p. 116; SOAD, VS Frýdlant, urbář 1381, fol. 5b, 8a, 18a.

ins). By c. 1600, the only serf stratum that did not owe hereditary dues were lodgers (*Hausleute*) who lived in rooms rented from peasants, smallholders, or cottagers. During the 17th century, dues on peasant, smallholder, and cottager holdings increased relentlessly.⁷⁹

Rising dues created incentives for serfs to avoid taking on holdings. In 1650, for instance, Hans Keller told the manorial court that he intended to give up his full peasant farm in Haindorf, declaring that he could not pay the financial burdens and, besides, “[...] he had never greatly desired the holding, his mother and siblings had talked him into it”.⁸⁰ Others avoided taking on holdings altogether, as in the case of Christoph Herbig who in 1651 was described disapprovingly by the manorial court as being “[...] only a lodger, [who] earns a living from all sorts of trading, and also has done no services for the feudal authority for a whole year, but rather earns his living only from wheeling and dealing, when he should be able to take on a cottager holding”.⁸¹ In 1656, the manorial authorities accused the village of Ullersdorf of having many lodgers, who “must take on deserted holdings”.⁸² Olbersdorf, too, had “a lodger called Tobias Hirschman, in the schoolhouse, who shall take on a holding of his own”.⁸³

So many serfs were deterred by rising dues from taking on holdings that in 1692, the Friedland manorial administration ordered that, “[...] because experience has shown that in the villages a number of people dwell, seek and conduct their trade and livelihood, and nonetheless have no real residence, despite the fact that they could buy a cottage and thus be obliged to render the lord dues and services, the village headmen and sworn-men are therefore instructed to summon such persons to contribute to the communal assessments.”⁸⁴ The manor devised a new category of dues to be levied from “solitary persons” who otherwise “did not bring in anything”.⁸⁵ In 1704, Friedland’s sister manor of Reichenberg went further, ordering that “[...] idlers [*Faulenzer*] and those who do not otherwise serve, also old male servants who do not want to marry, likewise those who pursue livelihoods and afterwards pay neither tax nor levies, are allocated certain so-called bachelor’s dues [*Gesellenzinsen*], to be entered into the revenues every year.”⁸⁶ The same can be observed on other Bohemian estates in the 17th century,

⁷⁹ Cerman, Proto-industrialisierung, 115-125, p. 220.

⁸⁰ SOAD HS, Kart. 79, Amtsprotokolle 1649-1655, fol. 96r, 04.06.1650.

⁸¹ SOA Děčín, HS, Karton č. 79, Amtsprotokolle 1649-SS, fol. 155r-v, 31.07.1651.

⁸² SOA Děčín, HS, Kart. č. 315, Jahrding 1656.

⁸³ Ibid.

⁸⁴ Cerman, Proto-industrialisierung, p. 314.

⁸⁵ Ibid.

⁸⁶ SOA Děčín, HS, Kart. č. 239, Verordnungen bey unserer Herrschafft Reichenberg Anno 1704.

where rising dues on servile holdings evoked negative substitution effects, motivating serfs to seek livelihoods that earned less but also rendered lower burdens.⁸⁷

Serfs responded similarly to the proliferating manorial dues on crafts and trades. Peasants practising spinning, linen weaving, yarn trading, baking, slaughtering, grain retailing, bread selling, cattle trading, salt selling, and numerous other non-agricultural activities were required to have themselves “written down” or registered in the manorial court to pay dues. For some traditional crafts, such as smithing, tailoring, and potting, serfs also had to pay fees to an urban guild, which in turn paid the lord for its privileges. Enforcing such occupational dues consumed a growing share of manorial court cases, as Table 5 shows. Direct permits to practise crafts absorbed less than 3 percent of cases before 1631 but nearly 9 percent after 1645. Permits to engage in small-scale trading accounted for under 3 percent of cases before 1645, but nearly 6 percent after 1674. Indirect permits mediated via guild privileges also proliferated, rising from 1.5 percent of cases before 1631 to nearly 5 percent after 1645.

Tab. 5: Regulating Market Entry, Manorial Court Cases, Estate of Friedland, 1583–1692.

Period	Manorial permission to practise craft		Manorial permission to practise commerce		Manorial enforcement of guild entry barriers		Total cases no.
	no.	%	no.	%	no.	%	
1583–1619	58	2.7	53	2.5	30	1.4	2,124
1627–1631	11	3.0	6	1.6	8	2.2	364
1645–1645	21	10.8	5	2.6	14	7.2	195
1649–1664	56	8.7	22	3.4	30	4.7	645
1674–1692	39	8.4	27	5.8	19	4.1	464
Total	185	4.9	113	3.0	101	2.7	3,792

Notes:

Craft = all secondary-sector production except for brewing, distilling, grain-milling, saw-milling, fulling, linen-bleaching, paper-making, mining, and iron-smelting (which were demesne activities and thus subject to a separate regulatory regime).

Commerce = all specialized trading except for that related to the craft activities listed above.

Manorial enforcement of guild entry barriers = lordly enforcement of “articles” or privileges entitling an occupational guild to regulate permission to participate in input or output markets.

Sources: SOAD HS, Kart. 61, 77-80, 709, Amtsprotokolle Friedland, 1583–1692.

⁸⁷ On lodgers’ reluctance to accept holdings on the estate of Pardubice, see: *Toegel*, *Zbĕhání poddaných*, pp. 206-208. On lodgers’ mass emigration from cameral (crown) estates when inflicted with new labour dues in 1613, see: *Cerman*, *Proto-industrialisierung*, p. 107 footnote 114.

Manorial dues imposed real risks and costs on serf enterprise. In 1605, five village serfs were imprisoned, fined 6 Schocks apiece (51 days' wages), and ordered to carry out coerced labour carting wood for the lord, because they "[...] transported several loads of grain, namely wheat and rye, through the town of Friedland, unloaded it in their houses and barns, and engaged in forbidden peddling in the countryside".⁸⁸ In 1606, Jörg Neuman from Weisbach was imprisoned and fined 5 Schocks (42 days' wages), because he bought up yarn in another village and, "counter to the overlord's prohibition", failed to have himself "written down in the manorial court".⁸⁹ In 1611, "to warn off others" the manor imprisoned two Dörffel serfs for operating looms without registering to pay dues.⁹⁰

Compliance was monitored from below. In 1608, the Friedlanz headman admonished a village yarn trader for "[...] not being written down in the manorial court and purchasing yarn away from the mouths of the others who paid dues to the overlord".⁹¹ In 1627, neighbours in Weisdorf publicly warned a village yarn trader to stop "cheating his overlord and the whole community".⁹² In 1645 the whole community of Rückersdorf complained "[...] against the salt traders in the village, that they conduct free salt-serving and will not pay any dues from it, although the community wishes to have a certain sum from them annually because they [the community] have to pay the salt-dues to the manorial authority".⁹³ In 1645, several village bakers complained "[...] against the other bakers who do not have themselves written down in the manorial court, that they conduct their baking for free and do not render any dues to the manorial authority".⁹⁴ In 1686, the Friedland potters' guild reported the impoverished Ringenhain serf Geörg Neumann for operating a kiln without a permit, so the lord fined him 10 Reichstalers (equivalent to 100 days' wages).⁹⁵

Serfs evading occupational dues thus faced detection and penalties, not just by the manor but by neighbours, competitors, communities, and guilds. Many

88 SOAD, HS, Kart. č. 57, inv. č. 89, 1593–1610, fol. 61v (04.01.1605). Wages from: *Allen, Wages and Prices*, grape-picker's day-wage in 1605 7k. 1s=60k.

89 SOAD HS, Kart. 57, Burgschaftsbuch 1593–1610, fol. 80v, 21.02.1606. Wages from: *Allen, Wages and Prices*, grape-picker's day-wage in 1606 7k. 1s=60k.

90 SOAD HS, Kart. 77, Amtsprotokolle 1609–1611, fol. 92v, 10.03.1611.

91 SOAD HS, Kart. 309, Amtsprotokolle 1607–1608, fol. 1392, 02.08.1608.

92 SOAD HS, Kart. 78, Amtsprotokolle 1627, fol. 2v, 05.02.1627.

93 SOAD HS, Kart. 78, Amtsprotokolle 1645, fol. 20v, 29.05.1645.

94 SOAD HS, Kart. 78, Amtsprotokolle 1645, fol. 21v, 29.05.1645.

95 SOAD HS, Kart. 709, Amtsprotokolle 1685–1687, fol. 31r-v, 24.04.1686. Wages from: *Allen, Wages and Prices*, grape-picker's day-wage in 1686 9k. 1 RT = 90k.

paid the dues. But some ceased to practise the occupation because they could not earn enough to cover the manorial exactions. What did they do instead? Their major alternative was wage-labouring, which was not taxed by the landlord. This was likely to be a less productive use of serfs' time, since working at one's own craft elicited more effort than labouring for an employer: as one serf labourer put it in 1611 when asked why he was working so slowly, "[...] this is what it is like to be poor, when one is working for a day-wage".⁹⁶ Many wage-labourers, moreover, were employed by better-off serfs to perform their manorial labour dues, a low-productivity allocation of time, since there were strong incentives to work slowly and unproductively when carrying out coerced labour.

The third source of substitution effects consisted of arbitrary dues – those levied at the lord's will – which enabled lords to translate higher serf output directly into higher dues. After c. 1550, the lords of Friedland increasingly shifted away from hereditary labour dues that were "specified" (*gemessen*) to those that were "unspecified" or had to be delivered "until the work is done".⁹⁷ Many new dues increased with serf output, as in 1552, when serfs producing boards and shingles were required to pay the lord a share of their output: in the village of Lusdorf that year these new dues were valued at 34.3 Schocks, equivalent to 253 days' wages for an agricultural worker.⁹⁸

Such pro-rata dues reduced serfs' incentives to produce more – unless they could earn enough additional income to cover both production costs and manorial dues. Serf mills also suffered arbitrary impositions, for example in 1631 when the lord increased dues on the 15 private grain-mills, a change that yielded the equivalent of 4,716 days' wages instead of the previous 3,144.⁹⁹ A manorial court case of 1677 explicitly described how higher serf effort attracted higher lordly exactions: "[...] in consideration of the fact that the two bakers Geörg Pülz in Einsiedel and Christoph Jammrich in Ringenheim, against the other village bakers, cart many wares of bread and rolls into the corporal in the castle and into the town, they shall each pay dues of 2 Schocks into the manorial rents for the past year." These extra dues amounted to the equivalent of 15 days' wages for each excessively productive village baker.¹⁰⁰

⁹⁶ SOAD HS, Kart. 77, Amtsprotokolle 1611–1616, fol. 6v, 06.07.1611.

⁹⁷ *Cerman*, Proto-industrialisierung, pp. 105–106, 117–122.

⁹⁸ *Ibid.*, p. 118. Wages from: *Allen*, Wages and Prices, grape-picker's day-wage in 1552 8k. 1s=60k.

⁹⁹ *Helbig*, Urbarium, p. 133 (excludes additional dues on the manorial castle-mill in Friedland). Wages from: *Allen*, Wages and Prices, grape-picker's day-wage in 1631 7.5k. 1s=60k.

¹⁰⁰ SOAD HS, Kart. 61, Amtsprotokolle 1674–1681, fol. 16r, 16.03.1677. Wages from: *Allen*, Wages and Prices, grape-picker's day-wage in 1677 8k. 1s=60k.

Serfs responded to arbitrary rises in dues by substituting away from the dues-paying activity. In 1604, for instance, the lord of Friedland arbitrarily imposed an increase in dues on a small private mill operated by the Markersdorf peasant, Urban Grundtman. Soon afterwards, the village complained that Grundtman was refusing to keep his mill in good repair “[...] on account of the increased dues, [since] in future he is supposed to pay 4 Schocks more than previously”.¹⁰¹ Grundtman evidently decided to substitute away from milling, since the income he earned from it was not worth the extra dues, equivalent to 34 days’ wages.

It must also be recognized that increasing manorial dues involved substantial redistribution from serfs to lords. Between 1552 and 1600, for instance, hereditary dues (those levied on serf holdings) rose from the equivalent of 1,755 days’ wages every year to the equivalent of 3,429 annually. Non-hereditary dues, such as those on serf crafts and trades, also increased in that period, and all dues surged upwards across the 17th century. Analysis of the social incidence of the new dues shows that they fell disproportionately on the poorest servile householders, the smallholders and cottagers.¹⁰² Rising dues thus involved a non-trivial redistribution from the poorest strata of serfs to rich lords. Leaving aside whether lordly dues actually did increase peasants’ market participation, for which there is no actual evidence, was it worth making peasants worse off and landlords better off in order to achieve it?

A final critical flaw in the forced commercialization hypothesis is that it focuses on gross output but ignores the costs. Genuine economic growth involves increasing *net* output, which takes into account the resources expended. By looking only at the volume of goods sold or cash changing hands, forced commercialization disregards the resources diverted from other uses: self-provisioning for family survival, maintaining serfs’ own plots, investing in tools or skills, recovery time for humans and beasts. True economic growth occurs when output rises relative to the costs of production, driven by efficiency gains or better opportunities. Forcing people to work harder simply to meet extractive demands at any cost is fundamentally different from achieving economic growth by producing more output from given inputs. Forced commercialization is development for the extractor, not for the economy.

101 SOAD HS, Kart. 77, Amtsprotokolle 1604–1606, fol. 8r, 20.04.1604.

102 *Cerman*, Proto-industrialisierung, p. 220: hereditary dues rose from 234 Schocks to c. 400. Wages from: *Allen*, Wages and Prices, grape-picker’s day-wage in 1552 8k, in 1600 7k. 1s=60k.

5 The Efficient Demesne?

Demesne enterprises – those operated directly by the manor – also play a role in theories about economic benefits from lordship. The pre-modern economy, according to this approach, suffered from market failures deterring small-scale producers from adopting productive techniques, using commercial approaches, or reaping economies of scale. Demesne farms and manorial industries, it is argued, corrected these market failures through their superior scale and efficiency, generating positive spillovers for the peasant economy. The result of this seigneurial “industrial policy”, it is claimed, was “a symbiotic relationship” between demesne lordship and serf enterprise.¹⁰³

The Friedland demesne economy, however, evinced little evidence of symbiosis. As we have seen, peasant enterprise was already flourishing from the 1380s onwards. Demesne enterprises, by contrast, only started growing in the 1550s. Figure 2 shows the three main components of Friedland manorial revenues. The first component consisted of revenues from sales of demesne output (beer, wood, cattle, grain) plus those from leasing out manorial monopolies (especially on beer and spirits): these made up less than 18 percent of total revenues in 1550, rising to an average of 61 percent between 1610 and 1725 and increasing further to 80 percent by 1762.¹⁰⁴ Second, there were revenues from the manorial administration of proto-industry, derived from the lord’s proto-industrial enterprises (fulling-fees, wool sales, tin-mining, iron-forging) alongside dues levied on serfs’ own proto-industrial activities (weaving dues, loom dues, etc.): these made up a stable 5 to 10 percent of manorial revenues. The third component consisted of dues on serf landholdings plus payments for commuting labour dues to cash: these started out as 75 percent of manorial revenues in 1550 but fell to 10 to 20 percent from c. 1600 onwards. The key feature of Figure 2 is the late emergence of demesne output as an important share of manorial revenues. Demesne enterprises became important for manorial revenues only around 1600, whereas serf market activities were recorded from the 1380s at latest.

There is also no indication that demesne operations exported efficiency gains to the wider economy. Demesne farms produced the same crops and livestock as peasants, demesne breweries fermented the same beer as serf brewers, demesne

103 *Cerman*, Proto-industrialisierung, pp. 67, 76 (quotations); *Cerman*, Villagers and Lords, p. 93; *Bush*, Introduction, p. 5; *Malinowski*, Serfs and the City, p. 123.

104 *Cerman*, Proto-industrialisierung, p. 135.

mills ground the same grain and sawed the same boards as private ones, demesne bleacheries processed the same linen fabrics as serf bleaching-meadows. Most demesne operations thus operated in sectors where serfs were already active. Yet few competed on a level playing field with peasant producers, let alone surpassed them. Rather, demesne enterprises survived because the lord used his power to exercise compulsion over suppliers, customers, and competitors.

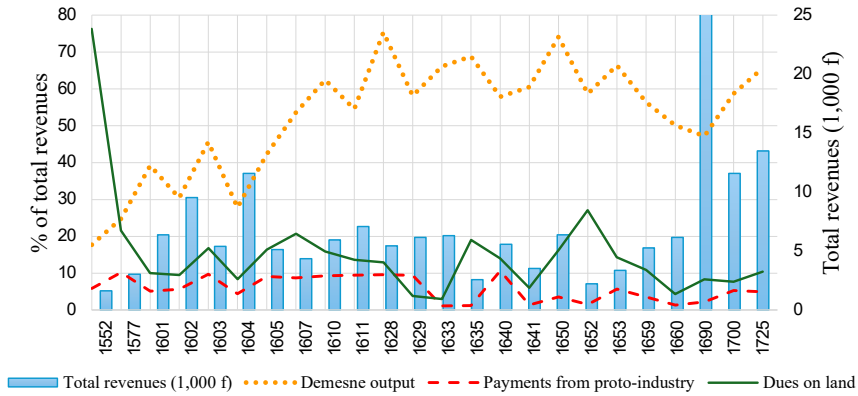


Fig. 2: The Major Components of Manorial Revenues, Estate of Friedland, 1552–1725. Note: Total revenues adjusted for inflation using Vienna CPI. Smaller revenue categories not separately shown consist of occasional land sales, tenancy rents, and serf fines. Sources: Friedland revenues from: *Cerman*, *Proto-industrialisierung*, p. 135 with Tab. 2.9; Vienna CPI from: *Allen*, *Wages and Prices*.

On the input side, demesne enterprises made use of lordly monopolies to undercut private producers. Demesne saw-mills used lordly control over forests to secure free wood while serf saw-mills had to buy manorial wood at monopoly prices. The lord used seigneurial rights over all land outside serf holdings to provide sites for demesne farms, mills, breweries, distilleries, and bleaching works. Sometimes the lord bought out a serf, whether voluntarily or through compulsion, to create a site for a demesne enterprise. Other times, he took advantage of serf intestacy, flight, or expulsion to confiscate peasant land. In the aftermath of the Thirty Years War, for instance, the lords of Friedland incorporated into demesne farms no fewer than 115 holdings confiscated from absconded or expelled serfs, increasing the total area of the demesne land by at least

10 percent.¹⁰⁵ When serfs refused to sell land voluntarily, the lord deployed compulsion. In 1677, for instance, the lord tried to buy a “building site and garden” in Friedland on which to erect a second demesne linen-bleachery. When the site was instead sold to a townsman planning to establish a private bleachery, the three senior manorial officials (estate-captain, burggrave, and rent-collector) formally summoned the luckless buyer into the manorial court, where they “[...] seriously prohibited him, on pain of 200 ducats’ fine, from building the least linen-bleachery on the building site and garden [...] and also forbade him to lay out any linen to be bleached on the garden, with explicit warning from the manorial court, that as soon as he were to undertake anything of the sort, such a building would be torn down and the linen would fall home to the gracious manorial authority [...] whereupon he vowed to the lord estate-captain with hand and mouth to refrain from all these things, and to give his linen into the gracious manorial authority’s bleachery, despite the fact that [the building site and garden] had been sold to him such that he might bleach linen upon them.”¹⁰⁶ As late as 1790, contemporary observers described how the Friedland lords’ reluctance to establish or permit additional bleacheries had long hindered the development of the Friedland linen proto-industry.¹⁰⁷

Demesne enterprises also used forced labour to reduce their input costs artificially. Each demesne farm was managed by a salaried *Vogt* (foreman) but the labour was provided by *Robota* (labour dues) from serf households, forced wage-labour at capped day-rates, and *Gesindezwangsdienst* (forced servanthood by serf adolescents). Manorial forestry operations were managed by paid foresters and wardens alongside skilled saw-millers, but the felling, splitting, stacking, and transporting were carried out using serf *Robota*. The manorial brewery was managed by a professional brewer but the mass transportation of brewing-grain was performed using coerced carting from serfs or *Robota*-money paid in lieu.

On the output side, too, demesne enterprises survived by virtue of manorial privileges. Serfs were obliged to buy grain quotas from demesne farms at prices so extortionate that desperate cottagers lamented in the 1620s that “[...] we do not know how we, due to great poverty, are supposed to pay our gracious lord for this”.¹⁰⁸ The monopoly prices charged for grain by the demesne evoked such frequent serf complaints that in 1655 the lord promised that “[...] henceforth, the lord’s grain shall be set for payment to them at no higher value than good grain is

105 *Ibid.*, pp. 128-129.

106 SOAD HS, Kart. 61, Amtsprotokolle 1674–1681, fol. 23r, 03.08.1677.

107 *Cerman*, Proto-industrialisierung, p. 447.

108 Quoted in: *Ibid.*, p. 142.

worth here at the market” – a commitment whose frequent reiterations throughout the 17th and 18th centuries testify to its falsity.¹⁰⁹ Serfs were obliged to patronize manorial mills which charged high prices and served customers poorly, as we have seen, but which remained in business through lordly enforcement.

Linen-weavers were also required to patronize the demesne bleachery despite the high costs: for at least 50 years after the Friedland demesne bleachery was established in 1670, serf weavers from as far afield as Reichenberg (22 km away, over five hours on foot) were legally obliged to patronize it; in 1693, the lord confiscated 200 lengths of linen that serfs had illicitly bleached on their private bleaching-lawns.¹¹⁰ Friedland was not unique: most other Bohemian lords behaved in the same way, compelling serfs to buy demesne output at high monopoly prices and banning competition from serf enterprises.¹¹¹

Perhaps the most egregious example of the privileges granted to demesne enterprises was the manorial brewery. From c. 1600 onwards, the lords of Friedland increasingly used compulsion to force serf brewers out of business. Each village headman was granted a monopoly over serving beer in his village and was then obliged to stock only the output of the manorial brewery. Each serf householder was assigned a quota of manorial beer that he was obliged to purchase. Illegal private brewers and their customers were fined, imprisoned, or ejected from their holdings.¹¹²

Brewing was the single most important component of demesne operations in terms of manorial revenues, and it consumed growing attention from the manorial court, as Table 6 shows. Brewing was involved in just 0.5 percent of recorded manorial court cases from 1583 to 1645, but 5 percent from 1649 to 1692, a tenfold increase. Distilling (a demesne monopoly linked to brewing) doubled in importance, from 0.6 percent of cases during 1583 to 1645, reaching 1.3 percent in the 1649 to 1692 period. Beer-serving privileges, which were crucial to the demesne brewery, more than doubled in importance, taking up 1.7 percent of court cases during 1583 to 1645 but 3.6 percent in the 1649 to 1692 period. Of the 1,109 manorial court cases recorded between 1649 and 1692, 7.3 percent involved privileges relating to brewing, distilling, beer-serving, or all three.

Demesne enterprises were preceded and out-competed, therefore, by serf enterprises in the same activities. They display no evidence of deploying inno-

109 *Ibid.*, p. 133 with footnote 214.

110 *Ibid.*, pp. 392, 430.

111 M. Cerman/H. Knittler, *Town and Country in the Austrian and Czech Lands, 1450–1800*, in: S. Epstein (Ed.), *Town and Country in Europe, 1300–1800*, Cambridge 2001, pp. 176–201, here p. 198.

112 Cerman, *Proto-industrialisierung*, pp. 131–134, 139.

vative techniques, commercial approaches, or scale economies unavailable to private producers. Rather, they survived by using manorial prerogatives to depress input costs, coerce consumers, and close down competitors. It would be surprising if they benefited the economy at large.

Tab. 6: Manorial Enforcement of Brewing, Distilling, Beer-Serving, and Wine-Serving Privileges, Estate of Friedland 1583–1692.

Period	Manorial court cases involving brewing privileges		Manorial court cases involving distilling privileges		Manorial court cases involving beer-serving privileges		Manorial court cases involving wine-serving privileges		Total cases no.
	no.	%	no.	%	no.	%	no.	%	
	1583–1619	11	0.5	6	0.3	39	1.8	5	
1627–1631	3	0.8	6	1.6	5	1.4	4	1.1	364
1645–1645	0	0.0	0	0.0	2	1.0	0	0.0	195
1649–1664	34	5.3	8	1.2	27	4.2	1	0.2	645
1674–1692	13	2.8	6	1.3	18	3.9	3	0.6	464
Total	61	1.6	26	0.7	91	2.4	13	0.3	3,792

Sources: SOAD HS, Kart. 61, 77-80, 709, Amtsprotokolle Friedland, 1583–1692.

6 The Lord's Hubs: Facilitation or Fees?

Lordship is also supposed to have benefited the economy by creating judicial and administrative hubs. Efficiency theories proposed in the 1970s claimed that serfdom was a voluntary contract in which lordly castles and law-courts supplied serfs with public goods – personal security, property rights, contract enforcement – in return for coerced labour.¹¹³ More recent variants argue that lordly law-courts and demesne administrators organized commercial relationships among serfs, enforced contracts, and reduced transaction costs that otherwise obstructed peasant exchange.¹¹⁴ Lordly demesne operations, it is claimed, even supplied rural consumers with goods they could not themselves produce. By using their

¹¹³ North/Thomas, Rise and Fall.

¹¹⁴ Sonderegger, Active Manorial Lords, p. 308; Buylaert et al., Lordship, pp. 14-15.

seigneurial powers, “[...] landlords took on the market-like role of provider and a hub for more or less direct exchange between the peasant farmers”.¹¹⁵

The main administrative hub on the estate of Friedland was the manorial court and office in Friedland castle, supplemented by demesne enterprises out in the villages. But there is no evidence that demesne enterprises supplied peasants with any goods they could not themselves produce. Quite the contrary, as we have seen: the manorial court and demesne enterprises sought to prevent peasants from producing beer, spirits, milled grain, or bleaching services that would compete with demesne output. The manorial court certainly collected peasant payments but these, as we have seen, often took the form of dues, fees, and fines that impeded serf enterprise. The demesne farms, mills, and brewery likewise collected payments in the form of money, labour, and raw materials; but these were resources that serfs could have allocated to other purposes.

Nor did the manorial court organize commercial relationships among peasants. As we have seen, archival sources from 1381 onwards reveal that Friedland serfs had already organized a lively network of commercial relationships, not just among themselves but outside the boundaries of the estate, long before the intensification of lordship after 1558. Serfs patronized town markets, made deals in village taverns, traded on highways, transacted in each other’s houses and farms, and enforced their contracts in urban courts. They did not need manorial administrative hubs for these transactions. If anything, the manorial court had a chilling effect on peasant exchange. For one thing, it sought to prohibit peasants from engaging in commercial livelihoods – what it pejoratively termed “wheeling and dealing” – if it deemed them capable of taking on servile landholdings and delivering lordly dues. For another, the court ordered serfs to refrain from craft and commercial activities unless they registered with the manor to pay dues and guild license fees on their trades.

To the extent that the lord’s court guaranteed property, contracts, and security as a public good, it would have benefited serfs and the economy at large.¹¹⁶ But the court also enforced manorial regulations concerning cash and in-kind dues, coerced labour, loom fees, beer quotas, suit of mill, marriage controls, migration restrictions, apprenticeship permits, and compulsory adolescent servanthood – many of which impeded serf enterprise. Nor was the justice provided by the manorial court necessarily impartial, as shown by cases which were decided against litigants on the grounds that they were incapable householders, poor taxpayers, reluctant demesne labourers, stubborn female house-

115 *Sonderregger*, *Active Manorial Lords*, p. 308.

116 *North/Thomas*, *Rise and Fall*.

hold heads, or “idlers” who refused to take on servile holdings – that is, serfs who provided little value to the lord and did not deserve lordly justice.¹¹⁷

It might be argued that for all their inequitable and extractive tendencies, manorial courts were beneficial, since the alternative was a state of nature, with no contract enforcement at all.¹¹⁸ But this would be historically inaccurate. In many parts of medieval and early modern Europe, enforcement of contracts and property rights was provided by a variegated ecosystem of law-courts and administrative offices operated by rulers, towns, villages, religious houses, church tribunals, merchant associations, and craft guilds, which offered multiple alternatives to lordly courts and put pressure on each other to offer impartial justice in order to attract litigants.¹¹⁹ A lordly court was thus not the only possible guarantor of contracts, property, and security in medieval and early modern European societies.

In Bohemia, serfs sometimes tried to appeal to non-manorial jurisdictions. In 1609, for example, the lord arbitrarily deprived the Friedland burghers of their brewing rights. The affected burghers appealed to the Emperor, but the lord severely punished the ringleaders and explicitly forbade any further outside appeals.¹²⁰ The fact that Bohemian lords had to prevent their serfs from appealing beyond manorial tribunals demonstrates two things: first, alternative judicial and administrative hubs existed; and second, serfs wanted to use them. Where strong lordship blocked access to external justice, the lord’s administrative hubs did shape exchange, but not in a good way. They taxed, restricted, and suppressed the market transactions that serfs had already created for themselves.

117 See the cases discussed in: *S. Ogilvie/M. Cerman*, The Bohemian Census of 1651 and the Position of Inmates, in: *Histoire Sociale/Social History* 28, 1995, pp. 333-346, pp. 344-345; *Ogilvie/Edwards*, Women and the ‘Second Serfdom’, pp. 983-988; *Ogilvie*, Communities, pp. 97, 100, 106-108, 111-115; *T. Dennison/S. Ogilvie*, Serfdom and Social Capital in Bohemia and Russia, in: *Economic History Review* 60/3, 2007, pp. 513-544, here pp. 523-526, 532-533, 536-538.

118 *North/Thomas*, Rise and Fall.

119 *C. Briggs*, Credit and Village Society in Fourteenth-Century England, Oxford 2009; *S. Ogilvie*, Institutions and European Trade: Merchant Guilds, 1000–1800, Cambridge, Cambridge University Press, 2011; *J. Edwards/S. Ogilvie*, What Lessons for Economic Development Can We Draw from the Champagne Fairs?, in: *Explorations in Economic History* 49/2, 2012, pp. 131-148.

120 See: SOAD HS, Kart. 78, Amtsprotokolle 1615–1616, fol. 11v, 29.06.1615; SOAD HS, Kart. 78, Amtsprotokolle 1616–1619, fol. 73r, 01.01.1618; *Cerman*, Proto-industrialisierung, pp. 139-141.

7 Conclusion: Spurred by Lords or Bound by Chains?

Where does this leave us in rehabilitating serfdom? Pre-modern economies certainly suffered from market failures. In medieval and early modern Bohemia, lordship was strong enough for lords to undertake all the activities by which serfdom is held to have generated economic benefits. But on the estate of Friedland, strong lordship did not remedy market failures better than other economic institutions. On the contrary, in most spheres it was worse than the alternatives. Many of the market failures we observe on this Bohemian estate were created, not alleviated, by the lord's exercise of power. Markets in pre-modern Bohemia did not work well by any means, but they worked better in the interstices where lordly coercion was weaker.

Although the evidence refutes the rehabilitation view for Bohemian serfdom, might strong lordship be rehabilitated for other serf societies? This article suggests not. The rehabilitation approach to serfdom suffers from two basic internal contradictions which make it hard to maintain for any society under strong lordship.

First, the rehabilitation approach fails to consider the full implications of lordly power. To remedy market failures, the lord had to possess power. But once a lord had power, what prevented him from using it for his own advantage rather than that of society at large? In theory, such a malignant outcome might be prevented by other institutions that curbed lordly coercion and offered serfs outside options – the state, the church, the legal system, independent cities, strong village communes.¹²¹ But serfdom was an institutional system defined by lordly dominance, in which the countervailing influence of other institutions – even the state – was much weaker than in non-serf societies, in principle stopping at the gates of the manor. The only societies in which the malignant deployment of lordly power was curbed were ones like late medieval Flanders or England where a vigorous civil society of non-seigneurial institutions attenuated seigneurial power – that is, where serfdom had stopped behaving very much like serfdom.¹²² Without addressing this fundamental contradiction concerning the use of lordly power, it is hard to see how the rehabilitation view would be tenable for any variant of serfdom.

¹²¹ On the state, see: *C. Dyer*, *The Ineffectiveness of Lordship in England, 1200–1400*, in: *Past & Present* 195, 2007, pp. 69–86, here p. 75; *Briggs*, *Credit*. On towns, see: *Ogilvie/Carus*, *Institutions*.

¹²² See: *M. Bailey*, *The Decline of Serfdom in Late Medieval England: From Bondage to Freedom*, Woodbridge 2014; *Buylaert et al.*, *Lordship*, pp. 7–9, 14–15.

The second problem is that the rehabilitation view ignores the alternatives. What happened in a pre-modern society where the lord did not build mills, loan peasants capital, increase dues to make serfs work harder, establish demesne enterprises, or provide administrative hubs? These questions can be addressed by the empirical findings not just for Bohemia but for other European societies. If the lord did not build a mill, the evidence from England, France, Italy, Spain, and Bohemia itself shows that mills were built and run by peasants, townsmen, village communities, urban municipalities, religious houses, and other bodies. If the lord did not loan serfs investment funds, the evidence from both Bohemia and western Europe shows that peasants borrowed money from a wide variety of private sources. If the lord did not increase exactions from peasants, evidence from Bohemia and other pre-modern societies shows that peasants were eager to be industrious and to allocate time to market-oriented activities by themselves. If lords did not establish demesne operations, enterprises were established in every sector by a wide variety of economic actors, including entrepreneurial peasants who, in Bohemia as in England, emerged out of the unfree population. If the lord did not operate manorial courts as administrative hubs, peasants engaged in exchange in urban markets, rural taverns, or via decentralized transactions, and obtained contract enforcement through a variegated ecosystem of law-courts provided by rulers, parliaments, local governments, towns, villages, religious bodies, and occupational associations. Feasible alternatives appear to have flourished everywhere in pre-modern Europe except where they were actively suppressed by lordly coercion – and even then they sprang up in the interstices of lordship, though sometimes in weakened or distorted form. The rehabilitation case is thus not just refuted by the empirical findings presented here for Bohemia. It contains a basic theoretical contradiction which renders it difficult to maintain for any European society.

This is not to deny that pre-modern economies suffered from market failures that might have been remedied through institutional intervention. They did. But serfdom was not the solution to these failures. It was part of the problem.

Acknowledgement: For stimulating comments and suggestions, I thank Mark Bailey, Mike Braddick, Jeremy Edwards, Spike Gibbs, Adam Lucas, Felix Schaff, Tanja Skambraks, Phil Withington, two anonymous referees, and seminar audiences in Oxford and Manchester.

Bionote

Sheilagh Ogilvie

is the Chichele Professor of Economic History at All Souls College, Oxford. Her research explores the lives of ordinary people in the past and tries to explain how poor economies get richer and improve human well-being. Sheilagh is a Fellow of the British Academy and winner of the Gyorgy Ranki Prize (2021, 1999), the Stanley Z. Pech Prize (2008), the Anton Gindeley Prize (2004), and the René Kuczynski Prize (2004). She has published on institutions and economic development, serfdom, guilds, merchants, communities, human capital, demography, women's work, finance, state capacity, and social capital. Her most recent book is: *S. Ogilvie, Controlling Contagion: Epidemics and Institutions from the Black Death to Covid*, Princeton 2025. She currently holds a Leverhulme Major Research Fellowship to research European serfdom.