

Beyond hierarchy¹: the archaeology of collective governance

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Abstract

The question interrogated here, through the case study of agricultural resources, is whether the governance of collective rights of property in past non-literate communities can be explored through archaeological methods. Property rights and the structures for their governance are an expression of social relations. The 'techniques, rules, or customs to resolve conflicts that arise in the use of scarce resources' that underlie property rights and their governance are likely to be consonant with each community's perceptions of individual and collective relationships, rights and obligations in relation to others both within and beyond their own territory (Alchian and Demsetz 1973, 16). This paper explores through seven brief illustrative exemplars the development of a methodology for inferring the practical details of collective governance of agricultural property in the non-literate past.

Keywords

Common property regime; common rights; property rights; governance; pasture; arable.

Introduction

The recognition by archaeologists *that there were* systems of governance in prehistoric societies and, by implication, forms of right of property, has a long history. By 1925 (for example), when the *Dawn of European Civilisation* was published, models of governance were already familiar, as exemplified in Childe's discussion of the evolution from relatively egalitarian Neolithic clans moving around established territories in Bohemia to 'potent chieftains' in Bronze Age Troy (106-7 and 41). Similar notions of governance and property right were implicit in Crawford's conclusion that 'it seems probable' that Figsbury Rings hillfort 'belonged to some tribe or community that lived nearby' (1928, 85). The topic was as central forty years later when Piggott suggested that traditions of chiefly governance over peasant communities may have been 'characteristic of barbarian Europe for millennia' (1965, 260). Lack of detailed analysis in support of such generalized observations was based on diffidence about the limits of archaeological evidence which – it was held – meant that governance structures were 'virtually imperceptible by archaeological means alone' (Piggott 1965, 80). But the unintended consequence was that interpretations of governance became little more than 'nomothetic propositions ... ideology masquerading as findings' (Hunt 1998, 8). They owed more to anthropological models of and contemporary assumptions about political development - based on an ineluctable progression from 'primitive' hunter-gather to 'civilised' participatory democracies - than to archaeological investigation.

Archaeological approaches to governance were transformed by work undertaken by prehistorians in the late 1970s and early 1980s, of which Bradley's *The Social Foundations of Prehistoric Britain* is the most iconic (1984). Bradley's call to archaeologists – 'it is time that archaeologists accepted that they can recognise patterns which they had not expected to see' – was accompanied by arguments, carefully supported by detailed archaeological evidence, construing the evolution of governance in British prehistory from Neolithic religious castes to late Iron Age military aristocracies (1984, 157).

¹ With apologies to Dr John Robb.

This work stimulated greater complexity in archaeological conceptualisations of governance. In 2010, for instance, Cunliffe proposed that late Iron Age elites practising upland pastoral husbandry in south-west Britain were linked by 'ties of obligation and clientage' to freemen cultivating arable on the lowland slopes below (2010, 594). Similarly sophisticated conclusions were explored in 2008 in chapters of a volume edited by Rainbird: Parker-Pearson, for example, agreed that chiefdoms were the dominant form of governance in Neolithic Wessex, and went on to pose questions about whether they were characterized by shifting allegiances rather than long-term stasis (2008, 48). Yet hypotheses suggesting *how* systems of governance worked in practice remain elusive: research tends assume the rights in property only of elite groups, and there is still a tendency to explain the history of governance in terms of an evolutionary trajectory from small-scale egalitarian collectivity to large-scale stratified hierarchies (cf. Hunt 1998).

The recognition that the key focus of governance is the management of *rights of property* in a resource, particularly natural resources and their products, may provide a useful way forward (Hunt 1998, 8). Property rights allow individuals and groups to exercise power over land, and rights to recognition of and respect for those rights from others. A man who says (for example) that he is 'lord of all he surveys' is describing not his ownership of a physical entity, but a set of 'socially recognised rights of action' over the use of identifiable resources (Alchian and Demsetz 1973, 17). Just over a decade ago, Earle lamented that property rights were 'rarely' discussed by archaeologists (2000, 40). While explicitly archaeological discussions of governance in relation to property includes two papers in Hunt's edited volume of 1998, both assume – like Piggott – that such evidence is insufficient to support more than generalized statements. Gilman suggested that archaeologists might instead adopt a comparative ethnological approach to investigate property rights – that is, to interpret archaeological evidence for governance by analogy with anthropological studies of bands, tribes, chiefdoms or states (1998, 217-220). And although Fleming's reconstruction of commons on Swaledale is made up of equal parts of archaeological and historical material, his discussion of the details of their governance depends solely on documentary evidence (1998). Progress has been made in Herring's recent work on Bronze Age commons on Dartmoor which offers an innovative archaeological argument for inferring practical details of governance, suggesting that the pastures 'were probably subject to controls on livestock numbers and against trespassers' (2008, 86).

Definitions of property, collective rights over property, and their governance

Legal scholars begin by agreeing that there are three principal contexts within which property rights can be exercised: private, public and common (e.g. Demsetz 1967; Östrom 1986; Hunt 1998; Stiltz 2011). They concur that all conceptions of all forms of property are too innumerable, vague and muddled to allow definition, before going on nonetheless to produce guarded definitions, the boundaries between which can be decidedly fuzzy. Rights over private property (what historians call 'several') are, roughly speaking, vested in the sole, absolute control of an individual, or a group behaving as an individual; by contrast, everyone within a state has rights in public property. Rights in common property – the focus of this paper - are neither private nor public, but share some of the characteristics of each (Hunt 1998, 11).

Common property rights are equitable bundles of legal rights shared between a group of right-holders, governing exploitation of a common (frequently natural) resource whose ownership may be vested elsewhere. Common rights are similar to private property rights in that membership of the group is exclusive. They are unlike private property rights in that common rights are limited rather than absolute (Ciriacy-Wantrup and Bishop 1975, 714;

Earle 2000, 51). For example, common rights of pasture provide right-holders with a legal entitlement to exploit grazing within a specified area, even though the land on which they have pasture rights may itself be subject to other property rights. Co-owners govern their rights over such *common pool resources* within collective institutions called *common property regimes* (CPrRs) of which all right-holders are members. CPrRs have generalisable formal structures for governance, organising access to rights, ensuring sustainability and equity of output, regulating resource exploitation, and protecting against or remedying infractions (Östrom 1990; Earle 2000, 41).

Östrom, the leading political economic analyst of CPrRs, discussed common rights in terms of meta-structures. She argued that institutions through which commons are governed embody rules of proper behavior, those 'prescriptions commonly known and used by a set of participants to order repetitive, interdependent relationships' (1986, 5). Not rules or laws about the specific detail of rights, they exemplify prescriptive expectations which set generalized parameters to behavior. That is, they establish predictable, orderly limits within which collective rights of property may be exercised, by stipulating those actions or outcomes that must, may and must not be aimed at or achieved (1986, 6). Those holding rights of common, for instance, are more likely to change the rules about who may be admitted to common rights than they are to change the principle that rights of common property belong to an exclusive, restricted group.

Archaeologists will recognise in such analyses of common property rights an example of Bourdieu's formulation of *habitus*: fundamental expectations for subtle differentiations in social relationships across a wide range of contexts - how we expect other people to treat us (and how we expect to treat them), depending on whether they are our parents, children or siblings, cousins, grandparents or grandchildren, employer or partner, friend, priest, or overlord (Bourdieu 1977; Robb 2010). They are transmitted from one generation to the next through a multiplicity of unspoken attitudes and preconceptions that are mostly learned through implicit example before adulthood rather than by formal instruction. Often so inarticulate as to be beyond rational discussion, they tend to be deeply entrenched and resistant to change. Property rights like those in CPrRs exemplify *habitus* - they 'help a man form those expectations which he can reasonably hold in his dealings with others. These expectations find expression in the laws, customs and mores of a society. An owner of property rights possesses the consent of fellowmen to allow him to act in particular ways. An owner expects the community to prevent others from interfering with his actions, provided that these actions are not prohibited in the specifications of his rights' (Demsetz 1967, 347). Both Bourdieu and Östrom recognised that, if such meta-structures for social governance are to be long-enduring, they have to meet two conditions: institutions should be formulated in terms of general rather than specific prescription, and they should allow for flexibility and adaptation of detail, in this case of governance, management and regulation. The principles governing meta-structures are sufficiently generalized to allow flexibility in adaptation to pressures such as (for example) rising or falling populations, climatic variation, economic growth or collapse and so on. For these reasons, like other social structures, long-lasting CPrRs tend to be dynamic rather than static, and to become deeply embedded in social relations (Östrom 1990, 191; Fleming 1998, 189-90).

Governance of agricultural resources under common property regimes in prehistoric Britain

How might institutions for the collective governance of property rights be distinguished in prehistoric landscapes? Östrom's criteria for recognition of CPrRs include: the presence of clearly defined boundaries in order to avoid disputes; rules regarding the exploitation of the

resource that are related to local conditions; participation of all right-holders in regular governance meetings; transparent and accountable monitoring of infringements; local, cheap and quick resolution of conflict; and oral traditions of custom and practice for recording rights (1990, 90-102).

The first of Östrom's characteristics can straightforwardly be tested by archaeologists. Boundaries defining physical limits to rights over property are an archaeological commonplace: they have been identified in all periods of prehistory on every possible scale in almost all geographies (cf. Oosthuizen 2011b). Yet the identification of boundaries, while a necessary condition for the identification of a prehistoric CPrR, is not sufficient – a boundary can define several as easily as collective rights. Further evidence is needed, yet satisfaction of Östrom's remaining criteria depends on documentary rather than archaeological evidence.

A possible solution to this impasse may be the adoption of a methodology based on hypothesis tested through the indicative conditional: that is, what might one expect to observe *if* systems for the governance of collective rights of property existed in prehistory? The man-made landscape offers a sound locale for asking such questions. Much landscape archaeology expresses property rights in arable and pasture. It provides a physical, hermeneutic – if partial - record not only of entitlements and responsibilities based on individual and collective property rights, but also of recursive relationships in the double helix of governance and social structure. For these reasons, the methodology is explored in outline below through necessarily brief illustrative exemplars exploring the possibilities of collective governance over prehistoric and Romano-British arable and pasture.

Such methods can, however, offer no more than 'best fit' hypotheses in relation to archaeological evidence for the governance of past non-literate societies. Few indicative conditions are on their own likely to offer incontrovertible grounds for the identification of prehistoric CPrRs, although the more such conditions a site is able to satisfy, the stronger the hypothesis for its management under a CPrR will be. Nor may it be possible to identify every characteristic of collective agricultural exploitation in this way, since not all may be visible archaeologically: collective cultivation rewarded by the division of a crop between co-arators at harvest might leave no physical record, although a CPrR would nonetheless be required to assure their rights of access and of protection against damage to crops, including that from failure to contribute sufficient labour or labour of sufficient quality. Similarly, although hefting is a pastoral practice associated only with medieval and modern CPrRs, it may also be archaeologically invisible. While hypothesis-testing through the indicative conditional offers new possibilities for archaeological research into social relations, it may be unlikely to provide definitive answers to such questions without support from other methods.

Exemplars: *Arable*

What archaeological evidence might one expect to find if rights to arable were governed collectively? In an important paper, Bailey recently observed that property rights within arable CPrRs ranged from 'narrow' to 'wide' (2010, 158-9). 'Narrow' CPrRs demonstrate limited collective rights over arable, minimally assuring each right-holder's rights of access to a field and of his protection against accidental or deliberate damage to his crops (for example, theft or trampling by other right-holders). 'Wide' CPrRs offer extensive collective rights: those in medieval open two- and three-field systems, for instance, included almost all aspects of cropping, grazing and fallowing. Since just a basic level of collectivity is all that is needed for a CPrR to come into being, 'narrow' CPrRs are assumed in the arguments that follow. If that is mistaken, and 'wide' CPrRs were in fact in play, this will not affect the

outcome of the propositions discussed below since the minimum conditions for collectivity will already have been met.

Two indicative conditions are considered:

(i) If co-arated arable land was subdivided between two or more cultivators so as to allow unrestricted movement between their holdings, then a CPrR for the governance of cultivation might be expected in order to assure each cultivator's rights of access and of protection against damage to crops. The indicative condition for arable governed under a CPrR would thus be: *permanent subdivision of arable cultivated by two or more households in such a way as to allow unrestricted access from one subdivision to the next.* (Where boundaries between holdings were impermeable, there would be no requirement for a CPrR, and although arable under single ownership might well be divided between different crops, those subdivisions might be likely to be *impermanent* in order to allow the greatest flexibility in planning successive years' crop rotations.)

Exemplar 1: A regular co-axial layout of small fields ranging from 0.2 to 3.2 ha ($\frac{1}{2}$ - 8 acres) at Haddon, Northants., formed the infields of three small Romano-British settlements (Upex 2002; Figure 1). Shallow ditches between 25 and 50 cm deep provided the boundaries to each field, allowing unrestricted movement across them. There were no other, more substantial, boundaries dividing the arable between the settlements, implying that the infields were co-arated by all cultivators in those hamlets. The indicative condition has been met, suggesting this arable may have been governed under a CPrR. Other examples of subdivided fields have been found across prehistoric and Roman Britain, for example at Park Brow, Sussex; Wylve, Wilts.; Grateley South, Hants.; Compton Beauchamp, Oxon.; Burton Lazars, Leics.; Lichfield and Alrewas, Staffs.; Goltho, Lincs.; Tadlow, Cambs.; and at the Elmhams and Ilketshalls in Suffolk (cf. Oosthuizen 2013, 59-61, 69-71).¹

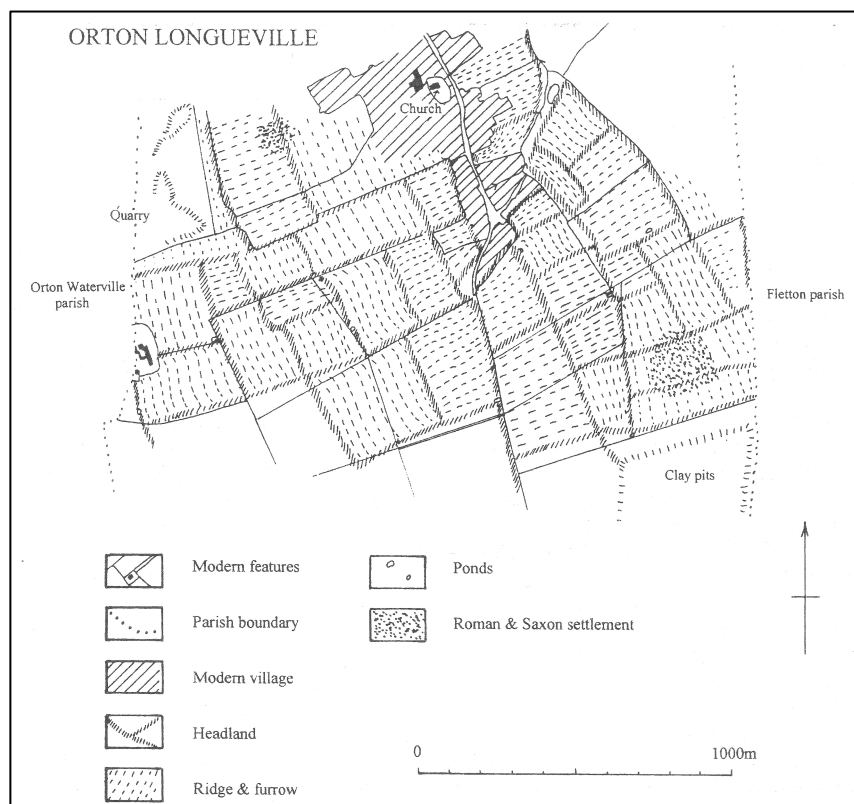


Figure 1. Haddon, Northants.: Romano-British fields fossilised within a medieval open field. (Reproduced from Upex 2002, with permission.)

(ii) A secondary indicative condition is derived from the legal right of all right-holders within a CPRR to equitable access to and exploitation of a resource. The permanent expression of such equity in the arable landscape would allow transparent allocation of the arable between co-cultivators while avoiding the risk of conflict implicit in annual partitioning. A CPRR might be inferred in multiple-household settlements whose *arable was permanently subdivided so as to offer no restrictions on movement across it and further subdivided into units both equal in extent and regular in form*.

Exemplars 2 and 3: The palisade around a nucleated Iron Age settlement at High Knowes (Alnham, Northumb.) included 3.9 ha (9.6 acres) of arable (Topping 1989, 2008; Figure 2). This ploughland was divided into fields by low radial banks which were not sufficiently substantial to prevent access from one field to the next (Dr Peter Topping, pers. comm.). Each field was further permanently sub-divided into narrow ridged strips (cord rig). The detailed layout of such fields can be seen at Hut Knowe (Hownam, Scottish Borders; Figure 3) where cord rig was subdivided into at least six 'fields' across which movement was similarly unimpeded (RCAHMS Canmore ID 57993; Halliday 1986). At both sites, cord rig partitioned each field into long narrow units which were both *equal in extent* and *regular in form*, allowing the possibility of transparent allocation of equitable areas of arable between co-cultivators. The indicative condition is fulfilled at both sites, supporting the hypothesis of collective cultivation. Strip cultivation is found widely across prehistoric and Roman Britain from Somerset, Dorset, Nottinghamshire, Lincolnshire, Wales and Norfolk to Northumberland (cf. Oosthuizen 2013, 76-77).

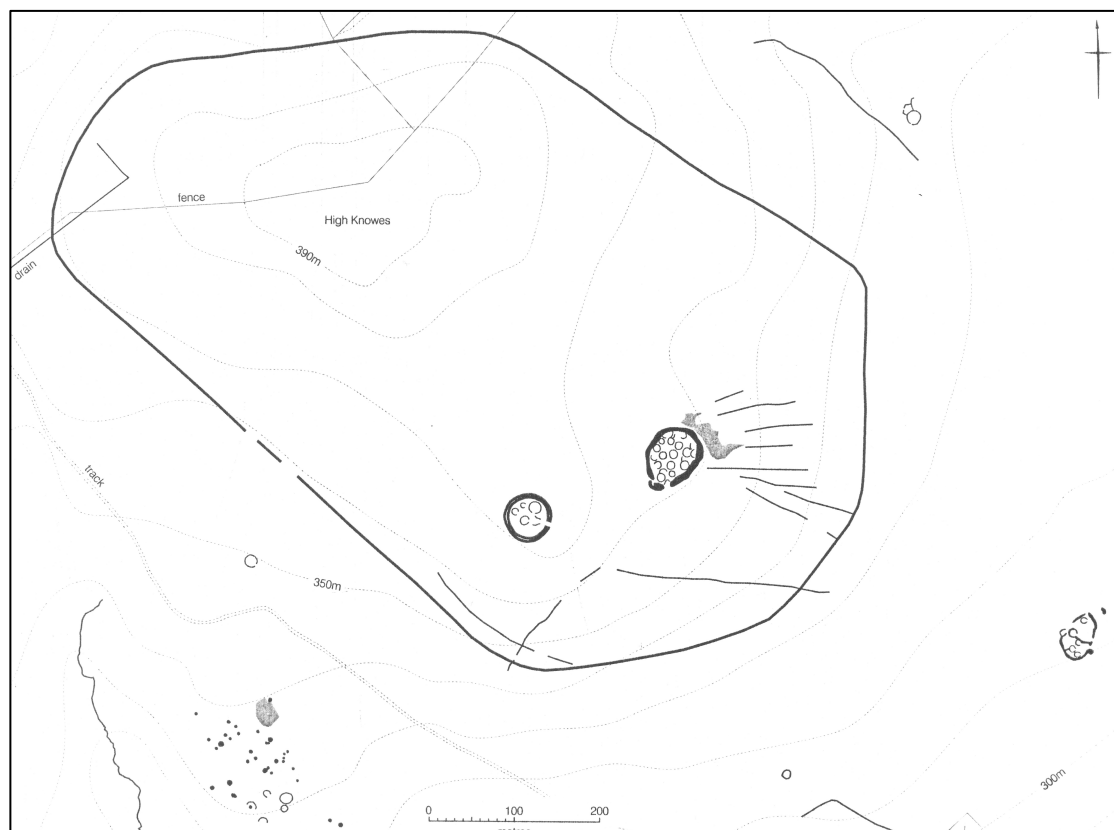


Figure 2. High Knowes, Northumb.: Iron Age radial fields within a larger enclosure. (English Heritage, reproduced from Topping 1989, with permission.)



Figure 3. Hut Knowe, Scottish Borders: Iron Age cord rig in two orientations. (RCHAMS, reproduced with permission.)

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Exemplars: Pasture

Although apparently 'empty' areas exploited for pasture by prehistoric communities tend to be devoid of archaeological evidence for settlement and agriculture, palynological data confirms that their grassland ecology is the result of deliberate management over centuries, sometimes millennia, in support of long-term grazing (O'Connor 2009, 11). What indicative conditions might be expected at such sites if they had been governed under systems of common rights?

(i) Since all right-holders within a CPRR have a right of equal access to their common resource, there should be *evidence of equity of access to pasture* from all local farmsteads. (Conversely, access funneled through or otherwise controlled by a single farmstead should indicate a high probability of pasture in private ownership.) Furthermore, *pastoral areas should not be subdivided in such a way as to suggest allocation to individual households*.

Exemplar 4: Iron Age cropmarks at Rudston, Yorks., show prehistoric settlements and their associated fields on the lower slopes of the Yorkshire Wolds separated by substantial banks from 'extensive meadows and pasture' on the uplands (Stoertz 1997, 73, Figs 38, 39; Figure 4). Droveways to which each farmstead had independent access connected hamlets with grassland on the higher slopes. Each driveway entered the pasture through a widening funnel; there is no indication that access was regulated, for example, through barriers or pinchpoints. Each Iron Age household at Rudston appears to have had equitable access to grazing, satisfying the first indicative condition.

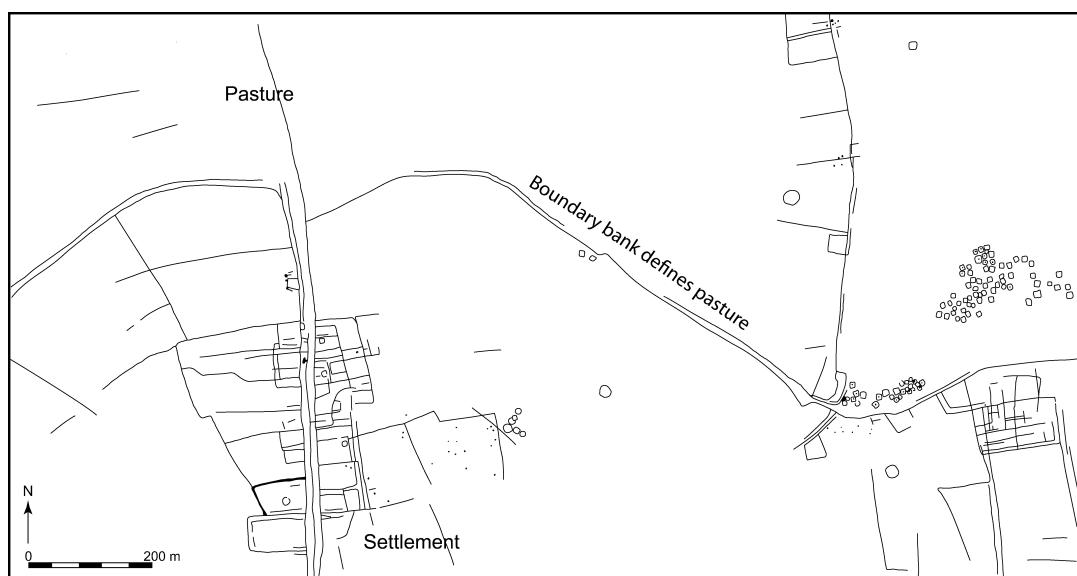


Figure 4. Rudston, Yorks.: relationships between Iron Age settlement and pasture (based on Stoertz 1997, 73).

Equitable access to grazing is, however, insufficient on its own as basis for inferring the existence of a CPRR since, once on pasture, stock might still be managed in severalty: if each farmstead had rights over a discrete area of grazing from which other animals were excluded, there would be no requirement for a CPRR. A second indicative condition will also need to be satisfied for a CPRR to be implied: *that the area of grazing should not be subdivided*, a condition also fulfilled at Rudston. Each farmstead appears to have had equitable access to the uplands on which its stock grazed in a common herd, and a CPRR would thus have been required. Similar landscape characteristics exist on ancient uplands from Bodmin, Exmoor and Dartmoor, the Wiltshire and Hampshire Downs, to the Cheviots and the Brecon Beacons (cf. Oosthuizen 2011b).

(ii) Two indicative conditions for the identification of collective herding follow. The first is based on the hypothesis that the management of communal herds required a smaller number of stockmen than would be the case if each household herded its own animals. If there were *relatively meagre archaeological evidence of small-scale seasonal habitation on the uplands* in comparison with the volume of nearby lowland settlement and cultivation, then governance of a collective herd under a CPRR might be indicated.

Exemplar 5: A sub-oval Bronze Age stock pen at Lower Hartor Tor, Dartmoor (Figure 5), enclosed by a low bank around 1m high, is typical of sparse, small prehistoric enclosures found on upland grazing: it is on a hill-slope, near a territorial boundary, and close to a supply of water (Darvill 1996, 64-5). It is also typical in having been seasonally occupied, providing a summer base for herdsmen and acting as a centre for the autumn round-up. These pastoral enclosures are still usually out-numbered by contemporary lowland settlements even though the latter are more prone to have been destroyed by later ploughing or settlement. Here, the indicative condition is fulfilled.



Figure 5. Lower Hartor Tor, Sheepstor, Devon: Bronze Age stock enclosure on upland grazing lying alongside a territorial boundary. (Cambridge University, reproduced with permission.)

Other examples include those at Shaugh Moor, Dartmoor; the Trendle, on the Quantocks; those at Briggerston Down and Miltston Down, Wilts.; and Berry Castle, Porlock, Voley Castle and Myrtleberry North, all on Exmoor, as well as others in Northamptonshire, Cambridgeshire, and the South Downs; Bozeat and Evenley, Northants.; Caldecote, Cambs.; or Nettlebank Copse and Warren Farm, both Hants. (cf. Oosthuizen 2011b, 164-7).

(iii) The second indicative condition for identifying collective herding is based on the size of flocks and herds that prehistoric farmsteads could reasonably overwinter (cf. Oosthuizen

2011b, 178 n.114). That is, *if herds were too large reasonably to be overwintered on a single homestead*, then collective herding within a CPRR might be inferred.

Exemplar 6: Casterley Camp, Wilts. (Figure 6) is one of a number of prehistoric centres on pasture 'designed, at least in part, to aid the collection, selection and temporary corralling' of thousands of sheep each year (Cunliffe 2010, 246). The flocks managed at Casterley were so large as to make their overwintering within a single farmstead unlikely, and suggests that the indicative condition for the existence of a prehistoric CPRR there is met. Similar prehistoric and Romano-British examples have been identified from south-east England, across central southern England and into Yorkshire (cf. Oosthuizen 2011b, 177-8).

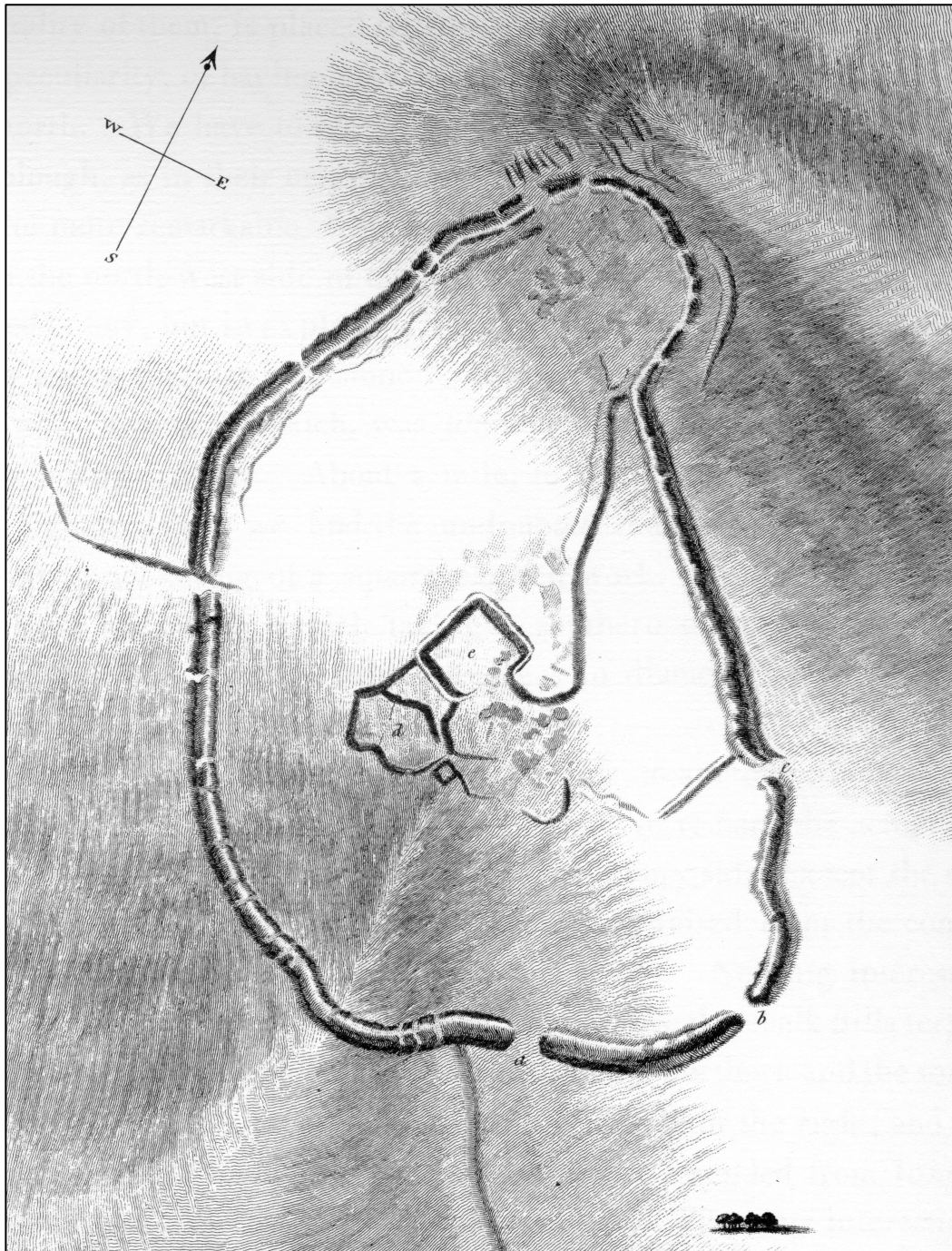


Figure 6. Casterley Camp, Wilts.: Iron Age pens for sorting large volumes of sheep, within a larger stock enclosure (Hoare 1812, 177).

(iv) The last indicative condition for testing the hypothesis of collective governance of at least some prehistoric or Romano-British pasture is based on Östom's criterion for the participation of right-holders in regular meetings in which they collectively maintain mechanisms for the equitable exploitation of a resource, monitor infringements in a way that is transparent and accountable, and resolve conflicts locally, cheaply and quickly (1990, 90-102). In non-literate societies such structures are embedded in oral histories of custom and practice. The most critical periods for those with animals in a communal herd are at the beginning and the end of the grazing season and it is then that collective meetings of right-holders in grazing for the governance of the CPR are most likely to take place. This suggests a further indicative condition: *evidence in areas of open pasture for seasonal gatherings and feasting, and – perhaps – oral traditions.*

Exemplar 7: On a clear day the viewshed from Hambledon Hill, Dorset (Figure 7) extends over thirty miles. Neolithic communities gathered here from as far away as Devon and the Severn to hold 'substantial parties' marked by feasting both in spring, when flocks and herds arrived, and when they were rounded up in the autumn (Mercer 2009, 40). That these collective events were structured within oral traditions of custom and practice is suggested by the repeated recutting over several centuries, even when 'the profile of the ditch must have been represented by a mere undulation in the surface', of the causewayed enclosures in which they were held (Fleming 2008, 152). Similar evidence for prehistoric communal feasts on pasture at the opening and close of the grazing season has been identified across Britain (cf. Oosthuizen 2011b, 178-179).



Figure 7: Hambledon Hill, Dorset: Two Neolithic causewayed camps enclosed within later prehistoric defences. (Cambridge University, reproduced with permission.)

Governance in practice under common property regimes

The methodology explored above through the indicative conditional indicates that the governance of at least some British prehistoric arable and pasture may well have been undertaken collectively within CPRs. The exemplars suggests such governance was characterized by meta-structures which match well against those stipulated by Östom: they met at regular intervals; the exploitation of common resources was structured so as to be equitable, open and accountable; and custom and practice was recorded in and perpetuated through oral traditions. This does not, of course, mean that all land was subject to common rights: there is also good evidence for arable and pasture held and exploited in severalty by individual farmsteads (Oosthuizen 2011b, 175 n.99; Oosthuizen 2011a, 390). Instead, prehistoric and Romano-British CPRs co-existed alongside several rights over property, just as they did during the middle ages and do still today. Nor should it be inferred that social relations were structured within an egalitarian Arcadia: a range of forms of social stratification of varying complexity and depth is evident across Britain from at least the Neolithic onwards.

Rights of access to property, including common pool resources, are based on membership of a defined community (Stilz 2011, 574). In the British exemplars explored above, prehistoric communities are most likely to have been structured around a 'political system in the idiom of kinship' and qualified by status (Gosden 1985, 480). Philologists and archaeologists agree that, by the late pre-Roman Iron Age, if not long before, Britain was already divided between clans within which structural relationships were formalized in personal allegiances based on a nuanced understanding of the complex interplay between status, kinship and rights over land (cf. Charles-Edwards 1972; Gosden 1985; Cunliffe 2010, 605). 'Title to land was nested, not exclusive, and entailed rights and obligations determined by social rank' that included access to rights managed within CPRs (Gibson 2008, 48). The size and membership of each CPR was overlapping and variable depending on the form and location of resource being exploited. Some rights were local, like those over nearby woodland managed by Neolithic communities in the Somerset Levels or Iron Age communities on Salisbury Plain; others lay at a substantial distance, exemplified by Bronze Age cattle brought each summer from the Pennines to the Yorkshire Wolds, and Romano-British beasts that travelled to the marshes along the Severn estuary at the same time of year (Oosthuizen 2011b, 174, 180).

Three implications follow. First, that the several property rights of elites, both groups and individuals within them, may have co-existed alongside any number of sets of collective rights belonging to much larger, potentially overlapping, constituencies in many prehistoric and Romano-British communities, each focused on the exploitation of one or more specific natural resources. In this case, systems of collective governance were socially intricate, bringing together in a range of CPRs individuals and groups of the same and of varying status. Second, that there was considerable stability over the prehistoric millennia in the meta-structures underlying conceptions of and practice in relation to governance of common pool resources. While the precise details of their conceptual worlds may have been adapted to changing circumstances over time, early CPRs give all the appearances of being stable and enduring, offering substantial continuity in the framework of underlying values and principles within which they were configured. Third, and most importantly, such implications support the potential of an approach focusing on the indicative condition in offering a positive methodology for archaeological research into social relations in past non-literate societies.

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References

- Alchian, A. and Demsetz, H. 1973. 'The property right paradigm'. *Journal of Economic History*, 33, 1: 16-27.
- Bailey, M. 2010. 'Beyond the Midland system: The determinants of common rights over the arable in medieval England'. *Agricultural History Review* 58, 2: 153-71.
- Bourdieu, P. 1977. *Outline of a Theory of Practice*. Cambridge: Cambridge University Press.
- Bradley, R. 1984. *The Social Foundations of Prehistoric Britain*. London: Longman.
- Charles-Edwards, T. 1972. 'Kinship, status and the origins of the hide', *Past and Present*, 56: 3-33.
- Childe, V. G. 1925, 1968 ed. *The Dawn of European Civilisation*. London: Routledge.
- Ciriacy-Wantrup, S. and Bishop, R. 1975. '“Common property” as a concept in natural resources policy'. *Natural Resources Journal*, 3: 713-727.
- Crawford, O. G. S. 1925. *Wessex from the Air*. Oxford: Clarendon Press.
- Cunliffe, B. 2010. *Iron Age Communities in Britain*. London: Routledge.
- Darvill, T. 1996. *Prehistoric Britain from the Air*. Cambridge: Cambridge University Press.
- Demsetz, H. 1967. 'Toward a theory of property rights'. *American Economic Review*, 57, 2: 347-359.
- Earle, T. 2000. 'Archaeology, property and prehistory'. *Annual Review of Anthropology*, 29: 39-60.
- Fleming, A. 1998. 'The changing commons: the case of Swaledale (England)'. In *Property in Economic Context*, (eds. R. C. Hunt and A. Gilman). University Press of America: Lanham, pp. 187-214.
- Fleming, A. 2008. *The Dartmoor Reaves*. Oxford: Windgather.
- Gibson, D. B. 2008. 'Chieftdoms and the emergence of private property in land'. *Journal of Anthropological Archaeology*, 27: 46-62.
- Gilman, A. 1998. 'Reconstructing property systems from archeological evidence'. In *Property in Economic Context* (eds. R. C. Hunt and A. Gilman). Society for Economic Anthropology, University Press of America: Lanham, pp. 215-233.
- Gosden, C. 1985. 'Gifts and kin in early Iron Age Europe'. *Man*, N.S. 20, 3: 475-93.
- Halliday, S. P. 1986. 'Cord rig and early cultivation in the Borders'. *Proceedings of the Society of Antiquaries of Scotland* 116: 584-5.
- Hart, E. n.d. (c. 2004/5). *Hefting in Practice. The Ancient Craft of Grazing the Open Hills*. Private printing.
- Herring, P. 2008. 'Stepping onto the commons: South-western stone rows', in P. Rainbird,

- ed., *Monuments in the Landscape*. Stroud, Sutton: 79–88.
- Hoare, R. Colt 1812. *The Ancient History of Wiltshire*. London, W. Miller.
- Hunt, R. C. 1998. 'Properties of property: conceptual issues'. In *Property in Economic Context* (eds. R. C. Hunt and A. Gilman). Society for Economic Anthropology, University Press of America: Lanham, pp. 7-28.
- Mercer, R. 2009. 'Hambledon Hill'. *British Archaeology*, July–August: 38–43
- O'Connor, T. 2009. 'Culture and environment: Mind the gap'. In *Land and People* (eds. M. J. Allen, N. Sharples and T. O'Connor). Oxford: Oxbow, pp. 11–18.
- Oosthuizen, S. 2011a. 'Anglo-Saxon fields'. In *Oxford Handbook of Anglo-Saxon Archaeology* (eds. H. Hamerow, D. Hinton, and S. Crawford). Oxford: Oxford University Press, pp. 377-401.
- Oosthuizen, S. 2011b. 'Archaeology, common rights, and the origins of Anglo-Saxon identity'. *Early Medieval Europe*, 19, 2: 153-181.
- Oosthuizen, S. 2013. *Tradition and Transformation in Anglo-Saxon England: Archaeology, Common Rights and Landscape*. London: Bloomsbury Academic.
- Östrom, E. 1986. 'An agenda for the study of institutions'. *Public Choice*, 48: 3-25.
- Östrom, E. 1990. *Governing the Commons. The Evolution of Institutions for Collective Action*. Cambridge: Cambridge University Press.
- Parker Pearson, M. 2008. 'Chieftains and pastoralists in Neolithic and Bronze-Age Wessex'. In *Monuments in the Landscape* (ed. P. Rainbird). Stroud: Sutton, pp. 34–53.
- Piggot, S. 1965. *Ancient Europe, From the Beginnings of Agriculture to Classical Antiquity*. Edinburgh: Edinburgh University Press.
- Rainbird, P. ed. 2008. *Monuments in the Landscape*. Stroud: Tempus.
- RCAHMS, Canmore: <http://canmore.rcahms.gov.uk/en/site/57993/details/hut+knowe/>, accessed January 2013.
- Robb, J. 2010. 'Beyond agency'. *World Archaeology*, 42, 4: 493-520.
- Stilz, A. 2011. 'Nations, states, and territory'. *Ethics*, 121, 3: 572-601.
- Stoertz, C. 1997. *Ancient Landscapes of the Yorkshire Wolds*. Swindon: RCHME.
- Topping, P. 1989. 'Early cultivation in Northumberland and the Borders'. *Proceedings of the Prehistoric Society* 55: 161-179.
- Topping, P. 2008. 'Landscape narratives: the South East Cheviots Project'. *Proceedings of the Prehistoric Society*, 74: 323-364.
- Upex, D. 2002. 'Landscape continuity and the fossilization of Roman fields'. *Archaeological Journal* 159: 77-108.

¹ For reasons of space, readers are referred to Oosthuizen 2011a, 2011b and 2013 for full references to sites mentioned in the exemplars.