

The new institutional economic history, with its crucial distinctions between extractive and inclusive institutions, wealth-creating and wealth-redistributing groups, cooperative and competitive behavior, and formal vs informal institutions, offers a great deal to this literature. The political environment in which guilds found themselves obviously helped determine how they played the game. Epstein, sadly, did not live long enough to see Daron Acemoglu and James Robinson's seminal *Why Nations Fail*.⁵ One can only imagine how, as an opinionated and sometimes feisty scholar, he would have engaged them. Now, that would have been a sight to see.

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PESANTE, MARIA LUISA. *Come servi. Figure del lavoro salariato dal diritto naturale all'economia politica.* [Storia/Studi e ricerche.] FrancoAngeli, Milan 2013. 362 pp. € 44.00. doi:10.1017/S0020859014000480

Since the publication of Robert Steinfeld's *The Invention of Free Labor*¹ in 1991, a number of historians and scholars of legal history have questioned, investigated, or reinvestigated the rise of free labour and the connections between free and unfree labour. Their studies have shown that, on the one hand, "pure" free labour has been quite exceptional in a long-term historical perspective and that, on the other, boundaries between freedom and coercion were not so clearly defined. The shift from forced labour to "free" wage labour was not linear; free wage labour advanced and then rapidly declined at several points in history; and multiple types of labour relations could coexist at the same time and in the same place, even within the capitalist market economy.

Pesante's *Come servi* is an important contribution to the field. Her book is an intellectual history of wage-earners, with a focus on England during the seventeenth and eighteenth centuries. The author investigates the process of labour commodification, addressing in particular the question of whether labour can be considered a commodity not subject to social norms and governed only by market forces such as labour supply and labour demand. To answer this question, Pesante reconstructs the genesis of the idea of the work of freemen as a commodity. This process was not, as is often assumed, rooted in the political economy of the eighteenth and nineteenth centuries, but in the natural jurisprudence of seventeenth-century Protestantism. The transition from the juridical to the economic sphere would have enduring consequences for workers, in legal as well as anthropological terms. The author analyses the transition and its consequences in four stages, examining the idea of a labour

5. Daron Acemoglu and James A. Robinson, *Why Nations Fail: The Origins of Power, Prosperity and Poverty* (London, 2012).

1. Robert Steinfeld, *The Invention of Free Labor: The Employment Relation in English and American Law and Culture, 1350–1870* (Chapel Hill, NC [etc.], 1991).

contract (chapter 1), the functioning of the labour market and wage levels (chapters 2 and 3), conflicts and competition (chapter 4), and cooperation (chapter 5).

Pesante's first line of enquiry, which forms the basis for the discussion that follows, explores the idea of labour as a commodity. Through an analysis of several texts (Grotius, Pufendorf, *et al.*), she identifies the employee as a temporary servant, whose contract of submission must be continually renewed. She argues that the outcome of this intellectual process was not linear, from coerced (but also protected) slave labour to free wage labour (exposed to market forces); various forms of labour, freedom, and compulsion to work coexisted. The seventeenth-century debates were not yet concerned with discussing the employee's freedom from legal coercion and the position of employees *vis-à-vis* the employer. Instead, the identification of the wage-earner as a temporary servant meant that the intrinsic characteristics of slavery permeated the contracts of employment of free workers, who were protected only as long as they were members of an enterprise. This social relationship of dependence also affected the political sphere: the wage-earner cannot be free from the claims of the master and is unable to act in an independent way. We can see in the bilateral relationship between employer and employee the dynamics between master and servant. On the one hand the master is entitled to acquire the work of others and other property; on the other the servant does not have a status. The lack of any property entitlement which characterizes this situation legitimates the public coercion to work. This operation implies that the transformation between the seventeenth and the eighteenth centuries was not a glorious transition from coercion to freedom, but rather the opposite.

The central point of Pesante's study, then, is the idea of wage-earners as permanent servants and, in particular, the presence of the two instruments that limited the freedom of the latter: the first was criminal penalties, including imprisonment, which workers incurred if they breached their contract; the second was their inability to leave a job and to compete for alternative and better-paid employment, thus limiting competition among employers. This situation characterized mainly Britain and North America (see again Steinfeld's book) and suggests that more and interesting comparisons can be made with other areas, such as continental or Mediterranean Europe, where these two elements were not a feature (Pesante makes a preliminary comparison with the French situation and, in particular, the work of Sonenscher and Cottreau).

The second main point considered in Pesante's book concerns the shift – and its consequences – in these discourses during the eighteenth century from the sphere of natural jurisprudence to that of political economy. The anthropology of the wage-earner as an incomplete man, who cannot be relied on to comply with the terms of his contract and who has no goals beyond mere subsistence, has two effects – on wage levels and on the functioning of the labour market. The propensity of workers to cease working once they have met their own needs posed serious challenges for employers. The optimal level of wages – the result of a unilateral and non-bargaining regulation – would then necessarily be low and so wage rates would have to be reduced through the intervention of the state, forcing workers to work harder if they wanted to improve their standard of living.

The tension between the divergent interests of employers and employees can cause conflict and a need to resolve that conflict. The political thinkers of the eighteenth century found it difficult to conceptualize riots and, in particular, the collective protest of workers. Conflicts were, indeed, regarded as a breach of contract; if they were collective, they were even more dangerous because they represented a deliberate refusal to cooperate, damaging the relationship between worker and entrepreneur. However, the

conflict is not between equals and can be resolved not through free agreement but only in accordance with the rules of justice established by the state.

The refusal to cooperate brings us to the last point considered by Pesante: cooperation, analysed especially through the apology for commercial society made by David Hume. This Scottish thinker, and other Enlightenment authors, idealized a society in which everyone enjoyed increasing wealth, for whatever purpose, not merely to survive. A general increase in welfare was possible without conflict only if per capita incomes rose. However, Hume did not explain how incomes could be redistributed, nor how workers could improve their living standards. Moreover, any continuous growth in prosperity could be sustained only through a favourable balance of trade, which would cause a growing imbalance in international economic relations among societies and the failure of international cooperation. The impossibility of reconciling these two questions has echoed throughout the centuries, right up to the discourses of today's neo-liberals. Although alternative approaches (such as that of the French economist Turgot, the ILO's Declaration of Philadelphia, or the *économie des conventions*) have criticized this reductionist and mercantile ideology, our developed society continues to be characterized by workers who are paid below subsistence levels and regarded more or less as servants. *Come servi* warns us about this critical point, and invites us to consider the origins of this idea.

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STANZIANI, ALESSANDRO. *Bondage. Labor and Rights in Eurasia from the Sixteenth to the Early Twentieth Centuries*. [International Studies in Social History, Vol. 24.] Berghahn, New York [etc.] 2014. \$95.00; £60.00. doi:10.1017/S0020859014000492

In this wide-ranging book, Alessandro Stanziani reconsiders bound labor and its relation to free labor in modern "Eurasia". At the center of his study are Russia and Russian serfdom, but he offers comparisons with multiple countries and systems to Russia's east and west, including free labor in France and Great Britain, early forms of bondage (*kholopstvo*) in pre-serfdom Russia, slavery and the slave trade in central Asia, and slavery and indentured servitude in the Indian Ocean (especially the islands of Réunion and Mauritius). Along the way he puts forth numerous observations and interpretations, some of which are more persuasive than others.

The number and diversity of these observations and interpretations preclude a simple description of Stanziani's argument(s), but he is especially interested in debunking what he considers an overly rigid boundary between free and unfree labor. If Russian serfs had more freedom than often imagined – at times, he argues that they were not really serfs at all – "free labor" in Great Britain and France was not really free. The world of the sixteenth to the nineteenth centuries was one that included various forms of dependency