

Rural History in Europe 5

COST

Action A 35 PROGRESSORE

COST – the acronym for European COoperation in the field of Scientific and Technical Research – is the oldest and widest European intergovernmental network for cooperation in research. Established by the Ministerial Conference in November 1971, COST is presently used by the scientific communities of 35 European countries to cooperate in common research projects supported by national funds. The funds provided by COST – less than 1% of the total value of the projects – support the COST cooperation networks (COST Actions) through which, with EUR 30 million per year, more than 30,000 European scientists are involved in research having a total value which exceeds EUR 2 billion per year. This is the financial worth of the European added value which COST achieves.

A ‘bottom up approach’ (the initiative of launching a COST Action comes from the European scientists themselves), ‘à la carte participation’ (only countries interested in the Action participate), ‘equality of access’ (participation is open also to the scientific communities of countries not belonging to the European Union) and “flexible structure” (easy implementation and light management of the research initiatives) are the main characteristics of COST (Web: www.cost.esf.org).

As precursor of advanced multidisciplinary research COST has a very important role for the realization of the European Research Area (ERA) anticipating and complementing the activities of the Framework Programmes, constituting a “bridge” towards the scientific communities of emerging countries, increasing the mobility of researchers across Europe and fostering the establishment of ‘Networks of Excellence’ in many key scientific domains such as: Biomedicine and Molecular Biosciences; Food and Agriculture; Forests, their Products and Services; Materials, Physical and Nanosciences; Chemistry and Molecular Sciences and Technologies; Earth System Science and Environmental Management; Information and Communication Technologies; Transport and Urban Development; Individuals, Societies, Cultures and Health. It covers basic and more applied research and also addresses issues of pre normative nature or of societal importance.

Contexts of Property in Europe
The Social Embeddedness of Property Rights in Land
in Historical Perspective

Edited by Rosa CONGOST and Rui SANTOS



BREPOLS

EDITORIAL BOARD

G rard B aur, director
Rosa Congost
Anne Lise Head-K nig
Socrates Petmezas
Vicente Pinilla
J rgen Schlumbohm
Bas van Bavel

This publication is supported by COST.

It is the result of the work launched in the working group 1 'Landed Property' of the COST Action A35.

It came into existence thanks to the funding of the ESF (COST), with the support of the Portuguese Foundation for Science and Technology (FCT) through the base funding of CESNOVA-FCSH-UNL and project POCTI/HAR/56210/2004, and the Spanish Ministry of Science and Innovation through project HAR2008-02960/HIST.

We are grateful to Anne Varet-Vitu (UMR 8558, EHESS-CNRS) who created the final layout of the book.

Cover: *Carta Agr cola de Portugal* [Agricultural Map of Portugal] 1:50,000, by G rad P ry, Direc o Geral de Agricultura, 1891. We thank Maria Jos  Roxo and E-GEO-FCSH-UNL for kindly providing the picture out of their map library.

Printed on acid free paper.

  2010 Brepols Publisher n.v., Turnhout, Belgium and COST

All rights reserved. No part of this book may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior permission of the publisher.

CONTENTS

List of Contributors	7
List of Figures	8
List of Tables	9
The series Rural History in Europe	11
Foreword	13
1. Working out the frame: From formal institutions to the social contexts of property Rosa CONGOST, Rui SANTOS	15
2. Institutional changes and peasant land-transfers in the Czech lands, from the late Middle Ages to the eighteenth century Markus CERMAN, Dana ŠTEFANOVÁ	39
3. The evolution of property rights in Tuscany, from the end of the Middle Ages to the nineteenth century Giuliana BIAGIOLI	61
4. The social embeddedness of common property rights in Navarra (Spain), sixteenth to twentieth centuries José Miguel LANA BERASAIN, Iñaki IRIARTE GOÑI	83
5. Inheritance, land market and social reproduction in an egalitarian system (Vernon, Normandy, 1750-1830) Fabrice BOUDJAABA	105
6. An English or a continental way? The great agrarian reforms in Denmark and Schleswig-Holstein in the late eighteenth century Carsten PORSKROG RASMUSSEN	125
7. Land reform and reallocation in interwar Europe Paul BRASSLEY	145
8. From capitalism to ‘neo-feudalism’? Property relations, land markets, and the Nazi state in the German province of Niederdonau, 1938-1945 Ernst LANGTHALER	165
9. Securing access to England’s uplands: or how the 1945 revolution petered out Richard W. HOYLE	187
10. The governmentality of land ownership in south-eastern Europe. Romania and Yugoslavia: a comparison Dietmar MÜLLER	211

11. Changing property structures in central European agriculture during decollectivization: the social aspects of appropriation
Maria HALAMSKA 229
12. Family farm ideology and the transformation of collective farms in East Germany, 1989-2005
Jeong Nam CHOI, Axel WOLZ, Michael KOPSIDIS 247
13. The post-Socialist transformation of land ownership in Hungary
Zsuzsanna VARGA 267

3. The evolution of property rights in Tuscany, from the end of the Middle Ages to the nineteenth century

Giuliana BIAGIOLI

I. Introduction

This chapter attempts to understand how property rights worked and were socially appropriated during the early modern period in the Italian region of Tuscany. The initial proposition is that property relations transcend ‘legal principles and institutional frameworks’ (Congost, 2003: 74).

From the point of view of size, this case would appear, on the face of it, to be a marginal one in European history. Present-day Tuscany, even though it is larger than when it was a regional State in the early modern times, is still not very large: less than 23,000 sq. km, with a population of just over three and a half million inhabitants. However, in this small area there are many cities which back in the Middle Ages were free communes, with a population that exceeded the European average. From medieval times up to the modern period, this Italian region has been continuously involved in European history. It was one of the protagonists in the creation of the first world economy in the early modern period, centred around the Mediterranean and identified by Braudel, and albeit more marginally, it continued to be involved with major trends in the context of European history until, with the advent of the Habsburg-Lorraine dynasty in the mid-eighteenth century, it fully entered the great European phenomenon of the Enlightenment. Throughout the period it played an important role in the evolution of property rights in Europe as well, both through the adoption of new forms of behaviour by actors and social groups and the adaptation of pre-existing institutions to new economic and social conditions.

Tuscany has been an area of precocious urban civilization since the Middle Ages, with a pre-eminence of many manufacturing and commercial cities in relation to the countryside. While artisans, merchants and bankers from Florence, Lucca and Pisa had commercial, financial, and political relations throughout Europe, they were also among the most important landowners who diverted a part of their capital to acquire land, in order both to diversify their investments and to gain control of agricultural surpluses and raw materials. The seigniorial system found it hard to establish itself where city institutions, the *comuni*, did not allow institutional competitors to settle